

POLICIES OF THE  
BOARD OF TRUSTEES

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- (1) In accordance with the state’s policy on equal opportunity, female employees shall not be penalized in their condition of employment because they require time away from work caused by or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery.
- (2) Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities and must be treated as such under any health or temporary disability insurance or sick leave plan available in connection with employment. Employment policies and practices involving matters such as the commencement and duration of leave; the availability of extensions; the accrual of seniority and other benefits and privileges; reinstatement; and payment under any health or temporary disability insurance or sick leave plan, formal or informal, shall be applied to disability due to pregnancy or childbirth on the same terms and conditions as they are applied to other temporary disabilities.
- (3) Sick leave can now be used for maternity purposes for the period of actual disability as a result of childbearing or recovery therefrom; a doctor’s certification will be required verifying the employee’s disability.
- (4) Previously an employee’s accumulated annual leave (not to exceed 30 days) was paid in a lump sum when an employee went on maternity leave; an employee going on leave without pay for another purpose, such as illness, is allowed to exhaust accumulated annual leave. To prevent discrimination, employees going on maternity leave will be permitted to exhaust accumulated annual leave and thus gain the benefits being accorded other types of leave without pay.
- (5) Institution Responsibility: Maternity leave, normally not to exceed six months, shall be granted permanent or probationary employees. Limitation of employment before childbirth is prohibited; therefore, based on the type and nature of work performed, each

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institution shall be responsible for determining, in consultation with the employee and upon advice she has received from her physician, how far into pregnancy she may continue to work before going on leave. Her return to work should be within a reasonable length of time, depending upon the advice of her physician. Leave may be extended to 12 months, based on medical certification. Reinstatement to the same position or one of like seniority, status, and pay must be made upon the employee’s return to work.

- (6) **Employee Responsibility:** The employee shall apply in writing to her supervisor for leave. She is obligated to return to duty within or at the end of the time determined appropriate. If she finds she will not return to work, she should notify the institution immediately. Failure to report at the expiration of a leave of absence, unless an extension has been requested, may be considered a resignation.
- (7) **Use of Leave**
  - (7.1) **Leave Without Pay:** Normally a person desires to be on leave from work prior to the time of actual disability and also after the time of actual disability. Leave without pay is to be provided for the time before the employee is disabled and the period of time after the disability ends but before returning to work.
  - (7.2) **Sick Leave:** Accumulated sick leave is provided for the actual period of temporary disability caused by or contributed to by pregnancy or childbirth in the same manner as for other temporary disabilities. Since there is no certainty as to when disability actually begins and ends, it is necessary to determine the period of disability in order that the employee may realize the benefits of both leave without pay and leave with pay for the period of disability. Therefore, the attending physician is requested to furnish, on a prescribed form, the period of temporary disability.

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- (7.3) Annual Leave: Accumulated annual leave may either be exhausted before going on leave without pay or part or all of accumulated leave may be retained until the employee returns to state service. If the employee chooses to exhaust annual leave and disability occurs before all annual leave is exhausted, the employee may use any accumulated sick leave during the period of certified disability and then exhaust the balance of annual leave.
  
- (8) Retention of Benefits: During the period of leave without pay, the employee shall retain all accumulated unused sick leave, retirement status, and time earned toward the next increment. The employee will continue to earn sick leave and annual leave during the period of paid leave.