

Childrearing/Parenthood Leaves

Frequently Asked Questions and Answers for GEA Employees

Question: *How many weeks am I entitled to take for childrearing/parenthood leave?*

Answer: The Family Medical Leave Act (FMLA) entitles employees to take up to 12 weeks of FMLA per year.

Question: *What is the difference between my disability period and the childrearing period?*

Answer: Childrearing/Parenthood leaves are granted in accordance with the Family Medical Leave Act (FMLA), and are calculated based on two different periods of time:

1. Disability Period – This is the 6 or 8 week (depending on labor type) timeframe that begins on the date of delivery and concludes 6/8 weeks later, regardless of the number of non-school days that may fall within that timeframe. For this portion of the leave:
 - a. Personal/sick leave must be used concurrently.
 - b. Employees are paid at their contracted rate of pay for the full period, as long as they have accrued the full number of sick/personal days needed. If an employee has not accrued the full number of days that are needed, they are still entitled to the leave but are unpaid.
2. Childrearing Period – This is the post disability period of time. Unlike the disability period, the childrearing leave portion is calculated based on the number of work days. Holidays and recesses, for example, are not counted. As such, the number of days/weeks will vary based on delivery dates and the school calendar. Employees may:
 - a. Return to work, as they are not considered to have a serious medical condition at this point.
 - b. Take the remaining number of weeks, up to a total of 12 weeks (to include the disability if any portion of it falls within regular work days) per school year. These days can be:
 - i. Substituted with accrued personal leave dates for full contractual pay;
 - ii. Substituted with accrued sick leave less the cost of a substitute teacher (note – permitted based on the collective bargaining agreement, not FMLA);
 - iii. Unpaid; or
 - iv. Substituted with a combination of any of the above.

Question: *The due date for my child falls during summer break. Am I still entitled to 12 weeks of FMLA during the school year?*

Answer: Yes. Any portion of the leave that falls within summer break will count towards the disability period, but not towards the overall 12 weeks. See above for details.

Question: *Am I required to use sick days for the childrearing portion of my leave?*

Answer: No. The CBA states that employees *may* use accrued sick leave less the cost of a substitute, but sick/personal days are only required to be used concurrently during the disability period.

Question: *Does my leave count towards Teacher Retirement Board (TRB) while I am paid less the cost of a substitute?*

Answer: Yes. If a teacher is out on paid leave as of the first working day of any month, the District reports them on a transmittal to the State with 1/10th of the annual contracted salary and submits contributions based on this salary. A pro-rated salary is not used.

Question: *How is the cost of my substitute calculated?*

Answer: The rates for substitute teachers is set annually by the Board of Education. As of the 20/21 school year, the rates are as follows:

1. Certified Rate – \$95 per day
2. Long-Term Rate – as of the 21st consecutive day that a substitute is covering the class, their pay increases the per diem rate of a step 1 teacher as determined by the CBA (annual salary divided by 188 days).

**Rates for subsequent school years may vary.*

Question: *Overall, what should I anticipate in lost wages?*

Answer: This answer is impacted by delivery date and the number of work days that fall within an employee's leave. When the Business Office receives the FMLA paperwork from an employee's physician, a letter that specifies paid vs. unpaid days is generated. These are projected days that can change based on actual delivery date.

Question: *Will I be taxed on the amount that my pay is reduced for the cost of the substitute?*

Answer: No. Payroll taxes are based upon earnings. Reduced earnings results in reduced payroll taxes.

Question: *How do I report the reduction in wages to the Internal Revenue Service?*

Answer: The District's payroll system automatically generates W-2 forms based on gross wages. The cost of the substitute is not included in the gross wages, as gross wages are reduced by this cost.

Question: *Am I responsible for paying the substitute rate if the assigned substitute is absent, or if a holiday falls within the period of time that I select to use accrued sick leave less the cost of a substitute?*

Answer: The reduction in pay is reviewed at each payroll, and is based only on those days for which the substitute is actually paid.

Question: *Am I still entitled to insurance benefits during my leave?*

Answer: Yes. The Board of Education (BOE) will continue to cover its portion of the premium share as defined by the CBA.

Question: *What if my pay is not enough to cover my share of insurance premiums?*

Answer: As will be stated in the FMLA letter generated for each employee, the Business Office needs to be contacted to make arrangements to pay insurance premiums. You may do this monthly by mailing or dropping off a check payable to the Griswold Board of Education.