Leave Requirements and Information Sheet

Type of Leave: Maternity

Summary: Baltimore County Public Schools (BCPS) provides eligible employees six or eight weeks (depending on type of delivery) of leave time after the birth of a child for documented temporary disability immediately following pregnancy. While temporarily disabled, an employee may use their accrued personal illness absence time and sick leave bank, if eligible, for the duty days associated with childbirth. If employee is eligible for Family Medical Leave Act leave (FMLA), this leave runs concurrently with approved FMLA leave.

Eligibility: Regular (.1 full time equivalency or greater) employees of BCPS who have a documented temporary disability due to childbirth.

Approved By: Department of Human Resources

The application, and all required documentation noted below, should be sent to:

The Department of Human Resources  
Office of Employee Absence and Risk Management  
6901 Charles Street, B Building, Towson, MD 21204  
Fax no. 410-337-0160  
Email: leaves@bcps.org

For additional information, contact the Office of Leaves, 443-809-4133

General Information

- The Application for Leaves of Absence and Conversions must be submitted 30 days, and approval of the leave request obtained, before the leave begins.
- In the event of a premature delivery (before completion of the 37th week), where the employee has not yet filed for leave, the Application for Leaves of Absence and Conversions must be received by the Office of Benefits, Leaves and Retirement no later than 30 days from the date of the birth of the child(ren).
- Up to six or eight weeks (depending on type of delivery) of leave time is available; personal illness absence time may be used for the period of documented disability.
- See Family Medical Leave Act Leave Requirements and Information Sheet for additional leave time available.
- Employees must refer to their appropriate bargaining unit with regard to additional leave time at the expiration of their accrued personal illness absence time.
- The OEARM Office will send notification of the approval or denial of the leave request, and any conditions that must be met, to the employee, and the principal or office head immediately following the review of the leave request and documentation.
Employees must notify the OEARM Office via phone call, email or letter immediately if the plans for the leave do not materialize or change.

Employees who wish to be on leave for more than 12 weeks following the birth of a child may be eligible apply for a Board-approved child rearing leave prior to the birth. See the Child Rearing Leave Requirements and Information Sheet for additional information.

Gainful, permanent employment with another employer while on an approved leave of absence may serve as justification for termination of the leave.

No employee may engage in remunerative employment during his/her regularly scheduled BCPS work hours of any type, receive compensation for, or enter into any employment agreement, express or implied, while the employee is receiving personal or family illness leave. This prohibition includes afternoon or evening activities of the school system or any other school system.

**Intermittent Leave**

- Intermittent leave is not available for this type of leave.

**Required Documentation**

- Completed Application for Leaves of Absence and Conversions
- Certification of Health Care Provider for Employee’s Serious Health Condition
- Maryland State form 46, Qualified Leave Of Absence Request or Notification of Military Service Entry. This form is required to obtain state retirement service credit for the period of the approved leave and for the survivor benefit to remain in effect during this leave. For additional information and the form, employees may refer to the Maryland State Retirement Agency (MSRA) Web site, [www.sra.state.md.us](http://www.sra.state.md.us).

- Required documentation must be received 30 days prior to the commencement of the requested leave (if leave is foreseeable). If an emergency situation arises, or circumstances prevent this, employees must contact the OEARM Office.
- Employees must contact the OEARM Office within 5 days of the birth to report the birth date of the baby so that the Maternity Leave can begin.
- Leave processing may be delayed or denied if documentation is not received within the required timeframe.

**Effect on Position**

- The employee’s current position is maintained. For those employees eligible and approved for FMLA, there may be limited circumstances when a position is released. If the release is necessary, it will be consistent with FMLA guidelines and the employee will be notified.

**Effect on Salary Increment**

- There is no effect on salary increment.

**Effect on Payroll, Healthcare Benefits and Retirement Plans**

- **Payroll**
  - Employees may use their accrued personal illness absence time and sick leave bank, if eligible, for the time documented as temporary disability by a physician after the birth of a child up to a maximum of six or eight weeks (depending on type of delivery). Any time after the exhaustion of personal illness absence time and sick leave bank will be unpaid. 12-month employees should contact the OEARM Office for additional information.
For any unpaid time, upon return to service with BCPS, employees are responsible for notifying the Office of Payroll (443-809-4240) to re-establish the payroll deduction plans as soon as possible.

**Healthcare Benefits**
- Healthcare coverage for the newborn must be requested within **30 days** of the birth. Accepted documentation to add the child includes: hospital discharge papers, hospital birth records, or an application for a social security card.
- For any paid time, all current deductions will continue.
- BCPS-paid basic life insurance continues during the approved leave of absence period.
- For any unpaid time, the employee’s healthcare and flexible spending contributions will be delayed until employee is returned to paid status at which time missed contributions will be deducted. Employees can refer any questions to the Office of Benefits at 443-809-8943.
- For any unpaid time, other salary deductions must be handled by the employee directly with the appropriate organization (e.g., First Financial Federal Credit Union, optional life insurance, etc.).

**Retirement**
- MSRA recognizes this leave as a qualified leave of absence for service credit purposes; therefore, the unpaid service time may be purchased. Upon completion of the leave, employees must contact the BCPS Office of Retirement at 443-809-8949 to initiate the process. There is no timeframe to initiate the purchase of the service credit if the employee returns to work. However, if the employee is terminating, the paperwork must be received by the Maryland State Retirement Agency no later than 60 days after expiration of the leave in order for the service to be purchased. BCPS requests the paperwork no later than 45 days after expiration of the leave in order to process in a timely manner.
- The Baltimore County Employees Retirement System (ERS) does not recognize this leave as a qualified leave of absence for credit purposes. Therefore, the unpaid service time cannot be purchased.

**Return-to-Work/Extensions/Resignation Requirements**
- Upon completion of a leave, all employees are to return to a position, request and be approved for an extension of leave (if available), or resign.
- **Return to Work**
  - A return to work medical release completed by the employee’s physician is required.
  - For any unpaid time, upon return to service with BCPS, employees are responsible for notifying the Office of Payroll (443-809-4240) to re-establish the payroll deduction plans as soon as possible, the Office of Employee Benefits (443-809-8943) to re-enroll in benefit plans (must be re-enrolled within 30 days of return to work) and the BCPS Office of Retirement (443-809-8949) to purchase the service time.
  - MSRA-eligible employees must complete Maryland State form 26, *Request to Purchase Previous Service*, and submit it while in active employment in order for the service to be purchased. This form must be submitted to the BCPS Office of Retirement.
- **Extension of Leave**
  - Extensions are not available for maternity leave; however, additional time may be available under FMLA for eligible employees.
Resignation

- Employees who choose to resign from BCPS must complete the resignation and offboarding process, available on the Human Resources Intranet at [https://intranet.bcps.org/offices/human_resources/](https://intranet.bcps.org/offices/human_resources/).
- Employees must notify the Office of Leaves at 443-809-4133 or leaves@bcps.org if they resign from leave.
- Employees who resign may be entitled to continued healthcare coverage under COBRA, consistent with the timeframes noted in current law. The cost of this coverage is the monthly premium equivalent to the full cost plus an administrative charge of 2%.
- MSRA-eligible employees who choose to resign must complete Maryland State form 26, Request to Purchase Previous Service. BCPS requests forms are submitted to the Retirement Office within 45 days of the expiration date of the leave in order for the service to be purchased and to satisfy the state’s 60 day requirement.

Policy

Board of Education Policy 4203, Absences and Leaves

Rule:

Superintendent’s Rule 4203, Absences and Leaves

Bargaining Unit Information

- American Federation of State, County and Municipal Employees (AFSCME)
  Article VII - Absences and Leaves
  Section 7a - Absence for Maternity

- BCPS Organization of Professional Employees (BCPSOPE)
  Article IX – Absence and Leaves
  Section 9.5 – Absence for Maternity

- Council of Administrative and Supervisor Employees (CASE)
  Article IX - Absences and Leaves
  Section 9.5 - Absence for Maternity

- Education Support Professionals of Baltimore County (ESPBC)
  Article 8 - Absences and Leaves
  Section 8.6 - Absence for Maternity

- Teachers Association of Baltimore County (TABCO)
  Article XII - Absences and Leaves
  Section 12.6 - Absence for Maternity

For informational purposes only. For additional questions or concerns, employees must refer to Board Policies, Superintendent’s Rules and appropriate bargaining unit agreements.