

BMUST: Guidelines for Maternity and Childcare Leave

(Updated & Revised January, 2026)

Please note that every leave request is unique. These guidelines are intended to help you navigate through this process. Please be sure to reach out to Bill Morris, our 1st Vice President, at 1vp@bmust.net so that he can help guide you through this process.

1. The Basic Requirements...

Deciding how much child care leave to take is an important decision that **must be made at least ninety (90) calendar days before your anticipated due date**. By this deadline, you must submit:

1. A letter to the Human Resources Office stating your leave intentions. ***Links to sample leave letters can be found at the end of this document.*** Once your request has been submitted and approved, you may *not extend your leave*, unless in the case of a medical situation, or as outlined in the second-year leave option described below in #5, section 3.
 2. A physician's letter documenting your anticipated due date and a clearly stated "period of disability." (Please note that a ***Period of disability*** is a medical phrase used to ensure eligibility for using sick days, including the sick bank if needed, for the 7 or 9 weeks codified in our BMUST contract).
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2. My Paperwork is in; how do I get Paid for the 7 or 9 Week Leave?

1. In general, you are expected to work until the baby is born (unless a medical condition, which has been documented by your physician, dictates otherwise).
2. Once the baby is born, you will begin a period of **paid disability / maternity leave for a period of 7 or 9 weeks**, depending on the type of delivery you have. During this **7 weeks** (for vaginal birth) or **9 weeks** (for c-section delivery).

3. You will get paid from your banked sick days covering the 7 or 9 weeks of absence.
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3. What if I do not have enough sick days?

1. 1st you will exhaust any days that you have in your sick bank.
2. Then you **may be able to access** Union donated sick bank days, if you provide a physician's note that **explicitly documents** "a period of disability."
 - If there is "a period of disability," that is **explicitly** documented by your physician, you may be approved.
 - There is a 10-day waiting period, as described in *Article X, Section B.1.* of our contract.

*** It is important to note - to avoid **not** being paid while on disability/maternity leave, be sure your medical documentation submitted for your leave explicitly states the need for you to be out for a full 7 or 9 weeks for a **Period of Disability**. ***

4. What are some common scenarios that impact maternity leaves?

1. The official "period of disability" and [FMLA](#) (*The Family Medical Leave Act*) run concurrently and overlap. This means that FMLA begins on your first day out of work and your 7 or 9 week "period of disability" leave begins on the official birthday of the baby or babies.
2. Any portion of a 7 or 9 week leave that occurs over a school break (February Break or Summer for example) is not paid out of any banked sick days. None of us are paid during this time, nor do we need to use sick days. You will not be "charged" sick days, but the clock keeps ticking so you cannot add an extra paid week onto your 7 or 9 weeks. Take February Break or Spring Break for instance...you will be paid for 6 or 8 weeks, since one of the 7 or 9 weeks is an unpaid week off of school.
3. An FMLA leave runs concurrently with the 7 or 9 week "**Period of disability**" leave. However, weeks off from school (February Break or Summer for example) do not deduct from the 12 weeks of FMLA and can therefore extend the period of FMLA leave, as no one is paid, nor are sick days deducted during a break from school.

5. How can I extend my maternity leave on an unpaid basis? Links to sample leave letters can be found at the end of this document.

1. You may extend your 7 or 9 week leave under the provisions of [FMLA \(The Family Medical Leave Act\)](#) for a total of 12 weeks of leave. (Potentially adding 3 or 5 weeks to your 7 or 9 week “**Period of disability**” leave). During this additional time, **you will not be paid**, nor will you be “charged” sick days. You will, however, continue to be covered under the health insurance plan, during this additional time, and will be billed for **your % share** of the **premium cost**, provided you were enrolled in medical coverage prior to the start of your leave. * **You would contact Human Resources for the exact dollar amounts and details.**
2. You may extend your leave past the 12 weeks of FMLA for the remainder of the school year, as codified in our BMUST contract. (Article XI, Section G). *All of the time after the first 7 or 9 weeks will be unpaid and all of the time past the first 12 weeks will be without medical coverage by the district.* You would have the option to continue your own medical coverage through [COBRA](#), and you would be billed by the district for the **full healthcare premium payments**.
3. Any BMUST member may take up to two consecutive school years after the end of the year in which the baby is born. *This time will be unpaid (past the first 7 or 9 weeks) and without employer (BMCHSD) provided medical coverage (past the first 12 weeks) provided by the district.* This option allows you to request one year and then the second year. If you are out on this extended leave, you are required to inform the district, **in writing**, of your intentions for the following September **no later than the Monday after February break** (Article XI, Section K) of The BMUST contract.
4. If a baby is born in the spring semester, you may request to return at the beginning of the second semester, the following school year. *This time will be unpaid (past the first 7 or 9 weeks) and without district provided medical coverage (past the first 12 weeks), as codified in (Article XI, Section N).*

6. How may my maternity or childcare leave impact my teaching position, salary, and seniority? Please be aware that:

1. Upon returning from a maternity or childcare leave of absence, you are guaranteed a position in your building certification area if your leave **does not** extend to a second full year.
 2. If your leave extends to a second full year, you are guaranteed a position in your certification area, but not necessarily in your current school building assignment as codified in (Article IX, Section A-1) of our contract.
 3. Teachers who are on maternity, childcare, or FMLA leave, and are on payroll for 50% plus a day of the school year will receive salary credit for the year (Article XI, Section L).
 4. Teachers who are on payroll for 25% plus a day of the school year will receive half salary credit for the year. *In this situation your new step anniversary will be the first day of the second semester (Article XI, Section L).
 5. Your seniority date will be affected, and adjusted, based on the amount of any unpaid leave that you take.
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7. What if I am not the birth parent and need to take a leave?

1. Non-birthing parents may request up to 12 weeks of FMLA (***The Family Medical Leave Act***) and can be paid for up to 10 days of banked sick days, as codified in our BMUST contract in (Article X, Section H).
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Important Note: Remember that we are here to support you in this pivotal process. Any questions or concerns should be directed to your Head Building Representative or 1st V.P. for Member Benefits, [Bill Morris](#), who is at Mephram. For special situations it is also important to call the Human Resources Office (Renee Jones) at x1013 (516-992-1013). Sample leave letters are available on the BMUST website (www.BMUST.org) and are linked below.

[Sample Maternity Leave Letters](#) - [Full Doc. Link](#)

- ☰ Sample Letter #1: 7 or 9 Week Disability Maternity Leave**
- ☰ Sample Letter #2: 7 or 9 Week DL Combined w/ 12 Week FMLA**
- ☰ Sample Letter #3: 7or9 Week DL,12 Week FMLA, Rest 1st Sem...**
- ☰ Sample Letter #4: 7or9 Week DL,12 Week FMLA; Rest of Year**
- ☰ Sample Letter #5: 7or9 Week DL,12 Week FMLA; Rest Year+Ne...**
- ☰ Letter #6: 1-Year Childcare Leave (Summer Baby)**