# **Maternity Leave Policy – California Religious Employer**

# **(for organizations with less than 5 employees)**

## **Purpose**

[Organization Name] is committed to supporting its employees during significant life events, including pregnancy, childbirth, and parenting, while maintaining alignment with the organization’s religious mission and values. This policy outlines the organization’s approach to maternity leave for employees.

## **Scope**

This policy applies to all employees of [Organization Name].

## **Policy Provisions**

1. **Maternity Leave Availability**
   * As a small religious employer with fewer than 5 employees, [Organization Name] is not subject to federal or state maternity leave laws (e.g., FMLA, CFRA, PDL, PWFA, or PDA).
   * However, the organization recognizes the importance of family and offers unpaid maternity leave for employees who are pregnant or recovering from childbirth. The duration and terms of such leave will be determined on a case-by-case basis, considering both the employee’s needs and the operational requirements of the organization.
2. **Accommodations**
   * [Organization Name] will make reasonable efforts to accommodate employees who are unable to perform their usual work duties due to pregnancy or childbirth, if it does not impose an undue hardship on the organization.
   * Accommodations may include adjustments to work schedules or temporary modifications of job duties, as deemed appropriate.
3. **Unpaid Leave for Child Bonding**
   * The organization may provide additional unpaid leave for bonding with a newborn child. Employees may request such leave, and it will be evaluated based on operational needs and the employee’s circumstances.
4. **Health Benefits**
   * If the organization provides health benefits, these may continue during any approved leave period, provided the employee continues to pay their share of the premiums. Employees should contact [HR Contact Name or Title] for details.

## **Return to Work**

* + Employees who take maternity leave will generally be reinstated to their previous role or a comparable one, provided such reinstatement does not impose an undue hardship on the organization.
  + Employees are encouraged to communicate their return-to-work plans with the organization in advance to facilitate a smooth transition.

## **Religious Considerations**

* + As a religious organization, [Organization Name] reserves the right to establish policies and practices consistent with its faith-based mission and values.

## **Notification Requirements**

* Employees are encouraged to notify [Organization Name] as soon as possible of their need for maternity leave or accommodations.
* Requests for leave should be made in writing and include an anticipated start and return date.

## **Questions and Additional Information**

For questions about this policy or to request leave, please contact [HR Contact Name or Title].

# **Maternity Leave Policy - California Religious Employers**

# **(for organizations with 5-14 employees)**

## **Purpose**

[Organization Name] is committed to supporting employees during significant life events, including pregnancy, childbirth, and bonding with a new child. This policy outlines maternity leave provisions in alignment with applicable federal and state laws (as noted below) while reflecting the unique status of [Organization Name] as a religious employer.

## **Scope**

This policy applies to all employees of [Organization Name] who meet the eligibility criteria outlined below.

## **Eligibility**

* Policy provisions relating to CFRA have the following requirements:
  + Have been employed for at least 12 months.
  + Have worked at least 1,250 hours in the previous 12 months.

## **Policy Provisions**

## **Nondiscrimination**

* + As a small religious employer with fewer than 15 employees, [Organization Name] is not subject to federal pregnancy discrimination laws such as Pregnancy Discrimination Act (PDA) and the Pregnant Workers Fairness Act (PWFA).
  + However, [Organization Name] recognizes the importance of family and offers unpaid maternity leave for employees who are pregnant or recovering from childbirth. The duration and terms of such leave will be determined on a case-by-case basis, considering both the employee’s needs and the operational requirements of the organization.

## **California Family Rights Act (CFRA)**

* + Eligible employees are entitled to **up to 12 weeks of unpaid, job-protected leave** within a 12-month period under CFRA for:
    - Bonding with a newborn, adopted child, or foster child within the first year of birth or placement.
    - Caring for a family member with a serious health condition.
    - Addressing their own serious health condition (excluding pregnancy-related disabilities, which are covered separately).
    - CFRA leave is separate from leave taken for pregnancy-related disabilities and may be taken continuously or intermittently.

## **Interaction Between Leave Types**

* + If an employee takes leave for a pregnancy-related disability, that leave is distinct from CFRA leave. After recovery from a pregnancy-related disability, employees may then take CFRA leave for bonding with their newborn child.
  + Employees must work with HR to coordinate leave and ensure appropriate documentation.

## **Return to Work**

* + Employees returning from leave under this policy will generally be reinstated to their same or comparable position, unless reinstatement would impose an undue hardship on the organization.
  + If changes to the employee’s position are necessary, the organization will discuss available options with the employee before their return.

## **Health Insurance Benefits**

* + During approved leave, health benefits will continue under the same terms as if the employee were actively working, provided the employee continues to pay their share of premiums, if applicable.

## **Religious Considerations**

* + As a religious employer, [Organization Name] retains the right to implement policies consistent with its faith-based mission, provided these policies comply with federal and state anti-discrimination laws.

## **Notification Requirements**

### Employees must provide **30 days’ notice** before taking leave, when foreseeable.

### If advance notice is not possible due to medical or other circumstances, employees must notify [Organization Name] as soon as practicable.

## **Questions and Additional Information**

For questions about this policy or to request leave or accommodations, please contact [HR Contact Name and Title].

# **Maternity Leave Policy - California Religious Employers**

# **(for organizations with 15-49 employees)**

## **Purpose**

[Organization Name] is committed to supporting employees during significant life events, including pregnancy, childbirth, and bonding with a new child. This policy outlines maternity leave provisions in alignment with applicable federal and state laws (as noted below) while reflecting the unique status of [Organization Name] as a religious employer.

## **Scope**

This policy applies to all employees of [Organization Name] who meet the eligibility criteria outlined below.

## **Eligibility**

* Employees who are pregnant, recovering from childbirth, or bonding with a new child are covered under this policy. Policy provisions relating to CFRA or FMLA have the following requirements:
  + Have been employed for at least 12 months.
  + Have worked at least 1,250 hours in the previous 12 months.

## **Policy Provisions**

## **Nondiscrimination**

* + In compliance with the **Pregnancy Discrimination Act (PDA) and Pregnant Workers Fairness Act (PWFA)**, [Organization Name] prohibits discrimination based on pregnancy, childbirth, or related medical conditions.
  + Reasonable accommodations, such as modified duties or schedules, will be provided to employees who require them due to pregnancy or related conditions, unless doing so imposes an undue hardship on the organization.

## **Pregnancy-Related Leave**

* + As a religious employer, [Organization Name] is exempt from California's **Pregnancy Disability Leave (PDL)** requirements.
  + Employees who are temporarily unable to work due to pregnancy, childbirth, or related medical conditions may request an unpaid leave of absence for the medically necessary duration, supported by certification from a healthcare provider.
  + If leave is granted, health insurance benefits will continue under the same terms as if the employee were actively working, to the extent required by federal law.

## **California Family Rights Act (CFRA)**

* + Eligible employees are entitled to **up to 12 weeks of unpaid, job-protected leave** within a 12-month period under CFRA for:
    - Bonding with a newborn, adopted child, or foster child within the first year of birth or placement.
    - Caring for a family member with a serious health condition.
    - Addressing their own serious health condition (excluding pregnancy-related disabilities, which are covered separately).
    - CFRA leave is separate from leave taken for pregnancy-related disabilities and may be taken continuously or intermittently.

## **Interaction Between Leave Types**

* + If an employee takes leave for a pregnancy-related disability, that leave is distinct from CFRA leave. After recovery from a pregnancy-related disability, employees may then take CFRA leave for bonding with their newborn child.
  + Employees must work with HR to coordinate leave and ensure appropriate documentation.

## **Return to Work**

* + Employees returning from leave under this policy will generally be reinstated to their same or comparable position, unless reinstatement would impose an undue hardship on the organization.
  + If changes to the employee’s position are necessary, the organization will discuss available options with the employee before their return.

## **Health Insurance Benefits**

* + During approved leave, health benefits will continue under the same terms as if the employee were actively working, provided the employee continues to pay their share of premiums, if applicable.

## **Religious Considerations**

* + As a religious employer, [Organization Name] retains the right to implement policies consistent with its faith-based mission, provided these policies comply with federal and state anti-discrimination laws.

## **Notification Requirements**

### Employees must provide **30 days’ notice** before taking leave, when foreseeable.

### If advance notice is not possible due to medical or other circumstances, employees must notify [Organization Name] as soon as practicable.

## **Questions and Additional Information**

For questions about this policy or to request leave or accommodations, please contact [HR Contact Name and Title].

# **Maternity Leave Policy - California Religious Employers**

# **(for organizations with over 50 employees)**

## **Purpose**

[Organization Name] is committed to supporting employees during significant life events, including pregnancy, childbirth, and bonding with a new child. This policy outlines maternity leave provisions in alignment with federal and state laws, while respecting the unique status of [Organization Name] as a religious employer.

## **Scope**

This policy applies to all employees of [Organization Name] who meet the eligibility criteria outlined below.

## **Eligibility**

Employees are eligible for leave under this policy if they meet the following criteria:

1. Have been employed for at least **12 months**.
2. Have worked at least **1,250 hours** during the preceding 12 months.
3. Work at a location where the organization employs at least **50 employees within 75 miles** (for FMLA applicability).

## **Policy Provisions**

## **Nondiscrimination**

* + In compliance with the **Pregnancy Discrimination Act (PDA)**, [Organization Name] prohibits discrimination based on pregnancy, childbirth, or related medical conditions.
  + Reasonable accommodations, such as modified duties or schedules, will be provided to employees who require them due to pregnancy or related conditions, unless doing so imposes an undue hardship on the organization.

## **Pregnancy-Related Leave**

* + As a religious employer, [Organization Name] is exempt from California's **Pregnancy Disability Leave (PDL)** requirements.

## **Family and Medical Leave Act (FMLA)**

* + Eligible employees are entitled to **up to 12 weeks of unpaid, job-protected leave** within a 12-month period under FMLA for:
    - Bonding with a newborn, adopted child, or foster child.
    - Caring for a family member with a serious health condition.
    - Addressing their own serious health condition, including pregnancy and childbirth-related disabilities.
    - FMLA leave may be taken continuously or intermittently as medically necessary.

## **California Family Rights Act (CFRA)**

* + Under CFRA, eligible employees are entitled to **up to 12 weeks of unpaid, job-protected leave** within a 12-month period for:
    - Bonding with a newborn, adopted child, or foster child within the first year of birth or placement.
    - Caring for a family member with a serious health condition.
    - Addressing their own serious health condition (excluding pregnancy-related conditions, which are covered separately under FMLA or other accommodations).

1. **Interaction Between FMLA and CFRA**
   * FMLA and CFRA run concurrently when leave is taken for a serious health condition, including pregnancy-related disabilities.
   * CFRA leave for bonding with a newborn, adopted, or foster child is **separate** from FMLA leave used for pregnancy-related disabilities. Employees may be entitled to additional bonding leave under CFRA after using FMLA for medical leave related to pregnancy or childbirth.

## **Return to Work**

* + Employees returning from leave will generally be reinstated to their same or comparable position, unless reinstatement would impose an undue hardship on the organization.
  + Employees are encouraged to communicate their return-to-work plans with HR to ensure a smooth transition.

## **Health Insurance Benefits**

* + During approved FMLA and/or CFRA leave, health benefits will continue under the same terms as if the employee were actively working, provided the employee continues to pay their share of premiums, if applicable.

## **Religious Considerations**

* + As a religious employer, [Organization Name] retains the right to implement policies consistent with its faith-based mission, provided these policies comply with federal and state anti-discrimination laws.

## **Notification Requirements**

### Employees must provide **30 days’ notice** before taking leave, when foreseeable.

### If advance notice is not possible due to medical or other circumstances, employees must notify [Organization Name] as soon as practicable.

### Employees must provide a healthcare provider’s certification for leaves related to medical conditions, including pregnancy-related disabilities.

## **Questions and Additional Information**

For questions about this policy or to request leave or accommodations, please contact [HR Contact Name and Title].