**MATERNITY LEAVE – Excluded Employees (E99)**

January 1, 2014

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| **Benefit/Right** | **Duration** | **Eligible Employees** | **Provision**  *Please review policy for actual language.* |
| Leave of Absence Without Pay  Education Code 89519 | 12 month  *Leave of Absence Without Pay* | Permanent Female employee | A leave of absence without pay for the purposes of pregnancy, childbirth or the recovery therefrom and may not exceed one year. Once the employee has notified the campus of the length of the leave of absence, any change to the length of the period of leave must be approved by the appropriate administrator.  All of the leaves listed below granted to an employee for the birth of a child shall run concurrently with the period of leave available to an employee under Ed Code 89519. |
| California Pregnancy Disability Leave  (Gov Code 12945, [b][2]) | 4 months  *Leave of Absence Without Pay* | Female employee | Provides a female employee with up to 4 months of leave if the employee is disabled due to pregnancy.  This is separate entitlement from the Family Care and Medical Leave (FML) and is exhausted prior to employee placement on FML. |
| CSU Sick Leave | 10 days  *Physician’s verification for additional use of sick leave.* | Female employee | Pregnancy or any disability caused by, or contributed to pregnancy must be considered a justification for the use of sick leave, if a woman’s condition prior to delivery is such that her doctor believes she should take leave. Childbirth is a valid reason for the use of sick leave, provided the employee is on work status, compensating time off, or vacation at the time of delivery. Ten (10) days of sick leave should be granted routinely for childbirth. Additional sick leave should be granted following childbirth if the employee is incapacitated from working. |
| NonIndustrial Disability Insurance (NDI) | 26 weeks  $125 weekly benefit | * Active PERS Member * Permanent part-time * Half-time or more for 1 year or 1 AY | NDI provides $125 per week for up to 26 weeks to eligible employees who are disabled from work due to a non-work related medical condition. It is a fringe benefit completely paid for by the State; there are no employee contributions.  Employee must use all accrued sick leave before any NDI benefits may be paid. Use of accrued vacation or CTO credit during disability is optional. |
| Family Care and Medical Leave (FML) | 12 weeks  *No Pay* | 12+ months employment | FML is **unpaid leave.** FML grants eligible employees a total of 12 weeks in a twelve (12) month period, including any periods of absence with pay for family care or medical leave purposes. Leave shall be taken within 1 year of birth or placement as appropriate.  *During any unpaid periods of FML, Campus will pay State’s share of benefits; employee pays her share*. FML shall *not* run concurrently with pregnancy disability leave under Gov Code Section 12945. |

***State Disability Insurance (SDI)*** *is not a Cal Poly benefit. Employees may have access to those benefits if they paid into SDI at a previous employer.*