



La Jolla Country Day School
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Pregnancy Disability Leave Frequently Asked Questions

Dear LJCDs Team Member,

Below are “Frequently Asked Questions” regarding Pregnancy Leave and subsequent family medical leave to bond with your newborn baby. The laws that govern Pregnancy Leave in California are very complex and difficult to understand, which is why I prepared this general explanation. Please keep in mind that each pregnancy is different, and additional resources may be available depending on your specific case, the information below is intended for general information purposes only. In the event of any conflict or inconsistency between what is written below and State or Federal law, the laws of the State or the United States of America shall govern.

In our mission to deliver great care to our faculty and staff, the questions below not only offer answers to the questions but also the forms or resources necessary to help you through the use of hyperlinks. If a word is blue and underlined, you can click on it to access the form or go to a website that explains more.

Best Wishes,

Adam M. Lara
Director of Human Resources

F.A.Q

1. I'm going on Pregnancy leave and I'm confused about the length of time I'm considered disabled.

For a normal pregnancy, women may take Pregnancy Disability Leave for as long as they are disabled due to pregnancy or childbirth for up to four months. The usual disability period for a NORMAL pregnancy is up to four weeks before the expected delivery date and up to six weeks after the actual delivery. However, your doctor may certify to a longer period if the delivery is by Cesarean section, if there are medical complications, or if you are unable to perform your regular or customary job duties. Complications such as toxemia, history of miscarriage, extreme morning sickness, anemia and other factors could extend the disability period both before and after delivery.

2. How do I add my baby to my benefits plans?

You must complete the appropriate “Change Forms” with our benefit carriers within 31 days of the baby’s birth to add him/her to your benefit plans.

If you do not have a Social Security number for your baby yet, you can leave that question blank when you make your changes. You can always provide that information later when you get your baby’s Social Security number. Please select and complete the appropriate Change Form for the benefit you wish to add your child: [MEDICAL DENTAL BENEFICIARY](#). The completed form needs to be submitted to the HR Office.

3. I just found out I'm pregnant. Can I send in my PDL claim form before I stop working?

No. Your claim begins when you are suffering a loss of wages and your doctor confirms that you have a disability which prevents you from doing your regular or customary job duties. However, if your doctor certifies you must limit your hours of work or modify your work duties due to your pregnancy disability you may be eligible for partial or full disability insurance benefits.

4. I'm going to work up to the day my baby is born. Can I add an extra week to my recovery time?

No. Your post-partum benefits are limited to the period that you are actually disabled and incapable of doing your regular or customary work.

5. Is PDL (SDI) taxable? Disability Insurance (DI) vs. Paid Family Leave (PFL)?

Disability Insurance (DI) benefits under Pregnancy Disability Leave are not taxable except when considered to be a substitute for unemployment compensation when paid to an individual who is ineligible for unemployment insurance (UI) benefits solely because of the disability. Only in this instance, where DI benefits are received in lieu of UI benefits, will the EDD provide the claimant with a 1099G form showing amounts paid which are reportable (no more than the original UI maximum) and forward a copy of the 1099G to the [Internal Revenue Service](#) (IRS).

Paid Family Leave (PFL) benefits are taxable for federal purposes but not state tax purposes. The EDD will provide all claimants with a 1099G form and forward a copy of the 1099G to the federal IRS. The PFL benefits are not taxable or reportable to the California State Franchise Tax Board.

6. Can I receive sick leave from my employer and still receive SDI benefits?

You cannot receive SDI benefits under Pregnancy Disability Leave (PDL) for any period for which you also receive sick leave wages that are equivalent to your full (or regular) salary. If you are receiving only partial sick leave wages, however, you may be eligible for full or partial SDI benefits.

7. If I am on disability, family or personal leave without salary, what happens to my benefits?

While on disability or family leave without salary, La Jolla Country Day School continues to make the same contribution to your health and life benefits as it did while you were actively employed. Our Business Office, will bill you for your dependent portion of the cost which is due before the end of each month.

8. Does Family Leave run concurrently with Disability Leave for Pregnancy?

Yes. If you are eligible, [FMLA](#) runs concurrently with [Pregnancy Disability Leave](#). After your PDL ends you may request up to an additional 12 weeks of protected leave under [California Family Rights Act \(CFRA\)](#) if you qualify.

9. Where can I find the forms to apply for FMLA, SDI, CFRA, and California Paid Family Leave?

To Apply for [FMLA](#) with La Jolla Country Day School, you can [click here](#) to access the enrollment form.

To Apply for [SDI](#) (State Disability Insurance), you can [click here](#) to access the form.

To Apply for [CFRA](#) with La Jolla Country Day School, you can [click here](#) to access the enrollment form.

To Apply for [PFL](#) with the State of California, you can [click here](#) to access the enrollment form.

The FMLA and CFRA forms are to be submitted to the HR Office. The SDI form must be submitted to the State of California. In addition, your doctor will have to complete some forms as well as described in the next question.

10. What forms must my doctor complete?

FMLA, CFRA, and SDI, all require a medical certification from your doctor in order to be processed. The medical certification for FMLA and CFRA can be [downloaded by click here](#).

For State Disability Insurance (SDI), the medical certification can be found on [PAGE 3 of the enrollment form](#).

11. I'm confused about the different types of leave during maternity. Is there anything that explains the differences?

Look at the general matrix below for an overview of how much time is allowed under each type of leave, what the requirements are and what hours can be used. To avoid confusion Paid Family Leave (PFL) is now called "Family Temporary Disability" (FTD). Employees do not have an independent right to Family Temporary Disability Leave, however they may be eligible for it if they qualify.

	Pregnancy Disability Leave (PDL) Pre Partum	Pregnancy Disability Leave (PDL) Post Partum	IF ELIGIBLE & PERMITTED		ASSUMING ELIGIBLE Balance of CFRA
			Family Temporary Disability (FTD)(PFL) Mandatory Vacation	Family Temporary Disability (FTD)(PFL)	
Length of time allowed	Typically begins 1-4 weeks before expected delivery date	Typically 6-8 weeks after delivery date (based on delivery type and doctor certification)	Typically employees may supplement this leave with vacation time.	May be up to 6 weeks after FTD Mandatory vacation May use up to 1 year after birth of child	May be up to 4 weeks after FTD Leave
Requirements	Requires doctor statement	Requires doctor statement		Requires Bonding Certificate	Requires 1 year of service (1,250 hours)
Hours that can be used	Use Sick, Vacation hours to augment insurance benefit	Use Sick, Vacation hours to augment insurance benefit	May only use Vacation hours If no Vacation hours, FTD begins immediately	Only Vacation hours can be used to augment insurance benefit	May use only Vacation hours No disability benefit during this period.
	Protected under CA pregnancy Disability Leave (PDL)		Protected under CRRA (CA version of Federal Family & Medical Leave Act – FMLA). If eligible, 12 weeks beginning first day after PDL ens		
	Protected under FMLA. If eligible, 12 weeks beginning on first day of leave				

12. May I request additional time off to bond with my baby?

After you have completed your disability and CFRA leave, you may petition the Head of School for a personal leave of absence, however this does not provide you with any job protection. Your department is also not obligated to grant this leave. When on a personal leave you pay the full cost of benefits; there is no School contribution.

13. May I use both sick and vacation time to get paid on family leave?

Unless your baby is actually sick you **may not** use accrued sick time. You **may** use accrued vacation time.

14. If I am doing Salary Continuation may I continue my Dependent Care Spending Account?

No. The contributions you make towards your Dependent Care Spending Account will cease at the time when your leave commences. If you return from your leave within the same year, you must notify Human Resources within 31 days of the date you return to work in order to start making contributions towards your Dependent Care Spending Account again. The Human Resource Office will recalculate your contributions so you can meet your original election amount by the end of the year.

15. Can I enroll in the Dependent Care Spending Account when I return to work?

Yes. If you were not previously enrolled in the Dependent Care Spending Account prior to commencing your leave, the birth of a child is a "change in status" that allows you to enroll in and make a mid-year election with respect to a Dependent Care Spending Account. To start a Dependent Care Spending Account, complete the form by clicking the hyperlink, and return it to the Human Resources Office within 31 days of the date you return to work. You will not be able to add or make changes to a Dependent Care Spending Account until you return to work.

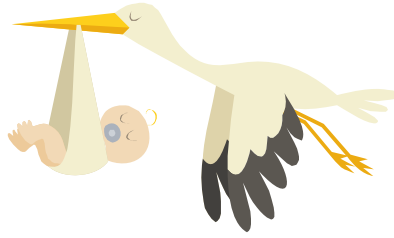


IMPORTANT NOTICE

Some hospitals and doctors tell you the baby will be automatically added to your benefits. ***This is not true.*** For your baby to be covered under La Jolla Country Day School's benefits, you must enroll your baby to your benefits within 31 days of your baby's birth. ***If you miss the 31-day window your baby will have no coverage*** until you enroll them during open enrollment for coverage to start in September of next year.



For more information, contact Human Resources at Ext. 265 or by email at hr@ljcds.org.



A General Example of a Typical Pregnancy Leave Case

In California your pregnancy leave can be broken down into 3 sections: Before you have the baby, recovery, and baby bonding time. The laws that govern Pregnancy Leave and Family Medical Leave in California are very complex and difficult to understand, which is why I prepared this general explanation for the average pregnancy. Please keep in mind that each pregnancy is different, and additional resources may be available depending on your specific case, the information below is intended for general information purposes only. In the event of any conflict or inconsistency between what is written below and revised State or Federal law, the laws of the State or the United State of America shall govern.

Before You Have the Baby

In California, if you are disabled due to pregnancy you may be eligible to take leave and receive State Disability Insurance (SDI) for up to 4 weeks before your scheduled due date.

Here is the confusing part. From the moment you leave work (which can only be as early as 4 weeks before with respect to State Disability Insurance), there is a 7 day (total, not work days) period that you do not get paid for due to processing of [your disability paperwork](#), and a number of transit days while your physical check arrives at your door. So, even though they tell you that you get 4 weeks before paid, you really only get 4 weeks if you leave 4 weeks before your due date.

State Disability, Pregnancy, and Paid Family Leave in California

Now here is the important part: State Disability Insurance (SDI) will pay you a portion of your pay, they will not pay 100% of it. You will be informed of the exact figure about 1-2 weeks after you send in the form. If you would like to know in advanced, you can check the [estimated benefit amounts by clicking here](#).

The good thing is if you are making less now than you were say six months ago, the State of California calculates the amount you get paid off of your highest quarterly average in the last year. To find out more about the quarters, check out the state website here: [Benefits Information](#).

You may obtain the [State Disability Form](#) from your doctor, the LJCDS HR Office, or at the [EDD website](#).

The benefit period for receipt of State disability benefits generally begins four weeks before your due date. If you have complications requiring you to leave work earlier, you doctor can certify you as disabled earlier and you will get disability pay for the time you are out, even if it is longer than four weeks. If you have the type of job that becomes difficult to do while you are pregnant, your doctor may be able to certify you as disabled earlier too. There is more information about these special circumstances here: [Questions about pregnancy leave](#).

Recovery

After you have the baby, you will receive a call or letter from the State Disability Insurance (SDI) office to confirm details about the birth. Basically, you will continue to get disability pay for 6 weeks after a vaginal delivery, or 8 weeks after a C-Section. At the end of this time, you will receive a form in the mail. If you are still in pain, or having any complications, you can bring this form to your doctor, who can request that you remain on disability for longer.

Baby Bonding Time – Paid Family Leave

When your disability runs out (usually at 6 weeks postpartum), you will get a letter about the [Paid Family Leave program](#). This program allows you to continue getting the amount of money you were getting on disability for up to 6 weeks to bond with your baby. Just fill out the form that will come with your last disability pay check, and tell them if you will continue to remain at home with your child for up to six additional weeks, as allowed. More information is available on this website:

[Paid Family Leave](#)

Depending on your individual circumstances and your eligibility to take FMLA and CFRA leave, you may or may not receive [Paid Family Leave](#). For more information visit:

http://www.edd.ca.gov/Disability/FAQs_for_Paid_Family_Leave.htm

In Summary...

It is a good idea to plan early for this, so that you can afford to take full advantage of the time you are allowed, both before and after the baby is born.

