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

[Date]

[Employee Name and Address]

Re: Pregnancy and Parental Leave Benefits

Dear [Employee]:

We understand you are pregnant or have a related medical condition. We wish you well and want to confirm you have certain rights and responsibilities as it relates to your employment. Enclosed are two Notices from the California Department of Fair Employment & Housing: “Your Rights and Obligations as a Pregnant Employee” and “Family Care and Medical Leave (CFRA Leave) and Pregnancy Disability Leave.” In addition, please find below some general information related to your leave of absence rights.

*Pregnancy Disability Leave*

When you are absent from work due to pregnancy disability (including pregnancy, a related medical condition, or recovery from childbirth), you will use your sick leave and any accumulated sick leave. If your sick leave and accumulated sick leave are exhausted, and you remain absent from work, you will utilize extended sick leave. 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]. Your insurance coverage and obligations, if any, will continue during the duration of your pregnancy disability leave.

If you are eligible, you will also be entitled to use up to 12 workweeks of leave in a 12-month period under the federal Family and Medical Leave Act (“FMLA”) during your pregnancy disability leave. This 12-month period has been designated by the District as July 1 to June 30 of each year. To be eligible for this leave, you must have at least one (1) year of prior service in the District, (2) you have actually worked a minimum of 1,250 hours in the previous year, and (3) the District employs at least 50 employees within 75 miles of your worksite. Enclosed is a FMLA request form. Please complete and return the enclosed FMLA request form to the Human Resources Department as soon as possible.

If your health care provider advises that you need to stop working due to your pregnancy disability, you must submit to the Human Resources Department a statement from the provider to that effect. Enclosed is the DFEH Certification of Health Care Provider for Pregnancy Disability Leave, Transfer, and/or Reasonable Accommodation which may be used for this purpose.

When your doctor releases you back to work at the end of your pregnancy disability leave (likely 6-8 weeks postpartum), you must submit to the Human Resources Department a statement from your health care provider indicating the date you will be able to return to work. This statement is required before you can return.

*Child Bonding/Parental Leave*

Once you are released to return to work from your pregnancy disability leave, you may be eligible for an additional leave of absence for child bonding/parental leave under the Education Code “parental leave” provisions, California Family Rights Act (“CFRA”), and/or 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 to bond with your 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 as defined above, for the remainder of your parental leave, you must first exhaust all fully paid sick leave. Under a 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 as described above, or 50% of their regular salary, whichever is greater. 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 CFRA leave and will be exhausted at the same time as your Education Code parental leave.

If you are interested in requesting child bonding/parental leave, please submit a letter of interest and anticipated dates of leave at least thirty (30) days prior to the requested leave, or as soon as practicable. Please address this letter to the Director of Human Resources and submit it to the Human Resources Department.

*Miscellaneous*

With respect to pensions and other retirement plans, any period of leave for pregnancy disability or 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 soon after the birth of your child, if applicable. We have included the necessary insurance forms to add the baby to your health insurance coverage.

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

Sincerely,

[ADMINISTRATOR]

Enclosures