



Department of Human Resources

# Medical Leave Program

City and County of San Francisco

Equal Employment Opportunity Division



**Babies, Bonding, and Benefits - Brown Bag Sessions**  
*Answering Employee Questions About Leaves,  
Wage Replacement Options, and City Policies*

# Welcome!

*What will we cover today?*

- **How is my job protected while I am on...**
  - Pregnancy leave
  - Child-bonding leave
- **How do I get paid while I am on...**
  - Pregnancy leave
  - Child-bonding leave
- **What happens when I return to work?**
  - Lactation Policy
  - Civil Service Rules
  - Family-Friendly Workplace Ordinance
- **And Other Who, How, and What ifs....**

- Job Protected Leave
- Wage Replacement Benefit

These are separate entitlements

# What is a “*Protected Leave*?”

Job “protected leave” is an unpaid leave of absence. If you qualify, your job is “protected” and you have a right to return to your job or an equivalent job.

**PROTECTED LEAVE IS AN ENTITLEMENT!!!**

*Is my job protected if I cannot work during my pregnancy?*



# YES!

*Pregnancy Disability Leave  
(PDL)*

# Pregnancy Disability Leave (PDL)

## What Is It?

- Up to **17-1/3 weeks** of unpaid, job-protected leave per pregnancy if you are unable to perform your job without undue risk to yourself, others, or the pregnancy.
  - For example preeclampsia, hypertension, and bed rest
  - Also covers prenatal doctor appointments, fertility treatments, and morning sickness
  - Also covers childbirth and related medical conditions, such as post-partum depression
- Continuous or as-needed leave, or as a reduced work schedule (for example: 15 hours per week).
- Requires you provide advanced notice to your supervisor if possible.

# Pregnancy Disability Leave (PDL)

## Who Is Eligible?

- Employees unable to work due to pregnancy-related conditions

**YOU ARE ELIGIBLE FOR PDL ON YOUR FIRST DAY OF WORK!**

## Helpful Tip

Your doctor or midwife will usually certify you for:

- 4 weeks of PDL before delivery; and
- 6 to 8 weeks of PDL after childbirth.



*Is my job protected if I take time off  
to bond with my child?*



*California Family Rights Act  
(CFRA)*

# California Family Rights Act (CFRA)

## What Is It?

- **12 workweeks** of unpaid, job-protected leave for child-bonding.
  - Applies to childbirth, adoption and foster care placement.
  - Must be taken within the first 12 months of child's arrival.
- Continuous or as-needed leave, or as a reduced work schedule.

# California Family Rights Act (CFRA)

## Who Is Eligible?

- Employees who have:
  - worked for the City for at least 12 months (need not be continuous); **AND**
  - worked at least 1,250 hours during the last 12 months.

## Need More Time?

If you already used all of your CFRA leave in the past 12 months, or you want to take more than 12 weeks to bond with your new child, you may be able to take **Family Care Leave**.

- Not a job protected leave, it is an unpaid leave offered by the City.
- At the discretion of the appointing officer.
- Eligibility = Worked for the City for at least 1 year.



**KEEP  
CALM  
AND  
ASK  
QUESTIONS**

# What is a “*Wage Replacement Benefit?*”

A “wage replacement benefit” is a benefit that replaces part or all of the wages you lose while on an unpaid leave.

These benefits are provided by the City and California’s State Disability Insurance (SDI) Program.

# Accrued Leave Pay

- Sick Pay
- Vacation Pay
- Floating Holidays
- Compensatory Time Off

# Other Ways to Get Paid

	State Disability Insurance (SDI)	Paid Parental Leave (PPL Pay)	Paid Family Leave (PFL Pay)
Eligibility Criteria:	Pay into SDI fund	6 months of service & work minimum of 20 hours per week	Pay into SDI fund
Payable If:	Disabled by pregnancy or child-birth	Disabled by pregnancy or on child-bonding leave	On child-bonding leave
Duration of Pay:	Up to 52 weeks, after 1-week waiting period	12 weeks non-birth parent 16 weeks birth parent	6 weeks, after 1-week waiting period



# Quick and Easy

- **If you have worked for the City for at least one year, and you give birth, you will at least be entitled to:**
  - 4 weeks of job protected leave **before** childbirth;
  - 18 weeks of job protected leave **after** childbirth; and
  - 16 weeks of full base salary either before **or** after childbirth.
- **You may be entitled to:**
  - Additional job protected leave
  - Additional pay

# Quick and Easy

- **If you have worked for the City for less than one year, or already used your 12 weeks of CFRA leave in the past 12 months:**
  - You will still be entitled to job protected leave during pregnancy and for 6 to 8 weeks after childbirth or for as long as disabled by childbirth.
  - You can use sick pay, or any other accrued leave pay and collect **SDI** and **PFL** pay, if eligible. You may also be eligible for **PPL** pay.
- **If you have worked for the City for at least one year, and you are a non-birth parent or guardian, you will be entitled to:**
  - 12 weeks of job protected leave to bond with your new child; and
  - 12 weeks of full base salary during that that leave.

*How can I get paid if I take leave while pregnant?*



# Wage Replacement Options while on PDL

- **Accrued Leave Pay:** During **PDL**, you **must** use your sick pay. You **may** use your vacation pay, floating holidays, or comp time.
- If eligible, you may receive:
- **State Disability Insurance Benefits (SDI pay).**
- **Paid Parental Leave (PPL pay).**

*State Disability Insurance  
(SDI pay)*

# State Disability Insurance (SDI pay)

## What Is It?

California provides you with 55% of your weekly wages if you are **disabled by pregnancy and/or childbirth**.

- If you qualify for **PDL**, you will qualify for **SDI**.

## Who Is Eligible?

- Employees who pay into **SDI** fund – most City employees.
  - *Check your paystub.*

*How can I get paid if I take  
child bonding leave?*



# Accrued Leave Pay

- You can use your accrued Sick Pay, Vacation Pay, Floating Holidays, and Compensatory Time Off to receive pay while bonding with a new child.
- *If you do not have any accruals or do not have enough to cover your bonding leave.....*



*Paid Parental Leave  
(PPL Pay)*

# Paid Parental Leave (PPL Pay)

## What Is It?

A wage replacement benefit, that ensures :

- you will receive your full base salary for 12 workweeks while bonding with a new child;
- or 16 workweeks if you are a birth parent. You can receive **PPL** pay either during your pregnancy disability leave (PDL) and/or during your child bonding leave (CFRA).
- **GENERAL RULE: THE CITY WILL NOT PAY YOU MORE THAN 12 or 16 WEEKS WHILE ON PDL OR CFRA BONDING LEAVE.**

# Understanding PPL Pay

Paco is approved for 12 weeks of CFRA leave and 3 weeks of Family Care Leave to bond with his new child. He wants to use his 3 weeks of vacation pay **and** get 12 weeks of PPL pay, so he is paid for all 15 weeks of his leave. Can he?

**NO**

Remember, PPL pay only *supplements* your accrued leave pay to provide you with 12 or 16 weeks of paid leave.

# Understanding PPL Pay

Nicole used up her 8 weeks of sick pay and vacation pay before she gave birth, when she was on PDL.

With no accrued pay left, how many weeks of PPL pay can Nicole receive after she gives birth?

**8 WEEKS**

# Understanding PPL Pay

Morgan has worked for the City for a long time, and she saved 17 weeks of accrued leave pay.

Morgan takes 2 weeks off during pregnancy and 16 weeks off after giving birth. How much PPL pay will she receive?

**NONE.**

**PPL never comes into play.....**

# Paid Parental Leave (PPL Pay)

- You can keep 40 hours of sick pay.
- PPL pay can be supplemented with **SDI** and **PFL** pay, **but remember** that you will not receive more than 100% of your base pay.
- **PPL** pay must be repaid if you voluntarily separate during your leave or within six months of returning to work.

## Who Is Eligible?

All permanent, provisional, and exempt employees who:

- work at least 20 hours per week and completed 6 mos. of continuous service; **AND**
- “as needed” employees who have worked 1,040 hours in the 12 months prior to the leave and average at least a 20 hour workweek.

# Paid Family Leave (PFL pay)

## What Is It?

California provides 55% of weekly wages for up to 6 weeks for employees following the birth, adoption, or foster care placement of a child.

- As of January 1, 2018 will increase to 70% if <\$108,000, 60% if >\$108,000.
- One week waiting period – but you can use your **Vacation Pay** during that one week.
  - One week waiting period to stop on January 1, 2018.

## Who Is Eligible?

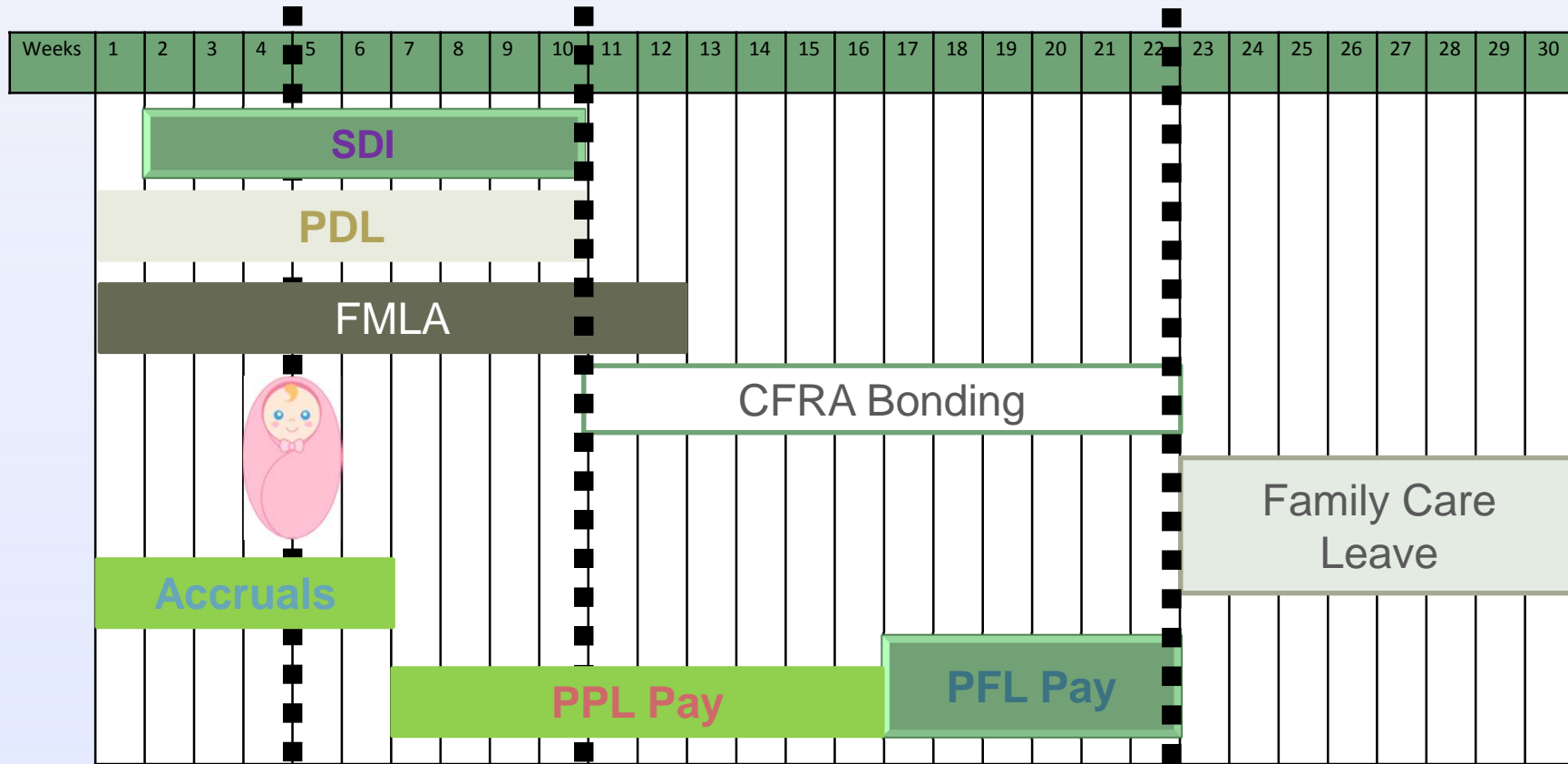
Employees who pay into **SDI** fund.

## Additional Information

- Can be received continuously or as needed, but must use within 12 months of the child's arrival.

# *“Normal” Pregnancy Leaves and Wage Replacements*

Birth at 4 weeks



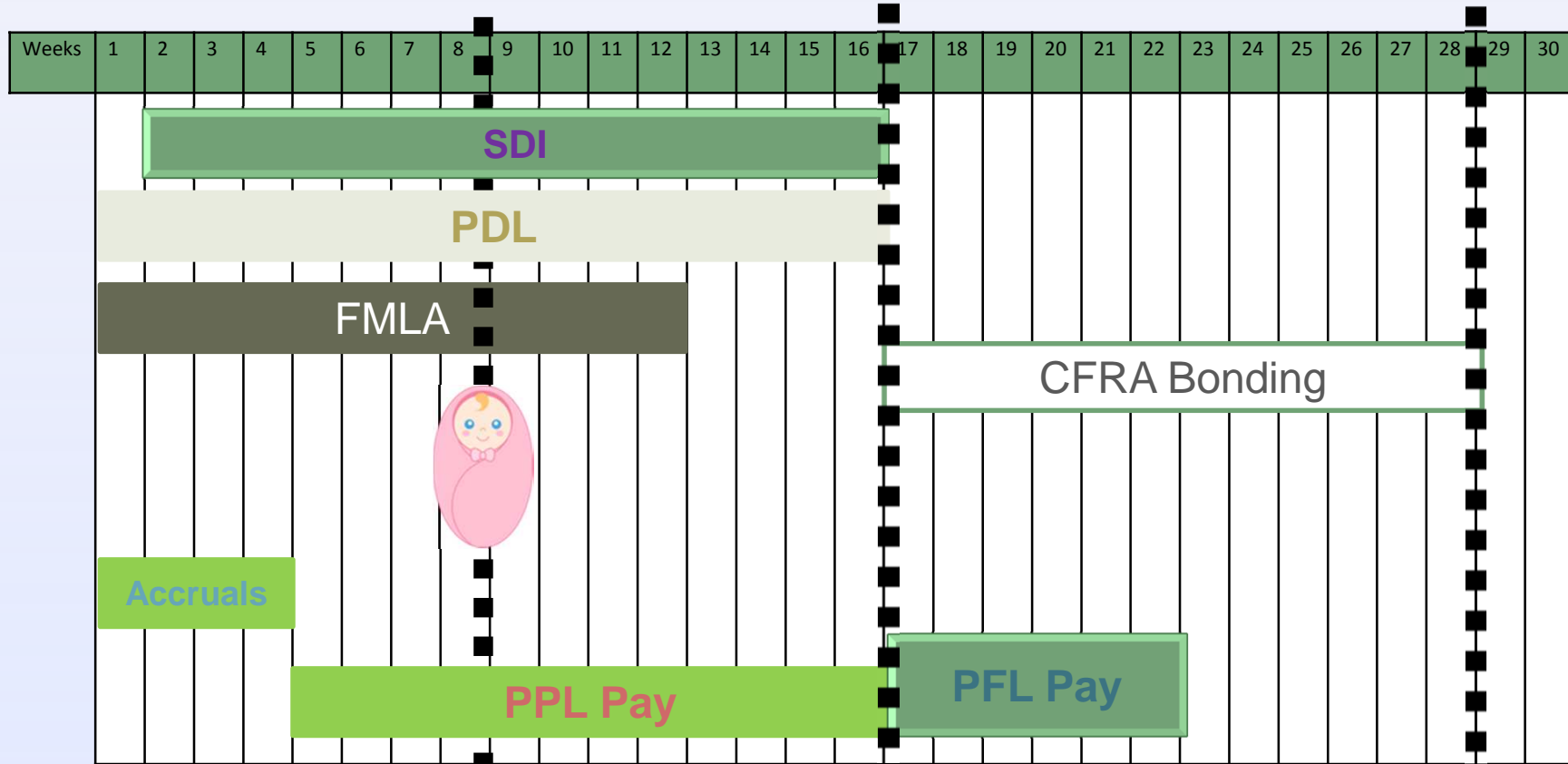
At 6 weeks post-delivery EE is no longer disabled

At 18 weeks post-delivery EE exhausted job protection



# Difficult Pregnancy Leaves and Wage Replacements

Birth at 9 weeks

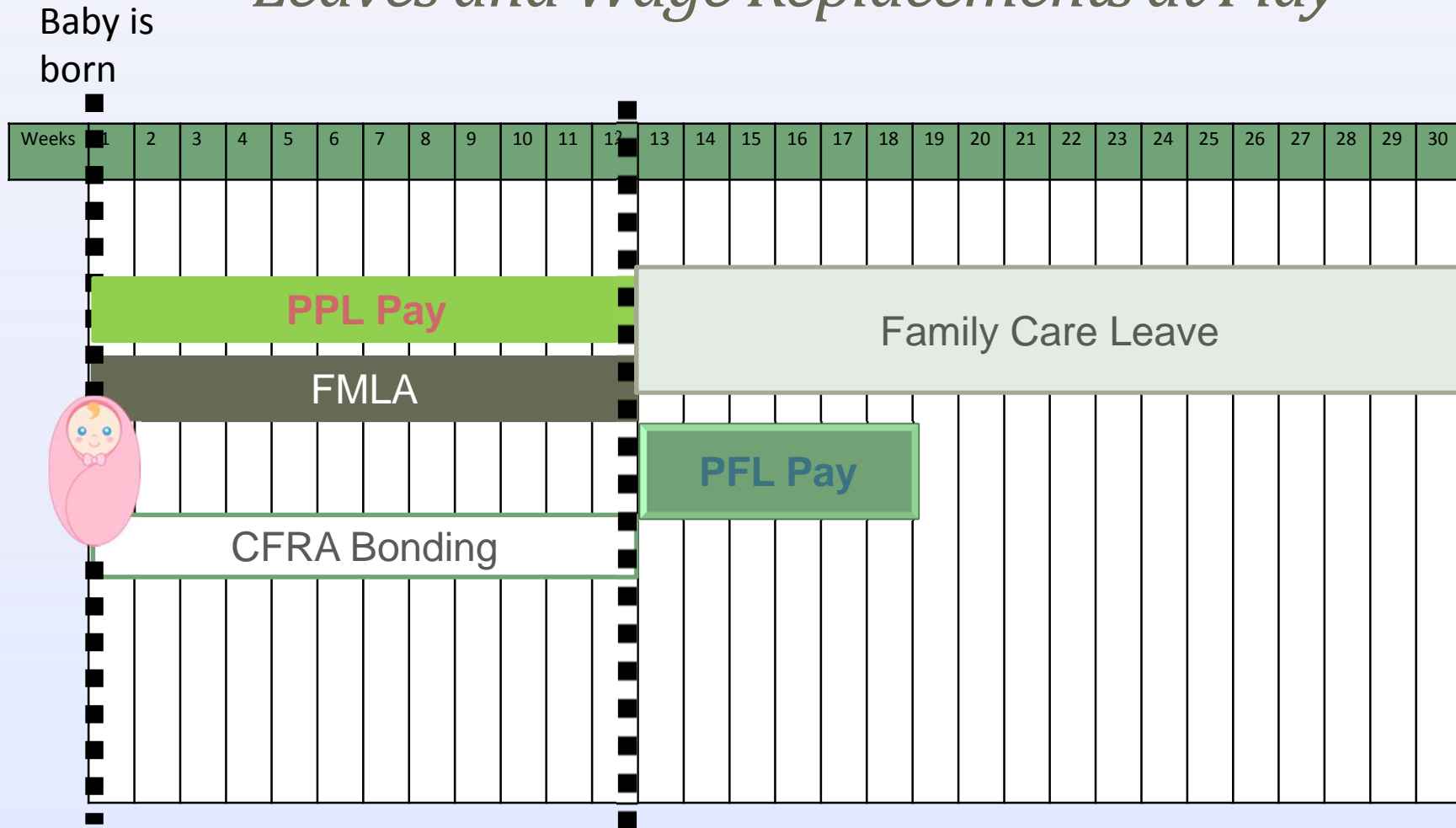


EE on bedrest for 8 weeks pre-delivery

At 16 weeks EE is no longer disabled

At 28 weeks EE is out of job protections

# Non-Birth Parent Leaves and Wage Replacements at Play



At 12 weeks  
EE is out of job  
protections

# *What happens when I return to work?*



# Returning to Work

## **Lactation Policy**

## **Civil Service Rules**

- Allows you to use sick leave to care for a child, if you are a parent, legal guardian, or someone who provides care for a child (in loco parentis).

## **Family Friendly Workplace Ordinance**

- Allows you to request a flexible or predictable working arrangement to assist with caregiving responsibilities.
  - Example: reduced scheduled, work location

## **The Family-School Partnership Act**

- Allows you to take up to 40 hours of unpaid leave each year to participate in child care/ school related activities or to address child care provider/ school emergency.

# Lactation Policy

- Departments must provide you with reasonable lactation breaks up to one year after your child's birth.
  - You are entitled to use regular paid breaks, meal periods and unpaid break time to express milk.
  - After the child's first year, Departments should continue to provide reasonable lactation breaks if feasible.
- Complete and return the "Request for Lactation Accommodation" form as soon as possible and no later than 10 business days before returning from child-bonding leave.
  - The form can be found on the DHR website under Resources > Forms and Documents.
- The Department Personnel Officer will discuss any impact on workload and/or work schedule with you and your manager.

# Lactation Policy

- Departments must provide a space for lactation that is not a bathroom.
- Departments are encouraged, but not required to provide amenities, such as: a comfortable chair, a refrigerator, a sink.
- If more than one employee needs the space, Department must create a scheduling system to ensure all employees have access.
- If you work offsite or in the field: DHR's website lists designated lactation rooms in City buildings.

# Related Health Benefits

## Contact Health Service System (HSS)

- All three health plans (Kaiser Permanente, Blue Shield, and United Healthcare) offer pregnancy support programs and a breast pump at no charge.
- Your dental insurance may cover additional teeth cleaning during pregnancy.
- Remember to enroll your in health benefits child within 30 days of birth.
- Save on healthcare and childcare expenditures with a pre-tax Flexible Spending Accounts: You can update these when you enroll a new child.
- You are responsible for paying your share of insurance premium costs to HSS during any period that you are not receiving pay from the City when on a leave of absence.
  - If you exhaust your **accrued leave pay** and **PPL** pay, and take unpaid child bonding leave, make sure to contact HSS.

# Useful Links

## DHR Website Main Website:

- <http://sfdhr.org/>

## DHR Forms (Request for leave, PPL, FFWO, Lactation):

- <http://sfdhr.org/forms-and-documents>

## SDI and PFL Information:

- [http://www.edd.ca.gov/File\\_and\\_Manage\\_a\\_Claim.htm](http://www.edd.ca.gov/File_and_Manage_a_Claim.htm)

## HSS Pregnancy and Lactation Health Benefits

- [http://myhss.org/well-being/downloads/2017\\_PregnancySupport\\_Flyer.pdf](http://myhss.org/well-being/downloads/2017_PregnancySupport_Flyer.pdf)



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