***[DRAFT - TO BE PLACED ON DISTRICT LETTERHEAD]***

[Date]

[Employee Name and Address]

Re: Parental Leave Benefits

Dear [Employee]:

We understand you are the parent of a new baby, or have had a child placed with you for the purpose of adoption or foster care. We wish you well and want to confirm you have certain rights and responsibilities as it relates to your employment. Please find below some general information related to your leave of absence rights.

*Child Bonding/Parental Leave*

You may be eligible for a leave of absence for child bonding/parental leave under the Education Code “parental leave” provisions, California Family Rights Act (“CFRA”), and/or the federal Family and Medical Leave Act (“FMLA”). If you have worked for the District for one year or more, you are entitled to a maximum of 12 workweeks of Education Code parental leave for the reason of the birth of your child, or the placement of a child with you in connection with your adoption or foster care of the child.

During parental leave, if you have sick leave available, including accumulated sick leave, you may use that leave. In order to be eligible to use certificated or classified differential pay, as applicable and defined in the footnote below, for the remainder of your parental leave, you must first exhaust all fully paid sick leave. Under recently signed law, effective January 1, 2019, employees who continue to use parental leave after exhaustion of all available sick leave will be paid the differential rate[[1]](#footnote-1) or 50% of their regular salary, whichever is greater. If you are interested in requesting Education Code parental leave, please submit a letter of interest and anticipated dates of leave at least thirty (30) days prior to the requested leave. Please address this letter to the Director of Human Resources and submit it to the Human Resources Department.

If eligible (meaning you have worked for the District for 12 months or more, have actually worked 1,250 hours in the previous year, and we employ at least 50 employees within 75 miles of your worksite), your parental leave will also be designated as FMLA and/or CFRA child bonding leave and will be exhausted at the same time as your Education Code parental leave. Enclosed is a FMLA and/or CFRA request form. If you are eligible for this leave, you are entitled to up to 12 workweeks of leave in a 12-month period. This 12-month period has been designated by the District as July 1 to June 30 of each year. Please complete and return the enclosed FMLA and/or CFRA request form to the Human Resources Department as soon as possible.

*Miscellaneous*

Your insurance coverage and obligations, if any, will continue during the duration of your parental leave. With respect to pensions and other retirement plans, any period of leave for child bonding/parental leave will be treated as continued service for purposes of vesting and eligibility to participate. At the conclusion of your leave, you are guaranteed employment in the same or comparable position.

Please be sure to notify us as soon as possible if you wish to add the baby or child to your insurance coverage. We have included the necessary insurance forms for this purpose.

If you have any questions, or if you wish to discuss your individual circumstances, please do not hesitate to contact me at \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Sincerely,

[ADMINISTRATOR]

Enclosures

1. If you are a certificated employee, while on extended sick leave, you will receive the difference between your salary and the salary paid to a substitute employee or the salary that would have been paid to a substitute employee (“certificated differential pay”). If you are a classified employee, while on extended sick leave, you will receive the difference between your salary and the salary actually paid to a substitute employee (“classified differential pay”) [or not less than 50% of your regular salary]. [↑](#footnote-ref-1)