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Leave of Absence Policy

I. PURPOSE:

The City of Galt (City) is required to comply with the Family and Medical Leave Act (FMLA) of 1993, the California Family Rights Act (CFRA), the National Defense Authorization Act of 2008 (NDAA), the California Pregnancy Disability Leave Act (PDL), and California Reproductive Loss Leave (RLL). The FMLA/CFRA/PDL/RLL leaves are unpaid, and provide employment protection to qualified employees who take leave for qualified family or medical conditions.

II. DEFINITIONS:

1. **Family and Medical Leave Act of 1993 (FMLA):** United States federal law requiring covered employers to provide employees job-protected and unpaid leave for qualified medical and family reasons. Qualified medical and family reasons include: personal serious health condition, need to care for a covered family member with a serious health condition, family military leave, pregnancy, adoption, or the foster care placement of a child. Covered family members include: spouse, child or parent. Eligible employees include those who have 12 or more months of continuous service and who have accumulated at least 1,250 hours of service in the previous 12 consecutive month period prior to the start date of FMLA.

2. **California Family Rights Act (CFRA):** State law that was enacted similar to the Family and Medical Leave Act of 1993, and amended effective January 1, 2021. Qualified medical and family reasons include: personal serious health condition and covered family member's serious health condition. Covered family members include: spouse, child, parent, parent-in-law, registered domestic partners, grandparents, grandchildren, siblings, and a "designated person." In order to claim CFRA for a domestic partner, a couple must have previously filed a Declaration of Domestic Partnership with the California Secretary of State. Eligible employees include those who have worked for at least 12 months of service (can be nonconsecutive work over a 7-year period, except that any military leave time while employed counts towards the 12 months of service); and worked at least 1,250 hours in the 12-month period prior to the start date of CFRA.

3. **Pregnancy Disability Leave (PDL):** Under California's Pregnancy Disability Leave Law, employers with five or more employees are required to allow eligible employees up to four months (the working days an employee normally would work in one-third of a year or

seventeen and one-third (17 1/3) weeks) leave if considered disabled by pregnancy, childbirth or conditions related to pregnancy.

4. **Reproductive Loss Leave (RLL):** State law was enacted effective January 1, 2024, pursuant to Senate Bill 848, updating California Government Code Section 12945.6 to provide unpaid reproductive loss leave. However, an employee can use existing leave accruals as otherwise available. Employees may qualify for this leave under specified circumstances such as a failed adoption, failed surrogacy, miscarriage event, stillbirth or unsuccessful assisted reproduction event. An employee is eligible after at least 30 days of employment. Reproductive loss leave must be taken within three (3) months of the reproductive loss event or after the expiration of any other state or federal protected leave. An eligible employee is entitled to five (5) days of leave per event up to a maximum of 20 days of reproductive loss leave within a 12-month period. Leave can be taken nonconsecutively per event. Depending on an individual's personal medical condition, he/she may qualify for CFRA/FMLA/PDL, dependent upon on medical health certification. If prior to or immediately following a reproductive loss event, an employee is on or chooses to go on leave under another leave entitlement (e.g. PDL, CFRA, FMLA), then the employee may complete their reproductive loss leave within three months of the end of the other leave.

5. **National Defense Authorization Act of 2008 (NDAA):** FMLA leave entitlements for "FMLA-eligible employees", **(1) Qualifying Exigency Leave, and (2) Military Caregiver Leave.**

6. **Qualifying Exigency Leave under CFRA**: Effective January 1, 2021. CFRA allows for qualifying exigency related to the covered active duty or call to covered active duty of an employee's spouse, registered domestic partner, child, or parent in the United States Armed Forces.

7. **Employment Protection:** Upon returning from leave authorized by this Policy, placing an employee in the same position or a position that has the same or similar duties and pay and that can be performed at the same or similar geographic location as the position held prior to the leave. Reinstatement may be denied where the employee's employment would have otherwise ceased or been modified independent from protected leave.

8. **Qualified Family or Medical Condition:** (A) The birth of a child of the employee, the placement of a child with the employee in connection with the adoption or foster care of the child by the employee; (B) Care given by the employee to a covered family member who has a serious health condition; (C) Tending to the employee's own serious health condition which makes the employee unable to perform the functions of his/her position; (D) Leave for Qualifying Exigency arising out of the fact that the employee's spouse, registered domestic partner, child, or parent is a covered military member on active duty; or (E) Covered Servicemember Leave is provided to care for a servicemember with a serious injury or illness.

9. **Serious Injury or Illness:** An illness, injury, impairment or physical or mental condition that involves inpatient care or continuing treatment by a health care provider.

10. **Authorized Health Care Provider:** A physician, surgeon, nurse practitioner, nurse midwife, or other person capable of providing health care services. This definition includes: podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (related to spinal manipulation). These professionals must be performing "within the scope of their practice as defined under state law." The City reserves the right to accept health care certification only from those listed under 29 CFR section 825.125.

11. **Baby Bonding:** Leave for an employee,either male or female, to bond with his/her own child or with his/her adopted or foster child. All leave for baby bonding must conclude within one year of the birth of the child, or one year from the date a child under the age of 18 was placed with the employee for adoption or foster care. Under CFRA, when both parents work for the same employer, each eligible employee is entitled to up to 12 weeks of baby bonding leave.

12. **Employee's Parent:** A biological parent or an individual who stands or stood in “loco parentis” to an employee when the employee was a child. Under CFRA, a parent may encompass not only biological relationships, but also adoptive, foster, parent-in-law, stepparent, guardian and legal ward relationships.

13. **Employee’s Grandparent:** A parent of the employee’s parent. See parent definitions above under item II. 12.

14. **Employee's Child:** A biological, adoptive, foster, or stepchild, or a legal ward of the employee. A child of a person standing in “loco parentis” who is under the age of 18, or 18 and older and incapable of self-care because of a mental or physical disability. Under CFRA, an adult child is covered, and a child may encompass not only biological relationships, but also adoptive, foster, stepchild, child of a registered domestic partner, guardian and legal ward relationships.

15. **Employee’s Grandchild:** A child of the employee’s child. See child definitions above under item II. 14.

16. **Employee's Spouse/Domestic Partner:** California Code of Regulations, section 11087(s) defines a spouse as a partner in marriage as defined in Family Code section 300, which includes a registered marriage certificate. Under CFRA, registered domestic partners are covered as defined in Section 297 of the Family Code, and must have registered their relationship with the California Secretary of State.

17. **Employee’s Sibling:** A person related to another person by blood, adoption, or affinity through a common legal or biological parent.

18. **Designated Person:** Any individual related by blood or whose association with the employee is the equivalent of a family relationship.

19. **Single 12-month Period (for military caregiver leave):** Begins the first day the eligible employee takes leave and ends 12 months after that date, regardless of the method used by the employer to determine the employee’s 12 workweeks of leave entitlement for other FMLA-qualifying reasons.

20. **12-month Period:** Means a rolling twelve (12) month period measured backward from the date leave is taken and continuous with each additional leave day taken.

21. **Qualifying Exigency Leave:** The need for leave arising because the spouse, registered domestic partner (CFRA only), child, or parent of an employee is on active duty, or has been notified of an impending call to active duty status. Qualifying Exigency reasons are those listed under California Unemployment Insurance Code section 3302.2.

22. **Military Caregiver Leave:** Such leave may be taken by an eligible employee to care for a covered service member with a serious injury or illness.

23. **Covered Military Member:** The employee's parent, spouse, son, daughter (includes biological, adopted, foster, stepchild or legal guardianship of child), who is on active duty or call to active duty status.

24. **Covered Service Member:** Current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty.

III. POLICY:

As provided by the Federal Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA), all eligible employees are entitled to take up to 12 weeks (or up to 26 weeks of military caregiver leave under FMLA to care for a covered service member with a serious injury or illness) of unpaid, job protected leave during a 12-month period for specified family and medical reasons.

Employees are also entitled to Pregnancy Disability Leave (PDL) if disabled by pregnancy, childbirth, or a related medical condition. Employees may take up to four months (the working days an employee normally would work in one-third of a year or seventeen and one-third (17 1/3) weeks) of PDL, depending upon the period(s) of actual disability, and FMLA and PDL will run concurrently. Following the period of disability, employees may also be entitled to additional leave under the CFRA for "bonding" with a child.

IV. ELIBILITY FOR LEAVE

A. FMLA:

An employee who has 12 or more months of continuous service and who has accumulated at least 1,250 hours of service in the previous 12 consecutive month period qualifies for FMLA/CFRA. Employees are eligible for PDL upon hire.

The employee is employed at a work site where there are 50 or more employees within a 75 mile radius.

B. CFRA

An employee who has worked for at least 12 months of service (can be nonconsecutive work over a 7-year period, except that any military leave time while employed counts towards the 12 months of service); and worked at least 1,250 hours in the 12-month period prior to the start date of CFRA.

The employer has five or more employees.

C. PDL

There is no waiting period or length of service requirement for employee eligibility. The employee's health care provider determines the length of the disability period.

The employer has five or more employees.

V. REASONS FOR FMLA AND CFRA:

A. FMLA - An employee may take FMLA for one or more of the following reasons:

- The birth of a child of the employee;
- The placement of a child with the employee in connection with the adoption or foster care of the child by the employee;
- Care given by the employee to a parent, spouse, or child who has a serious health condition;
- Tending to the employee's own serious health condition which makes the employee unable to perform the functions of his/her position (under CFRA, pregnancy excluded-see PDL);
- Leave for Qualifying Exigency arising out of the fact that the employee's spouse, child, or parent is a covered military member on active duty; or
- Covered Servicemember Leave is provided to care for a servicemember with a serious injury or illness.

B. CFRA - In addition to the above reasons listed above under FMLA (Item V.A.), an employee may take CFRA for the following reasons:

- Leave to care for a registered domestic partner with a serious health condition;
- Leave to care for a grandparent, grandchild or sibling with a serious health condition.
- Leave to care for a "designated person" with a serious health condition; limited to one designated person per 12-month period.

VI. FMLA AND CFRA ENTITLEMENTS

Eligible employees are entitled to a total of 12 workweeks (or 26 workweeks during a Single 12-month period to care for an injured service member) of leave during any 12-month period.

A. Minimum Duration of Leave

a. If leave is requested for the birth, adoption or foster care placement of a child of the employee, the leave must be concluded within one year of the birth or placement of the child. The basic minimum duration of such leave is two weeks. However an employee is entitled to leave for one of these purposes (e.g., bonding with a newborn) for a duration of less than two weeks, on any two occasions.

b. If leave is requested to care for a covered family member with a serious health condition or for the employee's own serious health condition, there is no minimum amount of leave that must be taken. However, the notice and medical certification provisions of this policy must be followed.

B. Both Parents Employed by the City of Galt

a. As amended under CFRA effective January 1, 2021, if both parents work for the City, each are entitled to take 12 weeks of baby bonding leave under CFRA. Under FMLA, if both parents work for the City, they are entitled to a combined total of 12 weeks of leave under FMLA.

b. In any case in which a husband and wife both employed by the City are entitled to leave, the aggregate number of workweeks of leave to which both may be entitled may be limited to 26 workweeks during any Single 12-month Period if the leave is taken to care for an injured service member.

c. Except as noted above, this limitation does not apply to any other type of leave under this section.

VII. EMPLOYEE BENEFITS WHILE ON LEAVE

For the duration of the approved leave under FMLA, CFRA or PDL, the City shall continue to provide group health insurance under the same conditions as coverage would have been provided as if the employee was working.

While on leave, employees will pay their employee share by either payroll deduction or direct payments made to the City. An employee's coverage on a particular plan may be dropped if the employee is more than 30 days late in making any premium payment. Employees will be provided at least 15 days' notice before coverage is scheduled to cease due to a late payment. Employee contribution rates are subject to any change in rates that occurs while the employee is on leave.

If an employee fails to return to work after his or her leave entitlement has been exhausted or expires, the City of Galt shall have the right to recover its share of health plan premiums for the entire leave period, unless the employee does not return because of the continuation, recurrence, or onset of a serious health condition of the employee or his or her family member which would entitle the employee to leave, or because of circumstances beyond the employee's

control. The City of Galt, provided the employee consents to the deduction, shall have the right to recover premiums paid through deduction from any sums due to the employee (e.g. unpaid wages, vacation pay, etc.)

Sick leave and vacation leave do not accrue while an employee is on any unpaid leave under this Policy. Sick leave and vacation may accrue in proportion to any vacation, compensatory or sick leave hours taken each pay period. For example, an employee may supplement his/her State Disability Insurance (SDI), Paid Family Leave (PFL), Long-Term Disability (LTD), workers compensation temporary disability (TD), or other third party disability benefits with using accrued leaves. When an employee is using accrued leave hours, that employee's regular salary and incentive add pays will be pro-rated proportional to the usage of paid leave in each pay period. For example, an employee using leave accruals equal to 1/3 pay will receive salary, additional leave accruals, and add pays equivalent to 1/3 pay, as all other pay is received by the third party (SDI, PFL, TD, LTD, etc.)

VIII. SUBSTITUTION OF PAID ACCRUED LEAVES

A. Unpaid Leave - Leave under this Policy is unpaid. FMLA/CFRA guidelines authorize an employer to require that employees who are in unpaid status use accrued sick leave, vacation leave, compensatory time off (CTO), administrative leave, or any other accrued leave for all or part of the leave. The City will authorize the following:

1. Sick leave: The employee's sick leave bank will be used first if the leave is due to the employee's serious health condition, or a covered family member's serious health condition. If the employee's sick leave bank is exhausted and he/she is still on leave, the employee is required to use other leave including vacation, admin leave or comp time. If an employee is at his/her vacation maximum accrual cap, at the department head's discretion, the employee may utilize vacation hours prior to sick leave hours for self or a family member with a serious health condition.

   Exception: If the employee is using FMLA due to her own pregnancy disability, the employee is not required to use accrued vacation leave, but can request to do so, per state regulations.

2. Vacation, CTO, and/or Admin Leave: Vacation leave banks, CTO and/or admin leave hours will be used first if the employee is using for non-health related leaves (e.g. baby bonding). An employee who exhausts his/her vacation leave bank may request to use their sick leave bank, but is not required to do so.

If the employee is receiving wage replacement benefits, such as Short or Long Term Disability (STD/LTD), including State Disability Insurance (SDI) or Paid Family Leave (PFL), the employee is not in an "unpaid status", therefore, is not required to use accrued leave banks to supplement his/her income. In that situation, the employee has the option to supplement wage replacement benefits with his or her leave accruals. However, if the employee does not have a City paycheck, certain deductions (such as the employee health contribution) will still be required. See section VII above regarding premium payment requirements.

3. Holidays during Leave

For purposes of determining the amount of leave used by an employee, the fact that a holiday may occur within a week taken as leave under this policy has no effect. The week is counted as a week of FMLA, CFRA or PDL. However, when a holiday falls during a week when an employee is taking less than the full week of leave, the holiday is not counted as FMLA, CFRA or PDL, unless the employee was scheduled and expected to work on the holiday and used FMLA, CFRA or PDL for that day.

Employees who use leave accruals during leave to maintain a paid status, who are normally eligible for paid holidays, will receive the City-paid holiday benefit that is proportional to the use of their own leave accruals. Full work-day holiday benefit hours are referenced in the employee's respective bargaining unit's memorandum of understanding and/or the City's Personnel Manual, which will be used to determine the proportional hours each day. For example, if an employee is using 3 hours of sick leave per day during a leave of absence, that employee will receive 3 hours of holiday benefit for observed holidays. The employee must be in a paid status the day before and after the holiday to be eligible for the holiday benefit.

After all paid leave balances have been exhausted (or if the employee has the option and chooses not to use accrued leave), the remainder of the leave shall be unpaid leave. This is not intended to reduce disability benefits and it is the employee's responsibility to coordinate with disability benefits if applicable.

4. Short-Term, Long-Term Disability Coordination

If an employee is receiving State Disability Insurance (SDI), Paid Family Leave (PFL), Short or Long-Term Disability benefits and the employee chooses to supplement wage replacement with accrued leave, the employee must provide notice to the City's Payroll Division in order to integrate benefits; in no case shall the employee receive more than 100% of his/her wages during integration of benefits. The California Employment Development Department (EDD) issues notice of computation forms for SDI and PFL, in which the employee will be required to provide to the City's Payroll Division. The notice of computation form shall be provided to the Payroll Division immediately, and in no case later than 14 days after the employee receives the notice.

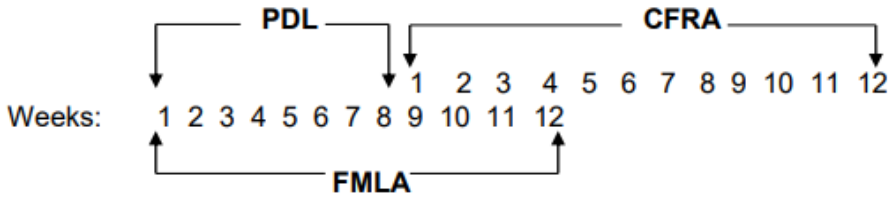
B. City of Galt's Right to Require an Employee to Exhaust FMLA/CFRA Leave Concurrently with Other Leaves

1. FMLA will run concurrently with CFRA, PDL, Qualifying Exigency Leave, and Military Caregiver Leave.

    a. FMLA will run concurrently with Workers' Compensation leave as long as the injury is one that meets the criteria for a "serious health condition", unless the employee is Safety Personnel/Peace Officer receiving salary continuation in lieu of temporary disability payments under California Labor Code Section 4850. After the exhaustion of 4850 benefits and a Safety employee remains off work, FMLA/CFRA will run concurrently.

b. PDL runs concurrently with FMLA, but not CFRA. In cases of a female employee who takes PDL/FMLA for her own pregnancy-related health condition, CFRA does not run concurrently. That employee may qualify for 12 weeks of baby bonding leave under CFRA after disability ends.

See the below example of a female employee who is disabled for two weeks prior to the birth of her child and six weeks after, who then takes 12 weeks baby bonding leave:



C. City of Galt's and Employee's Rights If an Employee Requests Accrued Leave without Mentioning Either the FMLA/CFRA

1. If an employee requests to utilize accrued vacation leave or other accrued paid time off without reference to a FMLA/CFRA qualifying purpose, the City of Galt may ask the employee if the leave is for a FMLA/CFRA qualifying purpose. However, if the City of Galt denies the employee's request to utilize accrued leave and the employee provides information that the requested time off is for a FMLA/CFRA qualifying purpose, the City of Galt may inquire further into the reason for the absence. If the reason is FMLA/CFRA qualifying, the City may require the employee to exhaust accrued leave as described above.

2. An employee taking approved leave that is covered under FMLA/CFRA/PDL will be allowed to continue participating in any health benefit plans in which he/she was enrolled prior to the first day of the leave, however the employee is obligated to continue his/her normal monthly health premium contribution.

IX. Notification for Leave Requests

The following procedures apply when requesting FMLA/CFRA/PDL. Contact the Human Resources Department as soon as you become aware of the need for leave. In addition, if an employee knows that he or she will need leave in the future, but does not know the exact date(s), the employee shall inform his or her supervisor as soon as possible that such leave will be needed.

A. Request for Leave

The request must be submitted in writing at least 30 days before the leave is needed. If the need for leave is not foreseeable, the employee must provide as much advance notice as possible by submitting required certification from the authorized health care provider no later than five working days after learning of the need for leave.

In all cases, an employee requesting leave must complete the Request for Leave of Absence form and return it to the Human Resources Department. The application must state the anticipated duration of the leave and the starting and ending dates of the leave and must be signed by both the employee and the employee's direct supervisor/manager.

B. Medical Certification

1. An application for leave based on the serious health condition of the employee or a covered family member must also be accompanied by a Certificate of Healthcare Provider form obtained from the Human Resources Department. The certificate must confirm the existence of a serious health condition, state the date on which the serious health condition commenced, and identify the probable duration of the condition. Employees have 15 calendar days to provide a completed health certification form.

2. If the leave is needed for a planned medical treatment, the employee must make a reasonable effort to schedule the treatment to avoid disruption to City operations, subject to the approval of the authorized health care provider.

3. If the leave is needed to care for a covered family member, the employee must provide a certification completed by the authorized health care provider which can be obtained from the Human Resources Department, and must state the following:

a. date of commencement of the serious health condition;

b. probable duration of the condition;

c. estimated amount of time in which the authorized health care provider believes the employee needs to care for a covered family member;

d. confirmation that the serious health condition warrants the participation of a family member;

e. the diagnosis, treatment or similar details shall not be included.

4. If the leave is needed for the employee's own serious health condition, the employee must provide a certification completed by the authorized health care provider which can be obtained from the Human Resources Department, and must state the following:

a. date of commencement of the serious health condition;

b. probable duration of the condition;

c. a statement that the employee is unable to perform the function of his/her position because of the serious health condition; and

d. the diagnosis, treatment or similar details shall not be included.

5. If the leave is needed for Military Family Leave (Qualifying Exigency Leave/Military Caregiver Leave) employee must provide proof of active duty/deployment documentation for the covered servicemember.

6. Employees may be required to periodically report on their status and intent to return to work. This will avoid any delays to reinstatement when the employee is ready to return to work.

C. Recertification

The City will require recertification from the authorized health care provider if additional leave is required for the employee's own medical condition, or to care for a covered family member with a serious health condition.

D. Intermittent Leave or Leave on a Reduced Leave Schedule

1. Under some circumstances employees may take FMLA/CFRA/PDL intermittently, which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule as determined by the authorized health care provider.

2. If on Intermittent FMLA/CFRA, employee must notify their chain of command as well as the Human Resources Department prior to the Intermittent FMLA/CFRA absence to ensure the absence(s) will be counted as FMLA. If there is an emergency situation, the employee must notify their chain of command immediately and can contact the Human Resources Department within 24 hours of the absence in order for that absence(s) to be counted as FMLA. Diagnosis, treatment, or similar details of the underlying reason for the need for leave not be disclosed; only that the absence is CFRA/FMLA-related.

3. If an employee requests to use leave intermittently (a few days or hours at a time) or on a reduced leave schedule, the employee must provide medical certification that such leave is medically necessary. "Medically necessary" means there must be a medical need for the leave and that the leave can best be accomplished through an intermittent or reduced leave schedule.

E. Return/Reinstatement from Leave of Absence

1. When an employee was on leave due to own illness/injury, the City will require certification by the employee's authorized health care provider that the employee is fit to return to his/her job. If the employee fails to provide a fit to return to work certification from the authorized health care provider, the employee may be denied reinstatement until such time as the certificate is obtained and provided to the City, and may be considered to be on an unauthorized leave of absence.

2. Upon return from FMLA/CFRA/PDL, an employee will be reinstated to his/her original job, or to an equivalent job with equivalent pay, benefits and other employment terms and conditions, pursuant to item IX. G. below. In addition, an employee's use of FMLA/CFRA/PDL will not result in the loss of any employment benefit that the employee earned or was entitled to before using leave.

3. If a definite date of reinstatement has been agreed upon at the beginning of the leave, the employee will be reinstated on the date agreed upon. If the reinstatement date differs

from the original agreement of the employee and the City, the employee will be reinstated within two business days, where feasible, after the employee notifies the employer of his or her readiness to return.

4. Pursuant to federal and state law, reinstatement after FMLA/CFRA/PDL may be denied to employees:

a. when the refusal is related to misconduct which would have resulted in termination regardless of the leave taken; or

b. when the termination would have occurred irrespective of the leave, since the employee has no greater right to reinstatement than if the employee had been continuously at work.

c. when the employee does not return at the designated time and, after engaging in an interactive process with the employee, the City has determined that the employee is not eligible for continued leave as an accommodation for a disability under the Americans with Disabilities Act and/or the California Fair Employment and Housing Act.

F. Failure to Return from Leave of Absence

An employee who fails to return to work after his or her FMLA/CFRA/PDL leave loses any right to reinstatement provided for under this provision.

G. Reinstatement

Under FMLA only, the City may deny reinstatement to a "key" employee (i.e., an employee who is among the highest paid 10 percent of all City employees) if such denial is necessary to prevent substantial and grievous economic injury to the operations of the City and the employee is notified of the City's intent to deny reinstatement on such basis at the time the employer determines that such injury would occur. Under CFRA, as amended effective January 1, 2021, an employer may only deny a right to reinstatement where the employee's employment would have otherwise ceased or been modified independent of the CFRA leave (e.g. layoff, reduction in hours, or disciplinary action unrelated to CFRA leave).

X. PREGNANCY DISABILITY LEAVE

An employee is disabled by a pregnancy, childbirth or related medical condition is entitled to an unpaid pregnancy disability leave for up to four months (the working days an employee normally would work in one-third of a year or seventeen and one-third (17 1/3) weeks.)

A. Notice and Certification Requirements

1. Requests for pregnancy disability leave must be submitted in writing and must be approved by the employee's supervisor or department head before the leave begins. The request must be supported by medical certification stating that the employee is disabled from working due to pregnancy, child birth, or a related

medical condition. The certification must state the expected duration of the disability and the expected date of return to work.

2. Requests for an extension of leave must be submitted in writing to the department head prior to the agreed date of return and must be supported by medical certification that the employee continues to be disabled by pregnancy, childbirth, or a related medical condition. The maximum pregnancy disability leave is seventeen and one-third (17 1/3) weeks.

B. Compensation While on Pregnancy Disability Leave

Leave under this Policy is unpaid. However, the employee must use accrued sick leave and may, at her option, use accrued vacation leave and any other form of accrued paid time off during the leave.

C. Benefits While on Pregnancy Disability Leave

1. An employee on pregnancy disability leave may receive any group health insurance coverage that was provided before the leave on the same terms as provided to other employees who become disabled off-duty, as if the employee had continued to work. An employee is responsible for her normal employee monthly health premium contribution during PDL.

   The City may recover any premiums it paid to maintain health coverage for the employee while on leave if the employee does not return to work following the pregnancy disability leave.

2. An employee on pregnancy disability leave who is not eligible to receive continued group health insurance coverage as described above, may receive health insurance coverage in conjunction with COBRA guidelines by making monthly premium payments to the City.

3. Sick leave and vacation leave do not accrue while an employee is on an unpaid pregnancy disability leave.

D. Reinstatement

An employee returning following pregnancy disability leave is entitled to those reinstatement rights set forth above in Section IX - E Return/Reinstatement from Leave of Absence of this Policy.

XI. REQUIRED FORMS

Employees must fill out the following applicable forms in connection with leave under this Policy:

1. **Request for Leave** form;
2. **Certification of Healthcare Provider** - for the employee's own serious health condition or for the serious health condition of child, grandchild, parent, grandparent, sibling, spouse or domestic partner;

3. **Payroll Deduction Authorization** - for benefit plan coverage continuation (if applicable); and
4. **Return to Work Doctor's Note** – must be submitted to Human Resources ***prior*** to return from leave.

For additional information about leave of absences, contact the Human Resources Department.