

## **Maternity Leave Frequently Asked Questions**

### ***What type of leave may I take for pregnancy?***

Eligible employees may take a Medical Leave of absence due to the birth of a child. The duration of the medical leave is determined by your treating physician based on your individual medical condition. Once the doctor has released you medically to return to work following the birth (typically 6 weeks after delivery, or 8 weeks if cesarean delivery), you may take a Parental Leave.

### ***What is Parental Leave?***

Eligible employees are allowed to take up to one year of unpaid parental leave from the date of birth for the birth or adoption of a child. Employees may not use sick leave, voluntary shared leave, or receive disability payments for Parental Leave.

### ***How does FMLA coordinate with my Medical and/or Parental Leave?***

FMLA grants eligible employees up to 12 weeks of unpaid leave for their own serious health condition, the serious health condition of a parent, child or spouse, or for the birth or adoption of a child. These 12 weeks run concurrently with your Medical and/or Parental Leave. Employees may not refuse FMLA leave, if eligible, as directed under the law.

### ***How can I be paid while I am out on leave?***

Employees who are on a Medical Leave may use their sick leave, annual leave, extended sick leave, or personal leave. If you exhaust your paid leave, then you may apply for Voluntary Shared Leave. Any time donated to you under the Voluntary Shared Leave program may only be used for your medical leave. You may, depending on the length of your medical leave, qualify for short-term disability, either through the State STD plan, or a supplemental policy if you have one. Once you are medically able to return to work, all sick leave, extended sick leave, voluntary shared leave and/or disability leave may not be used. If you take a Parental Leave, you may use any annual leave or personal leave time accrued.

### ***Can you give me an example of how all this works together?***

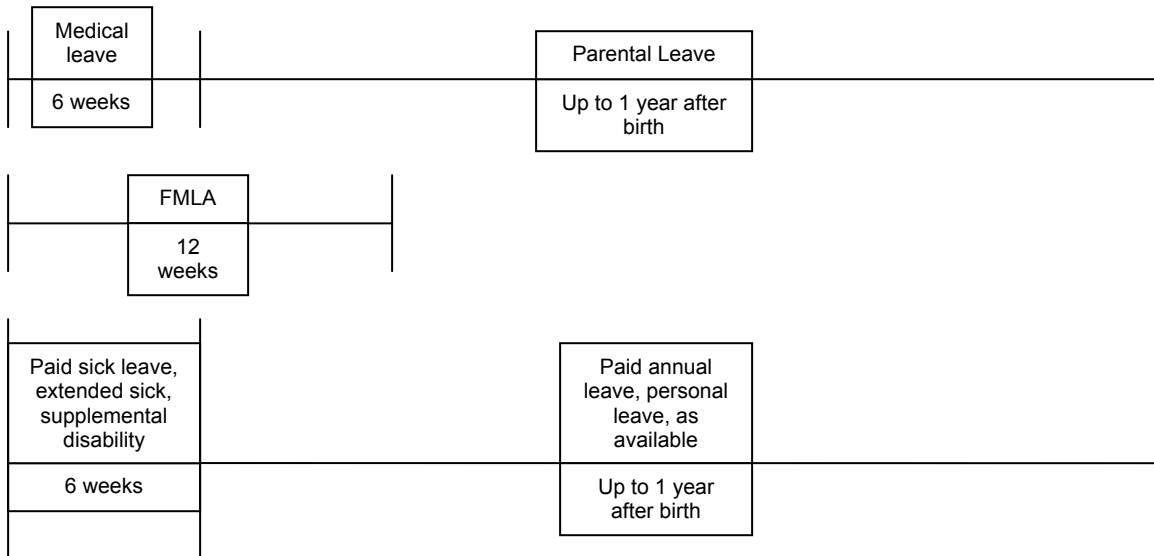
Sure. Let's assume that Daisy Duck is a 10 month teacher who is expecting a baby October 1. Daisy does not have any complications and is expecting to work until she delivers.

Daisy completes her Request for Leave form and has her doctor complete the Health Care Provider Certification form at the beginning of the school year. She gives these to her supervisor, who signs the Request for Leave form. These forms are sent to the Benefits Coordinator.

Daisy is eligible for Short-Term Disability through the state and also has a supplemental disability policy. Daisy only expects her medical leave to last 6 weeks following her delivery. Therefore, she would not qualify for the State Short-Term Disability since her leave would not go beyond the 60 day elimination period. Daisy submits her supplemental disability paperwork to the Benefits Coordinator for the employer section to be completed, after she and her doctor have completed their respective sections.

Daisy has 3 weeks of sick leave available and 3 weeks of extended sick leave available. Daisy is also eligible for 12 weeks of FMLA leave.

Daisy works through September 30 and delivers a healthy baby on October 1 by natural child birth. Here is how Daisy's leave would look:



Daisy would have 6 weeks of medical leave for the birth of her baby. She would then be able to continue her leave for up to one year as a Parental Leave. While out on her medical leave, she would be eligible to be paid her 3 weeks of sick leave and 3 weeks of extended sick leave.

After her Parental leave begins, she would be able to use any annual leave or personal leave she would have accrued. Since she is a teacher, the annual leave days built into the calendar would be used as scheduled. Daisy would only be able to use annual leave days she may have accrued in her leave balance.

Daisy would also be able to use her personal leave days she has accrued in her leave balances. After she uses her eligible paid time, her leave would be unpaid for the remainder of the year.

Daisy's FMLA time would run concurrently with her medical leave and then with her Parental Leave. She would return to work no later than October 1 of the next school year.

***How does Voluntary Shared Leave work?***

Once you exhaust your paid leave time for your leave of absence, employees may donate part of their annual leave time to you. If you have immediate family who work for CMS or another state agency, your family member may donate part of their sick leave time to you. For detailed information and to download a request form, visit the benefits website.