

European Central Bank

**Conditions of Employment for Staff of
the European Central Bank**

Annex IV - Disability benefits

DISABILITY BENEFITS

The provisions of Article 32 of the Conditions of Employment with regard to disability benefits shall be applied as follows:

1. Medical advice

- (i) No later than nine months after the first day of continued absence, a member of staff who is to be considered for a disability allowance shall be required to have a medical examination carried out by, or at the request of, the ECB's medical adviser.
- (ii) In the event of a member of staff submitting an application for a disability allowance to commence on an earlier date, or of the Executive Board considering that a member of staff should be granted a disability allowance on an earlier date, the member of staff shall be required to have a medical examination carried out by, or at the request of, the ECB's medical adviser.
- (iii) A member of staff who receives a disability allowance shall be required to have such subsequent medical examinations as the ECB's medical adviser decides.
- (iv) In the event of a member of staff failing to have a medical examination on the instructions of the ECB's medical adviser, payment of the disability allowance shall not commence or may be suspended, as the case may be, until the member of staff's has complied with this instruction.
- (v) In the case of the payment of a disability allowance continuing during a period in which the member of staff fails to have a medical examination on the instructions of the ECB's medical adviser, if it is later determined that the member of staff was not entitled to any part of the disability allowance that has been paid, the overpaid instalments of the disability allowance shall be recovered.

2. Amount and duration of a disability allowance

- (i) The amount of disability allowance payable shall be equal to the rate of 70% of the member of staff's monthly basic salary calculated as at the date immediately prior to the payment of the disability allowance.
- (ii) The amount of partial disability allowance payable shall be equal to the rate of 70% of the member of staff's monthly basic salary, adjusted in proportion to the degree of partial disability determined, and calculated as at the date immediately prior to payment of the partial disability allowance, subject to any salary adjustments.
- (iii) If the member of staff carries out an occupation which they are able to undertake, but which does not fully reflect their education, experience and training, the gross amount of the disability allowance shall be reduced by 70% of the actual gross income earned from that occupation.

(iv) The disability allowance shall continue until the member of staff recovers from their illness or incapacity, their benefits under Part 11 of Annex III and/or Article 3 of Appendix 1 to Annex IIIa become payable, or they die, whichever is the earliest.

3. Suspension of a disability allowance

If, in the opinion of the Director General of Human Resources, Budget and Organisation or any other persons appointed by them, on taking advice from the ECB's medical adviser, the health of the member of staff receiving a disability allowance improves, so that they no longer suffer from incapacity, the Director General of Human Resources, Budget and Organisation or any other persons appointed by them may reduce, suspend or discontinue their allowance.

4. Offset for crime, negligence or fraud

Without prejudice to Part 8 of the Conditions of Employment, the disability allowance shall be reduced by any amount as the Executive Board, after taking actuarial advice, determines to be equivalent to any debt due to the ECB as a result of a criminal, grossly negligent or fraudulent act or omission by the member of staff.

The same threshold for the maximum monthly amount which may be withheld shall apply as set out in Part 8 of the Conditions of Employment.

5. Employment status

The employment contract of a member of staff in receipt of a disability allowance shall not be deemed to have been terminated.

6. Allowances

A member of staff who receives a disability allowance shall be entitled to the following allowances:

- (i) the household allowance in accordance with Article 15 of the Conditions of Employment, but 'basic salary' shall be substituted by 'disability allowance';
- (ii) the child allowance in accordance with Article 16 of the Conditions of Employment;
- (iii) the education allowance as determined in Article 19 of the Conditions of Employment;
- (iv) the pre-school allowance as determined in Article 19bis of the Conditions of Employment;
- (v) the benefits provided under Article 23 of the Conditions of Employment;

If payment of the disability allowance ceases as a result of an improvement in the member of staff's health, the provisions of Article 22 of the Conditions of Employment shall apply.

A member of staff who receives a partial disability allowance combined with adjusted basic salary shall be entitled to the expatriation allowance in accordance with Articles 17 and 18 of the Conditions of Employment, substituting the term 'basic salary' by 'partial disability allowance combined with adjusted basic salary'.

Any other allowance payable prior to the commencement of the disability allowance shall cease to be payable with the commencement of the disability allowance.

7. Medical benefits and accident insurance

A member of staff who receives a disability allowance shall continue to be covered by the medical benefits and dental plan referred to in Article 33 of the Conditions of Employment and the accident insurance for members of staff of the ECB referred to in Article 35 of the Conditions of Employment. The member of staff shall contribute one-third of the costs of the medical benefits and dental plan and the accident insurance. Contributions to the ECB's medical benefits and dental plan shall be calculated on the basis of the corresponding full-time basic salary. Contributions to the accident insurance shall be calculated on the basis of the corresponding full-time basic salary plus allowances. Contributions shall be adjusted in line with salary adjustments and the cost development of the ECB medical benefits and dental plan and the accident insurance.

8. Allocation of costs

Costs incurred by the ECB in providing the above disability benefits, including allowances and medical and dental insurance cover, shall be charged to the general assets of the ECB.'