

Buffalo & Erie County Public Library

PERSONNEL POLICIES AND PROCEDURES MANUAL

SUBJECT: Pregnancy & Childbirth Leave

CHAPTER: VII

SECTION: 6

EFFECTIVE DATE: 1/81

REVISION DATE: 11/89, 7/06, modified for the Library effective 1/1/15, 1/1/26

I. STATEMENT OF POLICY

A full-time or regular part-time employee who is unable to perform the duties of their position due to pregnancy or childbirth will be granted leave for the period of pregnancy disability. This leave shall be treated as any other medical disability leave. Employees should refer to their respective bargaining agreements/benefits packages for specific leave provisions.

II. GUIDELINES

A. Use of Pregnancy/Childbirth Leave

1. The period of pregnancy disability begins the date the employee's physician states that they 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.
2. Where eligible, leave under the Family Medical Leave Act (FMLA) shall run concurrent with leave under this section, and accruals must be used during the FMLA time period in accordance with the FMLA Policy (Chapter VII, Section 1).
3. 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 delivery must be substantiated by a statement from the employee's physician.
4. Temporary and provisional employees are entitled to leave for pregnancy/childbirth, 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 (7th) month of pregnancy the employee should notify Human Resources in writing that they are pregnant, what the estimated due date is, and how long they plan to be out.
2. If an employee qualifies for FMLA leave, forms will be mailed to the employee to have their physician complete and return to Human Resources.
3. The employee should also complete Request for Leave forms (PO-19s) and submit to their supervisor 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, as applicable.
2. The employer contribution of health insurance will be paid for a minimum period of 42 days and up to twelve (12) weeks if they have not previously used FMLA (if qualified for FMLA) during the previous year.

D. Return to Work

1. An employee on leave for pregnancy/childbirth may not be returned to payroll until they are released by their physician.
2. Employees returning from pregnancy/childbirth leave will return from the leave of absence with all previous rights restored, just as any other employee who has been granted any approved leave of absence.