

Temporary Disability Fact Sheet

Disability and Social Security Benefits

You may be eligible for Social Security (SS) disability benefits if your disability lasts more than 12 months. SERS contracts with a firm specializing in assisting members through the SS disability application process.

If your case is not accepted and you remain disabled for more than 12 months, you must directly apply for SS disability benefits to the Social Security Administration (SSA).

There are specific rules around your benefit if you are approved for SS disability benefits. Contact us as soon as possible if you are approved.

Working while disabled

You can work outside of state government and earn up to the calendar quarterly earnings limitation without disrupting your disability benefit. If you exceed the earnings limitation, you will need to pay the difference in the earnings and the limitation to SERS.

During your disability, you may be contacted regarding your disability, current medical treatment and other daily activities. You may also be asked to undergo an independent medical examination. Your cooperation is vital to the disability investigation process to ensure your benefit is not interrupted.

If your injury was caused by a third party (i.e., motorist, contractor, etc.) and you collect money from that party, SERS is entitled to a reimbursement for sums paid to you in occupational disability benefits and service contributions.

Temporary Disability is available for SERS' members who are disputing a Workers' Compensation case. You apply for this benefit when your Workers' Compensation claim has been formally denied and an appeal has been filed with Illinois Workers' Compensation Commission (IWCC).

Eligibility

In order to qualify for temporary disability you must have:

- Been denied by Workers' Compensation.
- Filed an appeal with the IWCC - Application for Adjustment of Claim.
- SERS finds you disabled from performing your assigned job duties.
- Not received, nor had a right to receive any compensation for at least 30 days.
- 18 months of creditable service with SERS (Teachers' or State Universities Retirement Systems' service credit can also be used to establish 18 months with SERS).

If your Workers' Compensation benefit is terminated, you may be eligible for SERS' temporary disability if you have:

- Filed an appeal with the IWCC and requested a hearing through the Workers' Compensation Commissions' 19(b) process.
- Submitted the required forms to SERS.
- SERS find you disabled from performing your assigned job duties.
- Served a 30-day waiting period or received a decision from the IWCC on your emergency hearing.
- 18 months of creditable service with SERS (Teachers' or State Universities Retirement Systems' service credit can also be used to establish 18 months with SERS).

Benefits start to accrue 31 days from the date you received or had a right to receive any compensation if your Workers' Compensation claim was denied.

After your Workers' Compensation benefit is terminated, the temporary disability benefit begins the day following termination of your Workers' Compensation benefits and after the 30-day waiting period, unless a decision has been made on your 19(b) application. Disability benefits for all periods of disability are payable for a total period of time equal to half of your credited service not earned while on disability or death or you reach age 65. If your disability began at age 60 or older, benefits are payable for up to 5 years, subject to the one-half service credit limitation.

You will continue receive your benefit until one of the following:

- Your disability ends.
- You return to work or become gainfully employed.
- Your disability payments have been made for a period of time equal to half of your earned service credit.
- A payment is made after determining the state's liability under the Workers' Compensation Act or the Workers' Occupational Diseases Act.
- A final determination is made on the member's claim by the IWCC.
- You reach age 65. If your disability began at age 60 or older, benefits are payable for up to 5 years, subject to one-half service credit limitation.

Every January and July a new medical form is sent to you, which must be completed by your physician. You are not required to have an exam if you've seen your physician within the last two months, however your physician must still complete the form and return it to SERS. You will also receive a Certificate of Disability form, certifying that you have not earned more than the calendar quarterly earnings limitation while receiving your SERS disability benefit.

SERS recovery rights

Once the IWCC makes its final determination on a disputed claim, SERS will calculate your benefit to determine if temporary benefits must be repaid. Any member who accepts a temporary benefit acknowledges and authorizes the recovery rights of SERS.

Call SERS at 217-785-7444 if you have questions or need assistance with your disability benefit.