

**Buffalo & Erie County Public Library**

**PERSONNEL POLICIES AND PROCEDURES MANUAL**

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**SUBJECT: Maternity & Pregnancy Disability Leave**

**CHAPTER: VII**

**SECTION: 6**

**EFFECTIVE DATE: 1/81**

**REVISION DATE: 11/89, 7/06, modified for the B&ECPL effective 1/1/15**

**I. STATEMENT OF POLICY**

A full-time or regular part-time employee who is unable to perform the duties of her position due to pregnancy or child birth will be granted maternity leave for the period of pregnancy disability. Maternity leave shall be treated as any other medical disability leave.

Maternity leave provisions may vary depending upon the employee's bargaining unit. Employees should refer to their respective bargaining agreements.

**II. GUIDELINES**

**A. Use of Maternity Leave**

1. Maternity leave shall be granted for the period of an employee's disability

due to pregnancy, including two (2) weeks prior to the anticipated due date, delivery, and normal post delivery recuperation only.

2. The period of pregnancy disability begins the date the employee's personal physician states that she may no longer work and ends six (6) weeks (42 calendar days) after date of delivery. In the case of caesarean section, the period of disability ends eight (8) weeks (56 calendar days) after delivery date.
3. Sick leave may be used during the period of pregnancy disability only. In the event an employee has no accrued sick leave, she has the option to use other forms of accumulated paid leave such as vacation, compensatory time, etc.
4. Where eligible, leave under the Family Medical Leave Act (FMLA) shall run concurrent with maternity leave under this section, and accruals must be used during the FMLA time period in accordance with the B&ECPL FMLA policy.
5. If sick leave and other accrued leave are exhausted before the period of pregnancy disability ends, the employee will be granted a Leave Without Pay. The duration of the disability and estimated date of confinement must be substantiated by a statement from the employee's personal physician.
6. Temporary and provisional employees are entitled to maternity leave, but not beyond the time that their services would have been terminated for reasons other than their inability to perform the duties of their position because of pregnancy.

## B. Notifying Human Resources

1. During the seventh month of pregnancy the employee should notify Human Resources in writing that she is pregnant, what the estimated due date is, and how long she plans to be out for maternity leave.
2. If an employee qualifies for FMLA leave, forms will be mailed to the employee to have her physician complete and return to Human Resources.
3. The employee should also complete Request for Leave forms (PO-19s) and submit to her Payroll Clerk for the anticipated time of leave.

## C. Health Insurance

1. The employee's health insurance is paid according to the provisions of the FMLA and the respective bargaining unit.
2. The employer contribution of health insurance will be paid for a minimum period of 42 days and up to twelve (12) weeks if she has not previously used FMLA (if qualified for FMLA) during the previous year.
3. AFSCME employees currently are entitled to 120 days of paid health insurance from the beginning date of disability (when the employee stops working).

D. Return to Work

1. An employee on maternity leave may not be returned to payroll until she is released by her personal physician.
2. Employees returning from maternity leave will return from leave of absence with all previous rights restored, just as any other employee who has been granted any approved leave of absence.