



PREGNANCY LEAVE FACT SHEET

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Welcoming a new child into the family is both an exciting and worrisome event. At home you're preparing for the new arrival by gathering baby supplies and preparing your house. At work you also must make preparations. This fact sheet can help you prepare for the time you will be off work for pregnancy and childbirth and ensure that your newborn is properly enrolled in benefits.

This fact sheet is for expectant mothers and fathers who are PAIRE employees to help with the following:

- explain how the state disability plan replaces wages you lose while unable to work because of pregnancy and childbirth
- outline which PAIRE-sponsored benefits you may be able to continue while on leave for your pregnancy and childbirth
- point out things you should do before you leave work and actions you may want to consider after your child is born
- answer some commonly asked questions
- point you in the right direction for assistance in the process of applying for leave

PREGNANCY AND NEWBORN CHILD GUIDELINES

- See your physician** - Prenatal health care is very important to you and your child
- Talk to your supervisor** – With your supervisor, you need to make plans to cover your work during your absence. Allow as much time as possible to make arrangements and, if necessary, to adjust your current duties or schedule to accommodate your pregnancy.
- Talk to Human Resources** – You can get advice about your eligibility for leave, information on how to apply for disability benefits, and receive information about how your PAIRE benefits may be effected by your leave.
- Log on to HRPassport** – Complete the Extended Leave of Absence Request and submit to your supervisor for approval. Upon approval, send to Human Resources for further action.
- For a normal delivery**, you will generally receive state disability benefits for your pregnancy leave from four weeks before your expected date of delivery through six weeks after

for normal delivery (8 weeks for caesarian delivery).

A doctor's note stating the date you are no longer able to work is required. Similarly, medical certification is required to return you to duty at the end of your leave.

- After your pregnancy disability ends, you may be able to continue leave under other provisions. Talk to Human Resources about your options and review the information on the following pages.
- IMPORTANT** – Enroll your newborn child in PAIRE-sponsored plans within 30 days after she/he is born, if you have medical coverage.
- Soon after returning to work, talk to Human Resources** – When you return to work, records must be updated, benefits may need re-activation, and forms must be processed.
- Call your medical plan** – As part of your prenatal care, it is a good idea to review pregnancy procedures with a medical plan representative.

LEAVE OPTIONS – PAID AND UNPAID

Each pregnancy is different and your pregnancy leave options are based on several factors, such as your employment status, how much sick and vacation leave you have accrued, and if you meet the eligibility/condition requirements for Family & Medical Leave, Pregnancy Disability Leave, California Family Rights Act, Paid Family Leave and State Disability Insurance.

•VACATION & SICK LEAVE –

If you work 20 hours or more per week you are eligible to accrue vacation & sick leave according to the total hours paid (excluding overtime and leave without pay) each pay period. “Pay” for this purpose includes all hours worked: sick leave, vacation, and holidays. You may not use vacation or sick leave before it has been accrued. Depending on your length of employment with PAIRE, vacation accrues in varying amounts.

• [PREGNANCY DISABILITY LEAVE \(PDL\)](#) –

Pursuant to the California Fair Employment & Housing Act, a woman may take up to four months of medically necessary *unpaid* pregnancy disability leave for when disabled due to pregnancy, childbirth, or a related medical condition. PDL will run concurrently with FML/CFRA leave (if eligible for FML/CFRA).

• [FAMILY AND MEDICAL LEAVE ACT \(FML\)](#) –

This Federal Act requires employers to provide eligible employees with up to 12 weeks of *unpaid* leave during a 12-month period for birth, adoption, foster care placement, and/or illness of eligible family members. To be eligible, you must have at least 12 cumulative months of PAIRE time and have *worked* at least 1,250 hours during the 12 months immediately prior to the date your FML leave begins.

• [CALIFORNIA FAMILY RIGHTS ACT \(CFRA\)](#) –

CFRA runs concurrently with FML, once you are no longer on PDL. If eligible, you may take up to 12 weeks of *unpaid* family and medical leave for reasons unrelated to your pregnancy disability. This may be for your own serious medical condition or that of a family member, or to care for a newborn child or a recently placed adopted or foster child.

• [STATE DISABILITY INSURANCE \(SDI\)](#) –

If you work in California we cover you under the State Disability Insurance (SDI) plan. This insurance plan partially replaces your lost wages when you are unable to work due to a non-work related illness or injury, or when medically disabled due to pregnancy or childbirth. You are eligible for SDI and should contact the [Employment Development Department \(EDD\)](#) if you meet all of the conditions below:

- You are employed in the State of California
- You earned \$300 from which deductions were made for State Disability contributions
- You are no longer able to do your usual & customary work due to sickness or injury, not caused by your job/pregnancy
- You are under the care & treatment of a licensed doctor.

• [PAID FAMILY LEAVE \(PFL\)](#) –

Similar to SDI, this state insurance program is administered by EDD. This program makes *paid* leave equally available to mothers and fathers providing for the care of a seriously ill child, spouse, domestic partner, or parent. For eligible employees, PFL must be taken concurrently with FML & CFRA. Apply for PFL at your local [EDD](#) office.

RESOURCES/LINKS FOR INFORMATION ON LEAVE

- The Federal Government’s [Department of Labor](#) information on FML
- [California’s Employment Development Department](#) (EDD) has created a useful chart that compares the major distinctions between CFRA/FML and PFL
- [California’s Employment Development Department](#) (EDD) has comprehensive information and pamphlet on Paid Family Leave
- [California’s Department of Fair Employment Housing](#) has created an information sheet regarding Pregnancy Disability Leave
- See Pregnancy Timeline on Page 4

QUESTIONS AND ANSWERS

1. How much time off can I have to be with my new baby?

Both mothers and fathers are eligible for time off to be with new children. How much time depends on a number of factors, including how long you've worked for PAIRE, your location, and your ability or willingness to take unpaid leave. You may be eligible for up to the maximum of 28 workweeks (7 months) for pregnancy/childbearing. Whenever possible, we ask that you provide at least 30 days advance notice of your intentions. Your options include:

•**PREGNANCY DISABILITY** — Pregnancy disability is the period of time that a woman is medically disabled due to pregnancy and childbirth. It may consist of leave without pay and/or paid leave—including accrued sick leave and vacation hours. When medically necessary, you may be able to take pregnancy disability on a reduced work schedule or on an intermittent basis.

•**FAMILY AND MEDICAL LEAVES** — FML/CFRA leave is provided in accordance with State and Federal laws and allows you to take up to 12 weeks off for your own disability or to bond with your new baby. FML is taken as unpaid leave; however, you may use accrued vacation and sick leave.

To be eligible for FML/CFRA, you must have at least 12 cumulative months of PAIRE service and have worked at least 1,250 hours during the 12 months preceding the date your FML begins. Leave granted for bonding purposes must be taken within 12 months following the child's birth.

If you are on an approved FML/CFRA leave, you continue receiving PAIRE contributions for medical, dental, vision and life coverage for a period of up to 12 workweeks in a 12-month period.

If you request an extended personal leave of absence or you are not eligible for FML/CFRA, employer contributions for health insurance may not continue during this time. Such leave may or may not be granted.

2. What if I want to stay home longer with my new baby?

If the need for leave continues beyond 12 workweeks, you may request Paid Family Leave (PFL). This state insurance program is administered by California's Employment Development Department. It provides a paid benefit for up to 6 weeks in a 12-month period to bond with your new child.

3. How much will I get paid and for how long?

The answer depends on a number of factors, including how much sick/vacation time you have accrued and when you are unable to work any longer due to pregnancy. For most pregnancies, the disability

period for disability insurance begins four weeks before birth and ends six weeks after birth. There is a seven day waiting period from date of disability until State Disability Insurance (SDI) benefits begin. If you request PFL, there is an additional 7-day waiting period for benefits, unless you take the leave immediately after SDI ends.

4. What happens to my other PAIRE-sponsored benefits while I am unable to work?

All PAIRE-sponsored benefits continue if you are on paid leave. Contributions for your health coverage (medical, dental, vision) will continue during an approved FML/CFRA. If not FML/CFRA eligible or if on an approved extended Leave of Absence (LOA), PAIRE contributions for your health coverage will continue until the end of the month following 30 days of leave of absence. Coverage under the [Consolidated Omnibus Budget Reconciliation Act of 1985 \(COBRA\)](#) will be offered to you from TriNet. Please review information and deadlines for COBRA carefully.

5. Must I take all of my FML/CFRA leave at one time? Or can I take it before my pregnancy disability period?

You may use FML/CFRA for prenatal care or if you are disabled by pregnancy. You may also use your FML/CFRA to bond with your baby, but it must be concluded within 12 months of the birth of your baby. If your supervisor agrees, you may use FML/CFRA to bond with your baby intermittently or through a reduced work schedule.

6. Must I take the maximum leave allowed for pregnancy and baby bonding?

No. You may take the amount of leave that works best for you and your family.

7. If I forget to enroll my child during the 30 days after date of birth, what can I do?

To ensure that your child receives medical coverage it is best to enroll your child during the 30 days immediately following birth. If you forget, you may enroll your child during Open Enrollment (usually held each May).

8. What happens when I am ready to come back to work?

Contact Human Resources and your supervisor with your intended date of return. A doctor's note certifying your ability to return to work is required.

8. What happens if I decide not to return to work?

Contact Human Resources if you end your employment while on pregnancy disability. Information regarding continuing your medical coverage under COBRA will be provided to you.

LEAVE INFORMATION

- PDL ▶ *Pregnancy Disability Leave*
- CFRA ▶ *California Family Rights Act*
- SDI ▶ *State Disability Insurance*
- PFL ▶ *Paid Family Leave (Temporary Family Disability Insurance)*
- FML ▶ *Family and Medical Leave*

- The date of disability begins the first day your physician declares you unable to work. A doctor's certification is required for a medical Leave of Absence (LOA).
- Pregnancy disability period is certified by your physician. This is the period State Disability Insurance (SDI) provides a % of your salary after your seven day waiting period, for which you may use accrued sick or vacation time.
- Under FML/CFRA, your disability begins when your pregnancy meets the requirements of serious illness, or (if necessary) for prenatal visits.
- After SDI ends, you may apply for Paid Family Leave (PFL) in addition to using accrued sick/vacation time or Leave without Pay for remainder of FML/CFRA time, if eligible. PFL provides a % of your salary for up to 6 weeks in a 12-month period. You must apply for PFL within 12 months of baby's birth.

TIMELINE FOR LEAVE

The timeline below is an overview showing when government mandates may apply to a normal pregnancy. Note: the total leave for pregnancy/childbearing is up to 28 workweeks (7 months maximum).

