



New Baby Packet

*This packet contains information related to leave due to pregnancy
and after the baby is born.*



Congratulations!



We hope you will find the information in this packet a helpful tool in planning for the arrival of your baby.

Please note: This summary is intended to be an aid in your planning. The regulations regarding many of the provisions described in this packet are complex and subject to change. Please work closely with Human Resources through these provisions...

We are here to help!!!!



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Checklist

The following items need to be completed during pregnancy and after the baby is born:

- Have your doctor complete the "Doctor's Release from Work" form (page 9) and submit to HR (at least 30 days prior to your due date).
- Let your supervisor know and plan with them for a substitute to cover your duties (if needed).
- Discuss with your supervisor how/if you would like to inform staff and students/parents of your pregnancy.
- Determine if you will be taking any additional leave with or without pay (after your medical leave) and create a plan and backup plans should schedules change. Meet with Sandra Bostick in HR (x10242) to review your plan(s) and discuss details surrounding leave.
- If you would like more detailed information regarding your pay during any time off of work, please contact Janet O'Dell (certificated x10237) or Debbie Reynolds (classified x10207) in payroll.
- If you have questions about leave options or other pregnancy procedures, contact Sandra Bostick in HR (x10242).
- If your doctor determines you need to be off work due to pregnancy, have your doctor revise/resend the "Doctor's Release from Work" form (page 9).
- Within the first 30 days after the baby's birth, if you take AESD health insurance, contact Melanie Olson Zavala (x10223) to add the baby to your plan. The baby is covered under your plan for the first 30 days.
- Once your doctor releases you to return to work, please provide a doctor's note or the "Verification of Employee Leave" form (page 10).
- If you would like to take additional leave to bond with your new baby/child, complete the "Employee Request for Additional Leave under CFRA" form (page 11).
- If you wish to make changes to your W-2 tax withholdings, see Janet O'Dell (certificated x10237) or Debbie Reynolds (classified x10207) in payroll.



Leave During Pregnancy and After the Baby Is Born

This section summarizes leave options during pregnancy and within the first year following the birth of an employee's child. There are state and federal laws and contract provisions that overlap regarding pregnancy and baby bonding after birth. This document does not address the full complexity of each law/provision, but summarizes the law/provision as it applies to AESD staff. Please see Human Resources with questions and concerns related to a leave; do not solely rely on this summary as each case has nuances that we should discuss. Also, paternity leave and provisions for adoption or foster care placement are also available.

The chart below shows what leave options are available to eligible employees before the birth of the baby and after the birth of the baby. More information on these leave provisions follows the chart.



<p>Illness/Injury Leave – (Union Contract and Education Code) Requires a doctor’s note, can be used both before and after the baby is born for pregnancy and related disabilities. Employees utilize paid sick leave and are eligible for differential pay upon exhaustion of paid leaves. Classified employees may request to use available vacation leave.</p>	
<p>Pregnancy Disability Leave Act (PDLA) – (California Fair Employment and Housing Act.) Requires a doctor’s note, runs at the same time (concurrently) as Illness/Injury Leave. Provides up to 4 months (17½ weeks) of unpaid leave – this leave typically expires before Illness/Injury Leave runs out. PDLA ends when your doctor clears you to return to work</p>	
<p>Family Medical Leave Act (FMLA) - (US Department of Labor) Disability due to pregnancy – requires a doctor’s note, runs at the same time (concurrently) as PDLA and Illness/Injury Leave. Provides up to 12 weeks of unpaid leave - this leave typically expires before Illness/Injury Leave or PDLA runs out. You must meet FMLA eligibility requirements to use this leave.</p>	<p>Family Medical Leave Act (FMLA) cont. – Care for newborn – any remaining portion of the 12 weeks not used for pregnancy disability may be used.</p>
	<p>California Family Rights Act (CFRA) – Begins, upon request, once your doctor takes you off illness/injury leave. This enables up to 12 weeks of leave for “baby bonding”. You must meet CFRA eligibility requirements to use this leave. Baby bonding leave is not automatic, employee must request additional time off to bond with new child.</p>
	<p>Paid Parental Leave (AB2393): Begins, upon request, once your doctor takes you off illness/injury leave. Employees are entitled to use up to 12 workweeks of current and accumulated sick leave for parental leave. If an employee does not have 12 workweeks of paid leave, may be eligible for differential pay. Runs at the same time as CFRA leave (concurrently)</p>



Illness/Injury Leave/Pregnancy-related Disability Leave (PDLA) - If at any time during pregnancy or post-delivery, you submit a doctor's note to the District stating you cannot work for medical reasons related to pregnancy or childbirth, you must use any available paid sick days for this leave. If your paid sick days expire, you are eligible for differential pay for medically necessary absences, due to pregnancy. Classified employees may use vacation time, upon request. PDLA provides up to "four months (17-1/3 weeks)" of unpaid leave for disability due to pregnancy or childbirth. Your paid sick leave and PDLA run ***concurrently*** so in most cases, PDLA expires before the days of differential pay end (exceptions sometimes occur- talk to HR about your specific situation). Benefits coverage continues during PDLA and sick/differential days, but if you decide to extend your leave using *unpaid* status, you must make the employee contribution to maintain benefits for that unpaid period.

FMLA (for pregnancy disability) - The Family and Medical Leave Act (a federal law) allows up to 12 weeks of unpaid leave. If the leave is related to a pregnancy disability (your own serious health condition), this unpaid leave runs concurrently with your paid medical leave/PDLA listed above. You must qualify for FMLA leave by having (1) at least one year of service completed in the District; (2) at least 1,250 hours actually worked (not counting sick leave, holidays, etc.) in the previous 12 months; and (3) your FMLA leave entitlement not exhausted in the applicable 12-month period. If the employee takes unpaid FMLA leave, the employee must make the monthly employee contribution for benefits to continue. You will receive written notification for any paid medical leave whether FMLA leave applies (may commence retroactively) and runs concurrently from your first day of the paid medical leave.

Birth - Once your child is born, your doctor determines the length of any recovery period, providing to the District a written release for you to return to work. (Note: You may have heard about 6 weeks for natural childbirth and 8 weeks for cesarean childbirth. This practice is not part of the law, although common in public employment as it mirrors State Disability benefits.) As long as you are medically precluded from working by pregnancy or childbirth recovery, you may use any remaining Medical/PDLA/FMLA leave. Benefits coverage continues during this leave, unless the leave is unpaid as described above. Once you are released by your doctor to return to work (medically), you may request CFRA leave for bonding as described below.

CFRA - California Family Rights Act (a state law) allows up to 12 weeks of unpaid leave for "baby bonding" once the baby is born and the employee is no longer disabled due to pregnancy (own serious medical condition). The same eligibility requirements for FMLA (see above) apply for you to qualify for CFRA. CFRA baby bonding leave must be taken before the newborn's first birthday or the first anniversary of the child's placement. It begins after a Medical/PDLA/FMLA (own medical condition) leave ends. If the employee takes unpaid CFRA leave, the employee must make the employee contribution for benefits to continue. The 12 weeks need not be taken all at once. For child bonding, the employee may take up to two intermittent leaves of less than two weeks' duration; all other intermittent leave must be taken in increments of at least two weeks. Employees are asked to schedule intermittent child-bonding leave so as to pose the least disruption to our service of students. Please see HR for the conditions/requirements regarding this leave and CFRA must be requested for through the HR office BEFORE IT CAN BE TAKEN.

Parental Leave - California Education Code allows for the use of up to 12 work weeks of current and accumulated sick leave for parental leave. Employees do not have to be fully eligible for FMLA and /or CFRA to be eligible to use sick leave for parental leave. Employees who do not have 12 work weeks of leave but want to take 12 work weeks of child-bonding/parental leave, may receive differential pay for the remainder of the 12 work weeks if the employee has exhausted all current and accumulated sick leave and the employee is eligible for CFRA leave, except the employee is not required to have worked 1,250 hours in the 12 months prior to leave. The differential pay is separate from the differential pay provided to employees for their own illness. Classified employees may use vacation, upon request.



Frequently Asked Questions

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 Due to Pregnancy" form (page 9) to Sandra Bostick in Human Resources. The purpose of this form is to provide the District with estimated dates for your Maternity Leave. Your medical information will be kept confidential; you decide whether and when to tell your coworkers about your pregnancy.

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. If your doctor imposes work restrictions, the District will determine whether the restrictions can be reasonably accommodated.

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 Human Resources with your new release from work date.

What are PDLA, FMLA, CFRA and other leaves?

Various state and federal laws overlap to cover pregnancy and "baby bonding." These leaves are explained on page 5 of this document. If you have questions after reviewing this document, please see Sandra Bostick in Human Resources. When you request leave under these provisions, you will receive written notice of your eligibility for the leave, your rights and responsibilities, and the designation of your leave under the appropriate law(s).

I delivered my baby, now what?

Please have your doctor complete the form entitled "Doctor's Verification of Employee Leave" (page 10) and return the completed form to Human Resources as soon as possible. Please remember to contact Melanie Olson Zavala in Risk Management & Benefits within 30 days of the birth/placement of your child if you choose to add your baby to your health plan.

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.

When can I return to work?

You may return as soon as your doctor releases you. Again, this is a medical decision made by your doctor.

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 for up to 12 work weeks under CFRA (if you meet eligibility requirements) or Parental Leave (Education Code). Please submit your request in writing on the "Employee Request for Additional Leave under CFRA" form (page 11) as soon as you decide to stay out longer than your doctor note indicates. Since you are no longer disabled at that point, the remaining leave will be paid if you meet eligibility requirements. If you take medical benefits, you are required to continue to pay the employee contribution during any period of unpaid leave. Your contribution is due at the beginning of each month. Please see Melanie Olson Zavala in Risk Management & Benefits if you have any questions.



What if I want to stay out beyond the 12 weeks of FMLA?

Leave time beyond FMLA may be covered under CFRA, but total bonding time may not exceed 12 weeks. Like above, your benefits continue under CFRA, but you must pay the employee contribution to the District.

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

You may request additional Child Bonding Leave Without Pay (ADTA Article 14.10 and CSEA Article 9.6), but this time will be unpaid. If approved, please be advised that you will not receive any salary or District-paid benefits during this leave.

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

Yes. When you are unable to work because of pregnancy or childbirth related conditions, your sick leave is exhausted first and runs concurrently with any PDLA or FMLA leave you use. Classified employees may request to use vacation leave.

What happens when I run out of sick leave?

If you are placed on medical leave by your doctor and your sick leave runs out, employees are placed on differential pay until your doctor releases you to return to work, with or without restrictions. Differential pay for certificated is the difference between your salary and the amount paid to the substitute for up to 5 months. Classified employees are eligible for up to 100 days of paid leave, starting the first date of absence. Classified employees received full pay for days for which they have sick leave available and 50% once sick leave exhaust for the remaining 100 days.

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, paid only for actual days you work when students are in class or when you are attending district in-service.

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.

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 unpaid FMLA/CFRA, remember you need to make your monthly employee contribution for continued benefit coverage. If FMLA and CFRA are exhausted and you do not return to work, the District will not continue to cover the cost of your benefits and you will be responsible for the full premium of your benefits.

Do I qualify for State Disability (SDI)?

Teachers and classified employees do not pay State Disability Insurance (SDI), you are likely not 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.



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

The site administrator and Human Resources 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.

Will my maternity leave affect achieving permanent status or advancement on the salary schedule?

For permanent certificated staff, leave in a paid status counts toward accumulation of 75% of the school year requirement to advance on the salary schedule. Unpaid leave DOES NOT count and could impact you reaching the next salary step. A probationary teacher must actually work (days with students) a minimum of 75% of the year for that year to count toward permanent status.

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 their 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.

I have income protection, can I use it? How does it work? (i.e., The Standard & American Fidelity)

For certificated staff, some voluntary disability plans, like The Standard (800-368-2859), may cover maternity leave. Please contact the disability carrier directly to discuss your plan. Please contact American Fidelity (800-365-9180) for assistance. If the carrier needs any information from the District, they will send the forms directly to Human Resources and the forms will be completed promptly. Please contact Sandra Bostick, Human Resources, for assistance with filing a claim for disability benefits.

What is Paid Family Leave?

Paid Family Leave (PFL) allows eligible workers partial salary replacement when a family member is ill, but does not provide job protection or return rights. PFL does not cover care for a well baby. Eligibility for PFL is not determined by the District. Please contact EDD's Paid Family Leave department for eligibility determination.

What if I need to express breast milk when I return to work?

HR and your site principal will work with you to determine a location and time for you to have privacy for this need during your work day. Since comfort levels vary, please work personally with your site principal to determine the best location and time. If you are uncomfortable working with your site principal on this matter, please contact Sandra Bostick in Human Resources (x10242).

I'm still confused, who can answer my other questions?

Human Resources is here to help! This whole topic can be very confusing, as every situation is quite different. Call Sandra Bostick, in Human Resources (x10242).



Human Resources

DOCTOR'S RELEASE FROM WORK (FOR PREGNANCY)

This form must be signed by your attending physician before it is sent to the Human Resources Office. If you have any questions regarding Pregnancy Disability Leave, the Family and Medical Leave Act, the California Family Rights Act or your leave benefits per Education Code or Collective Bargaining Agreement, please contact Human Resources at (760) 246-8691 ext. 10242.

SECTION 1 – TO BE COMPLETED BY THE EMPLOYEE		
Employee Name:	Classification	Site/Department
Address		Phone Number:
Email Address:	Date of Request	
Requested Start Date: _____	<input type="checkbox"/> Intermittent or Reduced Work Schedule, please specify leave needs in remarks.	
Anticipated Return Date: _____		
Remarks:		
Have you or will you be filing a supplemental Disability Insurance claim? <input type="checkbox"/> Yes <input type="checkbox"/> No		
During Pregnancy Disability Leave paid sick leave benefits are exhausted first and run concurrently with PDLA and/or FMLA. Employees are eligible for Differential Pay upon exhaustion of paid sick leave benefits.		
Employee Signature: _____		Date: _____

SECTION 2 – CLASSIFIED EMPLOYEES ONLY	
Classified Employees may request to utilize vacation time during pregnancy disability leave.	
<input type="checkbox"/> I wish to utilize accrued vacation time as follows:	
<input type="checkbox"/> Immediately after my paid sick leave exhausts	
<input type="checkbox"/> Upon exhaustion of Differential Pay (100 Days)	
<input type="checkbox"/> I do not wish to utilize accrued vacation time	
Employee Signature: _____	Date: _____

SECTION 3 – TO BE COMPLETED BY THE HEALTH CARE PROVIDER	
Date of Today's Visit: _____	
_____	is pregnant and barring any complications, may continue
Patient's Name	
working through: _____	Estimated Delivery Date: _____
Physician's Name: _____	License #: _____
Medical Office: _____	
Phone Number: _____	Fax Number: _____
Physician Signature: _____	Date: _____



Human Resources

DOCTOR'S VERIFICATION OF LEAVE (AFTER BIRTH/PLACEMENT OF CHILD)

This form must be signed by your attending physician before it is sent to the Human Resources Office. If you have any questions regarding Pregnancy Disability Leave, the Family and Medical Leave Act, the California Family Rights Act or your leave benefits per Education Code or Collective Bargaining Agreement, please contact Human Resources at (760) 246-8691 ext. 10242.

SECTION 1 – TO BE COMPLETED BY THE EMPLOYEE	
Employee Name:	Classification
Site/Department	Phone Number
Address	
Email Address:	Date of Request
Employee Signature: _____ Date: _____	

SECTION 2 – TO BE COMPLETED BY THE HEALTH CARE PROVIDER/ADOPTION PLACEMENT	
Legislation requires the District to provide pregnant employees with the same benefits that other disabled employees receive. In order to do so, we must determine the actual time span that the employee will be disabled. A person who is disabled is one who is unable to perform the essentials duties of their position, with or without reasonable accommodation.	
_____ Employee/Patient's Name	Delivered her child on or; Child Placement Date: _____
She will be totally unable to perform the duties of her position through _____	
She may return to work on: _____	
If applicable, She has the following restrictions when returning to work:	

These restrictions continue until: _____	
Agent/Physician's Name: _____	License #: _____
Medical Office or Agency: _____	
Phone Number: _____	Fax Number: _____
Agent/Physician Signature: _____	Date _____



Human Resources

REQUEST FOR CHILD BONDING/PARENTAL LEAVE

EMPLOYEE INFORMATION	
Employee Name:	Classification
Site/Department	Phone Number
Address	
Email Address:	Date of Request

CHILD BONDING/PARENTAL LEAVE
<p>I request a leave of absence pursuant to the California Family Rights Act and/or California Education Code §44977.5 (Certification) §45196.1 (Classified) to bond with my newborn child and/or child placed for adoption/foster care. Please initial statements below. Fathers: Please attach verification of the birth or placement of the child.</p> <p>_____ I understand CFRA leave and/or parental leave must be taken before the newborn's first birthday or the first anniversary of the child's placement.</p> <p>_____ I understand that in order to be eligible for differential pay per California Education Code, I must first exhaust all available paid sick leave, and I must have been employed by the District for at least 12 months prior to commencing the leave.</p> <p>Please check all that apply to your leave request:</p> <p><input type="checkbox"/> I am requesting a paid leave of absence and wish to use available paid leaves including sick leave and/or vacation leave.</p> <p><input type="checkbox"/> I am requesting an unpaid leave of absence.</p> <p><input type="checkbox"/> I do not wish to exhaust my vacation leave (Classified Only).</p> <p><input type="checkbox"/> I have exhausted my 12 weeks of Parental Leave/Child Bonding Leave per FMLA and/or CFRA and California Education Code, and I am requesting additional leave per the Collective Bargaining Agreement. (Approval Required)</p>

DATES REQUESTED
<p>The 12 weeks need not be taken all at once. For child bonding, the employee may take up to two intermittent leaves of less than 2 weeks' duration; all other intermittent leave must be taken in increments of at least two weeks.</p> <p>For intermittent leave requests, a new <i>Request for Child Bonding/Parent Leave</i> must be completed for each period of leave requested.</p> <p>_____ Through _____ First Date Off Work Last Date Off Work</p> <p>Employee Signature _____ Date: _____</p>

