

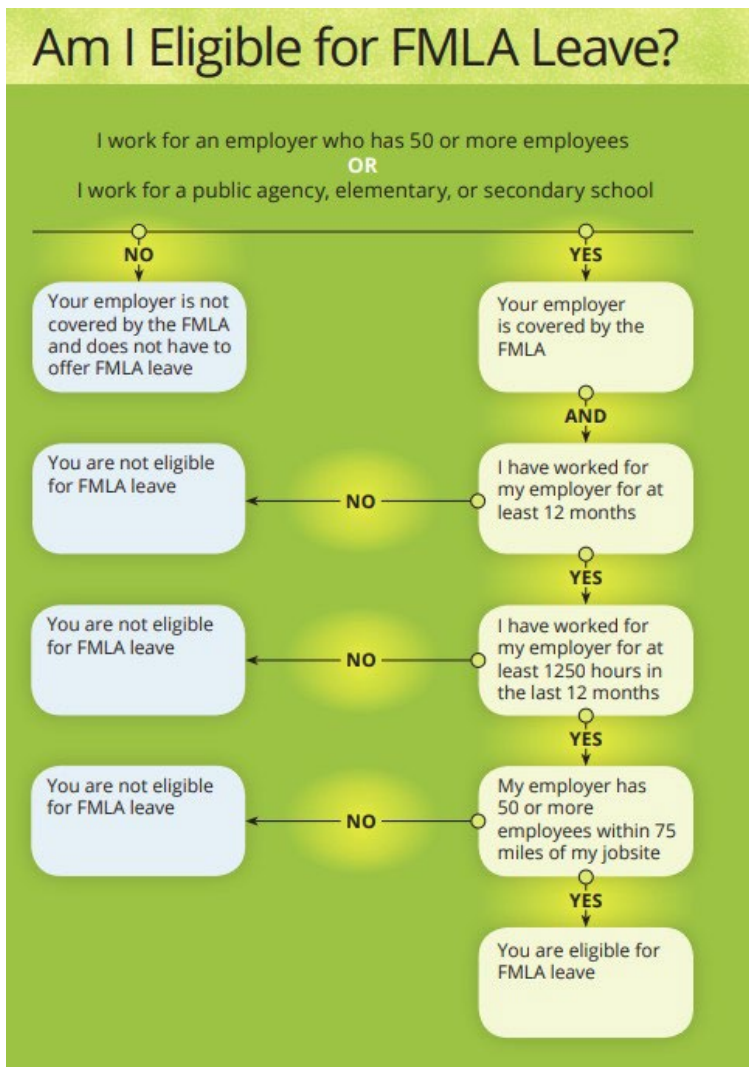
# Maternity/Paternity Leave FAQs

Q: Does Rondout Valley Central School District provide paid Maternity/Paternity Leave?

A: No

Q: What is FMLA?

A: Whether you are unable to work because of your own serious health condition, or because you need to care for your parent, spouse, or child with a serious health condition, the Family Medical Leave Act (FMLA) **provides unpaid, job-protected leave to eligible employees.** Leave may be taken all at once or may be taken intermittently as the medical condition requires. You may take FMLA leave for the birth of a child and to bond with the newborn child, or for the placement of a child for adoption or foster care and to bond with that child. **Men and women have the same right to take FMLA leave to bond with their child, but it must be taken within one year of the child's birth or placement and must be taken as a continuous block of leave. If the newly born or newly placed child has a serious health condition, the employee has the right to take FMLA leave to care for the child intermittently.**



Q: Am I eligible for FMLA?

A: Please see the chart to the left to help you determine your eligibility. The 12-month period for FMLA leave is calculated as a "rolling" 12-month period measured backward from the date of your first FMLA leave usage. For example, if you are pregnant and your baby is due on February 25, 2022, we will determine how many hours you worked in the 12 months prior to that date. If you have not worked 1250 hours in the preceding 12 months, you will not be eligible for FMLA.

Q: When can I use FMLA?

A: You may take FMLA leave to care for your spouse, child or parent who has a serious health condition, or when you are unable to work because of your own serious health condition.

You can take FMLA for pregnancy (including prenatal medical appointments, incapacity due to morning sickness, and medically required bed rest). You may take FMLA leave for the birth of a child and to bond with the newborn child, or for the placement of a child for adoption or foster care and to bond with that child. **Men and women have the same right to take FMLA leave to bond**

**with their child, but it must be taken within one year of the child's birth or placement and must be taken as a continuous block of leave. If the newly born or newly placed child has a serious health condition, the employee has the right to take FMLA leave to care for the child intermittently.**

Q: What can the FMLA do for me?

A: (1) Provides up to 12 weeks of unpaid, job-protected time off.

(2) Allows you to continue your health insurance as if you were not on leave, making the same contribution (equal to your payroll deduction) that you contribute when working.

(3) Protects you so that:

(A) you return to the same job or one nearly identical.

(B) your time off may not be held against you in employment actions such as hiring, promotions or discipline.

Q: Does FMLA leave have to be taken in a single block?

A: You can take FMLA for pregnancy (including prenatal medical appointments, incapacity due to morning sickness, and medically required bed rest). You may take FMLA leave for the birth of a child and to bond with the newborn child, or for the placement of a child for adoption or foster care and to bond with that child. **Men and women have the same right to take FMLA leave to bond with their child, but it must be taken within one year of the child's birth or placement and must be taken as a continuous block of leave. If the newly born or newly placed child has a serious health condition, the employee has the right to take FMLA leave to care for the child intermittently.**

Q: Is FMLA paid time off?

A: No. However, if you have sick time, vacation time, personal time, etc., saved up you may use that leave time, along with your FMLA leave so that you continue to get paid. Following NYS Disability regulations, you could use up to 6 weeks of your accrued sick leave concurrently with FMLA after giving birth, eight weeks if you delivered by cesarian section.

---

**Important Note:** NYS Paid Family Leave is not the same as federally regulated FMLA. NY Paid Family Leave is primarily applicable to private employers. It's only available to public employees if the public employer voluntarily opts in. A union may collectively bargain with a public employer to provide NYS Paid Family Leave benefits to represented employees.



FMLA leave for the birth of a child

1. The FMLA train and the accrued (paid) leave train depart the station on the first day that you are out for the purpose of FMLA.
  - a. After childbirth you can take \*6 weeks of your accrued paid time, concurrently with FMLA. After 6 weeks, the accrued paid time train stops, the FMLA train continues for 6 more weeks.
  - b. If you deliver by cesarian section, you can take \*8 weeks of your accrued paid time, concurrently with FMLA. After 8 weeks, the accrued paid time train stops, the FMLA train continues for 4 more weeks.

The allowance of \*6 weeks or \*8 weeks of accrued sick time usage falls in line with NYS Disability Regulations.

Q: How do I request FMLA Leave?

A: Call the Personnel Office, x4100 or email [naurietta@rondout.k12.ny.us](mailto:naurietta@rondout.k12.ny.us) to advise of your situation, preferably with at least 60 days advance notice. When you need FMLA leave unexpectedly (for example, if a family member is injured in an accident), please make contact as soon as you can. All information provided is held in the strictest of confidence.

#### The FMLA Leave Process simplified:

1. Notify the Personnel Office (x4100 or [nauriemma@rondout.k12.ny.us](mailto:nauriemma@rondout.k12.ny.us)) with as much notice as possible when you know you need leave, at least 60 days prior is preferable.
2. Within 5 business days you will receive notification pertaining to your eligibility. If you are not eligible for FMLA you will be told why. You can still request leave, but the leave is not FMLA protected. You may request FMLA leave again in the future as eligibility can change.
3. If eligible, you will receive the FMLA Rights and Responsibilities as well as a request for medical certification.
4. You must provide the completed medical certification to the Personnel Office by the date indicated, typically 15 days from receipt. You are responsible for getting the certification from a health care provider and for making sure that the certification is provided to the Personnel Office. If you fail to provide the requested medical certification, your FMLA leave may be delayed and/or denied.

#### Miscellaneous Information

1. When a holiday falls during a week in which an employee is taking the full week of FMLA leave, the entire week is counted as FMLA leave. However, when a holiday falls during a week when an employee is taking less than the full week of FMLA leave, the holiday is not counted as FMLA leave, unless the employee was scheduled and expected to work on the holiday and used FMLA leave for that day.
2. FMLA leave may be taken in periods of whole weeks, single days, hours, and in some cases even less than an hour. The employer must allow employees to use FMLA leave in the smallest increment of time the employer allows for the use of other forms of leave. A half day is the smallest increment of time for RVF units, except for the clerical unit.
3. Time that an employee is not scheduled to report for work may not be counted as FMLA leave.
4. When you are on payroll, your contribution to your health benefits is deducted (see your paystub). Once you are off payroll you will be required to make a manual contribution for your health benefits. When your time is designated as FMLA, the manual contribution remains the same as the amount that is deducted (equal to your payroll deduction). Please contact Kim McEvoy at x4812 with any questions on benefits while on leave, adding a new child to your benefits, and to plan for your manual payments.
5. Employees should refer to their contracts for information pertaining to extended unpaid leave options for child rearing.

#### Situational information

1. I am a new employee who is likely not eligible for FMLA. (I've worked for the district for less than 1 year and/or I haven't worked at least 1250 hours in the preceding 12 months)
  - a. Please submit a letter requesting an unpaid leave of absence to the Human Resources Office or email to [nauriemma@rondout.k12.ny.us](mailto:nauriemma@rondout.k12.ny.us).
2. I am employee with little or no sick time and have been employed by the district for more than 1 year.
  - a. FMLA is job protected, unpaid time.
  - b. FMLA will benefit you by allowing you to continue your health insurance as if you were not on leave, making the same contribution (equal to your payroll deduction) that you contribute when working; Please speak with Kim McEvoy at x4812 or email her at [kmcevoy@rondout.k12.ny.us](mailto:kmcevoy@rondout.k12.ny.us) to discuss how to make your contribution to your benefits while on unpaid leave.

- c. Please submit a letter requesting an unpaid leave of absence to the Human Resources Office or email to [nauriemma@rondout.k12.ny.us](mailto:nauriemma@rondout.k12.ny.us).
  - d. You can use your accrued sick time concurrently with FMLA or before FMLA begins. Remember that FMLA is not paid time.
3. I'm an employee with a lot of sick time
- a. FMLA is job protected, unpaid time.
  - b. FMLA will benefit you by allowing you to continue your health insurance as if you were not on leave, making the same contribution (equal to your payroll deduction) that you contribute when working; Please speak with Kim McEvoy at x4812 or email her at [kmcevoy@rondout.k12.ny.us](mailto:kmcevoy@rondout.k12.ny.us) to discuss how to make your contribution to your benefits while on unpaid leave.
  - c. You will be able to use 6 weeks of your accrued sick time (8 weeks if you delivered by cesarean section), concurrently with your FMLA or since FMLA for pregnancy must be taken within one year of the child's birth or placement and must be taken as a continuous block of leave, you could take your sick time (6 or 8 weeks depending on your situation) first and take your 12 weeks of unpaid FMLA leave at a later date within the year.
  - d. Please submit a letter requesting an unpaid leave of absence to the Human Resources Office or email to [nauriemma@rondout.k12.ny.us](mailto:nauriemma@rondout.k12.ny.us).

Your letter to the Board of Education requesting an unpaid leave should look something like this:

*Attention Rondout Valley CSD Board of Education:*

*Due to the impending birth of my child, I am requesting an unpaid leave of absence to begin on or about (enter the date). I anticipate returning to work on (enter the date).*

*Sincerely,*

---

Regardless of your situation, you should be aware of Family Leave Day Donation.

To be eligible for Family Leave Day Donation, a unit member shall be an active member of the Sick Bank, as set forth in the paraprofessional's unit (Article 4.8), the clerical unit (Article 6.8E), the teacher's unit (Article 13.2 E).

Members of these units shall be permitted to contribute accumulated sick days to any unit member (in their unit) who has exhausted his or her sick leave so that members can use donated sick days to care for an immediate family member. Donated sick days shall not exceed twenty (20) days for the recipient, and ten (10) days for the donor. A unit member shall be eligible for this benefit for no more than two consecutive years. Contributed sick days shall not be carried over from one school year to the next and may not be returned to the donor. The Sick Bank Board shall review all requests for such days, and shall require supporting medical documentation establishing that:

1. A member of the immediate family has suffered a catastrophic illness, injury, or disability such as long-term cancer treatment, heart attack, etc. and which normally require hospitalization or long-term recuperation, and/or
2. A unit member has experienced the birth or adoption of a child.

The Sick Bank Board shall have the authority to convert such sick days to family sick days. Once a unit member is granted a family leave day a unit member shall be ineligible for withdrawing from sick bank membership in the future.

### Supplemental Insurance

[The NYSUT Member Benefits Trust](#) endorses a number of quality, competitive insurance programs that are available to NYSUT members. Some of these programs are also available to or cover spouses/domestic partners of members, dependent children, dependent parents, and grandparents.

[American Federation of Teachers](#) offers [Disability Income Insurance](#) (underwritten by Metropolitan Life Insurance Company, New York, NY) that can help you protect your income in case a covered accident or illness keeps you from working. Pregnancy is covered as any other disability.