

Joint Administration Dispute Resolution Committee
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Interpretation Bulletin # 9

RE: Non-regular Employee Eligibility for Disability Benefits Coverage (Article 9.3.2)

The disability benefits plan set out in Article 9.3 became effective April 1, 2002.

Under Article 9.3.2 (final bullet) a non-regular employee becomes eligible for disability benefits coverage once he or she has received an appointment, or a set of two or more immediately consecutive appointments, that totals at least four months of continuous employment at 50% or greater of a full workload as defined by local provisions. This means:

- An employee with an appointment of four months or longer is eligible for coverage from the commencement of his/her appointment.
- An employee with an appointment of less than four months' duration is eligible for coverage at the point that his/her appointment is immediately followed by an appointment (or by another appointment immediately subsequent to that appointment) that extends the total duration of his/her continuous employment to four months or greater.
- In all cases the employee's eligibility for enrolment in the plan depends on the employee's maintaining throughout the period in a question a workload of 50% or greater of a full workload as defined by local provisions.
- Eligibility for disability benefits coverage does not apply retroactively, except as provided for in the final paragraph of this Bulletin.

It is recognized that the process for enrolment of the employee with the carrier may result in a short delay in the effective date of an employee's coverage, which will commence no later than the beginning of the month following the month in which the employee becomes eligible for coverage. The employers will arrange for the coverage of eligible employees to commence on the earliest possible date, subject to the carrier's process for registration of the employee.

A non-regular employee who was receiving disability benefits coverage as of March 31, 2002, and who was eligible for the new plan under Article 9.3.2, final bullet, will be covered by the new plan as of April 1, 2002, for so long as the employee remains eligible under Article 9.3.2, final bullet. Such eligible non-regular employees who have paid their own disability benefits premiums since April 1, 2002, shall be reimbursed by their employer for the premiums already paid by the employee. Such eligible non-regular employees, if any, who have not paid their own disability benefits premiums and who have therefore not received disability benefits coverage since April 1, 2002, and who during that time have been absent from work for reasons of sickness beyond the 30-calendar day sick leave entitlement per illness shall be reimbursed by their employer for the periods of sick leave for which they were not paid or for which they did not receive disability benefits.