



Parental Leaves

I'm so excited! I'm expecting a child. How should I plan for my leave of absence?

Have you read our first two newsletters on protected leaves? Here is what you may have missed:

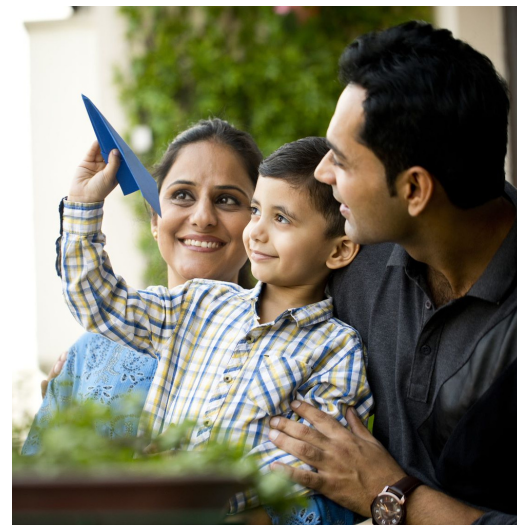
- In the newsletter from [Week One](#), we touched on a few of the reasons you might need to take a leave of absence, what you should know about them, and how they may apply to you.
- In the newsletter from [Week Two](#), we provided guidance about how to request a leave of absence, how to get support during your leave, and steps to ease back to work from leave.

In this week's newsletter, we will focus on helping you prepare for a leave of absence to support parental leaves – pregnancy, baby bonding, and bonding with a child following surrogacy, foster care, or adoption.

CONGRATULATIONS!

You just found out you are expecting a child. As soon as you are ready to share the news, let your immediate supervisor know and contact your department's Leave Management Unit. We recommend notifying them no later than 30 days prior to your anticipated leave start date. This will give you time to obtain the information and forms you need, along with planning for the continuation of work in your absence. Your departmental leave coordinator (DLC) will help you navigate the necessary steps to submit the forms and documents you need to provide based on your circumstance and ensure a smooth transition.

Click [HERE](#) for your department's leave management email address.



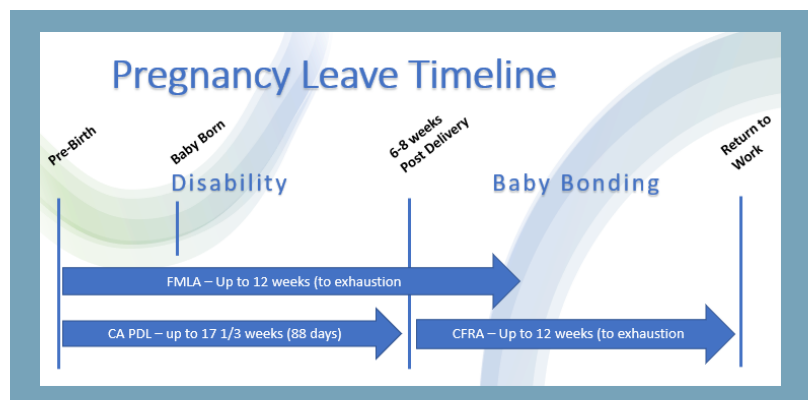
I'm pregnant. What leaves do I qualify for?

Pregnancy Disability Leave (PDL) – You are eligible for coverage under this benefit as of your first day of employment with the County. By law, a full-time employee can take up to 693 hours (or 17 1/3 work weeks) of leave if disabled because of pregnancy, childbirth, or any other related medical condition, such as morning sickness, treatment, appointments, etc. PDL is per pregnancy, not per year. Time off under PDL can be taken as full days, or in increments as small as 15 minutes. It is an unpaid leave, but you should work with your DLC to determine how you will be paid during this time. You will need to provide a health care provider's certification form to use this benefit; you can get this form from your DLC.

Family and Medical Leave Act (FMLA) – You are eligible for FMLA once you have worked at least 1250 hours in the previous 12 months before the start of your leave, and you must have completed 12 months of County service in the past seven (7) years. For example, if you worked for the County for a year without interruption and then you left County service only to return three (3) years later, the first year (12 months) of County service would help you meet the 12-month eligibility requirement. FMLA allows you to take up to 12 weeks' worth of unpaid leave in a 12-month period. This is another benefit that can be used in full day blocks, or in increments as small as 15 minutes. Important: FMLA and PDL will "run" together – both benefits are counted together as they are used. Just like with PDL, you will need to submit a completed health care provider's certification.

California Family Rights Act (CFRA) – This leave has the same eligibility criteria as FMLA and is the State's version of the Federal FMLA benefit. Like FMLA, you must have worked at least 1250 hours in the previous 12 months and have completed 12 months of County service in the previous seven (7) years to be eligible for the protected leave. CFRA allows you to take up to 12 weeks' worth of unpaid leave in a 12-month period, and like the other benefits we covered, can be taken in full-day increments or in increments as small as 15 minutes. Most people use their CFRA leave time for the purpose of bonding with their new baby (or adopted child, or a child placed in foster care). Unlike with the two other leaves, you don't need to submit a health care provider's certification if you are taking this leave to support bonding.

While pregnancy itself is not considered a disability, a pregnant person may have medical conditions or impairments related to their pregnancy that qualify as a disability under the Americans with Disabilities Act. Should time off be needed relating to any of these medical conditions, it would be appropriate to designate this time under protected leaves. It is easy to get confused about how these leaves work and how the protected time runs together. Here is an example that provides a visual timeline of how it can work. Keep in mind that everyone's use of these leaves varies based on their individual needs.



Are you welcoming a foster child? Adopting? Going through a surrogacy program? Do you have a spouse who is pregnant? There is a protected leave of absence to support you!

If you are going through any of these life events, you might be thinking about taking time off to be with the newest addition to your family. This “parental leave” time, also known as “baby bonding,” allows you to take time off to connect with a baby and to build strong parental ties. While most babies are ready to bond immediately, some parents might need additional time to begin bonding. It is normal for a parent to feel an intense attachment from the moment the baby is born, while other parents may form this bond over a few hours, a few days, or even longer. Bonding is a very personal process, and it is good to know that you can take bonding leave in the best way that supports you and your family.

In fact, bonding leave is designed so that you can take the time as you need it. You can split the time into increments of two (2) weeks between the baby’s birth and their first birthday, or the first anniversary date of when adoption or foster placement was finalized. For example, if you adopted a child and the process was legally finalized on February 15, 2022, you would be able to take bonding leave until February 15, 2023.



What if I’m not eligible for FMLA or CFRA? Can I still take time off?

The County recognizes that birth and bonding are very special times in a family’s life. While you might not yet be eligible for FMLA or CFRA leaves, you can request personal time off using any available benefit time or opting to take time off without pay. Contact your supervisor or DLC to explore your options. Should you meet FMLA or CFRA eligibility later but before the first birthday or placement anniversary, you may still be able to take some protected bonding time. For example: your hire date was September 6, 2022, the baby was born November 10, 2022, you may be eligible to take bonding time between September 7, 2023 and November 10, 2023.

Important Best Practices

- ***Your health care provider will provide you with maternity leave dates.*** As your delivery date gets closer, your health care provider will give you a note that has your first expected day out, and the date you are expected to be released back to work. These dates could change for several reasons: the baby might be born earlier than expected or a return date might be extended due to medical issues. If this is the case, don’t worry – the leave begins as of the day you first need it. Please keep in mind that if a leave needs to be extended, your health care provider will have to provide an updated note with the date change.
- ***Using time off under the California Pregnancy Disability Leave (PDL) Act.*** Pregnancy is an individual experience, and each pregnancy is unique! Some pregnancies are carefree, and others can be plagued by morning sickness (which technically can happen at any time of day or night!). Sometimes, there are more serious health complications that can come with pregnancy. This includes time off for medical conditions following a miscarriage or pregnancy termination. PDL is available to support you in these instances too. Absences for medical appointments related to pregnancy are covered under PDL as well.

- **Determine how much time to request for baby-bonding.** While your health care provider is the one who determines the leave time you will need for delivery and recovery, you are the one that decides how much time you will request for baby-bonding, and when you want to use that time! Depending on how much time you have available under the California Family Rights Act (CFRA), you might be able to take up to 12-weeks of unpaid time off to support bonding. Talk to your DLC to review your leave allocations and to give you the information you need to decide what's best for you.
- Likewise, if you have legal appointments related to the adoption or foster placement of a child you may be able to use protected time off. **Important note!** Use of this time will take away from your protected leave entitlement bucket of time. If you want to maximize your available leave time, we encourage you to schedule your prenatal or other appointments outside of your regular working hours so you can have as much protected leave time as possible.
- **Meet with your supervisor to discuss your assignments.** While you are out on a leave of absence you may not do any work. While we recognize that you care about your work, it is your supervisor's responsibility to make sure that your assignments are covered during your absence. Meet with your supervisor to go over your assignments and give them the information they need to plan for coverage during your absence.
- **Make a plan to support lactation!** If you are going to continue giving your baby human milk, start planning before your leave. This is a great time to get information about your department's lactation facilities, and how you can make arrangements to use the room(s). Additional information about the County's Lactation Program can be accessed by clicking [HERE](#).
- **Decide if you want to be paid during your protected leave.** If you would like to be paid during your leave, you may use your available accrued benefit leave time. Give yourself enough time before the start of your leave to review your available leave balance, if any, and to let your supervisor know how you want them to code your timesheet while you are on leave. Remember, payroll policies do apply. If needed, reach out to your timekeeper or payroll unit to ensure you are following timecode policies when mapping out how you want to use your benefit time. **KEEP THIS IN MIND!** If you decide to take an unpaid protected leave of absence, your County-provided health benefits will be discontinued if you are in an unpaid status for more than a full calendar month. If your benefits expire, connect with your DLC to discuss options under COBRA.
- **Take your leave with peace of mind!** These protected leaves are in place to give you the time you need to recover and bond with your child, or to welcome an adopted or foster child. While your department should not contact you for any work-related issues, you should expect your DLC to connect with you during your leave, especially as the time to return to work gets closer. And of course, you can always reach out to your leave coordinator if you need to make any changes to your payroll choices, if you need to shorten or extend your leave, or if you have any questions or concerns.
- **Getting ready to return!** As your leave end date approaches there are several things you can do to ease back to the workplace. If your DLC hasn't contacted you yet, reach out to them to connect. You don't need a special note from your doctor to return to the workplace, but if your doctor has issued any restrictions (for example, on lifting, standing, sitting), you must provide that note to your leave coordinator as soon as possible. Your leave coordinator will make sure to partner with the Disability Compliance team in your department to assist.

In the fourth and final edition of the Protected Leaves Newsletter series, we will focus on the leaves and benefits available to you if you do not meet eligibility requirements for FMLA or CFRA, or have exhausted leave time under FMLA, CFRA or PDL.