

MATERNITY LEAVE

An employee may use accumulated, paid sick leave for the period of actual disability attributable to pregnancy or childbirth. This period of disability shall extend from the date of birth for a period of not more than six (6) weeks for a regular delivery or eight (8) weeks for a caesarian delivery, unless an actual period of disability, which begins prior to the date of birth or continues beyond the period allotted above is otherwise verified in writing by the employee's physician.

If the employee's accumulated sick leave is exhausted during the period of maternity disability, the district shall grant leave of absence without pay, upon the employee's request, for the remainder of the period of actual disability due to pregnancy or childbirth.

During any unpaid portion of such leave of absence, the employee's benefits may continue under FMLA. If FMLA is not available or has been exhausted, the employee may elect COBRA coverage for continuation of benefits for the employee and her family.

Notice Required

A pregnant employee is requested to notify her immediate supervisor and the superintendent by the beginning of the fifth (5th) month of pregnancy.

At the time of such notice the employee shall submit a written request to her immediate supervisor and the superintendent for one or more of the following:

- A. **Maternity Leave** for the period of her actual disability due to pregnancy or childbirth;
- B. **Family Leave** for a period of up to 12 weeks, in addition to any period of maternity disability leave – the district will extend the employee's health benefit during this period of unpaid leave;
- C. **Other Leaves of Absence** as provided for in the appropriate collective bargaining agreements or as provided for by policy. Such extended leaves of absence may be approved at the discretion of the district based upon consideration of educational program needs and the desires of the employee, together with the recommendation of the employee's personal physician or licensed practitioner; or
- D. **Termination** of employment by resignation.

The notice to the district shall include the approximate beginning and ending dates for the leave.

Employment Conditions

The employee may return to work when physically able to perform her duties. If the employee intends to return to work prior to the timeframes documented above, her personal physician or licensed practitioner must certify that the employee is fit to return to work.

No later than 30 days after the date of birth the employee is requested to notify the Human Services Department of the specific date when she shall return to work. Unless the superintendent approves an earlier date of return, the employee shall give at least 14 days advance notice of the actual date of return.

If the employee is still experiencing a disability due to pregnancy, miscarriage, abortion, childbirth or recovery, which prevents the employee from performing her duties on the scheduled date of return, an additional period of unpaid leave of absence may be approved at the discretion of the board based upon consideration of educational program needs and the recommendation of the employee's personal physician or licensed practitioner.

Assignment Upon Return

An employee who has taken a leave of absence only for the actual period of disability relating to pregnancy or childbirth or up to twelve (12) weeks of family leave shall return to the same assignment, or a similar position for which she is qualified with at least the same pay and benefits, as she held prior to the maternity leave or family leave.

Upon return from an extended maternity leave, an employee shall be entitled to a position in the district subject to the availability of a position for which she is qualified. An effort shall be made to place the employee in her original position or in a comparable position.

Right to Apply for Other Leave

Nothing in this policy shall preclude an employee's right to apply for any other applicable leave as provided by board policy or collective bargaining agreements.

Cross References:	Policy 5021	Applicability of Personnel Policies
	Policy 5404	Family and Medical Leave
Legal References:	RCW 28A.400.300	Hiring and Discharging Employees – Leave for Employees
	RCW 49.78	Family Leave
	WAC 162-30-020	Maternity
	WAC 296-134	Family Leave
	P.L. 103-3	Family and Medical Leave Act of 1993

Adopted: August 20, 2012