

ALLEGANY COLLEGE POLICY ON MATERNITY LEAVE

(Applicable to all full-time female employees)

Allegany College must consider pregnancy or maternity leave in the same manner that it considers all medically necessary leave (sickness or illness) according to Public Law 95-555 which amended Title VII of the Civil Rights Act of 1964.

Maternity leave is herein defined as that period of time as defined by the physician for which the female staff member is physically unable to perform the responsibilities of her position at Allegany College due to pregnancy and childbirth. All benefits* and privileges of a person on maternity leave will be continued in the same manner as though the person were actively employed--i.e., during the maternity leave, the female staff member will receive entitlements for sick leave, vacation leave, tenure and retirement benefits (if applicable), and be eligible to receive salary increments, cost-of-living adjustment, promotion, etc.

Maternity is different from childrearing or that period of time after which the female staff member is medically certified to be able to return to work but chooses to remain with the newborn child. Leave for childrearing would be requested as an unpaid leave of absence from the College. (See applicable policy on "Unpaid Leave of Absence Policy").

The following are the steps which must be followed by the female staff member requesting maternity leave from Allegany College:

1. The female staff member is required to obtain a physician's statement regarding the terms of the maternity leave. The physician's statement must indicate (a) the projected birth date of the child; (b) the beginning date the female staff member should be absent from work for medical reasons; and (c) the date for which the female staff member should be physically able to return to work.**

*Other than salary which will be a function of the number of sick days accumulated and the period of the medically-certified maternity leave.

**The College generally recognizes approximately an eight-week period for an uncomplicated pregnancy and delivery. This involves approximately two weeks prior to the planned birth date of the child and approximately six weeks recovery period after the planned birth date of the child. Those female staff members who wish to return to work before this six-week recovery period must obtain a written statement from their physician. Those female staff members who wish to return to work at some time beyond this six-week recovery period must supply the College with a written statement from their physician indicating the extenuating circumstances that warrant or justify this extended recovery period.

2. The female staff member must make a written request to the President of the College for maternity leave. The physician's statement must accompany this request.

3. If the female staff member is requesting an unpaid leave of absence from the College for childrearing purposes, she must also make a written request to the President for an unpaid leave of absence. In this request, which should accompany the request for maternity leave, the female staff member must indicate the starting and ending dates of the requested leave of absence.
4. The President will act on the maternity leave request and convey his decision in writing to the female staff member within two (2) weeks of receipt of the request.
5. The President will act on the unpaid leave of absence for childrearing (if applicable) and convey his decision in writing to the female staff member within a 30-day period.

The following are important conditions relating to maternity leave:

1. The female staff member's salary will be continued during her maternity leave via the use of accumulated sick leave.
2. If all sick leave becomes exhausted while she is still on her maternity leave, vacation time can be used to continue the employee's salary. (See "Exhaustion of Sick Leave" section of Sick Leave Policy).
3. If all sick leave and all vacation leave becomes exhausted while the female staff member is on maternity leave, she must make request for an unpaid leave of absence (see "Unpaid Leave of Absence Policy"). This unpaid leave of absence would start the day after the last vacation day is exhausted and would end the date the physician has indicated the female staff member is physically able to return to work at the College.
4. A female staff member who has requested and has had approved by the President of the College an unpaid leave of absence (for childrearing purposes) does not receive any fringe benefits during the unpaid leave.*** She does not receive any entitlement benefits or privileges such as sick leave, vacation leave, holiday pay, and must pick up the cost of her hospitalization during the period of unpaid leave.

***One exception is that the College hospitalization coverage is continued for the first month of an unpaid leave of absence.