

POLICY

George Washington Academy (GWA) is not required to pay an employee who cannot work due to a physical or mental condition. However, GWA understands the hardship that an illness and loss of income can have on a family. Therefore, GWA has decided to adopt this short term disability (SD) policy which is intended to help eligible employees who are unable to work for certain medical reasons. This policy only applies to the employee's own medical condition.

ELIGIBILITY

Regular full-time employees are eligible to receive SD coverage if s/he has given birth, or if he or she provides timely written documentation from a medical provider that the employee cannot perform their work duties due a physical or mental condition. Eligible employees will not receive SD caused by or a result of their:

Operating, learning to operate, or serving as a crew member of, or jumping or falling from any aircraft or hot air balloon, including those which are not motor-driven. This does not include flying as a fare paying passenger;

Participation in scuba diving or rock climbing;

Participating or attempting to participate in an illegal activity and/or being incarcerated in a jail or penal institution;

Being exposed to a natural disaster;

Being exposed as a citizen to war or any act of war, declared or undeclared. Losses as the result of acts of terrorism or nuclear release committed by individuals or groups will not be excluded from coverage unless the covered person who suffered the loss committed the act of terrorism or nuclear release; or

Elective cosmetic surgery or cosmetic medical treatments.

In addition, GWA will not provide SD pay to an employee who suffers a work related injury which allows the employee to receive workers compensation benefits in accordance with the Utah Workers Compensation laws.

In order to remain eligible for SD pay, GWA may require an employee to undergo recertification by a medical provider that the employee cannot perform his or her work duties due to a non-work related physical or mental condition. Failure to comply with GWA's requests for recertification will result in termination of SD pay.

WHEN SD PAYMENTS WILL BE MADE

Employees must use all of their PTO prior to receiving SD pay. SD pay will begin after an application for SD pay is approved, after an employee has exhausted his or her PTO pay. Child birth and complications of pregnancy will be covered to the same extent as any other covered medical condition.

SD will be paid to eligible employees for a maximum of six weeks during a service year, which is defined to mean, for teachers and other staff who do not work when school is not in session, the first day that the employee is expected to return to work after the summer break through the last day that the employee is expected to work at the end of the school year. For full time employees who work continuously throughout a calendar year, service year is defined to mean the fiscal year, currently July 1 through June 30.

If, during the service year, the same or related cause produces additional periods of disability after an employee returns from an approved short term disability leave, the SD pay is calculated by the original benefit schedule, and the total hours or days covered are reduced by the amount of time already used for that disability. However, each disability resulting from a new cause during the service year will be considered separately.

Employees who receive workers compensation will not be entitled to SD pay.

SHORT TERM DISABILITY PAY

Eligible employees will receive 100% of their daily rate.

During the time period that an eligible employee is authorized to receive SD compensation for lost wages, GWA will also continue to pay its regular portion of the employee's health insurance premium so long as the employee continues to pay his or her portion of the premium when it is due.

HOW TO APPLY FOR SD PAYMENTS

To receive payments under the short-term disability pay continuation plan, a short term medical leave must be requested in writing by the employee or the employee's agent. The employee or the employee's agent must contact the Executive Director and must comply with GWA's procedure for applying for FMLA leave as set forth in Paragraph 8 of its Employee Manual. Failure to respond to the Executive Director's requests will result in a denial of a SD pay. If requested by GWA, an employee may be required to undergo a second medical or mental examination with a physician of their choosing. In the event that there is a conflict between a decision of GWA's physician and the employee's physician, the GWA may require the employee to obtain certification from a third

health care provider. This third opinion must be approved jointly by GWA and the employee. The third opinion will be final and binding.

RETURN TO WORK

Medical certification is required for return to work. The employee must comply with the certifications for return to work provisions of GWA's FMLA policy. (paragraph 9)

If the employee does not return to work after receiving short term disability pay (and where applicable, after FMLA leave is exhausted, whichever is last to occur) the employee will be required to reimburse GWA for the short term disability payments he or she received, and under certain circumstances, the health insurance premium paid by GWA. Further, an employee who fails to return to work after SD paid leave (and where applicable, after FMLA leave has been exhausted, whichever is last to occur) may be terminated.

The employee's restoration to his or her former position is set forth in GWA's FMLA policy, paragraph 10.

COORDINATION WITH FMLA LEAVE

Short Term Disability pay is given only to an employee for his or her own illness. Accordingly, if an employee takes FMLA leave for his or her own illness, and if he qualifies for SD pay, he will receive SD pay in conjunction with FMLA leave. SD pay does not extend the time limitations under GWA's FMLA leave policy.

POLICY TERMINATION

GWA's SD policy and SD pay may be modified or terminated by GWA at its sole discretion for any reason, at any time, with or without notice.