

## Article 18, Section B Guide

Congratulations on your impending arrival. You probably just went to Article 18, Section B of the LEA Unit A contract. Maybe you're still confused.

**Please read this whole guide before you make decisions or sign letters!**

Reach out to an LEA Rep and/or HR if you are still confused after reading.

Why are there three types of leave listed under "Maternity Leave" in the contract (1.Maternity → 2.FMLA → 3.Child Rearing)?

Because these related leaves can "stack" upon one another, and because they run concurrently. They run in the order shown above. Each allows you leave from your employment, but each step forward on the ladder represents a diminishment in compensatory benefits.

### 1. Maternity Leave Details

56 consecutive calendar days that include weekends, holidays, summer vacation days, and snow days.

The professional staff member will be paid for each work day during her eight weeks of maternity leave and these days are deducted from her sick days.

She will also continue to receive all her normal medical and dental benefits.

If the staff member does not have enough sick days, she should apply to the sick leave bank.

## Maternity Leave FAQ's

### **Whom do I contact and when?**

At a very minimum, you must contact HR within two weeks after the birth of your child, but the reality is that you are going to reach out to your primary supervisor and to HR months in advance, as a professional courtesy so that suitable coverage can be found in your absence. Vickie Fotis is currently the benefits coordinator in Human Resources.

### **I don't have 40 sick days to cover a maternity leave?**

Don't fret. Apply to the sick bank through HR, and you shall be granted the days as per the contract entitlement. It is one of the best LEA benefits we have.

### **If a snow day or vacation happens during my leave, am I still charged a sick day?**

No, but those days do count towards the 56 consecutive days.

### **Wait, vacations & snow days count as part of maternity leave?**

Yes, the purpose of maternity leave is to allow mothers time to medically recover and to care for newborns, plain and simple.

### **I don't know the exact date of birth; it's just an estimate?**

Quite understandable. You'll contact HR with the expected date, and then update with the actual date/documentation after the birth. They'll adjust the paperwork accordingly.

**What if I have pre or post natal complications such that a physician determines I am not fit for work/duty?**

In such a case, you would contact HR with the appropriate paperwork, and you would be allowed to use your accrued sick time to cover the days. If you do not have sick time to cover the days, you can make a request to the LEA sick bank committee, which will seriously consider the request, although it is not a guaranteed entitlement.

**I don't have professional teacher status; can I take a maternity leave?**

Yes, but if you are out for any significant period of time in a year, it will not count towards the 3 full years of employment needed to gain professional status. These 3 years usually need to be consecutive, except, happily in the case of maternity leaves, which represent an exception to the rule.

## 2. Family Medical Leave Act Extension Details

After the birth of her child, a professional staff member may elect to extend her maternity leave an additional four (4) weeks under FMLA.

### FMLA FAQ's

**Why 4 weeks of extension?**

FMLA allows you up to 12 weeks of unpaid leave for specified family and medical reasons in a given year. Maternity and child care are qualifying reasons, but the first 8 weeks of this entitlement you receive via the 56 day maternity leave period ... on better terms than what FMLA offers.

**Am I paid during this FMLA extension?**

No.

### **Can I use sick days to be paid during this FMLA extension?**

No.

### **Health Care/Benefits?**

During the FMLA extension, you will need to pay your share (%) of health and dental premiums that would normally come out of your paycheck pre-tax?

### **Whom do I contact about an FMLA extension & paying my % of premiums?**

Human resources. Vickie Fotis is the current benefits coordinator. If you already know you want the extension, indicate so in your request for maternity leave.

### **I don't have professional teacher status; can I take an FMLA extension?**

Yes, but if you are out for any significant period of time in a year, it will not count towards the 3 full years of employment needed to gain professional status. These 3 years usually need to be consecutive, except, happily in the case of maternity leaves, which represent an exception to the rule.

### **Anything else I should know?**

Yes, Maternity leave + an FMLA extension = the potential for 60 days of leave / lost service in a work year. You need at least ½ a year (92 days) of service to qualify for step increases on the wage scales. At 60 days of lost service, you still have a good buffer, but start to keep it in mind. **Paid sick days under maternity leave do not count as service! The rule of thumb for Article 18 B is: if you're out; it doesn't count.**

### 3. Child Rearing Leave Details

A professional staff member will be granted childrearing leave of absence by the School Committee of up to two (2) years from the effective date of commencement of leave, but in any event, it may last until the beginning of a new school year.

#### Child-Rearing Leave FAQ's

**So what exactly is "child rearing leave"?**

A placeholder on employment in the LPS in a position for which you are certified and qualified. That's it.

**Am I paid during a child rearing leave?**

No.

**Can I use sick days to be paid during a child rearing leave?**

No.

**Health Care/Benefits?**

During child-rearing leaves, you will need to pay 100 % of the cost health and dental premiums if you wish to remain covered through the Town of Lexington. 100% means all... no split between employer and employee.

**Whom do I contact about a child-reading leave and paying 100% of premiums if I wish to remain covered through the town?**

Human resources. Vickie Fotis is the current benefits coordinator. If you already know you want child-rearing leave, indicate so in your request for maternity leave and FMLA extension.

## **I don't have professional teacher status; can I take child-rearing leave?**

Yes, but if you are out for any significant period of time in a year, it will not count towards the 3 full years of employment needed to gain professional status. These 3 years usually need to be consecutive, except, happily in the case of maternity leaves, which represent an exception to the rule.

## **Anything else I should know?**

Indeed.

You need at least ½ a year (92 days) of service to qualify for step increases on the wage scales. **Paid sick days under maternity leave do not count as service! The rule of thumb for Article 18 B is: if you're out; it doesn't count.** If you take Maternity + FMLA + Child Rearing Leave, you will probably be crossing the 92 day threshold unless your child rearing leave is short enough to work to the 92 day minimum.

Also, in the letters you receive from HR, there will be dates by which you need to communicate your continued interest in returning to the Lexington Public Schools. You must adhere to these dates if you wish to keep the placeholder on your job. Although you will probably receive a reminder from HR to do so, don't count on it. It's your responsibility to follow through with that communication.

