



# **BOCES United Professionals**

## **Maternity Leave Guide**

BUP members collaborated with Payroll/Benefits to provide the most up-to-date information available in this guide. Here you will find links to various resources, answers to frequently asked questions, and checklists for your use before, during, and after a leave.

While this guide is a helpful tool to inform BUP members, we ask that you take into consideration that every situation is unique and must be individualized to the employee. Therefore, work directly with Payroll/Benefits and refer to the BUP Contract for specific concerns and needs.

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## Checklists:

### Prior to Leave:

- When you are comfortable sharing, contact Payroll/Benefits to inform them of your pregnancy and expected due date.
- About 6 weeks prior to your expected leave, contact Payroll/Benefits to make a tentative plan for a leave specific to you and your needs (considering your sick days, the timing of your due date, holidays, etc.).
- Make health insurance decisions. Prior to your leave, contact Payroll/Benefits to discuss the amount of your expected premium obligation and billing options.
- If applicable, check the requirements, coverage, and financial costs with your spouse's/domestic partner's employer prior to the birth of your baby if you are considering changing insurances.
- Complete *Request for Extended Leave (6 Days or More)* form in Frontline Central with estimated dates (can amend if you go out early).

### After the Birth of the Child:

- Obtain a note from your doctor to report the date of birth and type of birth (vaginal or cesarian) and email to [payroll\\_department@boces.monroe.edu](mailto:payroll_department@boces.monroe.edu). This will notify Payroll/Benefits.
- If you plan to cover your child under BOCES health insurance, email Tracy Birge at: [tracy\\_birge@boces.monroe.edu](mailto:tracy_birge@boces.monroe.edu) . Tracy will advise you on completing this process.

## **Checklists:**

### Before Returning to Work:

- Contact Payroll/Benefits and your supervisor to inform them of the date you anticipate returning to work.
  - It is the responsibility of the employee to communicate their anticipated return date to their department supervisor.
  - If you anticipate requesting additional sick time beyond the 6 or 8 week medical leave, you must submit a doctor's note indicating a new or continuing illness to Payroll/Benefits.
  
- Submit medical documentation with clearance to return to work prior to the return date. Email payroll\_department@boces.monroe.edu.
  
- The employee will be contacted by Payroll/Benefits when cleared to return to work.

### Unpaid Leave and Extensions:

- Review options if you wish to extend your leave. Requests to extend leave must be made prior to returning to work (Refer to BUP Contract: Article 11, Section 5).
  - New or continuing illness after birth: Complete the traditional FMLA form and obtain doctor's note.
  - If requesting leave beyond 12 weeks, email Payroll/Benefits to obtain specific instructions.
  
- The employee is responsible for health benefits at full cost during any unpaid leave not covered by FMLA.

## Relevant Resources:

1. [BUP Contract 2022-2026](#)
2. [NYSUT- Women's Issues Guide](#)
3. [US Department of Health - Breastfeeding Mothers Going Back to Work](#)
4. [US Dept of Labor- Pumping at Work](#)

## Pumping at Work:

In 2023, the BUP Maternity Committee worked with the BOCES Business Office to furnish and maintain pumping spaces in each center-based program building. Parents who decide to pump at work will have access to these facilities.

- Contact your supervisor when you return to work to gain access to these facilities and/or be put in touch with a BUP liaison.
- Refer to the *Relevant Resources* section for additional information and resources about pumping at work.

## Frequently Asked Questions:

1. What forms are required prior to leave?
  - Refer to checklist
2. What do I need to do once the baby is born?
  - Refer to checklist
3. How do I request leave?
  - Complete the *Request for Extended Leave (6 or More Days)* form in Frontline Central.
4. When does leave start?
  - When your doctor writes you out or you give birth
5. What is paid leave?
  - Paid leave is a period of time you are out of work and being paid
  - Paid leave is achieved via the use of sick days and/or personal time to receive payment while you're out of work
6. What is unpaid leave?
  - Unpaid leave is a period of time you are out of work and not being paid

7. Can I use my sick time?
  - Your available sick days will be used during the time you are medically unable to work after the birth of a child.
8. Is maternity leave paid?
  - Maternity leave is not paid. However, your available sick days will be used to keep you in paid status for up to 6 weeks after a vaginal birth and 8 weeks after a cesarean birth.
9. What is FMLA?
  - Family Medical Leave Act allows eligible employees to be on paid or unpaid leave for up to 12 weeks in a fiscal year (July 1-June 30). It also protects their benefits cost and allows employees to be restored to the same job or equivalent job for same pay and benefits.
10. Who qualifies for FMLA?
  - Employees must have worked for BOCES for the previous 12 months AND have at least 1250 actual hours worked in those 12 months (excludes sick, personal, vacation, holidays, etc.) Payroll/Benefits will determine if you're eligible.
11. What if the anticipated leave will cross from one school year to another?
  - Contact Payroll/Benefits to discuss your specific circumstances.
12. Do we participate in NYS Paid Family leave?
  - No. Refer to BUP contract or contact BUP representative.
13. Do I qualify for NYS Disability?
  - No. BOCES is exempt because all employees are provided with paid sick time.
14. Do I need to keep my supervisor informed?
  - Yes, we ask that you keep both Payroll/Benefits and your supervisor informed of dates you will be out and anticipated return dates.
  - All medical information should ONLY be shared with Payroll/Benefits.
15. What do I need to do to request an extension for my existing leave?
  - Refer to Checklist
16. Am I required to use my sick days during a leave?
  - Yes.
17. Can I request use of the BUP Emergency Sick Bank? How do I apply?
  - Yes. You can apply in Frontline Central using the *Emergency Sick Bank Request* form.
  - Sick Bank requests can be made at any time during leave. However, if you anticipate this need, apply as soon as possible to avoid potential unpaid status.
  - Refer to BUP Contract: Article 11, Section 2.
18. Can I apply for FMLA for more than a year?
  - FMLA will protect you for up to 12 weeks over the course of a fiscal year (July 1-June 30). If you have exhausted FMLA but still have sick days available you may be allowed to take further paid leave time. Please contact Payroll/Benefits at [payroll\\_department@boces.monroe.edu](mailto:payroll_department@boces.monroe.edu) to go over your personal details.
19. Can I donate sick days?

- No.
20. How many days does BOCES allow prior to the birth?
- There is not a set number of days for a medical leave prior to and following a birth.
  - The start date of a leave is dependent upon the medical needs of the individual and those of their child. Typically, your physician certifies in writing that you are unable to perform the essential duties of your job, establishing the start of your medical leave.
21. How do I apply for parental leave?
- Refer to checklist.
22. What are my obligations regarding notification to the health insurance companies after the birth of my baby?
- Both health insurance carriers and dental insurance carriers require notification of the birth.
  - If you plan to cover your child under BOCES health insurance, email Tracy Birge at: [tracy\\_birge@boces.monroe.edu](mailto:tracy_birge@boces.monroe.edu) . Tracy will advise you on completing this process.
23. Is my child covered by my health insurance immediately?
- Yes. Complete *Dependent Change Form* in Frontline Central after birth.
24. Can I cancel my health insurance plan at the end of the FMLA 12-week period? If so, can I enroll again when I return to work?
- You can cancel your health insurance at any given time. Returning to work following unpaid leave is considered a qualifying event, qualifying you to re-enroll.
  - Contact Payroll/Benefits prior to your return to initiate this enrollment at [payroll\\_department@boces.monroe.edu](mailto:payroll_department@boces.monroe.edu).
25. If desired, can I switch over to my spouse's health insurance plan?
- You will need to check with your spouse's insurance carrier. Individual insurance companies have rules about when a person can enter a program so the decision would be made by that employer.
26. When can I change health insurance plans within Monroe One?
- Employees are eligible for a change in health insurance plan:
    - a) During the open enrollment period in November of each year; goes into effect January 1
    - b) Within 30 days of a qualifying event (A change in the family structure such as a divorce, marriage, the birth, or placement of a child for adoption or foster care, a death of a covered family member).
  - The key to changing insurance plans is to be prepared and contact the Payroll/Benefits Department ahead of time! This really needs to be investigated prior to the change in family structure.
  - We suggest that you contact Benefit Solver at [www.BenefitSolver.com](http://www.BenefitSolver.com) for the current health insurance comparisons and rates.
27. How do I pay insurance premiums while on leave?

- Prior to the beginning of the leave contact the Payroll/Benefits Department to discuss the amount of your expected premium obligation and billing options. Adjustments are made to cover partial months and any special circumstances.
  - Email Tracy Birge at: *tracy\_birge@boces.monroe.edu* for individualized consultation.
28. If the birth takes place in the summer or during a non-school attendance period, when does the leave begin?
- The period begins and ends when your physician indicates that you are unable/able to work. It does not matter whether school is in session for all or a part of that time. For example, if your baby was born on July 1, you would receive no paid time because the time you are medically unable to work after the birth of a child would take place outside the school year. If, on the other hand, your baby was born the third week in August, you would be entitled to use your sick days to receive some paid leave in September, as the time you are medically unable to work after the birth of a child would still be continuing. FMLA provisions would be initiated at the start of the school year
29. Can an employee whose spouse or domestic partner gave birth take unpaid parental leave?
- Yes, both parents may take up to 12 weeks of unpaid leave for the birth or adoption of a child. Leave must be used within one year of the child's birth or placement.
  - Reference BUP Contract: Article 11, Section 5
  - Refer to checklist
30. Does unpaid leave affect seniority?
- Seniority accrues in a normal manner while on paid leave.
  - Seniority does not accrue while on unpaid leave.
31. Will I be allowed to enroll in Professional Development over the summer if I was on leave the previous year?
- If you are medically cleared and appropriate paperwork has been provided to Payroll/Benefits, you are allowed to enroll in summer PD