Pregnancy Leave Packet

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

Congratulations!

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

Please Note: This summary is intended as an aid in providing employees who will be on Pregnancy 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.

Frequently Asked Questions

1. **I just found out I'm pregnant – what should I do?**
   Let your supervisor know so that preliminary planning for coverage of your position can begin. When you have an estimated date of delivery, please submit the **"Leave Request, GCPER-14"** form to the Personnel Department. The purpose of this form is to provide the County with estimated dates for your Pregnancy Leave.

2. **How long can I keep working?**
   You can work as long as your doctor agrees. This is a medical decision that will not be made by the County. You will need to submit a **"Certification of Serious Health Condition – GCPER-30"** form, completed by doctor, to the Personnel Department when the start date of your leave has been decided.

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 **"Certification of Serious Health Condition – GCPER-30"** form to the Personnel Department.

4. **What is PDL?**
   PDL stands for Pregnancy Disability Leave. Under California Fair Employment and Housing Act employees with over 5 employees must give up to 4 months of unpaid disability leave to women who need time off due to pregnancy. You can take PDL time off on an as-needed basis as recommended by your health care provider. Also the employer may transfer you to a less strenuous position with the County during your pregnancy. PDL begins the first date you are placed off work by your health care provider for your pregnancy and/or delivery and continues as long your doctor indicates you are disabled, or for a maximum of 17 weeks and 3 days, whichever comes first.

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 Department for eligibility requirements. The County 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 exhaustion of sick leave and use of vacation and compensation time (depending upon the terms of your memorandum of understanding between the County and the Union, you may be able leave up to a total of 80 hours of vacation and/or compensation time on the books). FMLA also allows you to have the County continue contributions to your County sponsored insurance premiums. As an employee, you are responsible for your portion of your County sponsored insurance premiums. FMLA is limited to 12 workweeks every 12 months. The 12-month period is measured backward from the date of your first FMLA leave usage.

6. **What if I don't have enough accruals to cover my leave?**
   After a 7 day waiting period you may be eligible for Symetra benefits. Symetra is a County sponsored short term disability program. If you are approved for Symetra benefits, you must first exhaust your sick leave accruals before Symetra benefits will start.

7. **I delivered my baby, now what?**
   Please remember to contact the Personnel Department within 30 days of birth if you choose to add your baby to your health plan. Also, if you are receiving Symetra benefits, please contact Symetra and notify them of the date of birth.

8. **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 pregnancy 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.

9. **When can I return to work?**
   You may return to work as soon as your doctor releases you. Again, this is a medical decision that will not be made by the County.

10. **What if I want to stay out a little longer after my doctor releases me?**
    Once your health care provider has released you to return to work, you may be eligible for up to 12 weeks of CFRA for baby bonding. For instance, if you have used eight weeks of FMLA, the remaining four weeks of FMLA run concurrently with CFRA, and the other 8 weeks of baby bonding leave will be CFRA only. Generally, the minimum duration of each absence for CFRA baby-bonding leave is two weeks. However, the County will grant a request for baby-bonding leave of less than two weeks duration (e.g., for one day) on any two occasions.

11. **What is CFRA?**
    CFRA stand for California Family Rights Act. CFRA allows for an additional 12 weeks of leave for employees to bond with a newborn child or a child placed for adoption/foster care, the employee's own serious health condition, or to care for the employee's spouse, dependent child, or parents with a serious health condition. 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 your first CFRA leave usage. Much like FMLA, not all employees are eligible for CFRA. Please contact the Personnel Department to discuss eligibility.

12. What if both parents work for the County?

The employer may limit leave for birth, adoption or foster care placement to a "combined total" of 12 weeks between the two parents. CFRA entitlement may not be limited for other purposes. For example each parent may take 12 weeks of CFRA leave in needed to care for a child with a serious health condition.

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

Yes. Sick leave is exhausted first. You should consult your MOU regarding use of other accruals.

14. Do I get paid for holidays and accrue full vacation and sick accruals?

If you are using full accruals (8 hours of sick, vacation or CTO), you will be paid for the full holiday and receive full vacation and sick leave accruals. If you are currently on the County sponsored short term disability program, Symetra, you will be paid the equivalent of 2/3 of your salary from Symetra and you may use your accruals for the remaining 1/3. If you use accruals for the 1/3 you will be paid for 1/3 of any holiday while on leave and receive 1/3 vacation and 1/3 sick leave accruals when you are being paid the equivalent of 1/3 of your salary from the County. If you progress into a Leave With Out Pay (LWOP) status, you will not be paid for the holiday and you will not accrue vacation and sick leave accruals.

15. What about my benefits?

If you are provided group health insurance, you will be entitled to the continuation of the group health insurance coverage during FMLA leave on the same terms as if you had continued to work. If family member coverage is provided, the family member coverage must be maintained during the FMLA leave. While on leave you will continue to be responsible for the employee portion of your health benefits. If you are receiving Symetra benefits, your health insurance may continue for up to 26 weeks as long as you pay the normal employee portion of the County sponsored health insurance premiums.

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

No. Since Glenn County does not pay into state disability, you are not eligible.

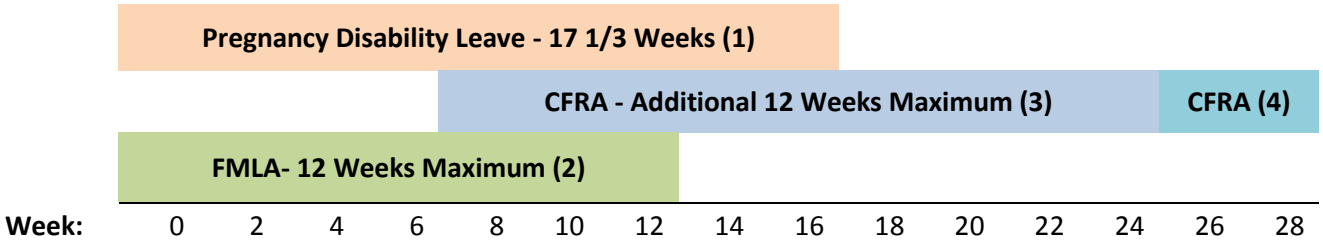
17. Do I have return to work rights after the baby is born?

A woman who takes a pregnancy disability leave and returns within the four-month period is guaranteed the right to return to her same position. An employer can reinstate a woman who takes a leave to a comparable position only if her same position is no longer available, such as in a layoff. If that is the case, the employer should offer a position that is comparable in terms of pay, location, job content, and promotional opportunities unless the employer can prove that no comparable position exists.

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

The Personnel Department 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 the Personnel Department to talk about how your salary and benefits may be affected if you plan to take FMLA, CFRA, or PDL leave.

Timeline for Pregnancy Leaves



1. Pregnancy Disability Leave (PDL) begins the first day an employee is placed off work by their doctor regardless of their due date. Pregnancy Disability Leave is available for up to 17 1/3 weeks for employees who are disabled by pregnancy, child birth, or a related medical condition. A medical certificate must be provided prior to an employee placed on PDL and will run as long as a medical certification is in effect. The employer is obligated to maintain and continue to pay the employer portion for heath insurance premiums for up to 4 months while a woman is out on PDL.

2. Family Medical Leave Act (FMLA) begins the first day an employee is placed off work by their doctor. PDL and FMLA run concurrently (at the same time). County contributions toward medical and dental benefits are provided for a maximum of 12 weeks. The employee is responsible for his/her portion as well as any voluntary benefit premiums. FMLA provides job-protection.

3. Leave under the California Family Rights Act (CFRA) may be requested for an additional 12 weeks after your doctor has released you to return to work. CFRA is an UNPAID leave; medical and dental benefits are not covered by the County during CFRA; however, the employee can purchase them from the County.

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.