

University of California Retirement Plan (UCRP)



Disability Return-to-Work Factsheet

For Safety Members Receiving Duty Disability Income

This factsheet answers some of the questions that arise when a member receiving UCRP duty disability income wants to return to work. The possibility of returning to work can be both exciting and challenging. It can be an exciting time because you have the opportunity to return to work and apply your unique talents to your workplace. It can be challenging, because returning to work may mean the long-term loss of your UCRP duty disability income, which you may have grown accustomed to receiving. UCRP duty disability income is designed to assist you in the transition between benefit status and your return to work.

In general, you can work and continue to receive UCRP duty disability income if the following conditions apply:

- you continue to be disabled (i.e., unable to perform the duties of your former Safety position, which is any position that involves protection of life or property), based on qualified medical opinion;
- you are able to perform the duties of the new position in question; and
- your earnings and/or combined income does not exceed the amount explained in #1, below.

For definitions of terms and for more specific information, see the *UCRP Summary Plan Description for Safety Members*.

Frequently Asked Questions

1. How much can I earn from employment while I receive UCRP duty disability income?

If you became a UCRP member before July 1, 1985, there is no limit placed on the amount you may earn in a non-Safety position.

If you became a UCRP member July 1, 1985 or later, your earnings from employment plus your UCRP duty disability income cannot exceed the *current* salary for your former Safety position. If this situation occurs, your UCRP duty disability income will be reduced.

2. When should I notify UCRP if I decide to return to work?

It is your responsibility to notify the UCRP Disability Unit right away if you are interested in working so they can tell you about the restrictions in returning to work. If you become employed, you need to provide your employer's name, address, and telephone number, your position with a description of your duties, your

monthly earnings or anticipated monthly earnings, and your date of employment. UCRP may require updated medical information to evaluate your continued eligibility for UCRP duty disability income. If further documentation of any kind is required, UC will notify you.

3. Can I do any type of work?

You may do any type of work that is within your medical capabilities. However, your eligibility for UCRP duty disability income is based on your inability to perform the duties of a Safety position similar to the one you held—whether at a University campus, at a police or fire department, or at any public or private safety organization. If you take a job that involves the protection of individuals or property, UCRP may review your eligibility to receive UCRP duty disability income. Updated medical information may also be required.

4. Can I return to work at the University and continue to receive UCRP duty disability income?

If you want to return to work at the University, it is your responsibility to locate employment. If you need help, please check with your local Human Resources Office, the Vocational Rehabilitation Counselor at your campus or laboratory, or a job placement agency.

If you return to UC employment, it must be in a position that is not eligible for UCRP membership—for example, a position in which you work less than 1,000 hours per year. (See the appropriate UCRP summary plan description or your Benefits Office for membership criteria.) If your new UC appointment meets the requirements for UCRP membership, you will be reinstated as an active UCRP member, and, if you are reinstated as an active UCRP member (even in a non-Safety position), your UCRP duty disability income must stop. It is your responsibility to notify the UCRP Disability Unit immediately to stop your disability income payments if you are hired in a UCRP-eligible position. If you enter UCRP membership after 1,000 hours of UC employment in a year, you must notify the UCRP Disability Unit before you accrue the 1,000 hours.

If you are reinstated as an active UCRP member and your condition later prevents you from continuing to work, you would be eligible to reapply for UCRP duty disability income.

5. Can my benefit be terminated as a result of my return to work?

Your UCRP duty disability income will be terminated if the Plan Administrator determines that you have recovered from your physical or mental impairment to the extent that you are able to handle a position similar to your former Safety position. If you became a UCRP member July 1, 1985 or later, your benefit amount will be adjusted, if necessary, so that the amount paid to you does not exceed the difference between the *current* salary for your former Safety position and the earnings from your new employment. However, even if this adjustment results in your UCRP duty disability income being reduced to zero, you will not lose your basic entitlement to the benefit. This means that any preexisting UC-sponsored health coverage will continue in force, subject to your payment of employee premiums. Also, benefit

payments will resume whenever your earnings decrease sufficiently to permit this, provided you are otherwise eligible to continue receiving UCRP duty disability income, as explained above.

Your benefit will be terminated in the case of fraud, concealment, or misrepresentation of your employment or earnings.

6. If I return to work, would my benefit be terminated immediately?

If the Plan Administrator determines that you are no longer eligible for UCRP duty disability income, you will be notified in writing at least 60 days before your benefit is terminated. If you disagree with the determination, you have the right to an administrative appeal.

7. Whom should I contact if I am considering returning to work or I have been offered a job?

For assistance, in returning to work at the University or elsewhere, contact your local Human Resources Office, the Vocational Rehabilitation Counselor at your campus or laboratory, or a job placement agency. Also check your local telephone directory for other resources.

If you have questions about your benefits, contact the UCRP Disability Unit either in writing or by telephone at:

Disability Unit
UC HR/Benefits
P.O. Box 24570
Oakland, CA 94623-1570
1-800-888-8267

8. What else should I consider before I attempt to return to work?

Returning to work can impact other benefits you may be receiving such as long-term disability insurance or Social Security. Each of these systems has its own programs to help you return to work which may be different than those provided by UCRP. Check with your other benefit providers for more information.

9. May I sign the *UCRP Waiver and Release*, return to work at UC, and continue receiving my UCRP disability income?

No. The UCRP Waiver is required when a member receiving UCRP monthly retirement income returns to UC employment and must choose either future UCRP service credit accruals or continued UCRP retirement income during reemployment. It does not apply to UCRP disability income.

By authority of The Regents, University of California Human Resources and Benefits, located in Oakland, administers all benefit plans in accordance with applicable plan documents and regulations, custodial agreements, University of California Group Insurance Regulations, group insurance contracts, and state and federal laws. No person is authorized to provide benefits information not contained in these source documents, and information not contained in these source documents cannot be relied upon as having been authorized by The Regents. Source documents are available for inspection upon request (1-800-888-8267). What is written here does not constitute a guarantee of plan coverage or benefits—particular rules and eligibility requirements must be met before benefits can be received. The University of California intends to continue the benefits described here indefinitely; however, the benefits of all employees, annuitants, and plan beneficiaries are subject to change or termination at the time of contract renewal or at any other time by the University or other governing authorities. The University also reserves the right to determine new premiums, employer contributions and monthly costs at any time. Health and welfare benefits are not accrued or vested benefit entitlements. UC's contribution toward the monthly cost of the coverage is determined by UC and may change or stop altogether, and may be affected by the state of California's annual budget appropriation. If you belong to an exclusively represented bargaining unit, some of your benefits may differ from the ones described here. Contact your Human Resources Office for more information.

The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) provides for continued coverage for a certain period of time at applicable monthly COBRA rates if you, your spouse, or your dependents lose group medical, dental, or vision coverage because you terminate employment (for reasons other than gross misconduct); your work hours are reduced below the eligible status for these benefits; you die, divorce, or are legally separated; or a child ceases to be an eligible dependent. Note: The continuation period is calculated from the earliest of these qualifying events and runs concurrently with any other UC options for continued coverage. See your Benefits Representative for more information.

In conformance with applicable law and University policy, the University is an affirmative action/equal opportunity employer. Please send inquiries regarding the University's affirmative action and equal opportunity policies for staff to Director Mattie Williams, University of California Office of the President, 300 Lakeside Drive, Oakland, CA 94612 and for faculty to Executive Director Sheila O'Rourke, University of California Office of the President, 1111 Franklin Street, Oakland, CA 94607.

Website address: <http://atyourservice.ucop.edu>



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