

IV. LEAVES OF ABSENCE

H. KPERS DISABILITY LEAVE

1. Any KPERS covered employee may be eligible for KPERS disability leave. If an employee has a total disability, as defined by the Kansas Public Employee Retirement System (KPERS), the City may pay fifty percent (50%) of that employee's current base rate or salary for a maximum of one hundred eighty (180) calendar days preceding the start of KPERS payments.
2. The City will base the decision to pay the percentage of base rate or salary on a properly filed KPERS claim for disability benefits, and submission to City Human Resources of a physician's statement that the employee has a total disability.
3. The fifty percent (50%) City payment shall commence after the employee's accumulated paid time off benefits are used in full. The employee will not be eligible for any accrual-based benefit time, wellness time off or holiday pay. The payment is considered a cash adjustment. The City's payment shall apply only to the period between the time the employee's last day actively at work and the time a determination is made regarding KPERS disability payments, KPERS benefit waiting period expires or the employee's physician certifies the employee able to return to work.
4. The fifty percent (50%) City payment shall be paid for a maximum of one hundred eighty (180) calendar days and shall cease upon the employee returning to unrestricted duty, being approved for KPERS disability status, or denied KPERS disability status. The City's disability payment shall not apply to any period of time otherwise covered by paid leave of any kind. If the employee is denied KPERS disability or KPERS has not made a determination at the end of one hundred eighty (180) calendar days, the employee shall have seven (7) calendar days to provide an unrestricted release to full duty. If the employee fails to provide an unrestricted release to full duty the employee shall be separated from service deemed as a resignation. If the employee is approved for KPERS disability, the City payments shall cease, and the employee shall be separated from service deemed as a resignation.
5. If such disability arises from a job-related accident or injury and the employee receives Workers Compensation benefits as a result, such Workers Compensation benefits shall be offset against any City payment. Total disability is defined as a disability that prevents the employee from performing each and every duty of any occupation for which one is reasonably qualified by education, training or experience for a period of one hundred eighty (180) continuous days and in any case, disability that requires the regular and continuous care of a physician unless such care would serve no useful purpose. The



City of Lawrence

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employee must provide supporting documents from a qualified physician to support this condition.