



Pasadena Unified School District *Human Resources*

LEAVE MANAGEMENT OVERVIEW:

LEAVE TYPE DEFINITIONS:

- **Sick Leave:** Monthly employees earn 1 day of sick time per month worked. Employee must be in active status for at least 12 days within a month to earn a day of sick leave for that month. Sick time can be accrued these from year to year with no maximum.
 - Classified**
 - **100 Days of Half Pay:** Classified employees receive 100 days of half pay per fiscal year. Unused days of half pay expire on June 30th and a new bank of 100 days of half pay is reinstated July 1st.
 - Certificated**
 - **5 Months of Sub. Differential Pay:** Certificated employees earn 5 months of Sub. Differential pay per injury or illness. District counts 5 months as 100 days of Sub. Differential pay. Sub. Differential pay is the difference between employee average daily wage minus the day rate of a substitute teacher, regardless if a Sub. Teacher is hired to replace the certificated employee or not. It is the responsibility of the employee to notify and provide a physician's certification to the District to indicate a new injury /illness, otherwise it will be assumed it is for the same illness
 - Certificated employees are front loaded their 10 days of sick leave every July 1st.

- **Vacation Leave:** Employees who earn vacation leave can accrue this leave up to maximums listed by policy or contract.

- **Family Medical Leave Act (FMLA):** Federal Family Medical Leave Act provides for 12 weeks of an unpaid, job protected, medical benefit protected, medical leave for employees who have worked for you for at least 12 months, and who in the past year have worked (physically been at work) 1250 hours. Teachers earn 8 hours of work credit for FMLA for each full day they work. All employees must run any and all available paid leaves concurrent with FMLA leave.

- **California Family Rights Act (CFRA):** California's Family Leave Act provides for 12 weeks of an unpaid, job protected, medical benefit protected, medical and baby bonding leave for employees who have worked for at least 12 months, and who in the past year have worked (physically been at work) 1250 hours. Teachers earn 8 hours of work credit for CFRA for each full day they work. Employees must run any and all available paid leaves

concurrent with CFRA leave. CFRA runs concurrent with FMLA for a total leave benefit of 12 weeks EXCEPT in the case of childbirth where Bonding Leave under CFRA runs consecutively.

- **Bonding Leave under CFRA:** California's Family Rights Act allows for parents to take up to 12 weeks of non-disability related leave to care for or bond with a baby during the first 12 months of the baby's life. This is a job protected and medical benefit protected leave. Bonding leave is not available after the baby turns 1-year old. This leave is run concurrently with Education Code Parental Leave.
- **Education Code Parental Leave:** Education provides for up to 12-weeks of paid parental leave to care for a new child. Changes include:
 - Deletes the requirement that an employee must have worked 1,250 hours of service during the previous 12-month period in order to take this leave;
 - Expressly states that this parental leave will run concurrently with leave taken under CFRA
 - Uses sick leave first and sick leave usage reduces the available 12-weeks of half or sub difference pay
 - 12-weeks comes out of the employee's available Leave including differential or half pay, there is not an additional bank of leave.
- **Pregnancy Disability Leave (PDL):** California's Pregnancy Disability Leave allows for a maximum of 17 and 1/3 weeks of an unpaid, job protected, medical benefit protected, medical leave for women disabled due to pregnancy and pregnancy related reasons. Leave may not extend to the full 17 and 1/3 months for women who recover before the period exhausts. There are no eligibility requirements and employees are eligible for this leave after 1 day of employment. Employees must run any and all available paid leaves concurrent with FMLA and PDL leave.
- **Paid Family Leave (PFL):** California has a paid family leave that employees pay into when paying State Disability Insurance premiums. Pasadena Unified School District DOES NOT pay into SDI or PFL. This is not a benefit Pasadena Unified School District employees are eligible for. Many employees will have their doctors or medical offices inform them of this benefit because they are not familiar with public sector employers who typically opt out of this payroll tax due to Sub Difference Pay and 100 days of half pay.
- **Concurrent Use of Paid Leave with FMLA/CFRA & PDL:** All eligible employees taking FMLA/CFRA/PDL leave(s) must concurrently use their available paid leaves in accordance with their Collective Bargaining Agreements. No employee can elect to take an unpaid leave under these Acts if they have available paid leave balances available to them. The order of leave usage is as follows:
 - Full Paid Sick Leave

- Sub Difference or ½ Pay Leave
 - Vacation Leave
 - Other Paid District Leaves
- **Fair Employment and Housing Act (FEHA) & Americans with Disabilities Act (ADA) Reasonable Accommodation Leave:** Unpaid job protected medical leave that can be provided in addition to FMLA/CFRA/PDL leaves. This is an unpaid leave, non-benefitted leave but employees must run their paid leaves concurrent with this leave, if medically needed and afforded. An unpaid reasonable accommodations leave will typically not be afforded past June 30th of each fiscal year.
 - **Medical Benefits and Premium Payments:** During any and all Paid Leaves, FMLA, CFRA and PDL approved Leaves, the employee will be responsible for their portion of any health benefits. The District will continue to make their contribution towards those benefits as long as the employee pays their portion each month. Payments will be due on the 1st of each month the employee is on leave. If an employee receives a paycheck through PUSD their deductions will be taken out as usual. If the employee does not receive a check they will be responsible for making the payment to the benefits office by the due date. Non-payment will result in termination of benefits. The District does not contribute to health benefits for unpaid leaves of absence. Employees on an unpaid leave will be offered continued coverage through COBRA and will be responsible for paying the full cost on any health benefits. COBRA coverage will be offered through a third party, not the District. Payments for COBRA coverage will be made to the third party on the due date indicated in the initial offer paperwork.
 - **Family Dual Leave:** If both parents are employed by Pasadena Unified School District, the leave taken by both cannot exceed 12-weeks for FMLA and 12-weeks for CFRA Bonding leave.
 - **Unpaid Leave of Absence:** Employees can request extended unpaid leaves of absence from the District's Human Resources Department. If granted, this would be a job protected leave.
 - **Covered California / Affordable Care Act:** Employees may want to explore possible coverage options under the Affordable Care Act or through Covered California by contacting them at: www.coveredca.com or telephonically at 800.300.1506.
 - **Consolidated Omnibus Budget Reconciliation Act (COBRA):** Employees who lose health benefit coverage with the District may be eligible to continue their medical benefits for a period of 18-months. The full costs of the medical premiums, plus an administration fee, are paid by the employee. There is no employer contribution.

LEAVE CHARTS
PAID LEAVES RUNNING CONCURRENT WITH FMLA AND OTHER STATE AND
FEDERAL LEAVES:

BIRTH OF A CHILD:

For the **birth of a child**; employees will have their leaves run as follows:

| | | BIRTH OF A CHILD | | | | Bonding Leave Time / Not Disabled | | | |
|-----------------|--------|---------------------------------|----------|----------|-------------------------------------|-------------------------------------|----|----|------|
| | | Disabled Leave Time | | | | | | | |
| | | FMLA - Max 12 Weeks | | | | | | | |
| | | PDL - Max 4 Months if disabled* | | | | CFRA - Max 12 weeks | | | |
| Cert. Class. | Using: | Sick Leave | Sub Diff | | | Sub Diff if any remaining or unpaid | | | |
| | Using: | Sick Leave | 1/2 Pay | Vacation | Sub Diff if any remaining or unpaid | | | | |
| Week # | | 1 | 4 | 8 | 12 | 17.3 | 20 | 24 | 29.3 |

*PDL ends as soon as medically released to work. Once medically released to work, and if not returning to work, employee can request bonding leave for up to 12 weeks. Max leave for all employees under FMLA/CFRA and PDL is 7 months. District medical premium contribution continues during FMLA, CFRA and PDL as long as the employee continues to pay for their portion of the premium during these leave periods. Leave past 7 months may be afforded if additional leave is due to medical incapacity and the District determines that it is reasonable to offer.

PLACEMENT OF A CHILD DUE TO ADOPTION / FOSTER CARE:

For the **placement of a child with employee for adoption or foster care**, employees will have their leaves run as follows:

| | | PLACEMENT OF A CHILD / ADOPTION / FOSTER CARE | | | | Bonding Leave Time / Not Disabled | | | |
|-----------------|--------|---|----------|----------|---------------------------------|-------------------------------------|----|----|--|
| | | Disabled Leave Time | | | | | | | |
| | | FMLA - Max 12 Weeks | | | | CFRA - Max 12 weeks | | | |
| Cert. Class. | Using: | Sick Leave | Sub Diff | | | Sub Diff if any remaining or unpaid | | | |
| | Using: | Sick Leave | 1/2 Pay | Vacation | Unpaid Leave (Can use vacation) | | | | |
| Week # | | 1 | 4 | 8 | 12 | 14 | 16 | 18 | |

EMPLOYEE’S OWN SERIOUS HEALTH CONDITION:

For an employee’s own serious health condition, employees will have their leaves run as follows:

| | | | | | |
|--------|--|------------|----------|--|-------|
| | EMPLOYEE OWN SERIOUS HEALTH CONDITION | | | | |
| | Disabled Leave Time | | | | |
| | FMLA - Max 12 Weeks | | | Reasonable Accommodation Leave | |
| | CFRA - Max 12 weeks | | | | |
| Cert. | Using: | Sick Leave | Sub Diff | Unpaid leave if exhaust all paid leave | |
| Class. | Using: | Sick Leave | 1/2 Pay | Unpaid leave if exhaust all paid leave | |
| Week 1 | 4 | 8 | 12 | Additional | weeks |

CARE FOR EMPLOYEE’S FAMILY MEMBER:

Can be used to care for employee’s spouse, child, parent, domestic partner due to his/her serious health condition. Employees will have their leaves run as follows:

| | | | | | |
|--------|---|------------|----------|--------------------------------|-------|
| | CARE FOR SPOUSE, CHILD, PARENT, DOMESTIC PARTNER’S SERIOUS MEDICAL CONDITION | | | | |
| | Disabled Leave Time | | | | |
| | FMLA - Max 12 Weeks | | | Reasonable Accommodation Leave | |
| | CFRA - Max 12 weeks | | | | |
| Cert. | Using: | Sick Leave | Sub Diff | Unpaid leave | |
| Class. | Using: | Sick Leave | 1/2 Pay | Unpaid leave | |
| Week 1 | 4 | 8 | 12 | Additional | weeks |

MILITARY SERVICEMEMBER CARE LEAVE:

Can be used when a “qualifying exigency” arising out of the fact that employee’s spouse, son/daughter, or parent is on covered active duty or is called to active duty status as a member of the Armed Forces, or in an employee is the spouse, son/daughter, parent, next of kin of a covered service member whom sustains a serious injury or illness while on a deployment; employees will have their leaves run as follows:

| | | | | | |
|--------|---|------------|----------|---|----|
| | EXTIGENCY AND CARE FOR SERVICEMEMBER | | | | |
| | Disabled Leave Time | | | | |
| | FMLA - Max 12 Weeks (extigency) | | | FMLA up to 26 wks for care of Servicemember | |
| | CFRA - Max 12 weeks | | | Reasonable Accommodation Leave | |
| Cert. | Using: | Sick Leave | Sub Diff | Unpaid leave if exhaust all paid leave | |
| Class. | Using: | Sick Leave | 1/2 Pay | Unpaid leave if exhaust all paid leave | |
| Week 1 | 4 | 8 | 12 | 16 | 20 |
| | | | | | 26 |

Chart Note: In addition to FMLA/CFRA and PDL as detailed in the above charts, employees can request additional unpaid, job protected reasonable accommodation leave through the Fair Employment and Housing Act (FEHA) and Title I of the Americans with Disabilities Act (ADA).