



# *Plumas Lake Elementary School District*

## **Human Resources: Guide to Maternity/Paternity Leave**

Maternity/Paternity Leave, FMLA and CFRA  
Frequently asked questions (FAQ's) and responses

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# Congratulations!

Enclosed you will find information on Maternity Leave, Baby Bonding, and Compensation. We hope you find the information helpful and useful as you plan your Maternity or Paternity Leave. Please forward any other questions to the Executive Assistant to the Superintendent,  
Jennifer Stephens @ [jstephens@plusd.org](mailto:jstephens@plusd.org)

## **Maternity/Paternity Leave Questions and Answers**

### **1. I just found out I am pregnant – what should I do?**

Communication is important to help us plan for a smooth transition as you take your pregnancy leave. Communicate with your site principal the expected leave dates and any changes that might happen throughout the leave as soon as possible. The site principal should be given as much notice as possible. You will also need to establish open communication with the District Office regarding your leave and what you will need to know. This will begin by contacting the Executive Assistant to the Superintendent, Jennifer Stephens for a basic overview of the leaves available to you. If needed, more complex concerns or issues will be escalated to the Superintendent.

### **2. I am not due for a few weeks, but my Doctor has placed me off work. What should I do?**

If your date of release from work has changed, please submit an updated doctor's note with the new release date to Human Resources as soon as possible.

### **3. What is Pregnancy Disability Leave (PDL)?**

Pregnancy Disability Leave (PDL) is available to employees under State law, regardless of time of employment with the District, who become disabled due to pregnancy, childbirth, or related medical conditions. PDL is an unpaid, job protected leave that provides up to 4 months (17.3 weeks or 693 hours) of leave for a pregnant person who is certified by their health care provider. The health care provider determines how much time is needed. The four months may be taken all at once during the last few weeks before and after delivery as well as time off throughout pregnancy for any childbirth related medical condition.

### **4. What is the Family and Medical Leave Act (FMLA)?**

Family and Medical Leave Act (FMLA) allows qualified employees to take up to 12-weeks of unpaid, job-protected leave per year and runs concurrently (at the same time) with Pregnancy Disability Leave (PDL) if an employee is eligible for both. This leave is a Federal Mandate while PDL is a State mandate.

#### Eligibility Qualifications:

- Employees must have worked a total of 1250 hours of service in the 12 months immediately preceding the start of the CFRA leave.
- Employees must have had 12 months of employment.

### **5. What is CFRA/Parental Leave?**

California Family Rights Act (CFRA), Government Code 12945.2, authorizes eligible employees to take up to a total of 12 weeks or paid or unpaid job-protected leave during a 12-month period and may run concurrently with FMLA. Parental Leave is available and administered in accordance with Education Code, Section 44977.5 and the CFRA laws and regulations. Parental Leave (many people call it "Baby Bonding" leave) begins when PDL ends and is taken in addition to PDL. Parental Leave must be taken within one year of the child's birth, adoption, or foster care placement and employees must meet eligibility criteria. Parental Leave shall be taken in six week increments unless otherwise agreed upon between the employee and the Superintendent. You will need to request this leave at least 3 weeks prior to taking the leave.

### Eligibility Qualifications:

- Employees must have worked at total of 1250 hours of service in the 12 months immediately preceding the start of the CFRA leave.
- Employees must have 12 months of employment (does not have to be consecutive) calculated at the time the leave is to begin.

#### **6. Do I need to use my sick leave while I am on Maternity leave?**

Yes, all sick leave must be exhausted first. Once all sick leave is exhausted, you will receive differential pay. Differential pay for PDL and FMLA is the difference between your daily rate and the cost of a substitute to fill your absence.

#### **7. All of those leaves are confusing, how do they work together?**

When you have your baby your doctor will determine how long you need to be out. This can be for up to 4 months (PDL and FMLA) but is usually 6-8 weeks. During this leave you will use your sick leave to be paid your full salary and you will continue to get your health benefits. Once you have used all your sick days you will be paid the difference between your daily salary and the daily rate for the substitute. After your doctor says you can return to work you can choose when to use your CFRA leave (Called Parental Leave or Baby Bonding) if you meet the CFRA Eligibility criteria (see Question 5). You have to use this "Baby Bonding" leave before the baby turns one. There are 12 weeks of Parental Leave that you can use but you must use them in 6 week increments. During this leave you will be paid the difference between your daily salary and the daily rate of the substitute or 50% of your daily salary whichever is higher.

- If your one year anniversary of working in the district occurs before your baby turns one then you can use the leave at that time as long as you have met the 1250 hours of service. For example, you start working for PLESD August 2021. You have your baby in December of 2021, you will not be eligible for the "Baby bonding" leave until August of 2022. You must take the leave by December of 2022.

#### **8. 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 PDL, FMLA and CFRA, if an employee takes a week of leave under PDL, 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. For example, if you are off during the month of November, the week of Veterans Day will count as a week of leave because you would be normally working that week. The week of Thanksgiving will not count as a week of leave because you would not have normally worked any of that week.

#### **9. I delivered my baby, now what?**

Please have a conversation with your physician to determine your return date. Human Resources will need a return to work clearance note from your treating physician. CFRA cannot be used while an employee is out on PDL, but can begin as soon as an employee is cleared to return from PDL by their physician. HR must be notified of your clearance to return to work before your CFRA/Parental Leave begins.

**10. When can I return to 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.

**11. What if I want to stay out longer?**

You may request a Leave of Absence, but this 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.

**12. What are the District's expectations for me before and during my leave?**

- You should communicate with the site principal concerning the expected leave dates and if there are any changes throughout the leave the principal should be given as much notice as possible.
- When possible, your substitute should shadow you for a week prior to maternity leave, so the substitute can learn the norms, routines, and culture of the class. By doing this, it makes the transition more successful for students and staff. We know that sometimes this is not possible but it is ideal.
- You are expected to have at least two weeks of detailed lesson plans and materials prepared for your PDL and/or CFRA leave. The PDL lesson plans should be prepared and updated weekly starting two weeks prior to the baby's due date in case the baby comes early. You will also need to prepare an outline of the scope and sequence that the substitute should follow for the length of your leave.
- You will need to leave your computer and all related technology for the substitute teacher to use during the leave.
- If you have been with the class for a majority of the trimester, you are responsible to complete the report cards when at all possible before starting the leave. This may mean that report cards may not reflect an entire trimester of student work. If the substitute teacher has been with the class for a majority of the trimester, he/she will work with the site Principal to complete the report cards.

**Certificated & Classified Employees - Maternity Leave**

Regular and Accumulated Sick Leave & Differential Leave			
Pregnancy	Childbirth	Recovery from Childbirth	12 Workweeks of Baby-Bonding after Medically Able to Return to Work  - Must be used by child's first birthday
PDL			CFRA
12 workweeks of FMLA runs concurrently from the first day of the qualifying "serious medical condition," which includes pregnancy.			

First Day of Leave 