

Pregnancy Disability and Parental Leave Policy

POLICY STATEMENT

This policy defines employees' rights and responsibilities during leaves taken for pregnancy disability and parental leave at Chapman University.

REASON FOR THE POLICY

Leave policies related to pregnancy disability and parental leave are designed to provide assistance when you are medically certified as unable to work due to a pregnancy, as well as during baby bonding time following release from a disability period (if any), or parental leave following adoption or foster care placement for qualifying employees.

POLICY

PREGNANCY LEAVES OF ABSENCE

Pregnancy Disability Leave

Employees who are temporarily disabled by pregnancy, childbirth or related medical conditions are eligible to take a pregnancy disability leave and will, upon request, be granted a leave of absence. Pregnant employees are also entitled to a temporary transfer to a less strenuous or hazardous position for the duration of the pregnancy if the employee so requests, with the advice of the employee's physician, where that transfer can be reasonably accommodated by the University.

The Pregnancy Disability Leave is for any period or periods of actual disability caused by an employee's pregnancy, childbirth or related medical conditions up to four months (or 88 workdays for a full-time employee). The Pregnancy Disability leave does not need to be taken in one continuous period of time but can be taken on an as-needed basis.

A woman is '*disabled by pregnancy*' if, in the opinion of her health care provider, she is unable because of pregnancy to perform any one or more of the essential functions of her job or to perform any of these functions without undue risk to herself, to her pregnancy's successful completion, or to other persons. Time off needed for prenatal care, severe morning sickness, doctor-ordered bed rest, childbirth, and recovery from childbirth would all be covered by the employee's Pregnancy Disability Leave.

Employees may be required to obtain a certification from their health care provider of their pregnancy disability or need for a temporary transfer of assignment. The certification should include the following information:

- (a) The date on which the employee becomes disabled due to pregnancy;

- (b) The probable duration of the period or periods of disability; and

(c) A statement that the employee needs to take Pregnancy Disability Leave because she is disabled by pregnancy, childbirth or a related medical condition.

Parental Leave

Eligible employees may take up to 12 weeks of family leave to bond with a new child after its birth, adoption, or foster care placement. Employees may also take this leave *after* using any Pregnancy Disability Leave to which they may be entitled.

To be eligible for Parental Leave, an employee must have worked more than 12 months for Chapman University prior to the date the period of leave is taken and must have worked at least 1,250 hours in the past 12-month period.

Parental Leave may be used at any time during the first year following the qualifying birth or adoption and must conclude within one year of the birth or adoption. Parental Leave may be taken continuously or in increments of 2 weeks or more.

To obtain Parental Leave, an employee must provide the University appropriate legal documentation of birth, adoption, and/or relationship to the child in the case of surrogacy.

Pay During the Pregnancy or Parental Leave

Staff who take a Pregnancy Disability Leave or Parental Leave must utilize any accrued sick pay benefits and may elect to use accrued vacation benefits during the leave. Faculty may consult with the Office of Faculty Affairs for more information on pay options. Any portion of a leave that occurs after applicable accruals have been exhausted will be without pay.

California employees may also choose to file with the State of CA for State Disability ([Disability Leave Policy](#)) for a portion of their lost wages during Pregnancy Disability leave. Additionally, California Employees may also choose to file for Paid Family Leave benefits through the State of CA https://www.edd.ca.gov/Disability/FAQ_PFL_Eligibility.htm for a portion of their lost wages during Parental Leave.

With regard to Pregnancy Disability Leave, the total period of all absences related to the same medical condition will be considered part of the same leave and may not exceed four months. For purposes of this four-month limitation, any paid and unpaid portions of the leave will be added together. Parental Leave may extend the leave period three additional months as discussed above.

Notification Obligations

An employee who requires a Pregnancy Disability or Parental Leave of absence must notify the Human Resources Office in writing of the need for such a leave.

The employee must provide at least 30 days advance notice before the date the leave will begin if the need for the leave is foreseeable. If the employee learns of the need for a leave less than 30 days before the date the leave must begin, the employee must provide as much advance notice as practicable. Such notice must specify that a need for a leave exists, the date such leave will begin, and the expected duration of the leave.

With regard to pregnancy disability leave, when employees are no longer disabled due to their pregnancy-related condition, they must provide a release from their health care provider to finalize the Pregnancy Disability Leave in preparation to return to work. In the event that employees plan to take a family care leave to bond with a newborn, they must contact Human Resources to provide a change of leave status. The Human Resources representative will provide information about benefits and potential pay options relating to the leave.

Reinstatement

Subject to the exceptions provided by law, employees on Pregnancy Disability Leave or Parental Leave will be entitled to reinstatement to their same or comparable position upon timely return to work. Employees must report to work immediately following the expiration of the approved leave.

Extensions

Requests for extensions of a leave of absence and other reasonable accommodations will be considered if they are received by the Office of Human Resources in writing before the expiration of the approved leave and, with respect to Pregnancy Disability leave, are supported by proof of disability in the form of a certification by a health care provider if the extension would cause the leave to exceed four months.

OFFICE RESPONSIBLE FOR THE POLICY

Human Resources

Contact: Tim Frenchcampbell, frenchca@chapman.edu, 714-997-6979

WEBSITE ADDRESS FOR THIS POLICY

<https://www.chapman.edu/faculty-staff/human-resources/files/policies/pregnancy-disability-parental-leave-policy.pdf>

WHO APPROVED THIS POLICY

Senior Staff

Date Approved: 9/8/2020

(signed)

President

PUBLICATION DATES:

Effective: 11/1/2020

RELATED MATERIALS:

https://www.chapman.edu/faculty-staff/human-resources/_files/policies/disability-leave-policy.pdf