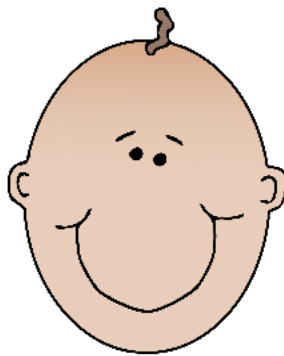




A Guide to Maternity/Paternity/Family Leave At Santa Rosa Junior College



Please note: this guide is for employees who will be on leave due to the birth or adoption/foster of a child. While we make every attempt to align this packet with current California State and Federal Leave Laws, it is important to remember these laws are ever changing. Information within this packet is subject to change without notice.

Maternity, Paternity and Bonding Leave at Santa Rosa Junior College

Congratulations on your upcoming new arrival! Santa Rosa Junior College has several options for your pending Maternity/Paternity Leave. We know these leaves can be confusing during this time. This guide is intended to help you through this process and give you information. We are excited for your new person to arrive and want to make this journey as easy as possible for you to understand.

For more information, please read this guide.

Please also review the [AFA Contract, Article 18 Leaves](#) for Faculty, Associate Faculty and Educational Administrators.

or

Please also review the [SEIU Classified Contract, Article 12 Leaves of Absence](#) for Classified Professionals, Classified Administrators and Confidential employees.

Per [SRJC Management Team Handbook](#): “Educational Administrators shall follow the leave provisions in the AFA/District collective bargaining agreement and Classified Administrators, Classified Supervisors, and Confidential employees shall follow the leave provisions in the SEIU/District Local 1021 collective bargaining agreement.”

Types of Maternity/Paternity Leaves Defined

Paid Pregnancy Disability Leave (PPDL) effective January 1, 2027

(Ca Education Code 87766 (academic), 88193 (classified))

For “disabilities” due to pregnancy, childbirth, miscarriage termination of pregnancy, or a related medical condition. Your medical provider will determine the Pregnancy Disability Leave period. This may include time before, through time after delivery, as set by your provider. PDL covers Maternity Leave, which refers to the period of disability due to child birth.

- Up to 14 weeks of full-paid leave

Family and Medical Leave Act (FMLA) (US Department of Labor)

For bonding/care of newborn, adoption/foster care placement and bonding of child.

Qualifier: 12 months of service and 1,250 hours worked in the prior year

- Up to 12 work weeks of leave
- Unpaid leave, accrued time is used to stay in paid status
- Benefits covered by District
- May run concurrently with CFRA

California Family Rights Act (CFRA) (California Gov Code 12945.2)

For bonding/care of newborn, adoption/foster care placement and bonding of child

Qualifier: 12 months of service and 1,250 hours worked in the prior year

- Up to 12 work weeks of leave
- Unpaid leave, accrued time is used to stay in paid status
- Benefits covered by District
- May run concurrently with FMLA, Parental and/or PN Leave

Parental Leave/Baby Bonding (Ca Ed Code 87780.1 (academic), 88196.1 (classified))

For birth of employee’s child, adoption/placement of foster child

- Up to 12 work weeks of leave in the 12-month period following birth
- Parental Leave is a paid leave using accrued sick leave
- May use vacation and/or CTO/PTO (Classified only)
- If sick leave is not available, PL Difference Pay is applied for the hours not covered, at no more than 50% of regular pay
- Benefits covered by District
- Runs concurrently with CFRA

Types of Maternity/Paternity Leaves Defined

Personal Necessity (PN)/Parental Leave (California Ed Code)

(Ca Ed Code 87784.5 (academic), 82207.5 (classified))

For birth, adoption, baby bonding

- PN Leave must be taken within the first year of birth or adoption
- Up to 30 days of leave in a school year, less any PN days already used
- Fully paid leave using accrued sick leave
- Must have sick leave available to cover the PN hours used
- Benefits covered by District
- May run concurrently with FMLA and/or CFRA

Child Rearing Leave (Classified Professionals/SEIU Contract, Article 12.13)

A unit member who is the natural or adoptive parent of a child may request an unpaid leave of absence for rearing their child.

Unpaid Leave (Faculty/AFA Contract, Article 18.06)

The District may grant a faculty member an Unpaid Leave to supplement a Parental Leave

Reproductive Loss Leave

For miscarriage, stillbirth, failed adoption, failed surrogacy, or “unsuccessful assisted reproduction”

- Up to five nonconsecutive days bereavement leave

Salary and Benefits during Maternity/Paternity/Parental Leave

Faculty/Associate Faculty/Educational Administrators ([AFA Contract, Article 18: Leaves](#))

Pregnancy Disability Leave and Maternity Leave will utilize all available accrued leaves (sick leave and/or Variable/Exchange Time). If your available leaves are exhausted while you are on leave, we will automatically apply Supplemental Sick Leave to the remainder of your absence. Under Supplemental Sick Leave we will deduct the salary paid to a substitute to replace you, from your salary. If a substitute is not provided, we will deduct step 1 of your salary range for any class time missed.

Effective January 1, 2027, the District will provide up to 14 weeks Paid Pregnancy Disability Leave for “disabilities” due to pregnancy or childbirth.

Parental (Bonding) Leave (PL)/CFRA will utilize all available sick leave. If your available sick leave is exhausted, PL Difference Pay will automatically be applied to the remainder of your absence. Under PL Difference Pay, we will deduct the salary paid to a substitute hired to replace you from your salary, at no more than 50% of your salary. If a substitute is not provided, we will deduct Step 1 of your salary class for any class time missed, at no more than 50% of your salary.

Faculty have the option of using Banked Load towards a Maternity/Paternity Leave.

Your district benefit contribution will continue as long as you are in a paid status.

Classified Professionals/Classified Administrators/Confidential Employees ([SEIU Article 12: Leaves of Absence](#))

Pregnancy Disability Leave and Maternity Leave will utilize all available accrued leaves (sick leave, vacation, Compensatory Time Off (CTO)/Paid Time Off (PTO), etc.). If your available leaves are exhausted while you are on leave, Substitute Difference Pay will automatically be applied to the remainder of your absence. Under Difference Pay, the salary paid to a STNC substitute to replace you will be deducted from your salary for all hours worked. If a STNC substitute is not hired, you will receive full pay while you are under Difference Pay.

Effective January 1, 2027, the District will provide up to 14 weeks Paid Pregnancy Disability Leave for “disabilities” due to pregnancy or childbirth.

Parental (Bonding) Leave (PL)/CFRA will utilize sick leave. If sick leave is exhausted, PL Difference Pay will automatically be applied to the remainder of your absence. Under PL Difference Pay, the salary paid to a STNC substitute to replace you will be deducted from your salary, at no more than 50% of your salary. You have the option of using your available vacation and/or CTO/PTO towards a Maternity/Paternity Leave. If a STNC sub is not hired, you will receive full pay while you are under Difference Pay.

Your district benefit contribution will continue as long as you are in a paid status.

Maternity Leave Notice and Instructions

At least 60-90 days before your due date:

- Submit a Leave Request through [Human Resources web page](#). You may also upload your medical verification that supports your need for an extended leave, if necessary and available.
- Schedule Maternity Leave meeting with Linda Jay, Human Resources Specialist
- If not already submitted with your Leave Request, provide a Certification of Health Care Provider for Pregnancy Disability Leave (see page 15), or verification from your medical provider that contains the same information, prior to going on leave.
- Let your department know the projected dates of your leave. If needed, they can work to secure a substitute for your absence.
- Write a Letter of Intent to take Maternity Leave with approximate dates listed and submit to your supervisor, with a copy to Linda Jay, Human Resources Specialist at ljay@santarosa.edu (see sample letter on page 10).

Upon birth of child:

- Notify Human Resources of the delivery date
- Submit medical verification of your Maternity Leave time as directed by your medical provider.
- If you have benefits with the district, contact the Human Resources Benefits Specialist to have the baby added to your benefit plans, within 30 days of the baby's birth date.

When you are ready to return to work:

- Submit a medical release from your provider (if needed) to Human Resources. This is required if you are returning to work after your disability time off. You will not need an additional release to return to work from a baby bonding leave.

Paternity Leave Instructions

- Submit a Leave Request through [Human Resources web page](#).
- Schedule Paternity Leave meeting with Linda Jay, Human Resources Specialist
- Write a Letter of Intent to take Paternity Leave, with approximate dates listed and submit to your supervisor, with a copy to Linda Jay, Human Resources (see sample letter on page 10.)

Lactation Spaces

Santa Rosa Junior College supports breastfeeding faculty and staff by providing campus locations with private rooms for them to nurse or express milk for their babies.

Lactating employees will be provided with a place, other than a bathroom, which is private and free from intrusion from co-workers or the public, to express breast milk.

Lactating employees will be provided “reasonable break time” to express breast milk each time such employee requires. This includes the time to walk to the designated space, set up equipment, express milk, clean equipment and store breast milk.

Lactating employees will be provided access to a sink and a refrigerator suitable for storing milk.

The following room locations are available Monday through Friday from 8am-5pm.

SANTA ROSA CAMPUS

Student Health Services - [Bertolini Building, 3rd Floor, Room 323](#)

Please contact Kimberly Starke at 707-527-4276 or kstarke@santarosa.edu for support after hours.

PETALUMA CAMPUS

[Richard Call Building, Room 611](#) (Open from 8am - 12pm on Fridays)

Please contact Denise Cooper at 707-778-4187 or dcooper@santarosa.edu for support after hours.

SHONE FARM

[R.L. Thomas, Room 181](#)

Please contact Connor Murphy at 707-535-3702 or cmurphy2@santarosa.edu for support after hours.

ROSELAND

[Heritage Hall, Room 112](#) (Hours: M-TH 10am-7pm; Fridays 10am-5pm)

Please contact Hector Delgado at 707-527-4695 or hdelgado@santarosa.edu for support after hours.

PUBLIC SAFETY TRAINING CENTER

[Building 100, Room 118](#)

Please contact Josh Adams at 707-524-1731 or jadams2@santarosa.edu; or Donna Prak at 707-836-2905 or dprak@santarosa.edu for support after hours.

Frequently Asked Questions

- I just found out I am pregnant. What do I do?
 - ✓ Let your department know, as soon as possible.
 - ✓ Submit a Leave Request through [Human Resources](#) Leave and Accommodation Request page, with your Certification of Health Care Provider (see page 13) or medical verification from your provider, if available.
 - ✓ As soon as determined, submit a leave intent form to your supervisor with a copy to Human Resources (see page 10-11 for sample form)
- How long can I keep working?
 - ✓ You can work as long as your medical provider authorizes. Once your provider takes you off work, you may no longer work on site or at home, due to liability issues for the district.
- I am not due until next month, but my provider has placed me off work. What do I do?
 - ✓ If not already on file, please submit medical verification to Human Resources with your leave information listed.
- My baby was born! Now what?
 - ✓ Enjoy your new bundle of joy! 😊
 - ✓ Notify Human Resources of the delivery date and if needed, submit updated medical verifications, based on the actual birth date.
 - ✓ If you have benefits with the district, contact the Human Resources Benefits Specialist to have the baby added to your benefit plans, within the first 30 days of the baby's birth.
- How long will my Maternity Leave be?
 - ✓ Because every pregnancy is different, your medical provider will determine the length of your time off work to recover from birth. A routine maternity leave is typically 6-weeks or 8-weeks following a cesarean section. Your provider may determine that you need additional time before or after the delivery of your baby. This is a medical decision directed by your medical provider.
- When can I return to work?
 - ✓ You may return to work as soon as your medical provider releases you.
- What if I want to stay out a bit longer after the doctor releases me from Maternity leave?
 - ✓ You may request to remain off work to bond with your baby. "Bonding Leave" is covered under CFRA/Parental Leave, allowing for an additional 12-weeks of leave to bond with a newborn or child placed for adoption/foster care. This leave must be taken within one year of the baby's birth or adoption/foster date.
- Is it possible to be out even longer than Maternity and Parental Leaves?
 - ✓ Yes.
 - You may request an Unpaid/Child Rearing Leave. This is an unpaid leave and you may be responsible for the continuation of any benefit payments during that time.
 - If you have sick leave to cover, you may request a Personal Necessity Leave, which grants up to 30 days of leave, less any PN Days already used.
- My spouse/partner also works for SRJC. Are we each entitled to 12 weeks of "Bonding Leave"?
 - ✓ Yes, under FMLA and CFRA each unit member is entitled to 12 weeks of leave.

Frequently Asked Questions

- Do I still accrue sick leave and vacation while on leave?
 - ✓ Yes, your sick leave and vacation accruals will continue while you are in a paid status and will be applied towards your leave, if applicable.
- My accrued time will not cover my leave. How will I remain covered then?
 - ✓ Once sick leave has been exhausted, you may be eligible for Supplemental Sick Leave (Certificated/Academic Administrators), Substitute Difference Pay (Classified/Management), or Parental Leave Supplemental Sick Leave or Parental Leave Difference Pay (under Parental Leave) for the remainder of your leave. Vacation, CTO and/or PTO (if applicable) may also be used to stay in a fully paid status.
- My baby is very sick. They will be in the NICU for at least a month. I have exhausted my accrued time to cover a leave. Do I have any options?
 - ✓ Yes. If you, or your baby, has a verifiable “Long-Term, Life-Threatening” medical issue, you may be eligible for Catastrophic Leave. This would allow the use of donated sick leave toward your leave for up to 46 days for Faculty or up to two months for Classified Professionals.
- Do holidays or non-work days count against my time off?
 - ✓ No. We do not charge your leave for non-work days, semester breaks, or holidays. 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 holiday counts towards FMLA/CFRA usage.
- What happens to my benefits while I am on leave?
 - ✓ Benefit coverage will continue while you are out on a paid leave. If you take an extended unpaid leave, you may be responsible for the continuation of any benefit payments.
- Do I qualify for the new Paid Pregnancy Disability Leave (PPDL) effective January 1, 2027?
 - ✓ Yes, if you are disabled by pregnancy or birth, while under your medical providers directive.
- I have not worked for the district for a full year and/or I am not eligible for FMLA/CFRA. Am I eligible for Maternity Leave? Am I eligible for Parental Leave?
 - ✓ You are eligible for Maternity Leave as directed by your medical provider.
 - ✓ Effective January 1, 2027, you will be eligible for Paid Pregnancy Disability Leave
 - ✓ You are eligible for Parental Leave under the Ca Education Code.
 - ✓ You may take a Personal Necessity Leave for up to 30 days (less any PN days used); if you have the sick leave to cover the time off (sick leave usage is limited within the first six months of employment.)
 - ✓ You may use any available vacation once you are past your first six months of employment
- I’m unable to walk to my department from my assigned parking lot, due to issues from pregnancy. Can I get a closer parking lot?
 - ✓ Yes, we provide reasonable accommodations for pregnancy related issues.
- Whom can I talk to about my salary while I am on leave?
 - ✓ The [Payroll Department](#) will be able to help you with salary information.
- I am still confused, who can answer my other questions?
 - ✓ Please contact [Linda Jay](#), HR Specialist

Maternity/Paternity/Parental/Bonding Leave Intent Form

Name: _____

Department: _____

Supervisor: _____

_____ Classified Professional _____ Confidential

_____ Classified Administrator _____ Educational Administrator

_____ Faculty _____ Associate Faculty _____ Unit B

The following is my intent for leave, as detailed below. All dates are subject to medical condition and, therefore, are approximate until further notice.

I understand all accrued leaves will be utilized towards my leave, if applicable. This time will begin at first date of absence and will extend to the end of my leave(s) as designated below.

Baby's Birth/Due/Placement Date: _____

Type of Leave Requested (check all that apply)

PREGNANCY DIABILITY LEAVE (PDL) (prior to birth of baby)

Begin _____ End _____

Full _____ or Partial Leave _____ (on leave _____ hours per week)

MATERNITY LEAVE (Family Medical Leave Act (FMLA)) (after birth of baby)

Begin _____ End _____

Full _____ or Partial Leave _____ (on leave _____ hours per week)

Effective 1.1.2027: PAID PREGNANCY DIABILITY LEAVE (PPDL)

(for disability due to Pregnancy or Birth)

Begin _____ End _____

Full _____ or Partial Leave _____ (on leave _____ hours per week)

PARENTAL LEAVE/BABY BONDING:

CALIFORNIA FAMILY RIGHTS LEAVE ACT (CFRA)

PARENTAL LEAVE (California Ed Code)

Begin _____ End _____

Full _____ or Partial Leave _____ (on leave _____ hours per week)

PERSONAL NECESSITY (PN) LEAVE (CA Ed Code)

Begin _____ End _____

Full _____ or Partial Leave _____ (on leave _____ hours per week)

Maternity/Paternity/Parental/Bonding Leave Intent Form

Type of Leave Requested (check all that apply)

“LEAVE WITHOUT PAY FOR CHILD REARING (LWOP)” (SEIU §12.9, AFA §18.06):

This “Leave Without Pay for Child Rearing” is an unpaid leave. Your health benefits are **NOT PAID** for by the District, therefore, you will be responsible for the payment of your health insurance premiums during this time.

Begin _____ End _____
Full _____ or Partial Leave _____ (on leave _____ hours per week)

If you have benefits with the district:

I understand that while I am...

- ✓ ...on Paid Pregnancy Disability Leave (effective 1.1.27), I will be fully paid under medical verification to recover from pregnancy/birth.
- ✓ ...under any type of paid leave my health benefits will continue to be paid by the district
- ✓ ...on an unpaid leave my health benefits are not paid by the district and I may be responsible for the payment of my premiums during this time

I understand under Supplemental Sick Leave (SSL)/Substitute Difference Pay (DP):

- ☐ (Classified/Confidential) you have hired a substitute replace me while on leave. Therefore, any salary paid to the substitute will be deducted from my salary.
 - If under Parental Leave (PL), the reduction will be no more than 50% of my salary.

AND/OR

- ☐ you have hired substitute replace me while on leave. Therefore, I will utilize available vacation and/or CTO/PTO towards this leave, prior to implementing PL Difference Pay.

OR

- ☐ a substitute will not be hired to replace me. Therefore,
 - Classified Professionals: I will receive my full pay during this time
 - Faculty Members: I will be deducted at the rate of Step 1 of my corresponding Salary Class for any class time missed. If under Parental Leave, the reduction will be no more than 50% of my salary.

I will provide medical verification to Human Resources as required. I understand Human Resources will complete the necessary absence forms and confirm my eligibility and leave approval.

I intend to return to work on _____

Signature

Date

Please submit to your supervisor and cc Human Resources.

Pregnancy Timeline Examples

In the examples below, mom has a due date of December 1.

Her provider placed her on a Pregnancy Disability Leave on November 15th.

Baby is born December 12th and mom is released from pregnancy disability on January 30th.

Mom requests baby bonding for twelve weeks.

FACULTY/ASSOCIATE FACULTY

Placed on leave November 15	Baby born December 12	Effective January 1, 2027	Bonding Leave
Pregnancy Disability Leave (PDL) November 15 through birth date	FMLA Maternity Leave December 12-31	Paid Pregnancy Disability Leave January 1 - 31	CFRA/Parental Leave (PL) February 1 – April 23
During PDL and FMLA, the employee will use available sick leave and/or Supplemental Sick Leave		Fully paid leave (no use of accrued time)	During CFRA/Parental, employee will use available sick leave or PL Supplemental Sick Leave

CLASSIFIED PROFESSIONAL

Placed on leave November 15	Baby born December 12	Effective January 1, 2027	Bonding Leave
Pregnancy Disability Leave (PDL) November 15 through birth date	FMLA Maternity Leave December 12-31	Paid Pregnancy Disability Leave January 1 - 31	CFRA/Parental Leave (PL) February 1 – April 23
During PDL and FMLA, the employee will use available sick leave, vacation, CTO/PTO and/or Substitute Differential Pay		Fully paid leave (no use of accrued time)	During CFRA/Parental, employee will use available sick leave or PL Substitute Difference Pay

CERTIFICATION OF HEALTH CARE PROVIDER

for Pregnancy Disability Leave, Transfer and/or Reasonable Accommodation



Employee Name: _____

Please certify that, because of this patient's pregnancy, childbirth, or a related medical condition (including, but not limited to, recovery from pregnancy, childbirth, loss or end of pregnancy, or post-partum depression), this patient needs (check all appropriate category boxes):

☐ TIME OFF FOR MEDICAL APPOINTMENTS

When: _____ Duration: _____

☐ DISABILITY LEAVE (Because of a patient's pregnancy, childbirth or a related medical condition, patient cannot perform one or more of the essential functions of patient's job or cannot perform any of these functions without undue risk to self, to successful completion of the pregnancy, or to other persons)

Beginning (Estimate): _____ Ending (Estimate): _____

☐ INTERMITTENT LEAVE

Specify the intermittent leave schedule: _____

Beginning (Estimate): _____ Ending (Estimate): _____

☐ REDUCED WORK SCHEDULE

Specify the reduced work schedule: _____

Beginning (Estimate): _____ Ending (Estimate): _____

☐ TRANSFER/BE ASSIGNED TO A LESS STRENUOUS OR HAZARDOUS POSITION OR DUTIES

Specify the medically advisable position/duties: _____

Beginning (Estimate): _____ Ending (Estimate): _____

☐ REASONABLE ACCOMMODATION(S)

Specify (can include, but is not limited to, modifying lifting requirements, providing more frequent breaks, or providing a stool or chair): _____

Beginning (Estimate): _____ Ending (Estimate): _____

Printed Name of Health Care Provider: _____

MEDICAL HEALTH CARE SPECIALTY

LICENSE NUMBER

SIGNATURE OF HEALTH CARE PROVIDER

DATE

Authority Cited: Government Code sections 12935(a) and 12945
Reference: Government Code sections 12940 and 12945; FMLA, 29 U.S.C. § 2601, et seq.; FMLA regulations, 29 C.F.R. § 825

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FAMILY CARE AND MEDICAL LEAVE

FACT SHEET



The Fair Employment and Housing Act (FEHA), enforced by the Department of Fair Employment and Housing (DFEH), contains family care and medical leave provisions for California employees.

These leave provisions are known as the California Family Rights Act (CFRA). All employers must provide information about CFRA to their employees and post this information in a conspicuous place where employees tend to gather. A poster that meets this requirement is available on DFEH's "Posters, Brochures and Fact Sheets" webpage (www.dfeh.ca.gov/posters/).

LEAVE REQUIREMENTS

- To be eligible for CFRA leave, an employee must have more than 12 months of service at an employer of five or more full- or part-time employees, and have worked at least 1,250 hours for that employer in the 12-month period before the leave begins.
- An eligible employee may take job-protected leave to bond with a new child¹ by birth, adoption, or foster care placement, within one year of the child's birth, adoption, or foster placement.
- An eligible employee may take job-protected leave to care for a child, spouse, domestic partner, parent², grandparent, grandchild, or sibling with a serious health condition. CFRA leave may also be taken for the employee's own serious health condition.
- An eligible employee may take job-protected leave

¹ "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of an employee or the employee's domestic partner, or a person to whom the employee stands in loco parentis.

² "Parent" includes a biological, foster, or adoptive parent, a parent-in-law, a stepparent, a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child.

for a qualifying exigency related to the covered active duty or call to covered active duty of a spouse, domestic partner, child, or parent in the Armed Forces of the United States.

- Employees may take leave of up to 12 work weeks in a 12-month period, proportional to an employee's normal work schedule. The leave does not need to be taken in one continuous period of time.

EMPLOYEE'S OBLIGATIONS

- An employer may require an employee to provide 30 days' advance notice of the need for CFRA leave. When this is not possible due to the unexpected nature of the qualifying event, notice should be given as soon as practicable. Notice can be written or verbal and should include the timing and the anticipated duration of the leave, but an employer may not require disclosure of an underlying diagnosis. An employer must respond to a leave request as soon as possible and no later than 5 business days.
- The employer may require written certification from the health-care provider of the individual with a serious health condition stating the reasons for the leave and the probable duration of the condition. However, the health-care provider may not disclose the underlying diagnosis without the consent of the patient.

SALARY AND BENEFITS DURING CFRA LEAVE

- Employers are not required to pay employees during a CFRA leave, but some employers do. In addition, an employee will be paid for any accrued paid time off they elect or are required to use. An employer may require an employee who is taking leave to care for a seriously ill family member or to bond with a new child to use accrued vacation time or other accumulated paid leave other than sick time, unless the employee

FAMILY CARE AND MEDICAL LEAVE

FACT SHEET

DFEH



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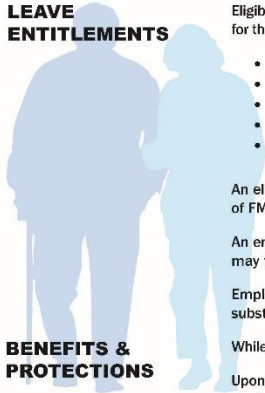
SALARY AND BENEFITS DURING CFRA LEAVE

- Employers are not required to pay employees during a CFRA leave, but some employers do. In addition, an employee will be paid for any accrued paid time off they elect or are required to use. An employer may require an employee who is taking leave to care for a seriously ill family member or to bond with a new child to use accrued vacation time or other accumulated paid leave other than sick time, unless the employee

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS



Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

*Special "hours of service" requirements apply to airline flight crew employees.

REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.



For additional information or to file a complaint:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd

U.S. Department of Labor | Wage and Hour Division



Free on-demand care for your parenthood journey

SISC is providing PPO members with free access to Maven virtual care for pregnancy and postpartum support. Use Maven for 24/7 access to doctors, specialists, coaches, and trustworthy content tailored to your experience.



Free 6-month diaper subscription for SISC PPO members who:

- Enroll during their first or second trimester
- Have an intro call with a Care Advocate
- Have two appointments with Maven providers during pregnancy
- Complete the exit survey when their baby is born



What is Maven?

Maven offers 24/7 virtual access to one-on-one maternity and postpartum support. Eligible SISC PPO members are matched with a Care Advocate who connects them to trustworthy maternity and postpartum content.

How do I use Maven?

Download and log into the Maven Clinic app to access maternity and postpartum doctors, specialists, coaches, mental health experts, and so much more.

Support at every stage of your journey

Pregnancy

- ✓ Midwives, OB-GYNs, Doulas
- ✓ Birth Planning
- ✓ Prenatal Nutritionists
- ✓ Mental Health Specialists
- ✓ Loss Support

Postpartum

- ✓ Infant Care Advice
- ✓ Pediatricians
- ✓ Lactation Counseling
- ✓ Infant Sleep Coach

Return to work

- ✓ Emotional Support
- ✓ Back-to-Work Support
- ✓ Career Coaching



To activate your membership:
Download the Maven Clinic app
Visit mavenclinic.com/join/SISC
Scan the QR code

Enrollment is confidential and will not be shared with your employer.



LEAVE FROM WORK AFTER A REPRODUCTIVE LOSS



Civil Rights
Department
STATE OF CALIFORNIA

FACT SHEET

The Fair Employment and Housing Act (FEHA), enforced by the Civil Rights Department (CRD), protects the right of most California employees to take up to five days of leave from work after a reproductive loss. This fact sheet discusses who is eligible to take reproductive loss leave, when they can take it, how much leave is available to them, and whether they can get paid while they are out. It also covers protections against retaliation related to reproductive loss leave and what an employee can do if their employer does not follow the law. For more information, see [Government Code section 12945.6](#).

DEFINITIONS

A reproductive loss event is any of the following:

- Miscarriage
- Stillbirth
- Failed adoption – for example, if a mother or legal guardian breach dissolves an adoption agreement or adoption is not finalized for another person
- Failed surrogacy – for example, surrogate breaches or dissolves agreement, or if an embryo transfer fails
- Unsuccessful assisted reproduction – for example, a failed intrauterine insemination or embryo transfer

ELIGIBILITY

- Employees who work for public employers of any size – or private employers with five or more employees – and have worked for the employer for at least 30 days before taking leave are eligible.
- An employee can take leave following their own reproductive loss event or that of another person – such as a spouse or

partner – if the employee would have been the parent of the child born or adopted.

- It is against the law for an employer to interfere with or deny an employee's right to take leave after a reproductive loss if they meet the above criteria.

TIMING AND DURATION OF LEAVE

The law requires employers to provide eligible employees with a minimum of five days of leave for a reproductive loss event. Employees can, but do not have to, take their leave days consecutively. This means they can choose to take all five days at once or break up the days over a longer period, as long as their leave is completed within three months of the reproductive loss event.

If an employer has an existing leave policy that applies to reproductive loss events, the employee must take reproductive loss leave under that policy. An employer's policy can provide for more leave than the legally required minimum.

If a reproductive loss event occurs over multiple days, the law treats it as one event.

If an employee experiences more than one reproductive loss event in a year, they are entitled to no more than 20 days of reproductive loss leave in that one-year period unless an individual employer's leave policy provides for more time.

Reproductive loss leave is separate from, and in addition to, other types of leave to which employees are entitled. Examples include, leave to care for one's own serious health condition or that of certain family members available under the California Family Rights Act (CFRA) and Family and Medical Leave Act (FMLA), or leave for disabilities related to [pregnancy or childbirth](#) available under FEHA. If an employee is on

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- ✎ Edit page

REPRODUCTIVE LOSS LEAVE

FACT SHEET



Civil Rights
Department
STATE OF CALIFORNIA

another type of leave during the reproductive loss event, they can take reproductive loss leave within three months of finishing the other form of leave.

PAY DURING REPRODUCTIVE LOSS LEAVE

Some employers have paid leave policies that cover reproductive losses. Employers that do not have an applicable paid leave policy must let employees use any available vacation time, sick days, personal days, or PTO to cover their reproductive loss leave so they can get paid. Otherwise, reproductive loss leave may be unpaid.

RIGHT TO CONFIDENTIALITY

In general, employers are required to keep confidential any information an employee provides when exercising their right to reproductive loss leave. Employers are, however, allowed to disclose this information when required by law or to internal personnel or legal counsel when necessary. The law does not require an employee to submit documentation in support of their leave request.

UNLAWFUL RETALIATION

It is against the law for an employer to retaliate against an employee who exercises their right to reproductive loss leave. This means an employer cannot fire, demote, fine, suspend, discipline, or otherwise discriminate against someone for requesting or taking reproductive loss leave.

In addition, an employer cannot retaliate against an employee for testifying about their own – or someone else's – reproductive loss leave during a legal proceeding involving this right.

FILING A COMPLAINT

If an employee thinks their employer violated their right to reproductive loss leave, or retaliated against them in relation to this type of leave, they have three years to file a complaint with CRD. CRD will issue a right-to-sue so the employee can pursue their case in civil court. They cannot file an employment discrimination lawsuit in court without receiving a right-to-sue from CRD. CRD may also investigate the complaint.

If, after an investigation, CRD finds reasonable cause that the employer broke the law, it may require the parties to go to mediation in order to try reach a settlement and, if the complaint can't be settled, CRD may file a lawsuit on behalf of the employee. Possible remedies include:

- Forcing the employer to change its policies or practices
- Getting the worker hired or re-hired
- Requiring the employer to undergo training
- Damages (money) for emotional distress

An employee can file a complaint in one of three ways:

- Online by creating an account and using our interactive [California Civil Rights System \(CCRS\)](#)
- By mail using a printable [intake form](#)
- By calling our communication center at 800.884.1684 (Toll Free), 800.700.2320 (TTY), or California's Relay Service at 711

CRD can provide reasonable accommodations for people with disabilities during the complaint process.

For translations of this guidance, visit: calcivilrights.ca.gov/posters/employment



About Paid Family Leave

Paid Family Leave program was created for those moments that matter. Benefits are available to care for a seriously ill family member, to bond with a new child, or to participate in a qualifying military event.

Facts About Paid Family Leave

- Provides up to eight weeks of partial-wage-replacement benefits. Leave doesn't have to be taken all at once.
- Provides approximately 70 to 90 percent of your weekly salary.
- Funded through your State Disability Insurance tax withholding, noted as "CASDI" on paystubs, or a qualifying voluntary plan paid into in the past 5 to 18 months.
- To bond with a new child, leave can be taken anytime within the first 12 months of a child entering your family.
- Citizenship and immigration status do not affect eligibility.

What if My Claim Is Denied?

If your claim is denied, you have the right to:

- Know the reason for denial.
- Appeal decisions about your eligibility for benefits. Visit Appeals (edd.ca.gov/en/Disability/Appeals) for information.

All claim information is confidential except for purposes allowed by law.



Paid Family Leave

Be there for the moments that matter.

English	1-877-238-4373
Spanish	1-877-379-3819
Cantonese	1-866-692-5595
Vietnamese	1-866-692-5596
Armenian	1-866-627-1567
Punjabi	1-866-627-1568
Tagalog	1-866-627-1569
TTY	1-800-445-1312

Visit a [Paid Family Leave or State Disability Insurance Office \(edd.ca.gov/en/Disability/Contact_SDI\)](http://edd.ca.gov/en/Disability/Contact_SDI) near you to obtain claim forms, receive information, or speak to a representative.

For more information, visit:
edd.ca.gov/PaidFamilyLeave

The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Requests for services, aids, and/or alternate formats need to be made by calling 1-866-490-8879 (voice). TTY users, please call the California Relay Service at 711.

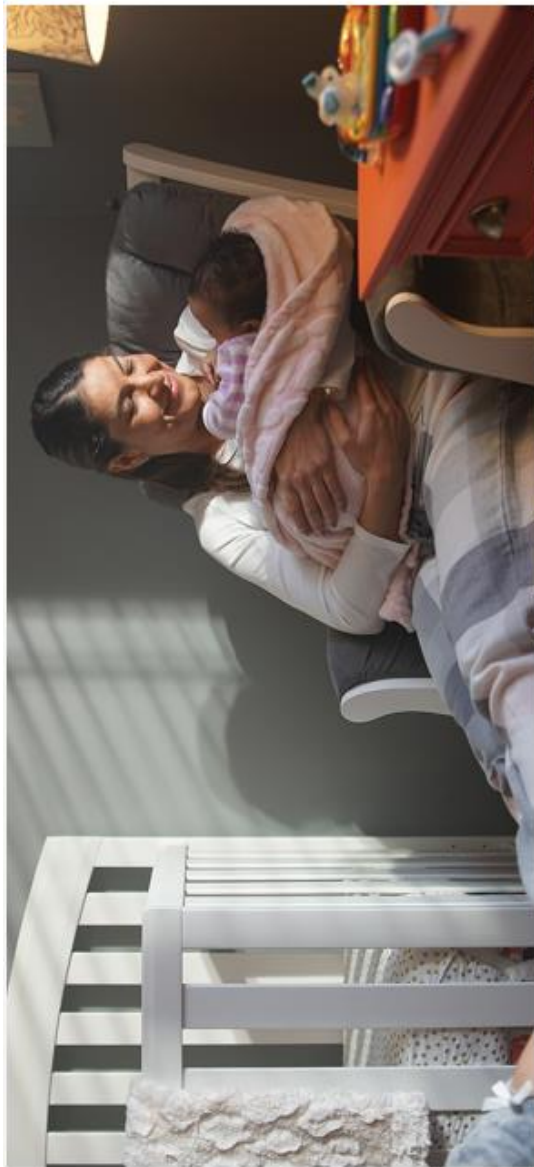


PAID FAMILY LEAVE



Helping Californians be present for the moments that matter.





Do I Qualify for Paid Family Leave?

To qualify for Paid Family Leave benefits, you must:

- Take time off from work to care for a seriously ill family member, to bond with a new child or to participate in a qualifying military event.
- Be covered by State Disability Insurance or a voluntary plan in lieu of State Disability Insurance.
- Have earned at least \$300 in the past 5 to 18 months.
- Submit your claim no later than 41 days after you begin your family leave. Do not file before your first day of leave.

How Are Benefit Amounts Calculated?

Benefits are 70 to 90 percent of your highest quarterly earnings 5 to 18 months before your claim begins.

Estimate your benefits at [Disability Insurance and Paid Family Leave Calculator](#) (edd.ca.gov/PFL_Calculator).

How Do I Apply for Benefits?

You can apply for Paid Family Leave benefits at myedd.edd.ca.gov.

To file by mail, you must complete and submit a [Claim for Paid Family Leave \(PFL\) Benefits \(DE 2501F\)](#) form. Learn more at [File a Paid Family Leave Claim by Mail](#) (edd.ca.gov/en/disability/How_to_File_a_PFL_Claim_by_Mail).

Caregiving Claims

Provide medical certification for your seriously ill family member who requires your care. This certification needs to be from their licensed health professional. You must also provide information about the family member you are caring for and their signature.

Bonding Claims

Provide documents that show your relationship to your child. This can be a copy of your child's birth certificate, adoptive placement agreement, or foster care placement record.

If you are currently receiving pregnancy-related Disability Insurance benefits, it is not necessary to request a Paid Family Leave claim form. The form to file for bonding will be sent through your [myEDD](#) account or by mail when your pregnancy-related disability claim ends.

Military Assist Claims

Military assist claims require two types of supporting documents. This can be proof of covered active duty or call to covered active duty and documentation of the qualifying event.

Voluntary Plans

If you are covered by a voluntary plan, contact your employer for information about your coverage and instructions on how to apply for benefits.

Does Paid Family Leave Provide Job Protection?

Paid Family Leave does not provide job protection. Job protection may be provided if you qualify under other laws:

- Federal Family and Medical Leave Act (dol.gov/agencies/whd/fmla).
- California Family Rights Act, [Civil Rights Department](http://Civil Rights Department (calcivilrights.ca.gov)) (calcivilrights.ca.gov).

Notify your employer of your plan to take leave and the reason for taking leave according to your company's policy.

Am I covered under the PUMP Act?

Thanks to the PUMP Act, more workers have the right to break time and private space to pump breast milk during the workday. Most nursing employees now have **the right to reasonable break time and space to pump at work** for up to one year after their child's birth.

What does my employer need to do?

Employers must provide **covered employees** with **space that is**:

- functional for pumping milk,
- shielded from view,
- free from intrusion,
- available as needed, AND
- **NOT a bathroom**

Scan the QR code

to find out if you're covered



Wage and Hour Division
U.S. Department of Labor

dol.gov/pump-at-work
1-866-487-9243