



Human Resources / Employee Benefits

Informational Flyer #2

Maternity/Paternity Leave



Questions and Answers

Faculty

1. Where do I go first for information on maternity/paternity leave . . . my Area Dean, Human Resources, Employee Benefits?

Information about your work assignment, impact to student learning, and professional notice should be provided to your Area Dean/supervisor as soon as possible such that planning for a substitute, long-term temporary, or other coverage can be arranged. Information about leaves and related compensation matters should be addressed to the Employee Benefits Department at 568-3070. Human Resources can assist with questions related to the collective bargaining agreement. Please contact your employment specialist:

Full-time faculty 568-3109
Adjunct faculty (last names A-G) 568-3119
Adjunct faculty (last names H-Pa) 568-3148
Adjunct faculty (last names Pb-Z) 568-3172

2. Do I get the same Pregnancy Disability Leave provisions as provided in the private sector?

As a community college employee, your benefits are defined in part by the Education Code and in part by negotiations. The following are provided to faculty when they give birth to or adopt a child. This is a brief summary – Article 9 (Leaves With Pay) and Article 10 (Leaves Without Pay) provide more complete information.

- Use of accrued sick leave (with an appropriate medical from a physician) can be used for absences necessitated by pregnancy, miscarriage, childbirth, and recovery. (Section 9.3.8.1)
- Individuals adopting have the right to ten days of accrued sick leave. (Section 9.3.8.4)
- When regular sick leave is exhausted, extending sick leave (often referred to as 5 month law) may also be available. This leave (again with medical verification) provides compensation at the rate of approximately 50%. (Section 9.3.5.2)
- In conjunction with the sick leave above, faculty members can use the Family Medical Leave Act (FMLA) and California Family Right Act (CFRA) which provides no income but continues health coverage.
- Accrued Type C Leave can also be used, if applicable (see #3 below).

3. I've heard you can use some overload when you have a baby. How does that work? What paperwork is needed?

Type C Leaves of less than a full semester may be used to supplement maternity leave under the provisions of Sections 9.3.8.2 only. Type C Leave can be used to maintain full or partial paid status during the maternity leave period in the event the employee does not have sufficient sick leave to cover the absence during the period. Such use is available in the semester of the maternity leave and can also be used to maintain full or partial paid status for any workdays following the expiration of the maternity leave through December 31 (for fall semester leaves) and June 30 (for spring semester leaves). (Section 9.14.2.1.1) A Type C Leave form does need to be completed and submitted to Human Resources.

4. My wife is having a baby. Do I get any paternity leave to assist her and the new baby?

Yes. A faculty member shall have the right to utilize up to ten days of earned sick leave to assist the newborn child and/or mother. Advanced notice to your Area Dean/supervisor is requested. (Section 9.3.8.3)

5. Do I need to get a note from my physician?

Yes, you should obtain a note or form from your physician (medical verification) that will include the dates or duration (i.e., six weeks post partum) that the physician authorizes you to be absent from work. The medical verification should also include a diagnosis (i.e., maternity, pregnancy). Copies of the medical verification should be provided to campus officials, Human Resources, and Employee Benefits.

Classified

1. Where do I go first for information on maternity/paternity leave . . . my supervisor, Human Resources, Employee Benefits?

Leaves regarding family care, child care and personal leaves are covered in all the classified collective bargaining agreements. Questions can be directed to the immediate supervisor, Vice President of Administration, Human Resources, or Employee Benefits. Information about related compensation during such leaves should be addressed to Employee Benefits at 568-3070.

2. Do I get the same Pregnancy Disability Leave provisions as provided in the private sector?

The provisions are very similar. The District is obligated to comply with state and federal laws pertaining to pregnancy disability leaves. The District does not, however, provide SDI which is available to the private sector. Questions about this leave can be directed to Employee Benefits at 568-3070; questions regarding the laws covering this type of leave can be directed to Human Resources.

3. My wife is having a baby. Do I get any paternity leave to assist her and the new baby?

Yes, you are entitled to a FMLA (Family Medical Leave Act) as per state and federal laws. Contact Employee Benefits (568-3070) for more information. Be certain to notify your supervisor and provide the duration of time you will need to be absent.

4. Do I need to get a note from my physician?

Yes, a physician's statement verifying your illness and the duration of your absence is necessary. The physician statement should also include when you would be expected to return to work. This is a requirement of all classified collective bargaining agreements.