

LEAVES OF ABSENCE**1.9.6****F. PREGNANCY DISABILITY LEAVE****1. Eligibility**

Any employee who is disabled because of pregnancy, childbirth, or a related medical condition may be entitled to pregnancy disability leave (PDL). For employees who are also eligible for FMLA/CFRA leave, PDL is not counted as time used for CFRA leave, but does run concurrently with available FMLA leave.

2. Reasons for Leave

PDL is for any period of actual disability caused by your pregnancy, childbirth, or related medical conditions up to four months per pregnancy. PDL does not need to be taken in one continuous period of time, but can be taken on an as needed basis. Time off needed for prenatal care, severe morning sickness, doctor-ordered bed rest, childbirth, and recovery from childbirth are all covered by PDL.

3. Amount of Leave

Employees may take up to four months of PDL. Employees affected by pregnancy or a related medical condition, may also be eligible to transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if this transfer is medically advisable.

4. Benefits While on Leave

- a. Benefits. PDL is unpaid. However, employees shall use accrued leaves as if on FMLA and will receive benefits pursuant to FMLA up through exhaustion of the employee's available FMLA and PDL leave.
- b. Accrued Leaves. While on leave, employees do not accrue vacation, sick, or other paid leave time, and their performance evaluation dates may be adjusted to the same extent as any other unpaid leave.

5. Substitution of Paid Accrued Leaves

Employees taking PDL shall concurrently use any available sick leave. Employees shall also use any accrued vacation or other accrued time off as part of their PDL before taking the remainder of their leave as unpaid leave.

6. Employee Notice of Leave

To the extent possible, employees requesting PDL should follow the same authorization process for FMLA.

7. Medical Certification

The City may require employees requesting PDL or a related transfer to obtain a certification from your health care provider of your pregnancy disability or the medical advisability of a transfer. The certification should include:

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- a. The date on which you became disabled due to the pregnancy or the date of the medical advisability of a transfer;
- b. The probably during of the period of disability or the period for the transfer; and
- c. A statement that, due to the disability, you are unable to work at all or to perform any one or more of the essential functions of your position without undue risk to yourself, the successful completion of your pregnancy, or to other persons or a statement that, due to your pregnancy, the transfer is medically advisable.

8. Reinstatement Upon Return from Leave

- a. Reinstatement to Position. Upon expiration of leave, an employee is entitled to be reinstated to the position of employment held when the leave commenced, or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Employees have no greater rights to reinstatement, benefits, and other conditions of employment than if the employee had been continuously employed during the PDL period.
- b. Fitness for Duty Certification. As a condition of reinstatement the employee must obtain and present a fitness for duty certification from the health care provider that the employee is able to resume work in the position sought. Failure to provide such certification will result in denial of reinstatement.