

SLUSD MATERNITY LEAVE INFORMATION



Answers to Frequently Asked Questions
About Maternity Leave,
FMLA, and CFRA

Updated July 2018

CONGRATULATIONS!

We hope you will find the information in this packet a helpful tool in planning your Maternity Leave.

Please Note: This summary is intended to be an aid in providing employees who will be on Maternity Leave with possible leave options.

While every attempt is made to align this packet with current California and Federal Leave Laws, it is important to remember these laws are ever-changing and information within this packet is subject to change without notice.

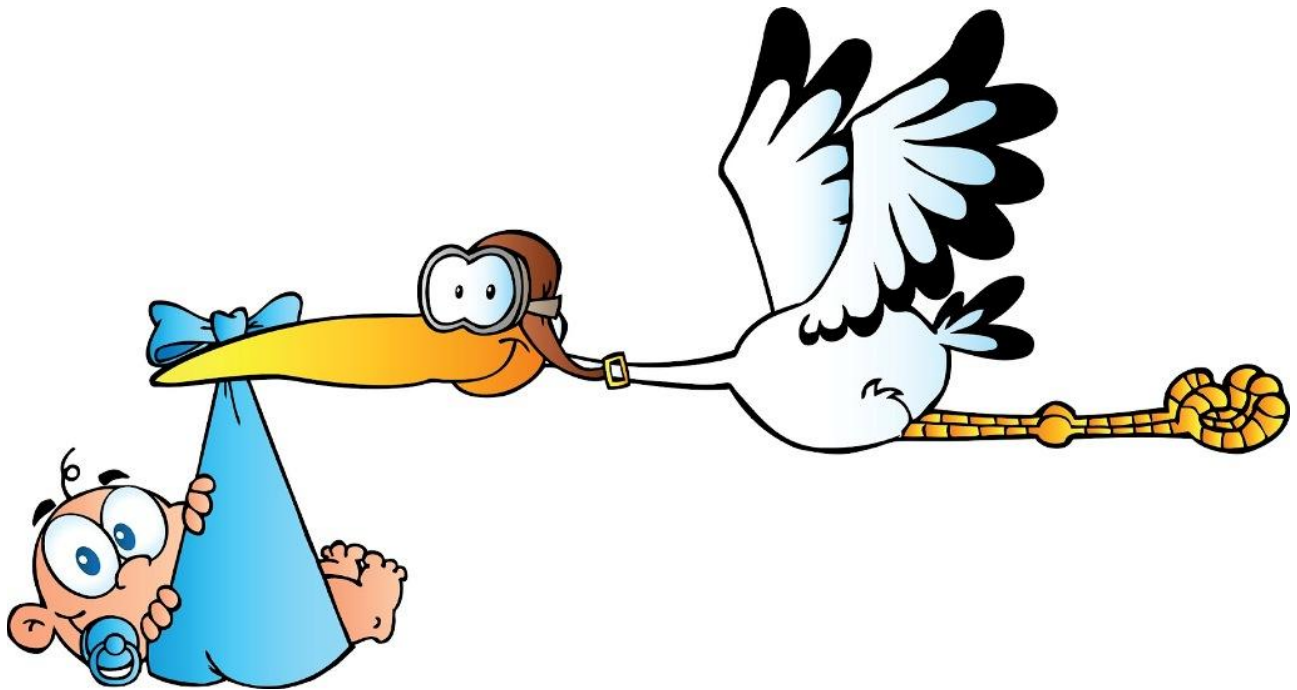


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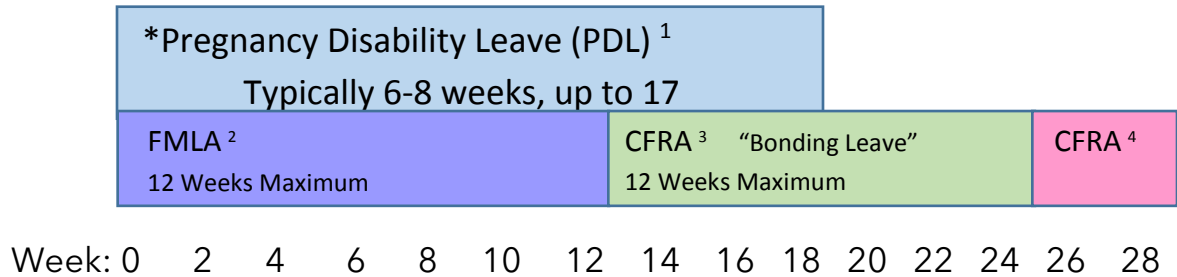
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Timeline for Maternity Leaves

District Paternity Leave

The SLUSD offers district paid paternity/adoption leave for 1 or 2 days (depending on the bargaining unit - please check your bargaining unit agreement for more information). This leave runs concurrently with the leaves described below. However, employees using this leave will not have their sick leave docked for these days.

Leave Options:



1. **Pregnancy Disability Leave (PDL)** begins the first day an employee is placed off work by their doctor regardless of their due date. PDL ends as soon as you are medically released to work by your doctor. Pregnancy Disability Leave is available for up to 17 1/3 weeks for employees who are disabled by pregnancy, childbirth, or a related medical condition. A doctor's note must be provided prior to an employee being placed on PDL and will run as long as a doctor's note is in effect. *Note that a typical PDL is 6 weeks after the baby is born for a traditional delivery and 8 weeks for a cesarean delivery.*

2. **Family Medical Leave (FMLA)** begins the first day an employee is placed off work by their doctor. PDL and FMLA run concurrently (at the same time). FMLA provides job-protection for up to 12 weeks and could be paid (by using sick leave) or unpaid (depending on PDL).

3. "Baby Bonding" Leave under the **California Family Rights Act (CFRA)** may be requested for an additional 12 weeks after you are medically released to work by your doctor.

4. **CFRA** may extend to the 28th week of an employee's leave only if the employee took a full 17 1/3 weeks of PDL. In this case, CFRA would begin at week 17 1/3 and run until week 28.

Salary & Benefits During Maternity Leave

Certificated:

Pregnancy Disability Leave (PDL) & CRFA will utilize sick days. Once your sick leave has been exhausted, you will receive differential pay for the remainder of your PDL and/or CRFA leave. Differential pay is the difference between your daily rate of pay and the substitute daily rate. You will continue to be eligible for the district benefit contribution as long as you are in paid status.

Classified:

Pregnancy Disability Leave (PDL) & CRFA will utilize sick days and vacation days. Once your sick leave and vacation have been exhausted, you will receive differential pay for the remainder of your PDL and/or CRFA leave. You will continue to be eligible for the district benefit contribution as long as you are in paid status.

Frequently Asked Questions

1. I just found out I'm pregnant - what should I do?

Let your site administrator or supervisor know so that preliminary planning for coverage of your position can begin. When you have an estimated date of delivery, please submit the **"Doctor's Release From Work"** form (Page 10) to the Personnel Services Department. The purpose of this form is to provide the District with estimated dates for your Maternity Leave.

2. How long can I keep working?

You can work as long as you and your doctor agree. This is a medical decision that will not be made by the District. After the 4th month, you may be required to submit notes from your doctor stating that you may continue to work.

3. I am not due for a few weeks, but my doctor has placed me off work. What do I do?

If your date of release from work has changed, please submit an updated doctor's note to Personnel Services with your new release from work date.

4. What is PDL?

PDL stands for Pregnancy Disability Leave. PDL begins the first date you are placed off work for your pregnancy and/or delivery and continues as long as your doctor indicates, or for a maximum of 17 1/3 weeks, whichever comes first. A routine PDL leave is 6 weeks following a natural delivery, or 8 weeks following a cesarean section. You and your doctor may determine that you need additional time before or after the delivery of your baby.

5. What is FMLA?

FMLA stands for Family Medical Leave Act. FMLA allows qualified employees to take up to 12-weeks of job-protected leave and runs concurrently with PDL. Since not all employees qualify for FMLA, please check with the Personnel Services Department for eligibility requirements. The District will send FMLA eligibility paperwork to you when you begin your PDL. FMLA leave begins the first day you are placed off work for your pregnancy and/or delivery and runs concurrently with depletion of sick leave (and vacation for Classified employees). FMLA also allows you to have the District continue contributions to medical and dental benefits. The employee will still be responsible for his/her portion of the benefit cost. FMLA is limited to 12 workweeks every 12 months. The 12-month period shall coincide with the fiscal year.

6. I delivered my baby, now what?

Please have your doctor complete the form entitled **"Physician's Verification of Employee Leave"** (Page 11) and return the completed form to Personnel Services as soon as possible. Please remember to contact the Payroll/Benefits department within 30 days of birth if you choose to add your baby to your health plan.

7. What is the normal length of time I would be allowed to be off work?

Because every pregnancy is different, you and your doctor determine the length of time away from work. A routine maternity leave is 6 weeks following a natural delivery, or 8 weeks following a cesarean section. You and your doctor may determine that you need additional time before or after the delivery of your baby.

8. When can I return to work?

You may return as soon as your doctor releases you. Again, this is a medical decision that will not be made by the District.

9. What if I want to stay out a little longer after my doctor releases me?

Once you receive medical clearance to return to work, you may request to remain off work to bond with your baby. "Bonding leave" is provided under the **California Family Rights Act (CFRA)**. CFRA allows for an addition 12 weeks of leave for employees to bond with a newborn child or a child placed for adoption/foster care. CFRA cannot be used for the employee's pregnancy. CFRA is limited to 12 workweeks every 12 months. The 12-month period is measured forward from the date of birth or placement of a child through foster care or adoption. CFRA leave does not need to be taken in one continuous period of time. Much like FMLA, not all employees are eligible for CFRA. An employee must have worked for the district for at least 12 months. Please contact the Personnel Services Department to discuss eligibility.

10. What if my spouse/partner also works for SLUSD? Are we each entitled to 12 weeks of "Bonding Leave" under CFRA?

No. If both parents of a child work for the district, their "Bonding Leave" shall be limited to a combined total of 12 work weeks.

11. I want to stay out even longer. Are there any other options?

You may request a Leave of Absence but this time will be unpaid. Please be advised that you will not receive any salary or District-paid benefits during this leave. However, benefits may be purchased through the District (COBRA).

13. Do I deplete my sick leave when I am on maternity leave?

Yes. Sick leave is exhausted first. If you are a classified employee, your vacation is also exhausted. For certificated employees, you may utilize sick leave for your PDL & "Bonding Leave" under CFRA. Once your sick leave has been exhausted, you will go in to differential pay status.

14. What happens when I run out of sick/vacation leave?

Once your sick leave (and vacation for classified employees) has been exhausted, you will go into differential pay status until the end of your PDL and CFRA leaves. Differential pay is the difference between your daily rate of pay and the substitute daily rate.

15. Do I get paid during vacation and breaks or for district in-service?

Depending on your work calendar, the salary is divided over 10, 11 or 12 months so that you are paid an equal amount, even though you may be on summer vacation or a holiday break (i.e. winter break, spring break, etc.). You are, in reality, only paid for actual days you work when students are in class or when you are attending district in-service.

16. Do holidays or non-duty days count against my time off?

Non-duty days and holidays are not deducted from your sick leave balance. For purposes of FMLA and CFRA, if an employee takes a week of leave under FMLA or CFRA and a holiday occurs during the week, the employee has still exhausted a week of FMLA/CFRA leave. If school is closed, for instance for a vacation period during the winter holidays or over the summer, and you are not expected to report to work for one or more weeks, those weeks may not be counted against FMLA/CFRA leave.

17. What about my benefits?

Benefit coverage will continue until your doctor releases you to return to work. If your doctor has indicated you may return to work and you are still out under FMLA, District contribution to your benefits will continue. If FMLA is exhausted and you have not returned to work, the District will not continue to cover their contribution toward your benefits and you will be responsible for the full premium of your benefits. Benefits contributions by the District vary depending on your bargaining unit. Please check your collective bargaining agreement or contact the SLUSD Benefits Department if you have questions about benefits.

18. Do I qualify for state disability (SDI)?

Since Certificated employees do not pay State Disability Insurance (SDI), teachers are not eligible. Classified employees do pay SDI, and are eligible. However, eligibility for state disability is determined by that agency, and it is suggested you contact SDI for specific information. Any forms sent to us will be quickly forwarded so your eligibility can be determined accurately.

19. How will my substitute be selected? Am I responsible for finding someone?

The site administrator and Personnel Services Department will assist with finding someone to temporarily fill your position. If you have a recommendation, please inform your site administrator. Every effort will be made to grant your recommendation. Because our intent is to find the most qualified candidate, we cannot guarantee that your desired substitute will be chosen.

20. Will my maternity leave affect achieving permanent status?

Time taken for maternity leave is calculated as if you are still in your position. However, you must be in paid status for a minimum of 75% of the year. If you take extended periods of unpaid leave, it could delay achieving permanent status.

21. If I am a certificated employee and I take a long leave, do I get my school and grade back when I return?

We try to place everyone in her first choice of school and grade but this is not a guarantee. On a short-term maternity leave that does not involve CFRA leave, you will most likely return to the same class. It is important to remember that although FMLA and CFRA are “job-protected leaves,” this does not mean you will return to the exact position you occupied prior to your leave. It is the obligation of the District to place you in the same or a comparable position within the scope of your credential (for certificated employees) upon your return.

22. I have income protection, can I use it? How does it work?

Some voluntary disability plans cover maternity leave. Please contact the agency directly to discuss your plan. If the agency needs any information from the District, they will send the forms directly to the Personnel Services & Payroll Departments and the forms will be completed promptly.

23. What is Paid Family Leave?

Paid Family Leave (PFL) allows eligible workers partial salary replacement but does not provide job protection or return rights. Eligibility for PFL is not determined by the District. Please contact EDD’s Paid Family Leave department for eligibility determination.

24. I’m still confused, who can answer my other questions?

The Personnel Services staff is here to help! This whole topic can be very confusing, as every situation is quite different. We strongly suggest you make an appointment with Payroll/Benefits to talk about how your salary and benefits may be affected if you plan to take FMLA or CFRA leave.

LONG TERM CERTIFICATED SUBSTITUTE ORIENTATION

Listed below are items to discuss with your long-term substitute and/or your site administrator prior to your leave. Please note that not all of these topics will apply to every grade level. Please utilize what applies to you and your position and/or site.

1. Student information: health concerns, behavior, parent involvement (restraining orders); IEPs
2. Lesson plans: past plan book (material already covered), rest of the year plan (as appropriate), where to find all teacher's guides and student material, workbooks
3. Discipline routine: behavior expectations, class rules, rewards and consequences
4. Class routine: daily schedule; rules regarding bathroom use, sharpening pencils, and drinks; signal used to get students' attention; rainy days; emergency drills; roll call
5. Class list/seating chart
6. Yard duty responsibilities: where, when, what
7. Out of classroom activities: PE, music, computers, library
8. Prep period schedule
9. Grading procedures: grade book, report cards, grading system (percentage, letter grades, stickers, stamps), any portfolios
10. Homework policy: typical assignment, frequency
11. Class events such as birthdays: What do you celebrate them & how? List of dates
12. Filing system
13. Student jobs/helpers
14. Special person of the week/month
15. Advice/procedures for minimum days or assembly schedule
16. State testing or upcoming events
17. Your telephone number or email and anticipated return date

SAN LEANDRO UNIFIED SCHOOL DISTRICT
Employee Request for Additional Leave Under FMLA/CFRA Laws

Last Name	First Name	Initial
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Street Address	City	State	Zip
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Contact Number	E-mail Address
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Position	Work Site
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I request a leave of absence pursuant to the FMLA Laws as follows (check one):

- Pregnancy Disability (You are automatically placed on FMLA when you begin PDL)

_____ through _____
Start Date *End Date*

- Bonding with newborn child or child placed for adoption / foster care (CFRA)

_____ through _____
Start Date *End Date*

- Employee's Own Serious Health Condition (Medical Certification Required)

_____ through _____
Start Date *End Date*

- Care for Employee's Spouse, Dependent Child, or Parents with a Serious Health Condition (Medical Certification Required)

_____ through _____
Start Date *End Date*

Employee Signature	Date
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Personnel Services Use Only

- Approved
 Not Approved

<i>Personnel Services Signature</i>	<i>Date</i>
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Comments: