

COUNTY OF ERIE

PERSONNEL POLICIES & PROCEDURES

SUBJECT: MATERNITY/PATERNITY/ADOPTION LEAVE POLICY

DISTRIBUTION: ELECTED OFFICIALS, JUDGES, DEPARTMENT HEADS

FROM: FRANK N. SCALISE, DIRECTOR OF PERSONNEL

EFFECTIVE DATE: AUGUST 1, 1973; JANUARY 1, 1987; DECEMBER 1, 2001;
REVISED: May 10, 2011

POLICY NUMBER: 15

NOTE: This policy runs concurrently with FMLA benefits outlined in Policy Number 11.

SECTION 1 NOTIFICATION

- A pregnant employee must notify her supervisor and the Personnel Office within 60 days after her pregnancy has been diagnosed via an official physician medical certification that she is able to continue working during her pregnancy.
- The employer shall not require a pregnant employee to commence her maternity leave prior to childbirth, unless she can no longer satisfactorily perform the duties of her position.

SECTION 2 EMPLOYEE BENEFITS DURING PAID OR UNPAID LEAVE

A. Duration:

- Up to 6 month combined paid and/or unpaid maternity leave of absence entitlement.
- At request of employee, an extension of said leave for medical reasons for a period not to exceed 6 months may be granted. A physician's certification stating the specific time employee needs to remain off work for medical conditions attributed to her pregnancy will be required in order to retain medical benefits by paying the bi-weekly co-pays during said paid and/or unpaid leave of absence.
- An employee may request an extension of up to 6 months unpaid leave for non-medical reasons, which may be granted at the employer's discretion. During this extension, the employee will be eligible for insurance coverage by submitting payment for the full premiums.
- Duration may vary by collective bargaining agreement.

B. Paid/unpaid leave (Vacation/Sick/Personal Leave usage):

- Employee continues to earn vacation, sick leave, personal leave, and holidays while she is on paid leave for any month she is in compensable (paid) status for at least ten (10) workdays. Leave must be taken consecutively not sporadically.
- Employee is entitled to use earned sick leave for the period she is determined unable to work, as certified by a physician prior to and following delivery. A copy of said physician's certification must be filed with the Personnel Office.

- Employee may use all earned vacation and personal leave prior to and following delivery while on an authorized maternity leave of absence.

C. Medical Benefits:

- Employee may retain medical benefits by paying the bi-weekly co-pays for the initial 6 month period of paid or unpaid maternity leave.
- **Medically necessary extended leave benefits:** Employee will retain medical benefits by paying the bi-weekly co-pays during the medically necessary extended leave. A physician's certification stating the specific time the employee needs to remain off work for medical conditions attributed to her pregnancy will be required.
- Employees who are not medically excused by their physician after the initial 6 month period, and are no longer in a paid leave status, will be required to pay the full premium costs to continue medical benefits.

D. Payment:

- While employee is in paid leave status co-pay deductions will automatically be taken from the employee's paycheck.
- Once employee enters an unpaid status, direct payment must be made for insurance co-pays and/or full premiums.
- Checks must be made payable to the "County of Erie" and be remitted to the Personnel Office in a timely manner. Failure to do so will result in termination of benefits.

SECTION 3 RETURN TO WORK AFTER LEAVE

- A written statement from the employee's physician verifying employee's fitness to perform required duties shall be a prerequisite to her return to work.
- An employee shall notify her supervisor at least two (2) weeks prior to her return of her intent to do so.
- An employee has the right to return to the same position in the same classification the employee held before going on maternity leave or to an equivalent position with regard to pay rate and skills required, providing such a position is available.

SECTION 4 PATERNITY/ADOPTION LEAVE

- Employees are entitled up to a combined maximum of 6 months paid and/or unpaid paternity/adoption leave. Employee may retain medical benefits by paying the bi-weekly co-pays for said 6 month period of paid and/or unpaid leave.
- An employee may request an extension of up to 6 months unpaid leave, which may be granted at the employer's discretion. During this extension, the employee will be eligible for insurance coverage by submitting payment for the full premiums.
- Once employee has utilized all earned vacation and personal leave entitlements down to a minimum combined balance of 5 days, he/she is eligible to use up to a maximum of 20 of his/her earned sick days.
- See Section 2.D. of this document for applicable payment policy.