

Leave of Absence Instructions and FAQ's (Frequently Asked Questions)

Steps to Request a Leave of Absence (LOA)

1. Complete a Request for Leave of Absence form which is available online at CUSD.com (Employees Tab > Employee Quicklinks > Leave of Absence Request Form)
2. If you are taking any type of medical leave for yourself or to care for a family member, you must provide certification from your physician/practitioner. Please print the Certification of Physician or Practitioner form included in the documents and present it to your physician for completion. A note from your doctor indicating your need for a leave, along with the start and end dates of your leave, will also be accepted. However, for an Intermittent Leave for yourself or to care for a family member, your Practitioner will need to fill out the Certification of Physician or Practitioner.
3. Contact the Human Resources Department if you have questions

Your request for a leave will not be processed until the HR Department receives a note from your physician/practitioner.

Please print the appropriate Certification form which follows this document for the physician/practitioner to complete.

Doctor's notes should be sent to the HR Department in one of the following ways:

1. Scanned and emailed to your HR Leave Representative:
 - Stacey Sawyer – Classified:
StaceySawyer@clovisusd.k12.ca.us (559) 327-9322
 - Shanonn Hemmingson – Certificated:
ShanonnHemmingson@clovisusd.k12.ca.us (559) 327-9311
2. Faxed directly by your physician's office to the HR Department at 559-327-9339.
3. Hand delivered to the HR Office
4. Sent to the HR Office through inter-District mail

General LOA Frequently Asked Questions

What is a Leave of Absence (LOA)?

A leave of absence is defined as an approved absence from work for a specified period of time. Common reasons to take LOAs are for your own medical condition including pregnancy, to care for a child, parent, spouse, grandparent, grandchild, or sibling with a serious medical condition, and for parental leave (child bonding) in conjunction with a birth, adoption, or foster placement of child. The Board requires a leave of absence for any absences of more than ten [10] working days. Please refer to Board Policy and Administrative Regulation 4161 for more information.

What is an intermittent leave of absence?

An intermittent leave of absence is time taken off work in separate, non-continuous time periods rather than a single span of time. If taking this type of leave, the doctor should specify the

Revised: 3/2022

frequency and duration of the time away from work. An intermittent leave of absence request must be submitted annually.

I need to take a leave of absence, what do I do?

Complete and submit a request for a LOA at least thirty [30] days prior to your leave of absence, when foreseeable. Documents are available online on the CUSD website. (CUSD.com > Employees tab > Employee Quicklinks > Leave of Absence Request Form)

If I'm on a LOA how long will I be covered by health insurance benefits?

Your benefits will continue as long as you are in a paid status or twelve [12] weeks as provided through the Family Medical Leave Act [FMLA] and the California Family Rights Act [CFRA].

Am I paid during my leave?

If you are taking a leave for your own medical condition, you are paid by using accumulated sick leave and/or by receiving differential pay upon exhaustion of your sick leave as allowed by Education Code and Board Policy. If you are taking a leave to care for a family member, your leave is unpaid unless you have Personal Necessity days available in your current school year's Sick Leave accrual. Up to seven Personal Necessity days may be used to receive pay as allowed by Board Policy. Pay for Parental Leave (child bonding) is described below. Please contact your Human Resources LOA Representative regarding your specific situation.

What is differential pay?

Differential pay is the amount an employee is paid after they have run out of sick leave. It is calculated by subtracting the rate paid to a substitute from the rate paid to the employee. Employees are paid differential rates until they exhaust all entitled leave available to them. Please refer to Board Policy and Administrative Regulation 4161 for more information.

What happens if I exhaust all my entitled leave and I still can't return to work?

Employees who exhaust all their mandated leave and are still medically unable to return to work will be terminated and will be placed on a statutory reemployment list consistent with Education Code.

Can other CUSD employees donate sick time that I can use for my leave of absence?

Yes, they can; however, all available sick leave and other paid time must be exhausted in order to use donated sick leave. The employee wishing to donate will need to complete and turn in to Payroll a Donation of Sick Leave form. This form is available online at CUSD.com on the Payroll Department page.

Can I use my accrued vacation time to receive full pay?

Yes, you can if you are paid on a monthly calendar and accrue vacation. If you wish to use your vacation time, you must indicate your request on the Leave of Absence form or complete a request form which is available on the Payroll Department webpage.

Will I get my job back at my school when I am medically cleared to come back?

Your position and the number of hours you work is protected by your board approved LOA, but not your specific location.

What do I do when I am ready to come back to work?

You will need a release to return to work from your doctor for any medical leaves of absences. This note is to be turned in to the Human Resources Office **prior** to your return to work.

Am I covered by State Disability Insurance (SDI)?

As a Clovis Unified employee, you do not pay into SDI and are not entitled to the benefits provided by SDI unless you are eligible due to current or previous non-CUSD employment. To check your eligibility, visit the California Employment Development Department website.

Certain employee groups may be eligible for Disability Insurance through VOYA Financial (Non-Management - Operations, Business Support, Confidential). Upon satisfying a 45-day waiting period and sick leave exhaustion, eligible employees can receive a benefit of 66.75% of Base Salary up to a monthly maximum of \$3,000. For additional information on eligibility, claim forms, and plan descriptions please contact VOYA Financial at 1-866-228-8742 or <https://claimscenter.voya.com/static/claimscenter/file-claim/>.

Pregnancy/Parental Leave FAQ

How long can I take off to have a baby?

You are entitled to take up to 4 months of PDL/12 weeks of FMLA during the time the doctor says you are unable to work due to your pregnancy for up to four months. Once your PDL/FMLA ends, additional time of up to 12 weeks can be taken for Parental Leave/CFRA (child bonding).

What is Parental Leave?

Parental Leave is leave taken for child bonding reasons due to the birth of a child or the placement of a child with an employee for adoption or foster care. Each parent is entitled to parental leave regardless of marital status. Parental Leave taken for the birth, adoption, or foster care placement of a child must be completed within one year of the date of birth or placement.

Are there rules as to how I can take time under Parental Leave?

The standard minimum time to take for parental leave is 2 weeks but an employee may take periods of bonding leave of less than 2 weeks on 2 occasions if permitted by the employer. An employee is required under CFRA to provide at least 30 days' notice of the need for such leave when foreseeable.

What if it is medically necessary to take time off prior to delivery?

You may take such time off under PDL/FMLA. You can use your sick and vacation time (if accrued) or receive differential pay.

Does the winter, spring, summer or other break time count against the 12 weeks of FMLA/CFRA/Parental Leave?

If an employee is not scheduled to work during the breaks (i.e. Duty Day employees), the time does not count towards CFRA/FMLA/Parental Leave.

When an employee has a baby during the summer and the employee is not scheduled to work during the summer, when does PDL/FMLA/CFRA/Parental Leave start?

Leaves do not begin until you are contracted to report to work; however, PDL is only provided during the time that the doctor indicates an employee is not medically able to work (typically 6-8 weeks after the baby is born). Please contact HR to review your specific situation and how summer breaks will affect your leave.

How am I paid during Parental Leave?

Parental Leave laws allow certificated and classified employees to use accumulated sick leave for CFRA/FMLA/Parental leaves of absences taken for child bonding purposes after the birth of a child or adoption/foster placement of a child. After exhaustion of all accumulated sick leave, employees will receive differential pay of no less than 50% of their wages during this leave of up to 12 weeks.

What type of documentation is needed to take Parental Leave?

If an employee has taken PDL, the employee must turn in a doctor's note releasing the employee from medical care in order to begin Parental Leave (child bonding).

Board Policy No. 4161 outlines your rights and responsibilities under the Family Medical Leave Act of 1993 (FMLA) and fulfills FMLA's employee notification requirements. Please be advised that FMLA runs concurrent with all other leaves (including sick leave) with the first day of your requested leave. The Board Policy also provides information regarding leaves covered by the California Family Rights Act of 1991 (CFRA), Pregnancy Disability Leave (PDL) and medical leave. You must comply with your responsibilities under FMLA/CFRA and this policy to safeguard your rights.