



## PARENTAL LEAVE FACT SHEET (AB 375 and AB 2393)

Welcoming a new child into your home is a wonderful and exciting time that can be a period of adjustment requiring your full attention and possibly time away from work. The following information has been prepared by Human Resources to help you navigate the various leaves available to you as an employee of Centinela Valley Union High School District.

As recently as January 1, 2017, state laws (Assembly Bill (AB) 375 and subsequently AB 2393) amended sections of the Education Code in order to provide almost all school employees in K-12 districts access to differential pay (or ½ pay) while on a leave of absence occasioned by the birth of the employee’s child, or the placement of a child in connection with the adoption or foster care of the child by the employee as provided by the California Family Rights Act (CFRA).

***What is “parental leave”?***

Leave requested for reason of the birth of a child of the employee, or placement of a child with an employee in connection with the adoption or foster care of the child by the employee. This leave is commonly referred to as “bonding leave.”

***Am I eligible to request parental leave?***

All certificated and classified employees of the district who have been employed for at least 12 months.<sup>1</sup>

***How much parental leave in an eligible employee entitled to?***

Under the CFRA regulations, an eligible employee is entitled to 12 workweeks of bonding leave to be utilized during the first year following the birth or placement of a child with the parent through foster care or adoption. Twelve workweeks means the equivalent of 12 of the employee's normally scheduled workweeks. If, for example, an employee normally works three days per week, then the employee would be entitled to 12 3-day workweeks of leave. AB 2393 clarifies that employees are only entitled to one 12-workweek period of parental leave in any 12-month period.

***What if both parents work for the District?***

Where both parents are employees of the district, the district limits the period of bonding leave to 12 total workweeks to be shared between the two parents.

Parental Leave Highlights
<ul style="list-style-type: none"> <li>You are entitled to take 12 workweeks of parental leave within a 12-month period.</li> </ul>
<ul style="list-style-type: none"> <li>If you would like to be paid during this leave, you must first use any accumulated sick leave days. Once those are exhausted, you will receive differential pay (or ½ pay).</li> </ul>
<ul style="list-style-type: none"> <li>You will not lose any seniority or employment rights during this leave.</li> </ul>
<ul style="list-style-type: none"> <li>If you have accumulated sick days that you do not wish to use for parental leave, you may still take the leave, but it will be unpaid (with no ½ pay).</li> </ul>
<ul style="list-style-type: none"> <li>You can take the leave intermittently, but must work with the employer on scheduling.</li> </ul>

Forms Required to Request Parental Leave
<ul style="list-style-type: none"> <li>An employee must complete and submit their signed absence form to their site administrator and/or Human Resources</li> </ul>
<ul style="list-style-type: none"> <li>The District <b>may</b> require documentation verifying the birth or placement of child</li> </ul>

<sup>1</sup>Employees may be eligible to request parental leave under CFRA regulations, but may not be entitled to differential pay in accordance with Education Code Sections 44977.5 (K-12 certificated employees) and 45196.1 (K-12 classified employees).

<sup>2</sup>AB 2393 provides that school districts must comply with either AB 2393 requirements or the collective bargaining agreement, whichever provides greater parental leave rights to employees.



### ***Can I request intermittent parental leave?***

Yes. A bonding leave does not have to be taken in one continuous period of time, subject to some limitations. Under CFRA regulations, the minimum duration of the leave shall be two weeks, except that employers must grant a request for a leave of less than two weeks' duration on any two occasions and may grant additional requests. Any leave taken must be concluded within one year of the birth or placement of the child with the employee.

### ***When can I begin receiving differential pay while on parental leave?***

AB 2393 clarifies that an employee "may" use his or her sick leave for the purposes of parental leave for a period of up to 12 workweeks. Therefore, employees may choose not to use their sick leave while on bonding leave. However, an employee **must** first exhaust all available sick leave, including all accumulated sick leave, and continue to be absent from his/her duties on account of parental leave in order to gain access to differential pay.

### ***What about my salary and health benefits?***

Where the district has adopted the 50 percent pay rule for certificated or classified, the district must ensure that an employee is compensated at no less than fifty percent of his/her salary during the partial pay period.

AB 2393 applies these rules to employees who have exhausted all available sick leave, including accumulated sick leave and continue to be absent due to parental leave for a period of up to twelve weeks.

While out on parental leave, an employee is also entitled to receive any applicable health benefits the employee was receiving immediately before the commencement of the leave. The employee is still required to pay his/her regular contribution while on parental leave but the district should notify the employee of this requirement.

### ***What if I require more time?***

Please contact Human Resources and/or refer to your collective bargaining agreement to view all of your leave options.<sup>2</sup>

**For more information regarding your leave options, please contact:**

Human Resources at (310) 263-3200, Option 6

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