

3-02/030.20 - Pregnancy Disability Leave (PDL)

General Policy

Every effort shall be made to allow employees to work during their pregnancy as long as they are able, as determined by their physician, and to encourage such employees to return to the Department upon completion of their Pregnancy Disability Leave (PDL).

In accordance with Department policy and County, State, and Federal laws, permanent, full-time employees who are pregnant shall not be discriminated against in terms of retention, promotion, assignment, or transfer.

Pregnancy Disability Leave (PDL)

PDL is defined as that continuous time during which a female employee absents herself from her work assignment for pregnancy, child birth, or related medical conditions. PDL may consist of any or all of the following segments:

- "Disability Leave" is that portion of a PDL during which a physician has certified that the employee is unable to work due to her medical condition arising from pregnancy, child birth, or related medical conditions. During this disability segment of the PDL, the pregnant employee may use available sick leave benefits (e.g., S, E/S, V/S, F/S, and part-pay sick leave, and the Family Medical Leave Act (F.M.L.A.)), or may be off duty on approved absence without pay;
- "Accrued Benefits Leave" is that portion of a PDL which generally follows delivery and full recovery that a female employee wishes to take off for postpartum reasons. Such accrued benefits would include compensatory time off (CTO), vacation leave, and holiday time. Nothing shall preclude the employee from applying such accrued benefits to the disability segment if sick leave benefits are not available. The length of a PDL shall not extend beyond four months after date of delivery;
- "Unpaid Leave" is that portion of a PDL which generally follows delivery and full recovery that a female employee wishes to take off for postpartum reasons, but during which the employee has no accrued benefits or does not wish to use such accrued benefits. If an employee is disabled to the extent that she is not able to work late into her pregnancy, such unpaid leave may begin before delivery.

A PDL request, consisting of any or all of the above segments, shall be automatically granted to pregnant, full-time permanent employees by the unit commander.

If a situation or medical complication arises which precludes the employee from returning to full duty four months following delivery, the PDL of Absence shall be terminated and the status of the employee shall revert to that of other employees.

Administrative Requirements

Generally, employees who are off duty on extended absence due to injury or illness are subject to various administrative requirements. As applicable to pregnant employees who are on PDL, such administrative requirements shall be applied as follows:

- Employees who are on PDL shall be placed on a day shift "A" schedule for timekeeping purposes; however, such employees shall not be required to remain at their place of residence during their duty

hours;

- Employees who are on PDL shall be entered on the weekly Absence Follow-up Report in the same manner as any other employee off duty on extended illness or injury;
- It is not necessary to maintain weekly telephone contact with employees who are on PDL.

If clarification is needed regarding job restrictions or medical limitations for the purpose of appropriate job assignment of the employee, the employee's physician of record may be contacted for such clarification. Such contact may be either in writing or by telephone.

Pregnancy Disability Leave (PDL) Forms

Several forms are required so that proper work assignments may be evaluated based on medical job restrictions and that available benefits are continued. Such forms shall be submitted in a timely manner and are as follows:

- Certification of Pregnancy form (SH-AD-648). This form shall be submitted when an employee's physician states that, due to pregnancy, the employee is medically restricted from performing any of the required duties of her position. The form shall also be submitted to automatically exempt the employee from required range qualification (see MPP, section 3-01/050.65, Shooting Requirements). The form shall include all applicable restrictions, including the date through which the employee may continue to work, and be signed by a physician or other competent medical authority. In any event, this form must be submitted prior to the eighth month of pregnancy;
- The Certification of Pregnancy form shall contain the anticipated date of delivery and any job restrictions. Should either of these be changed during the course of the pregnancy, the unit of assignment shall immediately be notified in writing. Such notification may be made by submitting a revised Certification of Pregnancy form or any other physician's statement;
- Request for Maternity Leave of Absence form (SH-AD-647). This form shall be submitted no later than the beginning of the eighth month of pregnancy. If an employee must go off duty prior to this time due to medical restrictions, the form shall be submitted immediately.

The Request for Maternity Leave of Absence form is to be completed by the employee. The anticipated date of delivery, as well as the period expected to be off duty prior to and after delivery, shall be indicated. For timekeeping purposes, the type of time to be used and the order of use of such time shall be indicated for each applicable segment of the leave (e.g., 100% sick leave, 65% sick leave, 50% sick leave, vacation leave, compensatory time off (CTO), holiday time, and unpaid leave).

A copy of the Request for Maternity Leave of Absence and the Certification of Pregnancy forms shall be forwarded by the unit of assignment to Personnel Administration Bureau, Attention: PLR Leaves Unit, within two business days.

As soon as possible, but no later than four weeks prior to the expiration of benefit time and the commencement of unpaid time, the employee shall contact Personnel Administration Bureau's Employee Benefits Services to make timely arrangements for medical insurance continuation.

- Certification to Return to Work form (SH-AD-649). This form is to be completed by the physician or other competent medical authority and shall be submitted, as soon as possible, following the post-delivery medical checkup, but not later than six weeks after delivery. The form shall contain the actual date of delivery and, if known, the date of medical release.

The Certification to Return to Work form shall be the basis of the payment of sick leave benefits following delivery. Unless a change occurs in the medical release date, no additional forms need to be submitted.

Should a change occur in the medical release date, a revised Certification to Return to Work form (or physician's statement) shall be submitted immediately.

Sick Leave Benefits

Any medically verified disability arising from and directly related to pregnancy is an acceptable reason for a leave of absence and payment of sick leave benefits, provided the employee is permanent and otherwise eligible for sick leave. This includes 100%, 65%, and 50% sick leave payable on regular paydays.

For additional information, refer to this MPP, section 3-01.060.40, Performance of Duties by Pregnant Employees.
