



PREGNANCY LEAVE FOR EDUCATORS ACT

FACT SHEET

SUMMARY

There is no guaranteed pregnancy leave for pregnant educators codified in California law. This landmark legislation will codify a pregnant person's right to pregnancy leave and grant public school employees up to 14 weeks of leave with full pay for pregnancies and pregnancy-related health issues.

BACKGROUND

Today, California's educators are not guaranteed pregnancy leave in state law and many educators do not receive more than six weeks of maternity leave. However, providing accommodations for pregnant educators is critical because educators are overwhelmingly female and California is facing a historic educator shortage. According to the National Center for Education Statistics, more than three-quarters of educators are female. Studies show that many educators are feeling acute levels of stress and are considering leaving the profession.

The lack of paid disability leave contributes to problems with retaining educators in the workforce, as many educators are forced to leave the profession when they become pregnant and often do not return. This compounds significant challenges to educator retention and recruitment, in an environment where California schools are having widespread difficulty hiring and retaining educators, due in part to low pay, high housing costs and other rising costs of living.

Under current state law, educators do not earn any paid pregnancy leave. If an educator who experiences pregnancy or

pregnancy-related complications needs more time than the standard six weeks of leave, they must begin to use up their accrued sick leave. After they have used all their sick leave, educators are eligible to receive differential pay for up to five months when they cannot work due to pregnancy-related disabilities. Differential pay is the educator's regular salary minus the cost of their substitute – meaning that the educator on leave is paying for their substitute teacher.

School employees are left with the decision to either "schedule" pregnancies based on the school calendar or try to get by with less pay. When an educator is forced to use up their sick leave for pregnancy leave, they return to the classroom with no leave to care for sick family members or themselves. As a result, current policy encourages sick educators to come to school endangering students, other school colleagues, and parents.

PROBLEM

The current leave system forces educators who experience pregnancy and pregnancy-related health issues to deplete their sick leave and potentially pay for their own substitute, an inequitable practice that puts them at a massive financial disadvantage. When an educator retires, CalSTRS converts unused sick leave to additional service credit. This puts employees who have exhausted their sick leave due to pregnancy, miscarriage, childbirth, termination of pregnancy or recovery from those conditions at a huge disadvantage – on average, women earn almost \$100,000 less in retirement than their male colleagues.



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THE BILL

AB 2901 will create more equity in the education workforce by requiring school and community college districts to provide 14 weeks of fully paid pregnancy disability leave, giving educators the necessary time off to care for themselves and their families without sacrificing their financial security, the health of their families, or the health of their school communities. This matches the International Labor Organization's recommendation of 14 weeks for maternity leave. This bill aligns with goals the Paid Family Leave Task Force convened by Gov. Newsom in 2019 by increasing leave access, providing better job protections, and expanding the length of coverage for a critical segment of California's workers.

SUPPORT

California Teachers Association (*Co-Sponsor*)

California State Treasurer Fiona Ma (*Co-Sponsor*)

California State Superintendent of Public Instruction Tony Thurmond (*Co-Sponsor*)

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