

How to Successfully Take Maternity / Extended Leave

Who to CONTACT:

Human Resources

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Payroll Department

For Certified employees – Karen Ladd, ext 22020

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For Classified employees – Bonnie Cox, ext 22022

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Risk Management Dept. (Insurance)

615-898-7715

Instructions

- Print [Request for Leave for more than five \(5\) days](#) and [FMLA Form](#) from the Rutherford County web site at www.rcschools.net. (Click on Human Resources, click on Forms, click on Request for Leave for more than five (5) days and FMLA)
- Also on Human Resources see “Maternity/Extended Leave Guidelines” for general information and question and answers
- Complete Request for Leave for more than five (5) days application
- Attach a doctor’s note. *Notice - The dates on the doctor’s note/letter must match the dates on [your Request for Leave for more than five \(5\) days](#) application.

- Have your principal sign the completed [Request for Leave for more than five \(5\) days](#) application.
- Provide a copy of the [Request for Leave for more than five \(5\) days](#) application and doctor's note to:
 1. *Your principal*
 2. *Yourself*
- Have an FMLA form completed by your doctor. *Notice-The doctor's portion of the FMLA will not substitute for a doctor's note for the Request for Leave for more than five (5) days application.
- Submit **original** forms (**Request for Leave for more than five (5) days and FMLA**) to Human Resources – Central Office 615-893-5812, Southpark Drive., Murfreesboro, TN, 37128

****Any extended medical leave (more than five (5) days) taken before your delivery date is considered a sick leave and requires a separate leave form and physician's note. Dates on the leave form must match dates on physician's note for that purpose.**

CONGRATULATIONS! WHAT TO DO AFTER BABY ARRIVES:

- Notify the Human Resources Department within 5 days (615-893-5812 ext. 22007).

We will help you revise the dates on your MATERNITY LEAVE application and remind you to get a new note from your doctor with dates that match your revision.

- It is your responsibility to notify HR **and** your principal / supervisor when your baby is born. Arrangements will need to be made for your Substitute/Interim replacement.

- Contact the Risk management (Insurance) Department **within 30 calendar days of your child's birth** with questions about adding dependents. 615-898-7715. There is a deadline of 30 calendar days following the birth date of your child to add dependents to your health care plan..

ADDITIONAL LEAVE FORMS FOR PAYROLL

To ensure your leave days are properly recorded in the Payroll department, you must complete weekly leave forms as noted below:

- With the help of your school secretary, complete the correct leave certification form. This form must be completed for each week that you are out on leave. There are three forms to choose from:

1. PAID leave certification (white form – there is a different form for Certified and Classified
2. PAID leave certification (Purple form – indicates NO substitute utilized)
3. NON-PAID leave certification (Salmon form)

FREQUENTLY ASKED QUESTIONS ABOUT EXTENDED LEAVE

1. How far in advance should the paperwork be submitted prior to leave?

At least 30 days.

2. How long may I take for maternity leave?

The **period of disability** directed by a physician is typically six weeks with a regular delivery and eight weeks with a c-section. (this is the period of time under a doctor's care) Up to 30 (regular) or 40 (c-section) sick days can be used for maternity leave. This is standard recuperation time associated with maternity / delivery.

3. If I have enough sick days to cover my maternity leave, how does this affect my substitute?

A substitute must be scheduled to work for each sick day used. After 20 sick days, the substitute must be a certified licensed educator. This must be arranged through PESG.

4. What is the difference between an Interim teacher and a substitute?

A substitute is an Advantage employee and is used only for paid sick days. An interim teacher must be a certified educator, highly qualified in the subject area, will receive teacher pay from Rutherford County, and will replace the teacher while they are on non-paid leave **if the non-paid period exceeds ten working days.**

5. Must I use all my accumulated sick days before I use non-paid days?

You may use any combination of sick or non-paid days, however any designated sick days must be used on the front end of your leave.

6. When does my actual maternity leave start?

It starts on your delivery date. This is typically 6 to 8 weeks depending on the period of disability as determined by your physician beginning with the delivery date.

7. How is my maternity leave affected by holidays?

The days / weeks of actual maternity leave are counted regardless of when holidays, vacation days or any days out of calendar fall in the calendar.

8. How do holidays / vacation days affect my paid sick days?

- They are not counted against you as long as you are using paid sick days before a holiday. If you are using non-paid leave you will not be paid for the holiday.
- The day noted as a “holiday” is determined by the system wide calendar committee and has typically been noted as the day before Thanksgiving. (1 day)
- The days noted as “vacation” days” are determined by the system wide calendar committee and have typically been noted as winter and spring break (10 days) These days are earned based on the number of total paid days for an individual and will vary from person to person.
- Questions regarding payment for vacation days or holidays should be directed to the Payroll Department.

9. What if my delivery date changes?

If your date changes, you need to notify Human Resources office as soon as possible, or within five days of delivery. Your leave forms can be changed with a phone call. We will, however, need a new doctor’s note with the revised dates. This is important because if an interim is hired, the dates on their contract may change. The dates must be correct in the contract. This is a legal and binding document.

10. When I deliver, do I need to notify someone?

Yes. You need to notify HR and your school within 5 days. This is important because it may change your leave dates.

11. What do I need to do if I have postpartum complications and need to extend my leave?

Call Human Resource office and this can be handled on the phone with documentation / note from your doctor. Communication is important during an extended leave.

12. Can I use my personal days in concurrence with my sick days during my leave?

Yes.

13. How long may I take for childcare leave?

- Maternity / childcare leave will be limited to no more than 16 weeks per FMLA and State of Tennessee law.
- Childcare leave must be requested contemporaneously with the request for maternity leave. The leave must be taken following the delivery of the child. Only one request (for childcare leave) will be granted per request for maternity leave. Childcare leave (leave beyond the period of medical supervision) is non-paid.

14. What is FMLA?

To be eligible for FMLA the employee is required to have been employed one full year. FMLA is a 12 week policy for employees who are requesting leave for self, child, parent or spouse. It allows the employee to be off while protecting employment, but also guarantees the Rutherford County's payment portion of health insurance if on non-paid leave.

15. How do non-paid days affect my insurance?

If you have a month that you did not receive a paycheck and you are not covered by FMLA you will be responsible for your portion and the county matching portion. If you are covered by FMLA, you are responsible for only your portion while on sick leave. If you have any questions, please contact the Rutherford County Insurance office at 898-7715.

16. Do I need a doctor's note for my FMLA and for my leave?

Yes. The FMLA doctor's statement is part of the FMLA paperwork and FMLA application must be used. A separate note on office letterhead from your Dr. is needed for the extended leave paperwork. Remember: A separate note on office letterhead from your Doctor is needed for the extended leave application paperwork.

17. If my doctor puts me on bed rest before I deliver, will this count as part of my maternity leave?

No. This must be submitted as a separate sick leave, with attached doctor's note.

18. Can fathers take extended sick leave?

Yes, the father may take sick leave in excess of 5 days, but only with a doctor's note stating that the father must stay with the mother or child for medical reasons. The dates on the doctor's note must match those dates on the leave form. Father's may also apply for non-paid child care leave.

FMLA states that no two employees of the same work establishment may take FMLA leave at the same time. Therefore, if both employees work for the RCS system, only one family member may take / benefit from FMLA leave during the same time period.

19. How will my leave affect my required 12 hours of independent in-service?

It is still your requirement. On your leave form, you were asked to indicate whether you intend to complete your 12 in-service hours or relinquish any specified number. If not completed as noted on your leave form, it will be deducted from your last check.

20. How will my leave affect my sick and personal days?

For every 20 days that you work or take paid leave, you earn 1 sick day. For every 100 days you work or take paid leave you earn 1 personal day.

21. How will my leave affect my accumulated experience?

You are given credit for any paid days. You are not given credit for non-paid days.

- Non-paid days will be deducted in the pay period where they fall. Based on the number of non-paid days there may be additional adjustments made to the June check if you are on 10 month distribution or the June – August checks if you are on 12 month distribution.

- An Application for Extended Leave gives you prior approval to take a leave and to designate paid or non-paid leave. You must also complete either the paid or non-paid daily form. Your school secretary will have these forms available.

22. Lesson Plans

a. It is the responsibility of the teacher on leave to prepare lesson plans if a substitute is assigned to the classroom while the teacher is on paid sick leave.

b. It is the responsibility of the interim teacher to prepare lesson plans if the interim teacher has been hired to replace a teacher on nonpaid leave. However, in the best interest of the students, the teacher of record should provide the interim teacher with an overview of topics/lessons/units to be covered during her absence to ensure a continuum of instructional services.

23. Locating a Substitute or Interim Teacher

- It is the responsibility of the teacher on leave to coordinate with PESG to provide a substitute while on paid leave. After 20 days, the substitute must

be certified, therefore, the administrator and teacher should work together with PESG to meet this state criteria.

- It is the responsibility of the administrator to hire and interim teacher to cover for the teacher of record during non-paid leave. This may be a joint effort between the teacher and administrator to ensure the best replacement during her absence.

Maternity Leave

1. The professional employee shall notify the Superintendent at least thirty (30) days in advance of the time she foresees any necessity to alter employment commitments as a result of maternity leave. In the event of early confinement or related illness the thirty-day notice may be waived upon a written statement of a licensed physician indicating the inability of the teacher to give such notice.

Within five (5) days of delivery, the employee must report her actual delivery date to the Board of Education, Human Resources Office. This actual delivery date will be used to accurately re-calculate maternity leave. Dates will be revised on the leave form to match the actual delivery date and subsequent return to work date. A physician's statement must be submitted to support these revised dates. After leave dates are finalized and a teacher has designated non-paid leave as part of his or her parental leave, those leave dates cannot be changed once an interim teacher has been contracted to fill those non-paid leave dates.

2. The superintendent shall, upon written request, grant a leave of absence up to sixteen (16) weeks for the purpose of maternity/childcare. **Maternity /childcare leave will be limited to no more than 16 weeks, per FMLA and State of Tennessee law.** Upon return the employee shall be placed in the same position vacated prior to the leave.

3. Pursuant to Rutherford County Board of Education Policy 3-15, Family Medical Leave Act, any employee who has been employed the previous 12 months and worked at least 1,250 hours during the previous 12-month period is eligible for Family Medical Leave subject to conditions listed under FMLA, including:

The employer shall maintain coverage under the “group health plan” for the professional employee who is approved for FMLA, up to 12 work weeks during any 12 month period, at the level and under the conditions coverage would have been provided if the employee had continued employment continuously for the duration of such leave.

If the professional employee is not eligible under the conditions of FMLA, the professional employee shall have the opportunity to continue health coverage at their own expense while on leave; up to one calendar year. The professional employee shall have the opportunity to continue all fringe benefits at the employee’s own expense while on leave.

4. A professional employee shall be entitled to all raises and increments upon return from maternity leave. Increments shall be rewarded commensurate with training and experience.
5. Sick leave may be used by a professional employee in cases of physical disability due to pregnancy, miscarriage, childbirth, and recovery there from. Any combination of sick and non-paid days may be used, however any designated sick days must be used on the front end of the leave, including leaves that run concurrently.
6. Once per semester, the Board shall advertise and provide an extended / maternity leave seminar for employees, including, but not limited to, how extended / maternity leave will affect pay, insurance, accumulation of sick leave and personal leave, accumulation of vacation days, and job placement.

TIME TO RETURN TO WORK

- **Submit the completed Reactivation form to Human Resources 10 days before you return to work.**