

Reproductive Loss Leave

Effective 01/01/2024

Overview

An eligible employee may take up to **five days** of Reproductive Loss Leave following a reproductive loss by the employee, by the employee's current spouse or domestic partner, or by another individual if the employee would have been a parent of a child had the reproductive loss not occurred.

- **Reproductive Loss is defined as:**
 - Failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction.

Confidentiality

The reason for this leave must remain confidential. The request form and any information that the department receives from the employee must be stored in a confidential file separate from the employee's personnel file.

The department will not disclose any information that employees provide in connection with Reproductive Loss Leave requests unless (1) it is necessary to disclose information to University personnel or to UC Legal or (2) it is required by law.

The timekeeping system should not indicate the reason for leave (i.e. the comments section in API should be left blank).



Eligibility

Eligibility:

- Employed with UCI for at least 30 days.

Duration:

- An eligible employee may take up to **five days** of Reproductive Loss Leave following a reproductive loss.
- If the employee experiences more than one reproductive loss, the employee may take up to a total of 20 days of Reproductive Loss Leave within a calendar year (no more than five days for each loss).

Processing Leave Requests: Centralized

Due to the sensitivity around these leaves, UCI's Leave Team will be managing these leaves internally, please do not refer them to Sedgwick, refer the employee to the EEC for the initiation process.

- Medical documentation will not be requested for this leave.
- The Leave Analyst will ask the employee to complete the Reproductive Loss Leave Form.
- If an employee is unwilling to complete the form but is eligible for the leave, the Leave Analyst should ask the employee to verbally provide the information that is on the form.
- The Leave Analyst should not ask the employee for information about their reproductive loss other than what is in the form (The Reproductive Loss Leave Form can be found [here](#)).

Tracking:

UCI's Leave Team will be tracking all Reproductive Loss Leaves and will update the department accordingly.

Processing Leave Requests: De-Centralized

Due to the sensitivity around these leaves, the Department Leave Administrator will be managing these leaves internally, please do not refer them to Sedgwick.

- Medical documentation will not be requested for this leave.
- The Department Leave Administrator will ask the employee to complete the Reproductive Loss Leave Form.
- If an employee is unwilling to complete the form but is eligible for the leave, the Department Leave Administrator should ask the employee to verbally provide the information that is on the form.
- The Department Leave Administrator should not ask the employee for information about their reproductive loss other than what is in the form (You can find the Reproductive Loss Leave Form [here](#)).

Tracking:

UCPath does not yet have an update in place for this leave, the attached [Reproductive Loss Leave Tracking spreadsheet](#) should be used to track the leave. Once UCPath has been updated, more instructions will come.

FMLA/CFRA

Depending on the circumstances, an employee may also be eligible to use FMLA, CFRA, and/or PDLL in connection with a reproductive loss.

Reproductive Loss Leave is **separate and distinct** from other leave entitlements such as PDLL and CFRA. However, an employee who personally experiences a miscarriage or stillbirth may also be eligible for leave under California's PDLL and/or the FMLA.

FMLA/CFRA/PDLL **does not** run concurrently with the Reproductive Loss Leave.

For example, if using FMLA/CFRA/PDLL, the employee would:

- Use leave under PDLL and/or FMLA prior to or immediately following the reproductive loss.
- When that leave ends, an eligible employee would then have three months to use and complete up to 5 days of Reproductive Loss Leave.
- Please note that eligible employees who experience a reproductive loss are entitled to Reproductive Loss Leave and may choose to use the leave but are not required to do so.

Pay Options

Reproductive Loss Leave is **unpaid**, but eligible employees may elect to use certain types of paid leave to remain on pay status during this leave depending on the policy or collective bargaining agreement that applies to the employee.



- PPSM-covered employees may elect to use accrued vacation, sick leave, PTO (if applicable), and/or compensatory time off for pay during a Reproductive Loss Leave.
- Represented staff employees may elect to use the following options (if available and as applicable depending on the employee's collective bargaining agreement) for pay during a Reproductive Loss Leave: accrued vacation, sick leave, PTO, and/or compensatory time off.

Health: UCI's Leave Team will code the employee's timecard with scheduled PTO, scheduled sick, or Leave No Pay depending on what the employee chooses.

Centralized/De-Centralized: The supervisor or employee will code the timecard with scheduled PTO, scheduled sick, or unpaid leave depending on what the employee chooses.

Resources

For a copy of this presentation please visit the [HR Leaves Page](#)

Link to [Reproductive Loss Leave Request Form](#)

[Reproductive Loss Leave Tracking Form](#) (For De-Centralized only and to be used for your own records).

Contact Info:

Your assigned Leave Analyst (find this information [here](#))

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