



## Leave of Absence Instructions CERTIFICATED EMPLOYEES

### **General Guidelines**

Employees are required to notify HR if they will be absent for five or more consecutive work days (or non-consecutive days, if ongoing intermittent leave is needed) due to one of the reasons stated below. HR will then make a determination as to whether the absence qualifies for legal leave protections under the California Family Rights Act (CFRA), Family and Medical Leave Act (FMLA), Americans with Disabilities Act (ADA), Pregnancy Disability Leave Act (PDL), and the Education Code. If the employee qualifies, leave rights begin on the first day of the absence.

Employees may request a leave of absence for the following reasons (subject to meeting qualifications):

1. Birth of employee's child and to bond with the newborn child within one year of birth.
2. Placement of a child with employee for adoption or foster care and bonding with the child within one year of placement.
3. To care for the employee's spouse, child, parent or domestic partner who has a serious health condition.
4. When the employee's own serious health condition renders the employee unable to perform the functions of his/her job, including complications/recovery due to pregnancy.
5. Certain military qualifying exigencies, or to care for a covered service member (next of kin) with a serious injury or illness (military caregiver leave).
6. Military duty leave entitlements according to state and federal laws.
7. Other leaves may be authorized as required by law and the district's policies.

### **Step 1: Determine Eligibility**

The following table shows eligibility for each type of leave. Several of the leaves provide overlapping protections/benefits. CFRA is the California leave act, while FMLA is the federal leave act, so they often overlap. CFRA/FMLA apply to reasons 1 through 5 above. PDL applies to reason 4 above. Parental/Bonding Leave applies to reasons 1 and 2 above.

	<b>California Family Rights Act (CFRA)</b>	<b>Family and Medical Leave Act (FMLA)</b>	<b>Pregnancy Disability Leave (PDL)</b>	<b>Parental/Bonding Leave (Ed Code 45196.1)</b>
I am eligible if:	I have worked for PVSD for 1+ years	Same as CFRA	I am disabled due to pregnancy or pregnancy-related condition	I have worked for PVSD for 1+ years
How much leave do I get?	Up to 12 weeks. This leave starts after PDL ends (if PDL is applicable).	Same as CFRA. This leave runs concurrently with PDL &/or CFRA and does not generally provide additional time off work.	Period of disability up to 4 months (usually 6-8 weeks after childbirth, unless pregnancy complications occur).	This leave runs concurrently with CFRA for up to 12 weeks after PDL ends. This leave provides 50% pay (once sick leave is exhausted) to the employee during the 12 workweeks of child bonding.

## **Step 2: Submit Required Paperwork**

1. Submit **Request for Medical/Other Leave of Absence form** to supervisor for approval and forwarding to HR as soon as possible (30 days prior to commencement of leave, if foreseeable).
2. Submit **Certification of Health Care Provider form within 15 calendar days of requesting leave** if leave is required for an employee's own serious health condition, pregnancy/childbirth, or to care for a family member with a serious health condition (reasons 3 or 4 above).
3. Other non-medical leaves may require documentation specific to the reason for leave – HR will notify you if additional documentation is required.

## **Step 3: HR Provides Designation Notice**

Once all required documents are received by Human Resources, the employee will be provided with a Designation Notice indicating that FMLA/CFRA leave is either approved or not approved.

## **Step 4: Employee Provides Ongoing Updates / Return to Work Form**

Employees are required to submit regular status updates to Human Resources while on leave of absence.

Once the physician determines that the employee is able to resume his/her job duties (with or without accommodations), the employee must provide a completed **Doctor's Release for Return to Work form** PRIOR TO returning to work. If work restrictions are indicated on the form, Human Resources will work with the employee and the supervisor to determine if accommodations are possible/necessary.

CALSTRS Disability Retirement: Following exhaustion of available paid and unpaid leaves, if an employee has an injury or illness that prevents him/her from performing their job duties (with or without accommodations), the employee may be eligible for a disability retirement. The cause of disability does not need to be related to employment. Contact CALSTRS for further information.

## **Additional Information**

Benefits during Leave: Benefits will continue during the period of time the employee is covered by the protected leaves described above. If the employee pays a premium contribution, the employee is still responsible for making payments to the district for the normal payroll deductions for his/her health insurance coverage.

Salary during Leave: Employees may use their accrued leaves to receive full pay during leave. If the leave is due to the employee's own illness or injury, eligible employees may receive up to **5 months of Extended Sick Leave paid at 50% of their salary** once they have exhausted their accrued sick leave. PVSD does not participate in the State Disability Insurance (SDI) program, so employees are not eligible to receive disability payments from the State.

Catastrophic Leave Program: Per **PVSD Board Policy and Administrative Regulation 4161.9**, Certificated employees may request donations of accrued vacation or sick leave credits. To qualify, the employee must experience a catastrophic illness or injury which requires the employee to take time off from work for an extended period of time, and taking time off work creates a financial hardship for the employee because the employee has exhausted all available sick leave, vacation leave, and other paid time off (with the exception of extended sick leave). If you wish to request leave donations, please contact Human Resources.