

Maternity Leave – Operating Staff

Maternity Leave has 2 parts:

Part 1 is absence due to *medical condition* related to pregnancy or childbirth, usually up to six weeks following the birth (normally eight weeks for c-section). Earned Time is used for the first 5 days, then accrued Sick Pool would be accessed. If the employee has no Sick Pool balance, she would continue to use Earned Time; under Family and Medical Leave (FMLA) she may reserve up to 10 days of Earned Time. If Earned Time/Sick Pool becomes exhausted, *leave without pay* applies.

Part 2 is the “time away to care for the child”, when the employee would otherwise be medically able to return to work. An employee may elect under FMLA, to take up to 12 weeks off from work for the birth of a child. For example, if the employee takes 6 weeks for the medical portion, she may choose to take another 6 weeks “to care for the child” (assuming she has not used 12 weeks over the prior year). The following options apply regarding pay status:

- Sick Pool. Under the University’s Family Leave Policy, employees with at least one year of benefits-eligible service may use up to 10 days per fiscal year to care for an immediate family member (the child in this situation)
- Earned Time
- If paid leave becomes exhausted (and employee meets 10-day Sick Pool max under Family Leave), unpaid leave would apply. Under FMLA, the employee may reserve up to 10 days of Earned Time.

Getting Ready for Leave

To apply for maternity leave, the following forms are to be completed and submitted to supervisor and to Human Resources, preferably two to three months before the leave begins:

1. [Request for Leave of Absence form](#) is to be submitted to the employee’s supervisor. Once departmental approval is granted, the form is forwarded to department’s Human Resource Partner.
2. [Certification of Health Care Provider \(FMLA\) form](#). The employee has this form completed by healthcare provider and forwarded to Human Resources. The Certification form is to include:
 - Projected “due date”
 - Stop work date (if different from due date)
 - Return to Work date - the date the employee is medically able to return to work

The Certification form should indicate *dates of “medical absence” only* (e.g., six weeks after date of childbirth, eight weeks for c-section), not additional leave to care for the child. If the form indicates 12 weeks, the employee will be asked to have the healthcare provider complete the form again with the date the employee is “medically able to return

to work”. An exception would be if there are complications from the birth that would require medical leave for 12 weeks.

Family and Medical Leave (FMLA) – applies to Maternity Leave

Family and Medical Leave (FMLA) applies for women on maternity leave as long as she has a minimum of 12 months of service with the University and has worked at least 1250 hours during the 12 months before the start of this leave. Both the employee and the supervisor are obligated to follow FMLA procedures, per legal statutes and USNH policy. For employees not eligible for FMLA, the department is not obligated to grant time off beyond the medical portion of the leave (usually six weeks). FMLA leave automatically applies for eligible employees, and it requires the use of accrued leave, as specified above.

Use of Sick Pool/Earned Time

Sick Pool begins on the sixth consecutive work day of absence during the medical portion of maternity leave. Earned Time is used for the first five (5) days. Earned time may be used longer if no sick pool has been established by the employee, or if sick pool becomes exhausted. Earned Time benefits accrue only during the initial 3 weeks (15 working days) of sick leave pool usage; no Earned Time is accrued while on leave without pay.

Not enough Earned Time or Sick Pool

If earned time/sick pool expires, then the leave is unpaid. During leave without pay the employee’s medical, dental, life, and disability insurance benefits may continue. Arrangements for paying the regular premiums are to be made with the USNH Benefits Office, 868-1800. Also, during unpaid leave, the employee is not paid for University holidays, doesn’t accumulate Earned Time, and is not eligible to utilize tuition benefits.

ISA New England (formerly Lester L. Burdick) – personal short-term disability insurance

Employees who have enrolled with ISA New England may acquire a claim form by contacting: Insurance Specialists, Inc., P.O. Box 2827, Norcross, GA 30091-2827, by letter or by telephone at 1-800-241-7753 x 834. Claim forms are also available at [Human Resources](#). This is a personal short-term disability policy that is unrelated to the University’s leave programs. An employee may receive payment under this disability policy while also receiving her regular University salary when using accrued leave.

Receiving Paychecks at Home

Complete a [Paycheck Distribution Form](#) and return it to the Payroll Office. After the leave, a second form must be completed to revert back to the campus mailing address.

EBPA - Managed Care. For employees under EPBA medical coverage:

- Employee must call 1-800-531-4007 at least seven work days before the due date for authorization of hospital admission. If authorization is not obtained, all hospital charges related to the admission shall be subject to a 20% reduction in benefits payable.
- If the baby arrives early, it is necessary to call the 800# within 24 hours or as soon as is medically possible following admission to the hospital.

HMO / Point of Service (POS)

No pre-admission certification is required. Employee deals directly with her primary care physician or referral.

Adding Baby to Medical Coverage

Employee must complete a new *Flex Plus* benefits enrollment form within 31 calendar days following the birth. To obtain this form, contact Human Resources at 862-0501 (voice), 862-3227 (TTY).

Returning to Work

Medical documentation supporting the employee's ability to perform the essential function of the job is required prior to returning to work. This written medical release is to be provided to the supervisor upon return to work and forwarded to Human Resources, so they may return the employee to active employment status. The Business Service Center also needs to be notified by the supervisor of the employee's "return to work" date, so she may be returned to active employment status.

If the employee does not return to work for at least 30 calendar days following the approved leave, the University may elect to bill her for compensation received while on leave, as well as those insurance premiums paid on her behalf.

The individual would be contacted by EBPA regarding extending medical and dental benefits for up to 18 months beyond her last day of work.

Document Processing – Business Service Center

The employee's supervisor needs to be sure the Business Service Center is informed of the dates the employee *begins and returns* from leave, so the BSC may return the employee to active employment status. The BSC initiates two EPAF's: one to begin the leave, the other to return the employee to active work status.