

## MATERNITY AND PARENTAL LEAVES FOR UNIT 4 EMPLOYEES (Academic Support)

### Maternity/Paternity/Adoption Leave

Male and female employees in bargaining unit 4 are entitled to twenty days of paid "Maternity/Paternity/Adoption Leave" (Mat/Pat Leave) that commences with the arrival of the new child. These twenty work days, which are not charged against the employee's leave credits, must be initiated within a year of the child's arrival and are not required to run consecutively.

Female Unit 4 employees who are disabled and therefore unable to work because of pregnancy, childbirth and/or recovery from childbirth may use up to ten days of accrued sick leave without medical verification. Thereafter, medical certification may be required.

A permanent employee is entitled to a maternity/paternity/adoption leave without pay for up to twelve months for reason of birth or placement of an infant child or to care for an infant child with a serious health condition upon the employee's written request. This leave is provided for male employees by the Unit 4 (Article 22.5) contract and for female employees by the Education Code, as provided below.

### Government and Education Code Maternity Leaves

Government Code Section 12945 entitles female employees to up to six weeks of time off for normal pregnancy/delivery and up to four months for extended **disability** associated with pregnancy/delivery. This provision guarantees the employee time off and a right to return to the same or a comparable position, unless a temporary employee's appointment ends prior to the end of the disability period. In order for the employee to remain in pay status during this leave, she must use her own sick leave or Mat/Pat Leave as described above. Vacation may also be used with her supervisor's approval.

Education Code Section 89519 provides permanent female employees with up to twelve months of unpaid leave due to pregnancy/childbirth and is not predicated upon disability. Employees on Education Code Leave may remain in paid status beyond the disability period by using their vacation, Mat/Pat Leave, CTO, and/or Personal Holiday. Both the Government and Education Code Leaves run concurrently with other leave programs such as NDI.

Women affected by pregnancy or a related medical condition, may be eligible to transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if this transfer is medically advisable and medical certification is provided.

### Non-Industrial Disability Insurance

Female employees who exhaust their University-paid sick leave before their disability period ends may be eligible for Non-Industrial Disability Insurance (NDI).

NDI, a benefit administered by the State Employment Development Department, provides up to twenty-six weeks of benefits to eligible employees. NDI benefits include one-half of full pay up to \$125 weekly and continuation of employer health care contributions.

In order to be eligible for NDI benefits, an employee must be a:

- ◆ contributing member of the Public Employees Retirement System (PERS);
- ◆ permanent or probationary staff employee, or
- ◆ full time or part time temporary staff employee appointed for at least twelve months, or
- ◆ half time or more faculty employee appointed for one year or for one academic year.

To initiate an NDI claim the employee must:

- ◆ request an NDI claim form (DE 8501) from the campus Human Resources Office;
- ◆ obtain medical certification of disability (on DE 8501)
- ◆ exhaust entire sick leave accrual balance; and
- ◆ serve a seven-day waiting period (unless hospitalized) which commences on the first day of the disability period.

The physician's or practitioner's verification of continuing disability will determine how long an employee receives NDI. The usual disability period is six weeks for a vaginal delivery and eight weeks for a cesarean section. The duration of disability is determined and certified in writing by the employee's physician on the NDI claim form.

Accumulated vacation and/or CTO may be used before receiving NDI benefits. If an employee wishes to use either and has been authorized by her supervisor to do so, that employee must exhaust all of her vacation and/or CTO before she is eligible to receive NDI benefits.

While receiving NDI benefits

- ◆ employer's contributions for health insurance continue;
- ◆ employee contributions toward health benefits will be deducted from the NDI benefits;
- ◆ all voluntary deductions will continue unless the employee cancels them;
- ◆ an employee will not receive any PERS service, sick leave, or vacation leave accruals; and
- ◆ direct deposit will automatically cease.

NOTE: None of these programs requires the CSU to grant leave or benefits to a temporary employee beyond the expiration date of the appointment in effect at the time the disability commenced.

## Family and Medical Leave

Under the 1993 Family and Medical Leave Act, employees who have worked for the CSU or State system for at least one year are entitled to twelve weeks of unpaid, job protected leave in a twelve-month period for qualifying conditions. The birth of a child or placement of a child for adoption or foster care and care for the child within twelve months of this event are qualifying conditions for male and female employees. However, for women, the twelve-week FML entitlement commences after the Government Code disability entitlement ends. Female employees who wish to continue leave beyond the disability period, may request the use of vacation, CTO, and/or unpaid Family/Medical Leave (FML). An employee shall provide written request for FML as soon as the event necessitating the leave becomes known to the employee. FML runs concurrently with the use of vacation, CTO or Mat/Pat Leave after the disability period has ended. An employee on FML shall retain employee status and shall continue to accrue seniority points.

If the employee's leave credits are exhausted before the twelve-week FML period is over, the CSU shall maintain health, dental, and vision coverage under the same conditions as if the employee continued to work. The employee must be reinstated to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment upon return from leave. An accounts receivable account will be established for any employee insurance contributions due.

Family Medical Leave may be taken on an intermittent or reduced work schedule only as a medical requirement.

Employees who do not return to work following unpaid FML may be required to reimburse CSU, Chico for its share of health insurance premiums paid on the employee's behalf unless the failure to return was caused by a serious health condition or other circumstances beyond the employee's control.