

Maternity & Paternity Leave



Simplifying Williamson County Schools Parental Leave Policies.





What is FMLA?

Family Medical Leave Act

FMLA is a federal benefit which provides for up to 12 weeks of paid or unpaid leave in a 12-month period for certain medical and family reasons.

To be eligible for FMLA you must have worked for WCS for 1 year in a full time status and have worked at least 1,250 hours in that year.

While on FMLA, you are allowed to use your sick leave during the portion of leave that your physician states is medically necessary. Your maternity leave and FMLA leave will run concurrently. FMLA is counted in work weeks/days.

TN Paid Parental Act

On May 11, 2023 State lawmakers passed into legislation a bill that provides “Eligible” TN public school teachers and administrators with up to 6 weeks of paid parental leave. An eligible employee means a teacher, principal, supervisor, or other individual required by law to hold a valid license of qualification for employment in a local education agency and who has been employed full-time with a local education agency for at least twelve (12) consecutive months. The paid leave runs concurrent with FMLA and the TN Maternity Leave Act. Birth, stillbirth, or the adoption of a newly placed minor child could qualify for 6 work weeks of paid leave for an eligible employee.

Does WCS have parental leave benefits?

Yes. Maternity and Paternity leave

Maternity & Paternity leave are granted to employees in accordance with the Family Medical Leave Act (FMLA). The WCS Leave policy provides unpaid leave for qualifying staff members unless an employee has accrued:

- Sick
- Vacation
- Personal
- Comp. Leave

If you have accumulated sick leave, you may use it during the period of your physical disability, or the baby's physical disability (determined by a physician's statement confirming your inability to work). Typically, you may use up to 6 weeks (calendar weeks) of sick leave for vaginal birth and up to 8 weeks (calendar weeks) of sick leave for Caesareans. Leave of this type will require a doctor's note certifying the need, and WCS will abide by the doctor's certification of medically necessary time.

Leave beyond your accumulated sick leave days for what is deemed medically necessary (per doctor's note) will be without pay unless you have personal leave, vacation, or comp leave accrued.

Tenn Code Ann. 4-21-408

Employees who have been employed by the same employer for at least twelve (12) consecutive months as a full-time employee, as determined by the employer at the job site or location, may be absent from such employment for a period not to exceed four (4) months for adoption, pregnancy, childbirth, and nursing an infant. With regard to adoption, the four-month period shall begin at the time an employee received custody of the child.

Can I choose NOT to use my accrued leave while on maternity/FMLA leave?

You are not required to use your accrued time off, but if you are eligible for the TN paid Parental Act, you will be required to use that during your leave before entering an unpaid status.

How do I apply for maternity/ FMLA leave?

You can download the forms on the WCS website under Leave of absence. Complete both the Employee FMLA Form (with your physician's assistance) and the Long Term Leave of Absence Application. Once you have completed these documents, which include a physician's certification, you must submit the forms to the Human Resources Department. These forms are then reviewed by Human Resources for final approval and processing.

How much notice must I provide?

In order to take FMLA leave, you must provide notice to your immediate supervisor and Human Resources at least 30 days in advance; but 90 days is requested for maternity leave so that we can identify a proper substitute if permitted. The 30 day requirement may be waived if the leave is due to an emergency.



Adoption

The adoption of a child constitutes a valid reason for requesting a leave under the procedures of the Maternity Leave Policy. FMLA allows 12 weeks of paid or unpaid leave in the year following adoption. In accordance with Tennessee Code Annotated §49-5-710, upon verification by a written statement from an adoption agency or other entity handling an adoption, an employee may request use of thirty (30) days of accumulated sick leave to be used for the adoption of a child. The doctor may specify additional sick leave is needed if the adopted child has a medical condition requiring your presence. Again, we require a doctor's note for any absence over 10 days if this occurs. If both adoptive parents are employed with WCS, only one (1) parent is entitled to use sick leave at one time for adoption.

If you are an educator and are eligible for the Paid Parental Leave Act, you may be eligible for 6 weeks of paid parental leave.

If both adoptive parents are employed with WCS, and meet eligibility requirements, both could qualify for the 6 weeks of Paid Parental Leave.

If I have 4 months of sick leave accrued, can I use it all during my maternity/FMLA leave?

Sick leave can only be used for what your physician states is medically necessary; therefore, if you elect to remain off work after the medically necessary time period established by your physician, the remaining leave will be without pay.

What if I have a C-Section?

Simply provide documentation from your doctor certifying the medical necessity of your leave due to a C-section, and you will be allowed additional time, generally up to 8 weeks of accrued sick leave while on Maternity/FMLA leave.





Extended leave or date change

You must contact the Human Resources Department and inform them of the changes. A physician's statement must be provided documenting the changes if the changes involve an extended leave that is medically necessary. Any changes, which are not medically necessary that involve an extended leave of absence within the 16 week period allowed, do not require a physician's statement. Changes to the dates of a Maternity Leave must be made soon after delivery so as not to impact arrangements for an interim or long-term substitute.

Doctor requiring bed rest?

If you have been placed on bed rest per doctor's orders, you may start your leave early. You will be eligible to use accrued sick leave during this time, to the extent it has accrued. If you are placed on bed rest, the Human Resources Department will need a note from your treating physician in order to revise your leave dates.

Can I start my maternity leave before the baby is born?

You are only allowed to start your maternity leave early if your physician feels it is medically necessary. If your physician does not feel it is medically necessary, then you may use your personal or vacation days, but you will not be allowed to use sick time unless you are sick. Your FMLA will start the first day you are out.

Do I have the option to keep WCS insurance for myself, spouse and baby while I am on a leave of absence?

While on Maternity/FMLA leave, your insurance benefits will continue as if you are actively employed up to a maximum of 16 weeks from the date of birth or adoption if you are FMLA eligible. The Board of Education will continue to contribute to the premium. As long as you receive a paycheck, your benefit deductions (additional family coverage) will continue as normal. Once you are unpaid, you will have to pay your normal deducted amount to continue family coverage. When you become FMLA/Maternity ineligible or you do not return to work at the end of your approved leave and have exhausted all paid leave, you may continue insurance coverage. However, you will be required to cover the full cost of premiums at the COBRA rate. Please contact the Williamson County Benefits Department with any additional questions or to arrange for payment of missed benefit deductions at (615) 786-0162.

What do I need to do once the baby is born?

If you would like to add your baby to your health insurance, you will have thirty-one (31) days from the date the baby is born to have all your paperwork turned into the benefits department at wcs.loa@wcs.edu. You will need to send a copy of the baby's birth certificate or a letter from your physician stating the date you delivered to the Human Resources Department.

What if I want to come back early from maternity leave?

You must contact Human Resources and request permission to return early. If granted permission, you must provide a physician's statement releasing you to return to work.

How do I ensure that my new baby is added to the medical or other insurance plans with WCS?

Simply contact the Williamson County Benefits Department and request an “Add Dependent/Change Request” form and have your paperwork turned in within 31 (thirty-one) days of the baby’s birth.

Note: You may not have the baby’s social security number yet, but that is OK. Once you receive it, you will need to call the Benefits Department at (615) 786-0162 with the social security number when you receive it.

Professional Development Days

You need to complete your required PD Credit hours either before you go on maternity leave and/or after you return to work. You will still need to have all PD Credit hours documented on your transcript by April 1.



My leave will be during Winter Break or Spring Break. Will I get paid for these two weeks?

Educators are paid for the number of days in a paid leave or work status in their work calendar. Winter Break and Spring Break are days out of the calendar, so you are not paid for these days regardless of status. If you do not have enough paid leave to cover your absence, payroll will adjust your pay. Classified employees have to work or be on paid leave the working day prior to a holiday in order to be paid for a holiday.

Since I will be on Maternity/FMLA leave during days out of the calendar (i.e. MLK day and Labor day) will I get paid for those days or will my sick days have to cover the?

Martin Luther King Day and Labor Day are days out of the teacher calendar which means these are not paid days regardless of status. Classified employees are paid for holidays based on their specific calendar. Therefore, no sick, vacation, or personal days will be applied.

What happens if there is an inclement weather day while I am on Maternity Leave and the District is closed?

If an employee has requested a paid sick, vacation, or personal leave day on a day that school is cancelled for inclement weather or other such reason, the employee will not be charged with sick, vacation, or personal leave for that day. Employees in an unpaid status will remain in an unpaid status for that day.



What effect does my leave of absence have on my required in-service hours?

You must complete the required hours, based on your assignment; Please contact the Professional Development Coordinator for more information.

How does my Maternity/FMLA affect my ability to become tenured?

A teacher must work 5 school years or not less than 45 months within a 7 year period to be eligible for tenure and to meet evaluation guidelines. Any time taken without pay while on maternity leave will not count towards the required months.

Will my Maternity/FMLA leave affect my years of service or retirement?

Leave with pay does not affect retirement or years of service. Time spent out on leave without pay is not counted for retirement purposes or as years of service in placing you on the salary schedule.



Contact Information

To File a Leave of Absence

HR Leaves Coordinator
Williamson County Schools

Email: HRLeaves@wcs.edu
Phone: 615-472-4051
Fax: 615-472-5618

Benefits & Insurance

Benefits Specialist
Williamson County Government

Email: wcs.loa@wcs.edu
Phone: 615-786-0162
Fax: 615-790-5876

Short & Long Term Disability

Haley Barker
Account Manager
The Drury Group Inc.

Email: Haleyb@drurygroup.com
Phone: 615-628-3379
Fax: 615-790-7585