

Maternity Leave of Absence



MATERNITY LEAVE SVSD Policy No. 5402

A staff member may use accumulated, paid sick leave for the period of actual disability attributable to pregnancy or childbirth. This period of disability shall extend from the date of birth for a period of not more than 60 days, unless an actual period of disability which begins prior to the date of birth or continues beyond 60 days is otherwise verified by the employee's physician.

If the employee's accumulated sick leave is exhausted during the period of maternity disability, the District shall grant a leave of absence without pay or fringe benefits, upon the staff member's request, for the remainder of the period of actual disability due to pregnancy or childbirth.

During any unpaid portion of such leave of absence, the staff member may pay the premiums for any district insurance plans to keep coverage in effect for the employee and her family.

Notice Required. A pregnant staff member is requested to notify her immediate supervisor and the Superintendent by the beginning of the fifth month of pregnancy.

At the time of such notice, the staff member shall submit a written request to her immediate supervisor and the Superintendent for one or more of the following:

- A. Maternity leave for the period of her actual disability due to pregnancy or childbirth;
- B. Family leave for a period of up to 12 weeks, in addition to any period of maternity disability leave. The District will extend the employee's health benefit during this period of unpaid leave;
- C. Leave of absence for a period of up to the beginning of the next school year. Such extended leave of absence may be approved at the discretion of the Superintendent based upon consideration of educational program needs and desires of the staff member, together with the recommendation of her personal physician or licensed practitioner; or,
- D. Termination of employment by resignation.

The notice to the District shall include the approximate beginning and ending dates for the leave.

Employment Conditions. A pregnant staff member may continue working as long as she is capable of performing her normal duties, with the written approval of her physician or licensed practitioner.

The staff member may return to work when physically able to perform her duties. If the employee intends to return to work within 60 days of childbirth, her personal physician or licensed practitioner must certify that the staff member is in good health and ready to resume her duties.

No later than 30 days after the date of birth, the staff member is requested to notify the Superintendent of the specific date when she shall return to work. Unless the Superintendent approves an earlier date of return, the employee shall give at least 14 days advance notice of the actual date of return.

The staff member shall return to her duties following an extended leave of absence on the date approved by the Superintendent. If the employee is still experiencing a disability due to pregnancy, miscarriage, abortion, childbirth, or recovery which prevents the employee from performing her duties on the scheduled date of return, an additional period of unpaid leave of absence may be approved at the discretion of the Superintendent based upon consideration of educational program needs and the recommendation of the employee's personal physician or licensed practitioner.

Assignment upon return. An employee who has taken a leave of absence only for the actual period of disability relating to pregnancy or childbirth or up to twelve weeks of family leave shall return to the same assignment, or a similar position for which she is qualified with at least the same pay and benefits, as she held prior to the maternity leave.

Upon return from an extended maternity leave, a staff member shall be entitled to a position in the District subject to the availability of a position for which she is qualified. An effort shall be made to place the staff member in her original position or in a comparable position.

Right to apply for other leave. Nothing in this policy shall preclude a staff member's right to apply for any other applicable leave as provided by Board policy.

PAPERWORK REQUIRED

Separation/Leave Form – check the box indicating Leave of Absence, provide the anticipated start and end dates of the requested leave, and indicate a reason for the request. Please note this is an **unpaid** leave of absence.

Family and Medical Leave (FMLA) – If you qualify for FMLA, Personnel will send a packet of information to you once your Separation/Leave form has been received. You will need to complete and return the appropriate paperwork by the date indicated.

FREQUENTLY ASKED QUESTIONS

Will I continue to receive monthly paychecks?

You will receive a paycheck each month as long as you are on paid leave status. Once you exhaust your paid leave, you will receive a final paycheck and then will be moved to an unpaid status.

How much sick leave can I use?

Per Policy No. 5402, you may use up to 60 consecutive calendar days of sick leave (includes weekends, holidays, and nonwork days). This leave begins on the baby's date of birth. However, if your period of disability begins prior to the date of birth or extends beyond 60 calendar days with verification from your physician paid sick leave may be granted.

Can I use my Discretionary Personal leave days while I am on Maternity leave?

Yes. However, there are limitations to when these days can be used. Refer to your Collective Bargaining Agreement.

Will my insurance benefits continue throughout my leave?

Your insurance benefits will continue as long as you do not have more than ten (10) days of unpaid leave in the month. Remember: insurance premiums prepay the following month's benefits, e.g., your December check pays for your January benefits. If you qualify for Family and Medical Leave Act ("FMLA") leave your insurance will continue regardless of your pay status for the period of time the FMLA leave is in effect.

What if I normally have out-of-pocket insurance expenses? Do I have to continue to pay them while on sick or FMLA leave?

Yes. When you are covered under FMLA or using accrued sick leave you must submit a personal check to Payroll for your out-of-pocket medical expenses no later than the first day of each month. Contact Payroll for the exact amount owed.

How can I continue my insurance benefits after my FMLA leave expires, if I don't qualify for FMLA, or am in an unpaid status?

When District benefit contributions end, you will receive a letter from Payroll offering you the opportunity for COBRA insurance benefits. You can continue your benefits under COBRA by paying the full premium, plus a small service charge, each month. COBRA is usually available for up to 18 months, but you will need to confirm with your insurance carriers.

What if I have optional payroll deduction(s) taken out of my paycheck, such as Flex Plan, credit union, 403b, voluntary insurances, i.e., short-term disability, etc.?

As long as you are in a pay status, the District will continue to make these payroll deductions for you. If you are in a no-pay status, you will need to contact each appropriate company to make arrangements to continue the payment.

How do I receive my short-term disability insurance?

You will need to contact the district's voluntary disability plan administrator (short-term disability). See the website for contact information.

Can I return to work sooner than the 60 calendar days referenced as my period of disability in District Policy 5402?

You can return to work earlier, but only with a note from your doctor indicating that you are able to return to work without any restrictions.

Can I work any mandatory/extended days while on Maternity leave and/or FMLA leave?

No. You are not eligible to work mandatory or extended days during the period of disability due to childbirth or while on FMLA.

Can I substitute while on Maternity leave?

Once your period of disability and FMLA leave have ended and you are on unpaid leave of absence, you can substitute with prior approval of Personnel.

When is the last day I can return to work prior to the summer?

If you are on leave during the spring, you may return to work if there are fifteen (15) or more student days remaining in the school year.

What if I want to continue my leave of absence into the following school year?

A leave of absence cannot extend past August 31. If you would like to continue your leave (either full- or part-time) in the following school year you must submit a Separation/Leave Form to Personnel no later than April 1.

What should I do about my benefits when I return from leave?

If you received District benefit contributions throughout your leave, you will not need to do anything about your benefits when you return. However, if you have been on COBRA insurance or if you have allowed your benefits to lapse, you must complete the appropriate online enrollment form(s). You must complete the online re-enrollment process no later than the 10th day of the month for the insurance to become effective the first of the following month.

How do I enroll my new baby on my insurance plans?

You need to enroll your new baby on the mandatory insurances within 30 days of the birth. You can add the baby to your medical plan at the same time. You will be responsible for paying any premium that exceeds the District benefit contribution. Please see the benefit change instructions on the District website.

Additional questions?

Please contact Personnel at (425) 831-8003.