

# GREAT NECK TEACHERS ASSOCIATION

## QUESTIONS ABOUT PREGNANCY, SICK LEAVE, AND CHILD CARE LEAVE

### • *How and when should I inform the district of my pregnancy and of my plans?*

As soon as you are comfortable doing so, *verbally* inform your building administrator of your pregnancy and *probable* plans regarding your leave and return to work so that arrangements can be made for your replacement. Your administrator may advise you about when and how to inform students and parents. If you will be using sick leave, follow the usual procedures (put leave into Aesop and put “no” for “sub needed”).

As soon as possible following the birth of your baby, contact the human resources department (HR) to inform them of the birth and of your tentative recovery period (six to eight weeks). This would also be an appropriate time to discuss your plans regarding additional leave time and/or possible return date.

### • *Can I use my Sick Leave during pregnancy? For recovery from delivery?*

You may use your accumulated sick leave for any part of your pregnancy (pre- and post-delivery) if your physician advises that you should not be working. You may be asked to submit a doctor’s certificate “following a sick leave absence of three or more consecutive days.” Generally, recovery from delivery is approximately six to eight weeks. If medically warranted, you may use more sick leave. In such cases, or if you request days from the Sick Leave Fund (if eligible), the district will request a doctor’s letter stating that you are medically unable to return to work. According to HIPAA regulations, the district, through HR, is permitted to ask for medical information to support your leave request; a doctor can only release medical information with your authorization.

### • *What if I need more Sick Leave than I have accumulated?*

If you have completed five full years of service as a Great Neck teacher and you exhaust your regular accumulated sick leave, you may apply to your assistant superintendent, with medical documentation, to withdraw up to ten (10) days from the Sick Leave Fund. Note: These days do not have to be repaid.

At the beginning of each school year, there are 160 - 190 days in the Fund. If you know that you will not have enough sick days to cover your leave, you may request days from the Fund as soon as your baby is born. In cases of a scheduled caesarean section, you may make your request *two weeks prior to the delivery* with a doctor’s note verifying the scheduled date. If the days are available when you need them, they will be granted.

• ***What is the Family Medical Leave Act (FMLA) and how does it apply to my leave?***

FMLA is a federally mandated leave that permits you to take up to twelve weeks of **unpaid** leave to care for yourself, an ill family member and/or a newborn child while continuing your benefits on the same cost basis as when you are working. You do NOT have to take the twelve weeks consecutively, and the six to eight weeks of sick leave you are permitted for delivery and recovery are not included in that time (*effective through 06/30/2017*). If caring for a sick family member, the 30 days of sick leave allowed by the contract would not be included in FMLA time either (*effective through 06/30/2017*). While you are on FMLA, as with any unpaid leave, you do NOT accrue seniority.

• ***What should I do if I plan to take Child Care Leave? For how long may I be on Child Care Leave?***

Child care leave is granted for up to two consecutive years plus the balance of the semester during which the leave commences. Time that you spend on FML is counted in this time frame. Again, as with any unpaid leave, you do NOT accrue seniority while on child care leave.

If you are taking child care leave, submit your intention in writing to your assistant superintendent 60 days before the child care leave will begin (or less where medically warranted). IF you are fairly certain that you will be taking child care leave, you should inform your building administrator regarding your probable plans. Contact the GNTA Office (516-829-9070) if you need assistance in preparing this written notice.

• ***I notified the district that I would be on Child Care Leave for one school year, but I would like to extend it for another year. What should I do?***

Child care leave is taken one school year at a time. Faculty on leave receive communication from HR asking what their intentions are for the following school year.

According to the contract, however, the faculty member is responsible for notifying the district of his/her intention to return and must do so by February 15: ***“A teacher who does not give such timely notification shall be deemed to have resigned.”*** [Article 33C]

A request may be made by February 1 for extension of leave for the next school year.

• ***Can I extend Child Care Leave beyond the two years?***

No, but the contract has a provision for dependency leave which may be granted for child care, parent care and long-term illness of family member. Dependency leave is also an unpaid leave, but, unlike child care leave, it is granted *at the discretion* of the district. You must request this in writing at least 60 days prior to the start of the leave (except in the event of an emergency), and the Board of Education must agree to grant this request. While on dependency leave, you do NOT accrue seniority.

The same notification requirements for child care leave (previously listed) for return or for an extension of the leave apply.

• ***What are my disability benefits during pregnancy?***

Your accumulated sick leave and possible days from the Sick Leave Fund (if eligible) are your *short-term disability benefits*, which provide full salary and benefits. You may have also chosen long-term disability insurance, an optional benefit for which deductions for a premium have been made from your paychecks. There is a waiting period (90-360 calendar days) before benefits begin, so long-term disability is not usually used for conditions related to pregnancy and childbirth. Contact the GNTA Benefit Trust Fund Office (516-829 - 9086) for questions about your coverage under long-term disability insurance.

• ***What about my health insurance and other benefits during Child Care Leave?***

Because child care leave is unpaid leave, after the FML period (should you choose to use it), you must pay the full cost of any benefits you wish to continue during your leave. For questions about your health insurance benefits, contact the Benefits Administrator at 516-441-4037. For questions about other benefits (e.g., dental, vision, life, etc.), contact the GNTA Benefit Trust Fund Office (516-829 - 9086).

• ***What if I would like to return to work on a part-time basis while I am on Child Care Leave?***

During child care leave, you may work as a per diem teacher or as a regular substitute. You may also work part-time, if a part-time position is available. It is *extremely important* that you are officially recognized by Board of Education action as being on leave from your full-time position if you work less than full time while you are on child care leave. Contact the GNTA office and/or HR with any questions about your status before accepting any part-time position during child care leave.

- ***Is there any additional information I should be aware of before returning from an unpaid leave?***

#1: Consider your return date wisely. Count the number of school days in that month. If you work **half or fewer** of them, you'll be paid 1/200<sup>th</sup> of your salary for only those days you worked. If you work **more** than half those days, you'll be paid 1/10<sup>th</sup> of your salary (if you are paid 20 checks per year) or 1/12<sup>th</sup> of your salary (if you are paid 24 checks per year) minus 1/200<sup>th</sup> of your salary for each day you didn't work during that month. This can be a substantial difference in salary, so if you're not sure how to figure this, call the GNTA office for help.

**Note:** Whether or not there are recess days during the month makes no difference to the way the formula works.

#2: The current GNTA Contract has the following provision regarding return from more than five successive years on unpaid leaves:

*Any unit member who is on an unpaid leave of absence under any provision of Article 30, 31, 32, or 33, except leave provided under Article 30.A, where such leave of absence extends for more than 5 consecutive years, shall, upon their return from leave to paid employment be placed upon the lowest salary step within their salary class that will provide a salary increase compared to their annual salary at the time their leave commenced, even if such step shall be the same as or below the step they were on at the time their leave commenced.*

***Please contact the GNTA Office and/or HR with ANY questions you have or if you would like assistance with any leave requests.***