**MATERNITY LEAVE: IS IT A STATE BENEFIT?**

There is not a "true" maternity leave benefit offered by the state of North Carolina for educators and state employees. There are, however, several options available to employees who want to take leave due to birth or adoption.

**Paid Leave for Maternity Purposes**

SICK LEAVE

The Public Schools of North Carolina Benefits and Employment Policy Manual (section 4.1.2) states that ... "Sick leave due to pregnancy, miscarriage, abortion, childbirth, or postnatal recovery must be treated in the same manner as any other temporary disability." (a 6 week period is what doctors prescribe for a normal delivery). Note: You cannot use sick leave to stay out 2, 3, 6 months or longer, unless the employee or the child is sick (some complication at birth or prior to birth).

ANNUAL LEAVE

The Public Schools of North Carolina Benefits and Employment Policy Manual (section 3.3.1) states that ... "A new parent may use annual vacation leave, personal leave, or leave without pay to care for a newborn child or for a child placed with the teacher for adoption or foster care, Use of annual leave for this purpose is not limited to days when students are in attendance. The leave must be consecutive workdays during the first 12 months after the date of birth or placement of the child, unless the teacher and local board of education agree otherwise." Teachers are limited to using 30 days of annual leave under this provision (the maximum number of days that teachers can accumulate in a fiscal year).

**Unpaid Leave for Maternity Purposes**

FAMILY MEDICAL LEAVE ACT OF 1993 (FMLA)

The "Benefits and Employment Policy Manual" (section 8.2.1) states ... "The Family Medical Leave Act of 1993 (FMLA) allows eligible employees to take up to 12 work weeks of unpaid, job-protected leave for their own serious medical condition or an immediate family member. In addition FMLA allows eligible employees to take the same job-protected leave for the birth of a child or the placement of a child with the employee through adoption or foster care. Employers must maintain any employer-paid health benefit while the employee is on FMLA leave." Note: Eligible paid leave is allowed. Please read the entire FMLA regulations or check with your employer or your NCAE UniServ Director for specifics on eligible leave that could be with pay.

PARENTAL LEAVE WITHOUT PAY

The "Employment and Benefits Policy Manual" (section 8.1) states that "All full-time permanent part-time employees may take a leave of absence without pay for up to one calendar year to care for newborn child or a newly adopted child. Health insurance is not paid, unless 12 weeks of FMLA leave is applied. The employee would be liable for all health insurance coverage (during the entire year or any portion of the year not covered by FMLA). Note: FMLA leave only provides health coverage for the employee. Family or child(ren) coverage is the employee’s responsibility.

For additional information on the aforementioned leave provisions for maternity purposes, please read the complete policy in the "Public Schools of North Carolina Benefits and

Employment Policy Manual". Also, feel free to contact your local NCAE UniServ Director.