

# Paid Maternity Leave FAQs

## For what purposes does maternity leave apply?

Paid maternity leave is a max of thirty (30) days/six (6) weeks of paid leave prior to using sick leave for the birth of a child.

## What are the requirements to be eligible?

There are three separate criteria to be eligible for the paid maternity leave.

1. The employee must be employed in a full-time capacity.
2. The employee must have been employed with the current district for at least one year.
3. The employee must have worked 1,250 hours for the district during the preceding 12 months.

## What constitutes full-time employment for paid maternity leave?

Full-time employment for paid maternity leave is largely a matter of local control. Employees eligible for Flexible Benefit Allowance are presumed eligible full-time staff, but all personnel must meet 1,250 hours worked in the preceding 12 months.

If the School Personnel Report does not report full-time, then you may need to review the Paid Maternity Reimbursement Guidelines.

## How does the 1,250-hour work requirement interact with teacher contract days and FMLA guidance?

The U.S. Department of Labor has settled the question of which hours are counted toward the hours-worked requirement for FMLA, and its approach should be followed under [Title 70 § 6-104.8](#) unless State law dictates otherwise or there is a compelling reason to count the hours differently.

For example, annual or sick leave, paid or unpaid holidays, or FMLA leave are not counted as hours worked. Summer *vacation* (whether paid or not) does not apply to the 1,250 hours-worked requirement. This does not mean that summer school instruction or facility maintenance is excluded. Any hours *actually* worked, including part-time work,



contribute to the 1,250 hours-worked requirement. However, part-time work does not contribute to the one-year full-time employment requirement.

## When does maternity leave begin?

The continuous max of thirty (30) days/six (6) weeks of paid maternity leave begins immediately following the birth of the child.

## How is maternity leave affected by holidays and other types of leave, i.e., vacation or sick leave?

The thirty (30) days/six (6) weeks of paid maternity leave begins immediately following the birth of the child whether the district employee has a holiday or other break from the school year. The expenses for reimbursement to the school district are tied to whether the employee is required to report for work for pay.

If the paid maternity leave happens to be during a holiday or break in service to the district, there are no funds to submit for reimbursement. A district will only submit the expenses it would be required to pay “if” the employee out on maternity leave was actually at work for the district.

## Does the adoption of a newborn child qualify for the paid maternity leave?

No, [Title 70 § 6-104.8](#) states explicitly the paid maternity leave is only for a district's eligible employee which has birth of a child.

## Are male employees eligible for paid maternity leave?

No, maternity leave is commonly understood to apply only to biological women. The Legislature elected to not open this up for father (paternity leave) or family leave.

## What maternity expenses can be claimed for reimbursement?

This is controlled a lot by the local district's FMLA policy. Reimbursement expenses would be tied to the difference between FMLA and what was required from the district if the eligible employee was reporting for work.

- Salary expenses during the school year are reimbursable (excluding Federal funds).
- Districts are obligated to maintain contributions for healthcare.
- Salary expenses during the summer months (or holidays) are not reimbursable.
- Maternity leave does not cover the expenses associated with a substitute.



## What is the process for reimbursement for maternity leave?

District will submit individual ***Reimbursement Application for Maternity Leave*** on all eligible staff through the Single Sign On (SSO) application under the State Aid Management System (SAMS) once the max of thirty (30) days/six (6) weeks of leave are complete.

***Reimbursement Application for Maternity Leave*** will provide district and eligible employee data to verify with the *Oklahoma School Personnel Report*. Application will request annual salary and benefits(excluding federal funds) to use in calculating the total reimbursement for each eligible employee.

A *Notice of Allocation* will be posted on the State Department of Education's [Single Sign On \(SSO\)](#) application under State Aid Management System (SAMS) *Allocations*. The Public School Paid Maternity Leave with Source of Revenue as 3437 and the Project Reporting code as 377.

