



**HUMAN RESOURCE SERVICES**  
1515 Hughes Way, Long Beach, CA 90810  
(562) 997-8204

## **MATERNITY LEAVE OF ABSENCE (Pregnancy-Related Disability Leave)**

### *General Information*

- ◆ Maternity/pregnancy disability leave is granted for the period of time that an employee is physically unable, due to pregnancy, to perform the duties required of her position.
- ◆ For an **uncomplicated** pregnancy, the period of disability prior to the estimated date of birth is usually one month or less and is determined by the employee's physician. Recovery usually continues for up to four to six weeks (for normal delivery) or up to eight weeks (for c-section) following the birth of the child.
- ◆ In the case of a **complicated** pregnancy, the period of disability is typically more than one month prior to the estimated date of birth and/or recovery is longer than the usual six to eight weeks.
- ◆ If the employee is physically unable to return to work at the end of the six or eight week recovery period, a statement from her physician and the estimated date of return to employment is required. Also, should the employee's condition permit her to return to her regular assignment at an earlier date (i.e., prior to four weeks recovery), a statement from her physician and the estimated date of return to employment is required.

### *Maternity Leave Coverage and Benefits*

- ◆ Earned sick leave/vacation is used to cover the period of disability. If earned sick leave/vacation does not cover the full period of disability, statutory sick leave is used at half (1/2) pay. The maximum of sick leave pay and/or statutory leave pay is for the period of disability only. District paid health benefits are provided for the duration of an approved maternity/pregnancy disability leave. You may contact your site secretary/payroll clerk for information regarding your accumulated sick leave/vacation.

### *After Maternity Leave*

- ◆ A Family Medical Leave of Absence (FML)/California Family Rights Leave (CFRL) may be granted directly following maternity leave for eligible employees. FML/CFRL with district paid benefits, can be taken for up to 12 work weeks in a 12-month period. An employee is eligible for Family Medical Leave if she has been employed for at least 12 months and provided at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave.
- ◆ A child care leave of absence may be taken following maternity and/or a FML/CFRL qualifying leave for a period coterminous with either a semester, a track (year round), or a school year. A second year of child care leave may be granted upon request. **Child care leave is without pay or health benefits.** Health insurance may be maintained at the employee's expense. Information regarding cost and procedures is available from the Benefits desk in the Risk Management Office, (562) 997-8233. If applicable, please see your union agreement for additional information.

## MATERNITY LEAVE OF ABSENCE (cont.)

### *Summer Maternity*

- ◆ Employees on traditional calendar who expect the birth of a child during the summer recess, must file the Request for Absence Due to Maternity form indicating that their treating physician approves the employee to work to the end of the current school year. The traditional calendar (i.e., 10-month) employee is not entitled to paid leave during the summer recess unless the disability leave extends beyond the opening of school in September.
- ◆ Employees on year round school schedules are entitled to paid maternity only for on-track days.

### *Adoption Leave*

- ◆ In addition to leave available under the FML/CFRL, the District shall grant a leave of absence for the purpose of adopting a child under six (6) years of age. In the case of a special needs child, the age of the child shall not be a consideration. Adoption leave is charged to sick leave/vacation balances and statutory leave. If accumulated sick leave/vacation and statutory leave benefits are exhausted in the course of this leave, the remaining time that the employee remains off work shall be in a leave-without-pay status.
- ◆ In advance of the adoption, the employee shall notify the appropriate manager of the inclusive dates during which time the leave shall be taken. The maximum length of a paid adoption leave shall be six (6) weeks. At least three (3) weeks prior to the estimated date of return to active employment, the employee shall notify the appropriate manager. Prior to returning to work, the employee must provide legal verification of the adoption to the appropriate manager. Eligible employees may also request a leave of absence pursuant to FML/CFRL or a child care leave.

### *Paternity Leave*

- ◆ Employees may use up to seven days of available personal necessity leave for paternity leave. Such leave is charged to available sick leave.
- ◆ Eligible employees may also request a leave pursuant to FML/CFRL or child care leave. However if your spouse works for the District and requests FML/CFRL (bonding) as well, your total leave time as a couple may not exceed 12 work weeks in a 12 month period.

### ✓ *Steps to follow for a Maternity Leave:*

- Upon determination of pregnancy disability, notify your site manager and obtain *the Request for Absence Due to Maternity* form (pink) and *Return to Work from Maternity Leave* form (green) from your site payroll clerk/secretary. Forms are completed by employee, and attending physician, as required, and returned to your payroll clerk/secretary.
- As soon as practical prior to delivery, submit the *Request for Absence Due to Maternity* form (pink) to your site payroll clerk/secretary.

## MATERNITY LEAVE OF ABSENCE (cont.)

- As soon as practical after the birth of the baby**, notify your payroll clerk of the date of birth. At that time, your estimated return to work date can be determined. If you are planning to request family medical leave or an unpaid child care leave, that start date can be estimated as well.
- Your baby must be added to your health insurance contract within 30 days of the date of birth.** This coverage is not automatic. Contact the Risk Management Office, Benefits desk, (562) 997-8233 to request an application.
- At the time of the return to work appointment** with your personal attending physician, *Return to Work from Maternity Leave* form (green) should be completed and signed by the physician.
- If you are planning to return to work immediately following maternity leave** the *Return to Work from Maternity Leave* form, (green), must be submitted to your site payroll clerk/secretary at least one week prior to your return.
- If you are planning to request FML/CFRL or child care leave**, complete the *Return to Work from Maternity Leave* form and *Request for Leave of Absence* form indicating the dates of leave and submit the form to your site. You will continue to receive District-paid fringe benefits while you are on FML/CFRL-qualifying leave. District-paid benefits are discontinued if you are on child care leave, but may be continued at your own expense. Contact the Risk Management Office, Benefits desk, (562) 997-8233, regarding cost and procedure for payment of benefits.
- While on child care leave** you must notify Human Resource Services by March 1<sup>st</sup> of your intent to return the following school year, or request a second year of child care leave.



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## NOTICE OF RIGHTS AND OBLIGATIONS

### FAMILY CARE AND MEDICAL LEAVE (FMLA/CFRA LEAVE) AND PREGNANCY DISABILITY LEAVE

The preceding information describes the District's policies and procedures in connection with pregnancy-related disability leave and family medical leave. The following is a summary of your legal rights and obligations. Please review carefully.

- ◆ Under the Family Care and Medical Leave Act and the California Family Rights Act of 1993 (CFRA), if you have more than 12 months of service with us and have worked at least 1,250 hours in the 12-month period before the date you want to begin your leave, you may have a right to an unpaid family care or medical leave (FMLA/CFRA leave). This leave may be up to 12 workweeks in a 12-month period for the birth, adoption, or foster care placement of your child or for your own serious health condition or that of your child, parent or spouse.
- ◆ If disabled by pregnancy, childbirth or related medical conditions, you are entitled to take a pregnancy disability leave of up to four months, depending on your period(s) of actual disability. If you are CFRA-eligible, you have certain rights to take BOTH a pregnancy disability leave and a CFRA leave for reason of the birth of your child (bonding). Both leaves contain a guarantee of reinstatement to the same or to a comparable position at the end of the leave, subject to any defense allowed under the law.
- ◆ Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period.
- ◆ If possible, you must provide at least 30 days advance notice for foreseeable events (such as the expected birth of a child or a planned medical treatment for yourself or of a family member). For events which are unforeseeable, we need you to notify us, at least verbally, as soon as you learn of the need for the leave.
- ◆ Failure to comply with these notice rules is grounds for, and may result in, deferral of the requested leave until you comply with this notice policy.
- ◆ We may require certification from your health care provider before allowing you a leave for pregnancy or your own serious health condition or certification from the health care provider of your child, parent, or spouse who has a serious health condition before allowing you a leave to take care of that family member. When medically necessary, leave may be taken on an intermittent or a reduced work schedule.
- ◆ If you are taking a leave for the birth, adoption or foster care placement of a child, the basic minimum duration of the leave is two weeks and you must conclude the leave within one year of the birth or placement for adoption or foster care. If you and your spouse both work for the District, the combined total of leave available for purposes of bonding or to care for an employee's parent with a serious health condition is 12 work weeks.
- ◆ The District will maintain your coverage under the group health plan for the duration of the family care and medical leave at the same level and under the same conditions coverage would have been provided had you not taken the leave. You remain responsible for and must continue to pay any share of the health premiums you now pay. Child care leave does not include benefits.
- ◆ Taking an unpaid family care, pregnancy disability, or child care leave may impact your seniority.

For more information regarding your eligibility for a leave, please contact Human Resource Services-Certificated, ext. 8651 or Classified, ext. 8430. You may also get information on the Human Resource Service website, For Current Employees.