

# Maternity Packet

Provided by

Vista Unified School District




Certificated/Classified  
Human Resources Departments

# VISTA UNIFIED SCHOOL DISTRICT

## Maternity Information

### Procedures

Notify Human Resources and your site in writing regarding:

-  your due date;
-  whether you will work up to your due date;
-  if you must take off earlier, you will need a letter from your doctor.

### Sick Leave

You will have six (6) calendar weeks for recovery after a normal birth. If a C-Section is done, you will have eight (8) weeks for recovery. Sick leave is used during this period.

If you run out of sick leave, you will receive differential pay (the difference in pay between your daily rate and substitute rate for 100 days).

Time off track will also be counted as part of your six (or eight) week recovery time.

Sick leave is not deducted during your off track time.








### Extensions

If there are complications and your doctor does not release you to return to work, accumulated sick leave will continue to be deducted until you are released to return.

We will need to provide your school/department as well as the Human Resources Department with a letter from your doctor stating that you will be unable to return to work as scheduled.

## End of Recovery

After the birth/adoption of the baby your options are:

-  Return to work
-  Request a leave of absence
  -  Child Rearing Leave (requires Board approval)
  -  Family Medical Leave (requires District level approval)
  -  General Leave-Certificated (requires Board approval)
  -  Straight Leave-Classified (requires Board approval)
-  Resign

When you are due back, you will need to bring a letter from your doctor releasing you to return to work. This letter should be submitted to your school/department as well as to the Human Resources Department.

## Health Benefits

During your pregnancy/recovery period, the district health/benefit program will cover your medical expenses as outlined in the plan.

If you decide NOT to return to work and take a Child Rearing Leave or a General Leave, you will be responsible for paying the monthly health/benefit premium. Please contact Benefits at extension 2401 regarding continuation of insurance coverage. In addition you will not receive a paycheck.

If you decide NOT to return to work and take Family Medical Leave, your health/benefit premium will be covered by the district up to 12 weeks. Depending upon your accumulated sick leave, this leave will either be in paid or unpaid status.

You have 60 days from date of birth to add new dependents to your insurance coverage. Please contact Benefits at extension 2401 concerning enrollment.



## VTA Contract Language

### 16.6. Pregnancy Disability Leave

16.6.1. Employees are entitled to use sick leave for disabilities caused or contributed to by pregnancy, miscarriage, childbirth, and recovery therefrom on the same terms and conditions governing leaves of absence from other illness or medical disability. Such leave shall not be used for child care, child rearing, or preparation for child bearing, but shall be limited to those disabilities as set forth above.

16.6.2. The length of such disability leave, including the date on which the leave shall commence and the date on which the duties are to be resumed, shall be determined by the employee and the employee's physician; however, the District management may require a verification of the extent of disability through physical examination of the employee by a physician appointed by the District, and at the District's expense.

16.6.3. Employees are entitled to leave without pay or other benefits for disabilities because of pregnancy, miscarriage, childbirth, or recovery therefrom when sick leave has been exhausted. The date on which the employee shall resume duties shall be determined by the employee on leave and the employee's physician; however, the District management may require a verification of the extent of disability through a physical examination of the employee by a physician appointed by the District.

16.6.4. The employee on leave for pregnancy disability shall be entitled to return to a position comparable to that held at time the leave commenced.

### 16.7. Child Rearing Leave

16.7.1. Up to one full school year of unpaid leave may be granted to a male or female teacher who is a natural or adopting parent for the purpose of rearing his/her child. Arrangement for such leave must be made as soon as possible.

### 16.13. General Leave

16.13.1. After having completed four (4) years of service, any certificated employee may, at the discretion of the Board, be granted a leave of absence without pay for not less than one semester nor more than one (1) year.

16.13.2. The employee shall provide the Board with written notice on or before December 15 in the event of a first-semester leave or on or before March 1 in the event of a second semester or one-year leave of his/her intention to return. Failure to notify the Board will be considered as notice that the teacher will not return and that the position is vacant. At least ten (10) days before the notice is due, the District shall remind the employee of this obligation by certified letter.

16.13.3. If a full-time general leave is extended by the Board for a second year, the person filling the vacancy shall be offered a probationary contract. This provision would not be in effect if the teacher on leave is committed to a one time two year or less teaching assignment in a foreign country.

#### 16.16. Family Leave Act

16.16.1. It is the intent of this provision to be consistent with the federal Family Medical Leave Act of 1993 (29 U.S.C. § 2601 et seq.) and the California Family Rights Act of 1991, as amended October 5, 1993 (Cal. Gov't Code § 12945.2). It shall be interpreted so that there will be no violation of state or federal law.

16.16.2. Full-time certificated employees with more than twelve (12) months of continuous service with the District shall be granted an unpaid family care and medical leave for up to a total of twelve (12) work weeks in a school year pursuant to the requirements of this provision. Part-time certificated employees who have completed at least one thousand two hundred fifty (1,250) hours of service in the twelve (12) months preceding the leave shall be entitled to the same benefit.

For purposes of this provision, the term "family care and medical leave" means:

(a) leave for reason of the birth of a child of the employee, the placement of a child with an employee in connection with the adoption of the child or foster care of the child by the employee, within one year of such birth or placement;

16.16.12. An eligible employee may elect, or the District may require the employee, to substitute accrued paid leave such as sick leave, differential pay sick leave, or any other paid leave for any part of the twelve (12) work week period.

16.16.17. Leave taken under the pregnancy disability provision set forth at Article 16.16.6 runs concurrently with family care and medical leave under federal law, but not family and medical leave under California law. Consequently, an eligible employee may take a pregnancy disability leave of up to four (4) months and a family care and medical leave of up to twelve (12) work weeks, for a combination of four (4) months plus twelve (12) weeks (approximately seven (7) months).

## CSEA CONTRACT LANGUAGE

### 8.2. Straight Leave

- 8.2.1. Leave of absence without pay for up to thirty (30) working days duration for valid reasons may be granted by the superintendent upon recommendation of the appropriate manager. Such leave will not involve loss of position or privileges and benefits.
- 8.2.2. Leaves of absence without pay and benefits for more than thirty (30) working days but not to exceed one (1) calendar year for valid reasons may be granted by the superintendent upon the recommendation of the appropriate manager. Upon return from unpaid leave, the unit member shall be placed either in his/her former position, a position in the same class, or in a related position with the same salary range. If the unit member objects to the placement, he/she may request reassignment through transfer article.
- 8.2.3. The granting of leaves of absence is at the sole discretion of the District and is expressly excluded from the provisions of Article 3, GRIEVANCE PROCEDURES.
- 8.2.4. A regular classified employee returning to duty from extended leave of absence, not to exceed one (1) year, will be reinstated at the same salary schedule step, but with a new anniversary date and shall automatically be entitled to all accumulated sick leave and shall not lose credit toward the longevity in service required to qualify for additional vacation privilege, but shall not be granted any accumulation of either sick leave or vacation for that period of absence.

### 8.5. Pregnancy Disability Leave

- 8.5.1. Employees are entitled to use sick leave for disabilities caused or contributed to by pregnancy, miscarriage, childbirth and recovery therefrom on the same terms and conditions governing leaves of absence from other illness or medical disability. Such leave shall not be used for child care, child rearing, or preparation for child bearing, but shall be limited to those disabilities as set forth above. The length of such disability leave, including the date on which the leave shall commence and the date on which the duties are to be resumed, shall be determined by the employee and the employee's physician; however, the District management may require a verification of the extent of the disability through a

physical examination of the employee by a physician appointed by the District.

Employees are entitled to leave without pay or other benefits for disabilities because of pregnancy, miscarriage, childbirth, or recovery therefrom when sick leave has been exhausted. The date on which the employee shall resume duties shall be determined by the employee on leave and the employee's physician; however, the District management may require a verification of the extent of disability through a physical examination of the employee by a physician appointed by the District.

The employee on leave for pregnancy disability shall be entitled to return to a position comparable to that held at the time the leave commenced.

#### 8.6. Child Rearing Leave

- 8.6.1. Up to 195 working days, including holidays, sick leave, and vacation of unpaid leave may be granted to a male or female employee who is a natural or adopting parent for the purpose of rearing his/her child. Arrangements for such leave must be made no less than sixty (60) calendar days prior to the start of the semester or year involved.

The employee on child rearing leave shall be entitled to return to a position comparable to that held at the time the leave commenced.

#### 8.12. Family Care And Medical Leave

- 8.12.1. It is the intent of this provision to be consistent with the federal Family Medical Leave Act of 1993 (29 U.S.C. § 2601 et seq.) and the California Family Rights Act of 1991, as amended October 5, 1993 (Cal. Gov't Code § 12945.2). It shall be interpreted so that there will be no violation of state or federal law.
- 8.12.2. Full-time classified employees with more than twelve (12) months of continuous service with the District shall be granted an unpaid family care and medical leave for up to a total of twelve (12) work weeks in a school year (July 1 through June 30) pursuant to the requirements of this provision. Part-time classified employees who have completed at least 1,250 hours of service in the twelve (12) months preceding the leave shall be entitled to the same benefit.



For purposes of this provision, the term "family care and medical leave" means either (a) leave for reason of the birth of a child of the employee, the placement of a child with an employee in connection with the adoption of the child or foster care of the child by the employee, within one year of such birth or placement;

(b) leave to care for the employee's spouse, child or parent with a serious health condition; or (c) leave because of a serious health condition of the employee that makes the employee unable to perform the functions of his or her position, except for leave taken for disability on account of pregnancy, childbirth or related medical conditions.

- 8.12.3. For purposes of this provision, the term "child" means a biological, adopted, or foster child, a step-child, a legal ward, or a child of an employee standing in loco parentis who is either (a) under eighteen (18) years of age or (b) incapable of self-care because of a mental or physical disability.

For purposes of this provision, the term "parent" means biological, foster, or adoptive parent, a step-parent or a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child.

For purposes of this provision, the term "serious health condition" means an illness, injury, impairment, or physical or mental condition which involves either of the following:

- (1) Inpatient care in a hospital, hospice, or residential health care facility; or
- (2) Continuing treatment or continuing supervision by a health care provider.

For purposes of this provision, the term "health care provider" means an individual holding either a physician's and surgeon's certificate issued pursuant to applicable law, or an osteopathic physician's and surgeon's certificate issued pursuant to applicable law, or an individual who has been determined by the United States Secretary of Labor to be capable of providing health care services under the Family and Medical Leave Act of 1993.

- 8.12.16. If both parents are employed by the District, the District shall not be required to grant leave in connection with the birth, adoption, or foster care of a child that would allow the parents family care and medical leave totaling more than twelve (12) work weeks within a school year (July 1 through June 30).

8.12.17. Leave taken under the pregnancy disability provision set forth at section 8.5 runs concurrently with family care and medical leave under federal law, but not family and medical leave under California law. Consequently, an eligible employee may take a pregnancy disability leave of up to four (4) months and a family care and medical leave of up to twelve (12) work weeks, for a combination of four (4) months plus twelve (12) weeks (approximately seven (7) months).