

Know Your Rights!

Pregnancy and Parental Leave

Your rights to pregnancy and parental leave are governed by California state and federal law and by your collective bargaining agreement. Following is a description of the basic rights provided under the law. Also check the Contract, Art. 6 Leaves, and ask Human Resources what paperwork you need to file, when, and with whom. -In Twin Rivers, you **do not** pay into the State Disability Insurance Program (SDI), so it is recommended you purchase Disability Insurance before getting pregnant, to ensure an income.

Pregnancy-Related Disability Leave

Unpaid leave for the duration of any pregnancy-related disability, either before or after you have your baby. You will qualify for **unpaid** pregnancy disability leave from work for the duration of any physical disability you experience as a result of pregnancy and/or childbirth. That disability leave must be verified by your physician and may not exceed 4 months. You can take pregnancy disability leave intermittently as needed. For example: during the first trimester for severe morning sickness, in the last trimester for bed rest, and following birth for recovery, so long as your physician verifies each need.

To receive pay during your pregnancy disability leave, **you can use sick leave that you have**. An educator working full time in Twin Rivers USD accrues 11 days of paid sick leave a year. If you work part-time, you accrue sick leave on a pro-rated basis.

Once you have exhausted your sick leave, if you still qualify for pregnancy disability leave, you can obtain **extended sick leave/differential leave pay**, for the rest of your pregnancy leave. Differential leave pay is your salary minus what the district pays a substitute to fill your position. Differential pay is available for up to 5 months for each illness. **You must exhaust your sick leave in order to qualify for differential leave pay.**

Parental Leave

If you have worked for the district full time for a full year, you have the right under the California Family Rights Act ("CFRA") and the federal Family & Medical Leave Act ("FMLA") to up to 12 weeks of **unpaid** leave to care for a new or adopted baby or foster child. The leave must be taken within a year of the baby's birth or the child's placement in your home. You must give your employer 30 days advance notice of your need for parental leave.

During your parental leave, your employer must maintain your health insurance coverage and must continue to allow you to accrue seniority and receive other benefits you would ordinarily receive, such as life insurance, and retirement credit. **Your right to unpaid leave under the CFRA and FMLA run concurrently, meaning you are only entitled to **one** 12-week unpaid leave, not to a 24-week leave.** As long as you return to work at the conclusion of 12 weeks, the district must assign you to the same or equivalent position. If you remain on leave longer than 12 weeks, you can continue to maintain your health insurance by paying the premiums yourself under COBRA; the district won't pay any of it.

If you were on pregnancy disability leave, **you may take your 12 weeks of unpaid parental leave after your physician clears you to return to work.** If you were not on pregnancy disability leave, you may take your 12 weeks of unpaid parental leave upon the birth or placement of your child or at any time during the subsequent year. The parental leave must generally be taken in one block of time, although your district may approve the use of the leave intermittently in some cases. **You can receive pay during the period of your unpaid leave by using any sick leave that you have accumulated.**

Another Pregnancy-Related Protection

Upon your return to work, the district must provide you with a reasonable amount of break time for breast pumping, and must provide a room to do it.