

MASSACHUSETTS MATERNITY LEAVE

I. Administrative Policy

It is the Administrative Policy of the Granby Public School Committee to implement and administer the provisions of the Massachusetts Maternity Leave Act. This law is intended to balance the demands of the workplace with the needs of the family, promote stability and economic security of families, promote national interests in preserving family integrity and entitle employees to take reasonable leaves for qualifying reasons.

II. Definitions

Eligible Employees: An employee who has worked in a full-time position for 3 consecutive months is covered by the MMLA.

Qualifying Events: The leave is for the time period immediately after childbirth or adoption.

Length of Leave: The leave entitlement under the MMLA is 8 weeks for each child birth or adoption. If twins are born or there are 2 adoptions then the entitlement is up to 8 weeks for each child. Therefore, in the above circumstances, the employee would be entitled to up to 16 consecutive weeks of leave.

Leave for FMLA and MMLA will run and be determined concurrently. Leave under this policy runs concurrently with workers' compensation leave when the work-related injury qualifies as a serious health condition and maternity leave under M.G.L c. 149, § 105D.

III. Procedure

Notice Requirement: An employee is required to give at least two weeks notice of his or her anticipated date of departure and intention to return.

IV. Effect of Benefits

- A. An employee granted a leave under this policy will continue to be covered under the School's group health insurance plans and life insurance plans under the same conditions as coverage would have been provided if he/she had been continuously employed during the leave period.
- B. Employee contributions will be required either through payroll deduction or by direct payment to the Business Office. The employee will be advised in writing at the beginning of the leave as to the amount and method of

payment. Employee contribution amounts are subject to change in rates that occur while the employee is on leave.

- C. If an employee's contribution is more than 30 days late, the Business Office may terminate the employee's insurance coverage. A written notification of intent to terminate coverage will be sent to the employee by certified mail at least five business days prior to said termination date.
- D. If the employee fails to return from maternity leave, the School may seek reimbursement from the employee for the portion of the premiums it paid on behalf of that employee (also known as the employer contribution) during the employee's leave.
- E. An employee is not entitled to seniority or benefit accrual during periods of unpaid leave, but will not lose any seniority or accrued benefits earned prior to the leave.
- F. Under an MMLA leave the employee has the option of using available accrued paid time, or being placed in an unpaid leave status for the duration of the leave. Sick leave time may only be used during time periods of incapacitation because of illness or injury of the employee as determined by the employee's attending physician.

V. Job Protection

- A. If the employee returns to work within the 8 weeks of the maternity leave, he/she will be reinstated to his/her former position or an equivalent position with equivalent pay, benefits, status and authority.
- B. The employee's restoration rights are the same as they would have been had the employee not been on leave. Thus, the employee will be subject to any pay or benefit reductions or other adverse actions, including layoff that she would have experienced if he or she had not taken leave under this policy.
- C. If the employee fails to return after 8 weeks of a maternity leave, the employee may be terminated, unless reinstated to his or her same or similar position, in accordance with applicable laws, other leave-related policies, and/or appropriate bargaining unit contract language.

LEGAL REFS: M.G.L. c. 149, § 105D