

**COLLECTIVE BARGAINING CLARIFICATION LETTER**

**NO. 12-09-04**

To: All Labor Relations Officers and Personnel Officers  
From: Michael Duco, Deputy Director  
Date: September 24, 2012  
Subject: **Disability and Intersession under the OEA Collective Bargaining Agreement**

The following clarifies the interaction between intersession and disability under the OEA Collective Bargaining Agreement.

Intersession is similar in form to vacation leave for certain OEA employees, except that it does not accrue.

An employee can use intersession to cover any portion of the employee's waiting period for disability. If the employee is receiving disability benefits at the time that intersession occurs, the employee should continue to receive disability benefits for the period of time the employee is eligible for such benefits (i.e. the employee should not switch back and forth between disability and intersession).

If the employee's waiting period ends during intersession and the disability benefits are scheduled to begin, the employee should cease receiving intersession pay and begin receiving the disability benefits (i.e. the employee is not entitled to the full amount of intersession pay if the employee can begin disability payments during the intersession period).

If an employee returns to work part-time and is receiving regular pay for part of their hours and disability for part of their hours, and intersession occurs while they are on this reduced schedule, the employee should be paid for the intersession time and then returned to the part-time disability schedule (if necessary).

As always, please contact your OCB Labor Relations Specialist with questions.

