

Reproductive Loss Leave added to SGCA Employee Handbook pg 36

REPRODUCTIVE LOSS

Reproductive loss definition: Reproductive loss includes but is not limited to miscarriage, ectopic pregnancy, molar pregnancy, stillbirth, neonatal loss, medical termination, abortion, or failed fertility treatment. Employees experience reproductive loss and may experience grief when their own, their partner's, a surrogate's, or a former partner's pregnancy ends or baby dies shortly after birth for which the employee would have been the parent, or when they would have become the parent through intended adoption of the child from a pregnancy or if such a child died shortly after birth.

An employee may take up to five days of reproductive loss leave following a reproductive loss event. An employee has three months from the date of the entitling event to complete the reproductive loss leave; the days the employee utilizes for reproductive loss leave need not be consecutive. If an employee experiences more than one reproductive loss event within a 12-month period, the employer is not required to provide leave time in excess of 20 days within the 12-month period.

Under the law, reproductive loss leave can be unpaid, but an employee may use available vacation, personal leave, accrued and available sick leave, or compensatory time off. The new law further specifies that it is unlawful for an employer to retaliate against an individual because of (1) the individual's exercise of the right to reproductive loss leave or (2) an individual's provision of information or testimony as to their own reproductive loss leave, or another person's reproductive loss leave, in an inquiry or proceeding related to rights guaranteed by FEHA. Further, an employer may not interfere with, restrain, or deny the exercise of, or the attempt to exercise, any reproductive loss right guaranteed by the law. Employers are also required to maintain the confidentiality of any employee requesting leave for a reproductive loss.