



Iowa NRCS Maternity Leave Fact Sheet • September 2017

What to Expect When You Are Requesting Leave & Returning to Work

Congratulations! You're expecting a baby! Now it's time to explain a few items to get you prepared for leave and enjoy time with your new baby. It's very important to start the process early to make sure that all of the necessary paperwork and planning is done before your baby arrives. This fact sheet summarizes information into three main categories: Planning for Leave, While on Leave, and Returning to Work.

Planning for Leave

1. No specified time is granted for maternity leave. The length of time will be determined by you, your supervisor, and your physician. Clearly communicate your leave needs and return to duty plans with your supervisor.
 2. Complete the following documents:
 - OPM-71 Request for Leave or Approved Absence: Indicate the dates and hours for each type(s) of leave. You must show leave for the entire time period you are requesting. This is also where you invoke FMLA. (Family Medical Leave Act)
 - Leave Request Letter: You need to request maternity leave in writing. Clearly state the type(s) of leave, the expected dates of leave, and the anticipated return date.
 - Medical Documentation: Your physician must provide a letter on their clinic's letterhead that includes the medical condition (pregnancy), expected due date, and expected recovery time (duration of the medical condition). The letter must be signed and dated.
 3. Several types of leave are available to use during maternity leave.
 - **Sick Leave** is appropriate for doctor appointments, delivery, and recovery from childbirth. **Most health care providers certify that the recovery period after childbirth is about 6-8 weeks** (typically a natural delivery is 6 weeks and a cesarean section is 8 weeks). Sick leave is not allowed to be used to stay at home with a healthy newborn.
 4. NRCS supports nursing mothers. If you decide to breastfeed your baby, NRCS will offer reasonable accommodations to express milk. Discuss your plan with your supervisor before you go on maternity leave so an appropriate space for expressing milk can be arranged.
- **Annual Leave** can be used to bond with and care for a healthy newborn. Annual leave is appropriate to use **after** the recovery period.
 - **Family Medical Leave Act (FMLA)** Maternity leave is **NOT** automatically FMLA. FMLA is appropriate to use when you do not have enough accrued leave during your maternity leave. FMLA is a type of leave without pay. An additional form will need to be completed (WH 380-E).
 - **Leave without pay (LWOP)** can be used if you do not have enough leave. It can also be substituted for sick or annual leave. However, being in a LWOP status affects various employee entitlements, including the accrual of annual and sick leave, and may cost money (FEHB premiums, for example). You may request LWOP without invoking FMLA, even if you have available paid leave.
 - **Leave Transfer Program.** You may be eligible to apply for and receive donated annual leave under the agency's leave sharing program if you are experiencing a *medical emergency* (delivery and recovery) and if you will exhaust your own annual and sick leave. Donated annual leave may not be used to bond with or care for a healthy newborn. Additional forms will need to be completed (AD-1046 and FMLA Form WH-380-E).
 - **Advanced Sick or Annual Leave** – Please refer to OPM Handbook for more information about these types of leave. (See reference list.)

Family Medical Leave Act—FMLA

Maternity Leave is not an automatic request for FMLA. So what is FMLA? And where do you invoke FMLA?

FMLA is actually a type of leave without pay. The main purpose of FMLA is to provide job protection, for a period of time. FMLA ensures that your job is protected even if you do not have enough paid leave to cover your absence. Basically put, if you do not have enough leave for maternity leave, you can invoke FMLA. If you have enough leave, you should not need to use FMLA. FMLA is invoked on the OPM-71 form, on the right-hand side.

Under FMLA, federal employees can take up to 12 weeks of **unpaid** leave during any 12-month period for one or more of these purposes related to childbirth:

- the birth and/or care of a child
- the care of spouse, child, or parent of the employee who has a serious health condition
- a serious health condition of the employee that makes the employee unable to perform their job

Sick leave and FMLA leave are two separate entitlements. If you have enough sick leave, you do not need to invoke FMLA for your period of recovery from childbirth. You can use sick leave for recovery from childbirth, then invoke FMLA to bond with your baby.

You must have worked for the federal government for at least 12 months in order to be eligible for FMLA. You may elect to substitute annual or sick leave for any or all of the unpaid leave used under FMLA. You should provide at least 30 days' notice to the agency that you will use FMLA, or as much notice as practical. You will need to complete FMLA Form WH 380-E.

While on Leave:

It is your responsibility to fill out your timesheet. This should be coordinated with your Timekeeper and Supervisor prior to taking leave.

The birth of your child is a Qualifying Life Event (QLE). You need to review and/or update:

- Health Insurance
- Flexible Spending Account (FSA) for health care and dependent care (pre-tax dollars to pay for child care expenses)
- Dental Insurance
- Vision Insurance
- Life Insurance

Check with your providers for the QLE timeframe, but typically you must make the change **within 60 days** of the event.

Returning to Work

NRCS supports nursing mothers. If you decide to breast-feed your baby, NRCS will offer reasonable accommodations to express milk.

You are responsible for the equipment you need to express milk, including the pump, coolers and ice packs, and car adaptors or battery packs. Check with your health insurance provider to see if they offer free or reduced-cost breast pumps and supplies. Breast milk can be stored in the office refrigerator.

You need space and time for expressing milk. Work with your supervisor to arrange a lactation room. It must be private (window blinds) and secure (door lock). The room should have a table, a comfortable chair, and at least two electrical outlets. **A bathroom will not be used to express milk.** NRCS must provide reasonable breaks for you to express milk. The number and length of times an employee needs to pump is unique for each person, so discuss your needs with your supervisor.

If you attend meetings and trainings, you need to contact the organizer to arrange an area to express milk. If you work in the field, you must use your vehicle as a private space to express milk. Be sure to communicate with your coworkers when you will be using the vehicle.

The NRCS has a lactation guide available for more information. (https://ems-team.usda.gov/sites/NRCS_lowa/EEO_230_File_Library/State_Office/230-13_FWP/NRCS_Lactation_Support_Guide.pdf) If you need support or help, the NRCS has an Employee Assistance Program through Sand Creek. Please visit their website for more information: <http://sandcreekeap.com/>

This is a summary of information. For more detailed information, please contact the State Office Business Services Specialist. More information is also available in the OPM Handbook listed in the references.

References

- OPM Handbook on Leave and Workplace Flexibilities for Childbirth, Adoption, and Foster Care
- State Office Business Services Specialist: (515) 323-2225
- Healthcare: <https://www.opm.gov/healthcare-insurance/healthcare/>
- Life Insurance: <https://www.opm.gov/healthcare-insurance/life-insurance/>
- FSAFEDS: <https://www.fsafeds.com/GEM/>
- BENEFEDS: <https://www.benefeds.com/>