

# WHAT TO EXPECT WHEN YOU'RE EXPECTING

as an employee in California State service: **Part 1**

The California Association of Professional Scientists (CAPS) has developed a series of infographics like this one to help you understand your rights as a State Scientist and how to take advantage of all the programs that are offered as you welcome a new addition to your family!

## YOUR FAMILY IS GROWING CONGRATULATIONS!

Families come in all shapes and sizes. Your rights and benefits are determined by your relationship to the new member of your family and your Leave Type. For example, an expectant mother may have more opportunities to take paid leave than an adoptive mother. Part 2 of this infographic series explains how!



## PLANNING FOR BABY

It is a good idea to reach out to your Human Resources Department and/or your personnel liaison to discuss your options as an expectant family.

CAPS can be a good resource to help you determine where to start.

## JOB PROTECTION

By contacting HR early and choosing your leave options ahead of time, you are able to determine what kinds of job protection you are afforded. Parental Leave under the CAPS MOU, Section 3.5, provides up to 1-year of job-protected leave.



## PAID AND UNPAID LEAVES

There are many different types of leaves afforded to expectant families - some offer compensation and job protection while others only protect your job. Your eligibility for these leaves depends on who you are and how your family is expected to grow.

## RETURN TO WORK

When you return to work, the State is required to reinstate you to a comparable position and is prohibited from punishing, harassing, or otherwise discriminating against you for taking leave. If you feel this has happened, please contact CAPS immediately



**FIND OUT MORE ABOUT PARENTAL LEAVE.  
WWW.CAPSSCIENTISTS.ORG**



# WHAT TO EXPECT WHEN YOU'RE EXPECTING

as an employee in California State service: Part 2

This is the second of a series of infographics developed by the California Association of Professional Scientists (CAPS) to help you understand your rights as a State Scientist and how to take advantage of all the programs that are offered as you welcome a new addition to your family!

## YOUR FAMILY IS GROWING CONGRATULATIONS!



There are various laws and policies to help State Scientists with growing families, depending on if you are an expectant mother, spouse, or an adoptive parent.



### EXPECTANT MOTHERS

Expectant mothers currently receive the greatest amount of leave and are the only party provided paid time off for the delivery of a newborn child.



### Paid & Unpaid Leaves

#### PAID LEAVE

**Enhanced Non-Industrial Disability Insurance (ENDI)** is a wage replacement program afforded to CAPS members via Section 3.14 of the MOU. This benefit provides paid leave up to 100% of the employee's normal salary. Typically, the benefit provides paid leave up to four weeks before the expected delivery and up to six weeks after the delivery. If delivery is by C-Section, or includes medical complications, or the employee is unable to perform her regular job duties based on a resulting disability, the leave permitted could be greater, up to a maximum of 26 weeks. An employee must participate in the Annual Leave program to be eligible for ENDI.

#### UNPAID LEAVE

**Pregnancy Disability Leave** is unpaid time off work to accommodate employees with a pregnancy disability. The law entitles you to up to four months of PDL per pregnancy. PDL leave time can be taken all at once or on an intermittent basis.

**CAPS MOU Section 3.5** provides unpaid leave of absence for purposes of pregnancy, child birth, recovery therefrom, or care for the newborn or adopted child for a period not to exceed one (1) year.

**Family Medical Leave Act/California Family Rights Act (FMLA/CFRA)** provides up to 12 weeks of job-protected, unpaid leave for the birth and care of a newborn child of the employee, placement of a child in the employee's family, or to take medical leave when the employee is unable to work because of a serious health condition, including a pregnancy-related disability. CAPS members are eligible for FMLA per Section 3.3 in the CAPS MOU.

### OTHER CONSIDERATIONS

#### REASONABLE ACCOMMODATION

You may be eligible for a Reasonable Accommodation if your pregnancy makes it difficult to perform the essential functions of your job.

#### LACTATION ACCOMMODATION

Departments shall allow a reasonable amount of break time to accommodate the expressing of breast milk; which shall, if possible, run concurrently with any break time already provided. Employers are required to, "make reasonable efforts to provide employees with a private area, other than a toilet stall, to express breast milk." CalHR encourages these departments to allow employees to make up for any unpaid break time.

### SPOUSE OF EXPECTANT MOTHERS

The delineation of "spouse" or "domestic partner" is important when it comes to being able to take leave based on your significant other's pregnancy.

### UNPAID LEAVE

**CAPS MOU Section 3.5** provides unpaid leave of absence for purposes of pregnancy, child birth, recovery therefrom, or care for the newborn or adopted child for a period not to exceed one (1) year.

**Family Medical Leave Act/California Family Rights Act (FMLA/CFRA)** provides up to 12 weeks of job-protected, unpaid leave for the birth and care of a newborn child of the employee, placement of a child in the employee's family, or to care for a spouse (including same-sex marriages), son, daughter, or parent with a serious health condition. CAPS members are eligible for FMLA per Section 3.3 in the CAPS MOU.

CFRA covers same-sex marriages and domestic partners (whereas FMLA covers only marriages).

Make sure to contact CAPS with any questions!

For more tips, visit

[www.capsscscientists.org](http://www.capsscscientists.org)



CALIFORNIA ASSOCIATION OF PROFESSIONAL SCIENTISTS