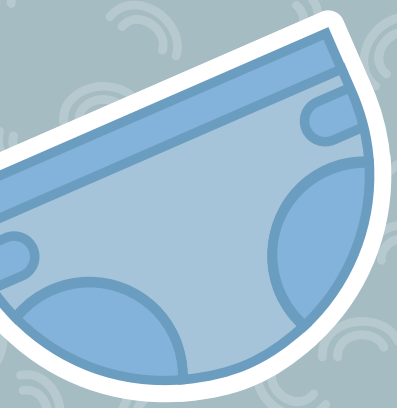
HAYWARD UNIFIED
SCHOOL DISTRICT

Pregnancy Disability Information











Congratulations on your upcoming addition!

I'm pregnant! Now what?

Congratulations! This is an exciting time for you and your family so we at Hayward Unified School District want to help guide you through the process of requesting leave. We hope that you will find the information in this packet a helpful tool in planning your maternity leave.

HUSD provides employees with a generous leave plan for the birth or adoption of a child. Leave is not limited to the mother, fathers deserve time off too!

There are three types of leaves available to you. Pregnancy Disability Leave (PDL), Parental Leave and Child Care Leave. The information in this packet will explain the differences between the three.

Pregnancy leave provisions also fall under the Federal Family Medical Leave Act (FLMA) and the California Family Rights Act (CFRA). Please note that available leaves will run concurrent with these laws.

If you have any questions after reviewing this packet, your HR team is here to help. Below is the contact information on the Personnel Operation Technicians to contact:

Certificated
Ras Singh
(510) 784-2600 x72796
rsingh@husd.us

Classified *(non-teaching staff)*
Laura Calif
(510) 784-2600 x72510
lcalif@husd.us

Leaves of Absences

Pregnancy Disability Leave (PDL)

- Typically, mothers are eligible for 4 weeks before the estimated due date and 6 weeks after delivery date for a natural delivery and 8 weeks after delivery date for a C-section
- Request for leave form and physician's statement certifying the estimated due date is required
- Once baby is born, notify HR of the delivery date and delivery method to update return dates
- Once accumulated sick leave and/or vacation is exhausted, 100 days of extended sick leave* (ESL) is available
- Disability Insurance claims can be made through Standard Disability Insurance
- This leave runs concurrent with FMLA and CFRA

Parental Leave (AB2393)

Effective Jan. 1, 2016, "Leave for reason of the birth of a child of the employee, or the placement of a child with an employee in connection with the adoption or foster care of the child by the employee."

- Mothers and/or fathers who have been employed with HUSD for at least 12 months are eligible for up to 12 workweeks of Parental Leave to be taken within the first 12 months of the date of birth or adoption date of the child
- Parental Leave can be taken continuous or intermittently. The minimum duration of the leave shall be two weeks (with a maximum of 2 exceptions)
- Request for Leave form must be submitted 30 days prior to the start of the leave
- Certificate of Birth required
- Once accumulated sick leave and/or vacation is exhausted, ESL at 50% of the regular salary (effective 1/1/2019 - AB2012) is available
- Not eligible for coverage through Standard Disability Insurance

Child Care Leave

- Shall be granted to any employee upon request for a period of up to one school year within the first 12 months of the birth or adoption of a child
- Child Care Leave is unpaid

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*Extended sick leave is paid as follows:

ACSA – paid at current salary minus the actual cost of the substitute, if no sub used, paid at 100% (parental leave is paid at a maximum of 50%)
AEOTE – paid at 50% of current salary
HEA – paid at current salary minus negotiated substitute costs (parental leave is paid at a minimum of 50%)
M&O - paid at current salary minus the actual cost of the substitute, if no sub used, paid at 100% (parental leave is paid at a maximum of 50%)
PARA – paid at 50% of current salary
SAFECO - paid at 50% of current salary

Frequently Asked Questions

I just found out that I'm pregnant – what should I do?

Let your site administrator or supervisor know so preliminary planning for coverage of your position can begin. When you have a physician's statement that includes your estimated date of delivery, please complete the "Request for Leave" form online at www.husd.us/hr and attach the statement.

How long can I keep working during my pregnancy?

You can work as long as you and your doctor agree. This is a medical decision that will not be made by the District.

I'm not due for a few weeks, but my doctor has placed me off of work. What do I do?

If your date of release from work has changed, please submit a doctor's note to HR with your new release from work date.

I delivered my baby, now what?

Please contact your Personnel Operations Technician and let them know that you delivered your baby and by what method it was delivered (c-section or not). The technician will then calculate your estimated PDL leave. The technician will also ask you for the certificate of birth. This is not the official "Birth Certificate" but rather the proof of birth the hospital will provide.

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 Pregnancy Disability Leave (PDL). The employee would access sick time during the period of PDL, but continued leave under FMLA would be unpaid. Since not all employees qualify for FMLA, please check with the Human Resources department for eligibility requirements. FMLA leave begins the first day you are placed off work for your pregnancy and/or delivery and runs concurrently with depletion of sick leave. FMLA also allows you to have the District continue contributions to medical and dental benefits. The employee will still be responsible for his/her portion of the benefit cost. FMLA is limited to 12 workweeks every 12 months. The 12 month period is measured forward from the date of your first FMLA leave usage.

What is CFRA?

CFRA stands 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 while an employee is out on PDL, but can being as soon as an employee is cleared to return from PDL by their treating physician. CFRA is limited to 12 work weeks within a 12 month period. 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 your Human Resources department to discuss eligibility.

Do holidays or non-duty days count against my time off?

Non duty days and holidays are not deducted from your sick leave balance.

What happens when I run out of sick/vacation time?

Once these leaves are exhausted, employees are placed on Extended Sick Leave (ESL) where they receive differential pay for up to 100 days until your doctor releases you to return to work. Please refer to your Collective Bargaining Agreement for details on how your ESL is determined.

How do I obtain disability insurance benefits?

Disability insurance claims can be submitted to Standard Insurance. Please call (800) 522-0406 and provide policy # 503065-x1.

Do I qualify for state disability (SDI)?

Since District employees do not pay State Disability Insurance (SDI), you are probably 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 returned so that your eligibility can be determined accurately.

When can I return to work?

You may return as soon as your doctor releases you. Again, this is a medical decision that will not be made by the District.

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 the remainder of the 12-week allowance available under FMLA, CFRA, or Parental Leave (if you meet eligibility requirements). FMLA and CFRA Leaves are both unpaid leaves, but Parental Leave allows you to utilize any available sick leaves to supplement your pay.

What is Parental Leave?

Parental Leave allows employees to use sick leave or ESL at a minimum of 50% for up to 12 workweeks. Parental Leave which it defines as “leave for reason of the birth of a child of the employee, or the placement of a child with an employee in connection with the adoption or foster care of the child by the employee” applies to eligible certificated and classified employees of the District who have been employed for with the District for at least 12 months.

Can I take Parental Leave on a part-time work schedule?

No. Paid Parental Leave must be taken in blocks of at least 2 weeks, except twice when it can be taken for a shorter period.

Can I take Parental Leave to care for my 2 year old child?

No. Parental leave is available only until the child's first birthday or if it is an adoption or foster placement, you have had custody of the child for 12 months.

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 FMLA, District contribution to your benefits will continue. If FMLA is exhausted and you have not returned 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.

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 and the substitute desk. Every effort will be made to grant your recommendation. Our intent is to find the most qualified candidate; we cannot guarantee that your desired substitute will be chosen.

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 comparable position within the scope of your credential (for credentialed employees) upon your return.

I have voluntary disability insurance, can I use it?

Some voluntary disability plans cover maternity leave. Please contact the agency directly to discuss your plan. If the agency needs any information from the District, they will send the forms directly to Payroll/Benefits, and the forms will be completed promptly.

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

Human Resources is here to help! This topic can be very confusing, as every situation is quite different. We strongly suggest you meet with Human Resources to discuss your leave options, as well as make an appointment with Payroll/Benefits to talk about how your salary and benefits may be affected if you plan to take FMLA or CFRA leave.