Policy 5.21

Maternity Leave Policy

Female employees are not penalized in their condition of employment because they require time away from work caused by or contributed to pregnancy, miscarriage, abortion, childbirth, and recovery.

Disabilities caused or contributed to pregnancy, miscarriage, abortion, childbirth, and recovery are, for all job-related purposes, temporary disabilities and must be treated as such under any health or temporary disability or sick leave plan available in connection with employment. Employment policies and practices involving matters such as the commencement and duration of leave, the availability of extensions, the accrual of seniority and other benefits and privileges, reinstatement, and payment under any health or temporary disability insurance or sick leave plan, formal or informal, shall be applied to disability due to pregnancy or childbirth on the same terms and conditions as they are applied to other temporary disabilities.

Sick leave can be used for maternity purposes for the period of actual disability as a result of childbearing or recovery there from. A doctor's certification may be required verifying the employee's disability.

Employees going on maternity leave will be permitted to exhaust accumulated annual leave.

Maternity leave, normally not to exceed six months, will be granted to regular and temporary employees. Limitation of employment before childbirth is prohibited; therefore, based on the type and nature of work performed, in consultation with the employee and upon advice she has received from her physician, the physician will determine how far into pregnancy she may continue to work before going on leave. The employee will be reinstated to the same position or one of like seniority, status, and pay upon return to work.

The employee shall apply in writing to her supervisor for leave. She is obligated to return to duty within or at the end of the time determined appropriate. If she finds she will not return to work, she should notify the College immediately. Failure to report at the expiration of a leave of absence, unless an extension has been requested, may be considered a resignation.

Use of Leave:

- Leave Without Pay – Leave without pay is an available option provided for the time before an employee is disabled and the period of time after disability ends but before returning to work.
- Sick Leave – Accumulated sick leave is an available option provided for the actual period of temporary disability caused by or contributed to pregnancy or

childbirth in the same manner as for other temporary disabilities. The attending physician should furnish the period of temporary disability.

- Annual Leave – Annual leave may be exhausted before going on leave without pay. If the period of annual leave overlaps with the period of temporary disability, annual leave may be exhausted until sick leave begins and the balance may be exhausted after sick leave is exhausted.

The employee will retain all accumulated unused sick leave, retirement status, and time earned toward the next increment during the period of leave without pay. The employee will continue to earn sick and annual leave during the period of paid leave.

References

Legal References: *1C SBCCC 200.94*

SACSCOC References: *Enter SACSCOC references here*

Cross References:

- Time Sheet Procedure
- Leave Policy
- Absence Report Procedure
- Annual Leave Procedure
- Bonus Leave Policy
- Civil Leave Policy
- Community Service Child Involvement Leave Policy
- Compensatory Leave Policy
- Educational Leave with Pay Policy
- Family Medical Leave Policy
- Leave Without Pay Policy
- Maternity Leave Policy
- Military Leave Policy
- Personal Leave Policy
- Sick Leave Policy
- Voluntary Shared Leave Program Policy

History

Senior Staff Review/Approval Dates: *11/6/13*

Board of Trustees Review/Approval Dates: *11/6/13*

Implementation Dates: *Enter date(s) here*