The University of California, Los Angeles (“UCLA”) is committed to combating pregnancy discrimination—in the classroom, the workplace, and beyond. In keeping with this commitment, UCLA strives to develop and abide by policies consistent with federal and state laws that protect the rights of pregnant and parenting students, faculty and staff. Further, the school works to provide the Bruin community with the resources needed to obtain academic or workplace accommodations due to pregnancy or, when accommodations are not feasible, pregnancy or parenting leave. The following protocol outlines the various policies and resources available to the Bruin community based on a member’s affiliation with the school, and the contact information for relevant sources should there be questions.

STUDENTS

UCLA is dedicated to ensuring that students are equipped with the resources they need to thrive on campus. As such, the school is prepared to work with pregnant or parenting students to develop accommodations that meet their unique concerns. Students are advised to reach out to one or more of the following campus resources, depending on their concerns.

Center for Accessible Education

The Center for Accessible Education (“CAE”) at UCLA strives to provide pregnant and parenting students with reasonable academic accommodations. Examples of previously offered reasonable accommodations for pregnant students have included exam accommodations, access to lactation spaces on campus, relaxed attendance requirements, changes to a student’s housing and parking, and van service.

While students may reach out to CAE directly and work with the office to get accommodations, they may also reach out to their instructors to ensure instructors are cognizant of their concerns and challenges. If a student is not comfortable speaking with an instructor in person, then once the accommodation has been granted by CAE, the student can send the letter to an instructor using UCLA’s Student Portal. Directions to submit requests via the portal can be found here.

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For the accommodation request to be met, the accommodation must be “linked to the functional limitations described in...[the student’s] medical documentation.”

Accommodations that are traditionally reasonable include “...changes to a classroom environment or task that permit a student with a disability to participate in the educational process” and “reasonable modifications to policies, practices or procedures...” An accommodation is traditionally unreasonable where it poses a threat to public or personal safety, lowers or “substantially” modifies academic or program standards, “fundamentally” alters the nature of a given academic program, or imposes an “undue financial or administrative burden.”

Reasonable accommodations may be provided for a pregnant student where a student has a pregnancy-related disability recognized under the Americans with Disabilities Act, such as gestational diabetes or severe back pain. Further, if CAE offers the sort of accommodation a pregnant student needs to other students with similar temporary disabilities, then the student is entitled to that accommodation, as well.

To speak with someone from CAE about beginning the interactive process to get accommodations or for other general questions, please call: (310) 825-1501

Students with Dependents

Students with Dependents ("SWD") is an on-campus resource offering support to pregnant and parenting students at UCLA. The program provides support and assistance to students as they balance pregnancy or parenting with the transition to UCLA’s rigorous quarter system, increases student access to adequate childcare and social services, and holds social events to build community amongst parenting Bruins. At the end of each academic year, SWD also holds a Parenting Graduation to celebrate the achievements of its students.

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5 Id.
6 Id.
7 Accommodating Pregnancy-Related Conditions, PREGNANT SCHOLAR (LAST VISITED OCT. 12, 2018), https://thepregnantscholar.org/accommodating-pregnancy-related-conditions/ (listing examples of pregnancy-related complications considered disabilities, such as: carpal tunnel syndrome, gestational diabetes, acid reflux, severe morning sickness, urinary tract or bladder infections, chronic migraines, and severe pelvic bone or back pain). For a thorough list of common complications and recommended academic accommodations, please review the Pregnant Scholar’s List of Conditions and Accommodations here.
8 Id.
10 Id.
11 Id.
For pregnant and parenting students, the SWD website offers numerous resources, from a map of on-campus lactation spaces\textsuperscript{12} to contact information for UCLA Lactation Education Counselors.\textsuperscript{13} Visit the SWD site to learn more.

**Certified Lactation Education Counselors**

UCLA is committed to ensuring pregnant and nursing mothers have adequate time and space to lactate on campus. In addition to offering several lactation spaces around campus,\textsuperscript{14} UCLA offers students access to Certified Lactation Education Counselors ("CLECs").\textsuperscript{15} A CLEC’s primary goal at UCLA is to educate new mothers on matters such as the importance of breastfeeding and the risks associated with avoiding the practice, positioning and latching techniques, and the maneuvering of breast pumps and other lactation equipment.

To connect with a CLEC, please call (310) 794-1823.

**UCLA Title IX Office**

When students believe they have been denied a reasonable accommodation or have been subjected to a disadvantage relative to other students due to pregnancy, the UCLA Title IX Office\textsuperscript{16} is available to investigate the matter or work with involved parties to develop an alternative resolution. Title IX is a piece of federal law stating that “no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”\textsuperscript{17} This provision includes the protection of pregnant and parenting students.\textsuperscript{18}

To ensure compliance, UCLA requires the Title IX Office to respond to every report of gender discrimination or sexual harassment or assault brought forward. An investigator’s response is typically given in the form of a message sent to the alleged victim, letting him or her know of the options available to address the incident. While a victim may choose to forego a full investigation, alternative resolutions—such as no-contact orders and sexual harassment trainings—are available. The office treats each report with utmost care and diligence, complying

\begin{footnotesize}
\begin{enumerate}
\item\textsuperscript{12} UCLA STUDENTS WITH DEPENDENTS PROGRAM, Lactation Map and Services, https://www.swd.ucla.edu/LinkClick.aspx?fileticket=0pHCCZZnhYI%3d&portalid=44 (last visited Oct. 5, 2018).
\item\textsuperscript{14} UCLA STUDENTS WITH DEPENDENTS PROGRAM, supra note 10.
\item\textsuperscript{15} UCLA STUDENTS WITH DEPENDENTS PROGRAM, supra note 11.
\item\textsuperscript{16} UCLA TITLE IX OFFICE/SEXUAL HARASSMENT PREVENTION, https://www.sexualharassment.ucla.edu/ (last visited October 2, 2018).
\item\textsuperscript{17} 20 U.S.C. § 1681 (2012).
\item\textsuperscript{18} 34 C.F.R. § 106.40(b)(1) (2018).
\end{enumerate}
\end{footnotesize}
with the school’s Procedures for Handling Allegations of Discrimination, Harassment, or Retaliation\textsuperscript{19} for each investigation.

To contact the Title IX Office, please call: (310) 206-3476.

**GRADUATE STUDENTS**

**Non-Discrimination Disclosure**

The Graduate Division Standards & Procedures\textsuperscript{20} explicitly state that “UCLA and its faculty, staff, and other employees shall not require a graduate student to limit their studies due to pregnancy or pregnancy-related conditions including...childbirth, false pregnancy, termination of pregnancy, conditions arising in connection with pregnancy, and recovery from any of these conditions, in accordance with federal law.”\textsuperscript{21} In addition, students affected by pregnancy or its related conditions are entitled to reasonable accommodations, “like any other student with a disability.”\textsuperscript{22} Students may work directly with faculty or reach out to CAE to facilitate the process of requesting reasonable accommodations.

**Graduate Student Employees**

In addition to pursuing research in their fields of study, graduate students often work during the course of their UCLA career. Many working graduate students elect to become Academic Apprentice Personnel (“AAP”). AAP are either classified as academic student employees (“ASE”)—such as teaching assistants, readers, special readers and tutors—or graduate student researchers.\textsuperscript{23} While technically employed by the school, the UCLA AAP Manual makes clear that AAP “are considered primarily as students being professionally trained, and graduate student status takes precedence over University employment.”\textsuperscript{24} Still, it is important for pregnant and parenting students to discuss concerns or accommodation needs with their department supervisor, relevant human resources officer, or CAE.

In addition to their traditional employment, ASEs are part of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (“UAW”). This partnership is important as it affords covered students, including pregnant and parenting students, eligibility for benefits not necessarily covered by standard UCLA AAP employment. As per the contract\textsuperscript{25} established between the University of California (“UC”) and the UAW, UC institutions “shall not discriminate against or harass any ASE on the basis of sex.

\textsuperscript{21} Id. at 37.
\textsuperscript{22} Id.
\textsuperscript{24} Id.
ASE Leave and Reasonable Accommodations

Under the agreement and consistent with the California Pregnancy Disability Leave Laws (PDL), ASEs are entitled to reasonable accommodations needed due to pregnancy, disability, childbirth, or related medical conditions. Additionally, ASEs are eligible for up to four months of unpaid leave per pregnancy, during which the school will cover the student’s health insurance.

ASEs may also be eligible for a paid leave of absence during the academic year, extending up to six weeks, for pregnancy, childbirth or related medical conditions. ASEs may utilize this benefit before, during, or after childbirth. In addition, ASEs may also secure an extra two weeks of unpaid leave for baby bonding. The school will not engage in retaliation against any academic student employee who makes use of these rights. ASEs are encouraged to read through relevant sections of the UC/UAW bargaining agreement to familiarize themselves with their rights and benefits and speak with their supervisors about any inquiries.

Nursing ASEs may access campus lactation spaces provided for faculty or staff. The lactation space must be a “locked private space...sanitary and equipped with a table, comfortable chair and electrical outlet.” If there is no lactation space within “reasonable proximity” to the ASE’s work location, a temporary space will be designated by the student’s department or hiring unit.

Where a disability arises out of an ASE’s pregnancy, the University “shall provide reasonable accommodations” to help the ASE perform the essential functions of the job. Reasonable accommodations are developed via an interactive, ongoing discussion between the ASE and the University.

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27 Id.


29 Id.

30 Id. at 2.

31 Id.

32 Id.

33 Id.

34 UC/UAW BX 2018 Successor Bargaining, supra note 24 at 4.

35 Id.

36 Id.

ASE and the relevant school representatives. Some examples of reasonable accommodations include “assistive devices; modification of existing facilities, restructuring the job to eliminate non-essential job functions, and leaves of absence.” In making appropriate accommodations, the school will consider the essential functions of the given job, the ASE’s “functional limitations,” and the issues relating to implementing the accommodation.

To address any questions or concerns regarding the UC/UAW bargaining agreement, please call: (310) 825-5462.

POSTDOCTORAL SCHOLARS

Postdoctoral scholars are those who have achieved a doctoral degree or its foreign equivalent and have returned to school to further their studies. Similar to traditional graduate students, postdoctoral scholars at UCLA are also part of UAW. As such, the UC and the UAW also maintain a bargaining agreement for postdoctoral scholars. It is important to note, however, that postdoctoral candidates in clinical fellowships and residencies in the health sciences are not covered by the contract.

As per the agreement, UC institutions cannot discriminate against or harass a postdoctoral scholar “on the basis of...sex (including gender, pregnancy, childbirth, medical conditions related to pregnancy and childbirth, breastfeeding, and medical conditions related to breastfeeding)....”

Postdoctoral Scholar Leave and Accommodations

Postdoctoral scholars have access to all spaces intended for faculty and staff for the purpose of expressing and storing breast milk. Where there is no lactation space in reasonable proximity to a postdoctoral scholar’s workspace, the scholar’s department must create a temporary space “not open to the general public” and provide enough time for the scholar to express milk.

Where postdoctoral scholars become disabled as a result of pregnancy and need assistance to perform the essential functions of their jobs, the school will “provide reasonable

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38 Id. at 1-2.
39 Id.
40 Id.
42 Id.
44 Id. at 5.
45 Id.
accommodation.” Postdoctoral scholars seeking accommodation go through an interactive process similar to the one designed for ASEs.

In the event that a reasonable accommodation cannot be made, the scholar will be given a leave of absence as a form of reasonable accommodation. This leave will be in addition to any leave the scholar is entitled to via Family Medical Leave or Pregnancy Disability Leave. It is unpaid and generally will not exceed 90 days, but scholars may use accrued sick days or paid time off to render this leave paid.

For labor relations inquiries, please contact Michelle Lee from UCLA Human Resources at (310) 794-0867.

PERTINENT FEDERAL AND STATE LAW

Federal – Family and Medical Leave Act (“FMLA”)

FMLA is a piece of federal law that generally pertains to employees who have been on university payroll for at least twelve months and have dedicated at least 1,250 hours to the workplace in the 12 months prior to the start of leave. In addition to traditional UCLA staff, graduate and undergraduate students who meet the two criteria also qualify for FMLA. However, it is important to note that a student employee’s time dedicated to work pursuant to his or her academics—such as a dissertation dealing with similar subject matter to the work done for, say, a TA job—likely will not go towards the hours needed to qualify for FMLA.

FMLA Benefits and Protections

Pregnant or parenting employees who qualify for FMLA are eligible for twelve workweeks of leave within a year of childbirth. An employee may take leave intermittently or on a reduced schedule if the employer and employee agree to such a decision. If leave would take place outside of an employee’s designated paid leave, the leave can be unpaid. Generally, it is advisable that an employee gives her employer 30 day’s notice of the need for leave if the need for it is foreseeable. Where a husband and wife subject to leave time due to the birth of a child are employed by the same workplace, they are entitled to up to 12 workweeks of leave during any 12 month period.

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47 Id. at 1-2.
48 Id.
49 Id.
53 § 2612(b)(1).
54 § 2612(c).
55 § 2612 (e)(1).
56 § 2612(f)(1)(A)
During leave, an employer can require the employee to periodically report to the employer “on the status and intention of the employee to return to work.” Concurrently, the employer must continue to provide health coverage at the same level and under the same conditions coverage would have been provided had the employee not taken leave. Upon return from leave, an employee is to be restored to the position she held prior to her leave, or its equivalent, and be given the same pay and benefits.

Those who believe their rights via this policy have been violated at UCLA can file a grievance pursuant to the Grievance and Arbitration Procedures using this form. In addition, scholars may elect to pursue an alternative resolution at anytime.

State – Pregnancy Disability Leave Law (“PDL”)

PDL is a piece of state legislation covering those with disabilities arising from pregnancy, childbirth, or a related medical condition. Under PDL, a qualifying employee may take leave “for a reasonable time not to exceed four months.” It is important to note that PDL leave runs concurrently with leave taken via FMLA, and that under PDL, an employer would also be required to “maintain and pay” for an employee’s health coverage, just as the employer would have done had the employee not taken leave.

Even where the employee does not take leave under PDL, the statute still prohibits employers from denying qualifying employees reasonable accommodations to address conditions relating to pregnancy, childbirth or related medical conditions. Further, qualifying employees are entitled to being temporarily transferred to a “less strenuous or hazardous” job position during pregnancy if the transfer can be reasonably accommodated. Note, however, that an employer is not mandated to create a new job position that would not have otherwise been created just to satisfy an employee’s request.

State – California Family Rights Act (“CFRA”)

CFRA is a piece of state legislation covering employees “with more than twelve months of service with an employer” and at least 1,250 hours of service to take up to 12 weeks worth of leave for “family care and medical leave.” In the CFRA context, family care and medical leave

58 § 2614(c)(1).
59 § 2614(a)(1)(A)-(B)
61 § 12945(a)(1)
63 § 12945(a)(2)(A).
64 § 12945(a)(3)(A).
65 § 12945(a)(3)(C).
66 Id.
include childbirth. Importantly, CFRA leave does not run concurrently with PDL and can even run after FMLA.

Similar to both FMLA and PDL, under CFRA, an employer is required to “maintain and pay” for an employee’s health coverage.

**Final Notes on Pertinent Law**

Under some circumstances, an employee taking leave under any of the above laws may need to present medical certification to her employer. Additionally, while both parents to a child may use FMLA and CFRA, it is important to reaffirm that PDL applies only to the parent with a pregnancy-related disability.

To learn more about the interaction of these key pieces of law, please review the PDL, CFRA, and FMLA Requirements and Obligations factsheet provided by the California Department of Fair Employment and Housing.

**UNDERGRADUATE STUDENT EMPLOYEES**

According to the Los Angeles County Department of Human Resources, “as long as an employee-employer relationship exists, FMLA and/or CFRA leave is available to students...provided they meet the eligibility requirements of 12 months of service and 1,250 hours worked in the preceding 12 months.” Thus, UCLA undergraduate students working on campus may qualify for benefits under these laws if they meet the above criteria. However, it is important to note that, excluding FMLA and CFRA, it is at the discretion of a student employee’s employment to determine whether other benefits shall be granted.

Many UCLA departments employing undergraduates set forth departmental policies protecting pregnant students. For example, the Associated Students of UCLA (“ASUCLA”) Employment Policy states that ASUCLA employers are “not to unlawfully discriminate against or harass any person, employed or seeking employment, on the basis of...pregnancy.” In addition, ASUCLA employees are eligible for reasonable accommodations should they become “disabled and need assistance to perform the essential functions of their positions.”

Students concerned about a policy violation or denial of a reasonable accommodation from their respective workplaces are advised to either consult with the workplace supervisor or human resources.

**UCLA EMPLOYEES AND STAFF**

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68 § 12495.2(c)(3)(A).
69 CAL. DEP’T OF FAIR EMP’T AND HOUS., supra note 60.
70 § 12495.2(f)(1).
73 Id. POLICY 106 (2011).
The Center for Human Resources is the primary institution to which pregnant and parenting employees and staff may report to with inquiries regarding benefits, leave, and workplace assistance. In addition to providing employment information, CHR also develops policies meant to outline the nature of UCLA employment. The discussion below will outline the significant and most pertinent areas of CHR policy for pregnant and parenting employees and staff.

Lactation Accommodations

Pursuant to California Labor Code, as an employer, UCLA must provide reasonable break times for nursing mothers to express breast milk. The school is committed to complying with current legislation and taking reasonable efforts to offer nursing mothers a private location, other than a restroom stall, for expression of breast milk.

In accordance with CHR’s direction and labor codes, campus departments shall provide adequate space and reasonable break times for nursing mothers to express breast milk. If an employee cannot express breast milk during a paid break time, she must be given the additional break time to lactate. This additional break time may be unpaid. Lactation spaces should ideally be close to a nursing employee’s workspace and discrete in nature. While CHR lists private offices or conference rooms as potential spaces, storage areas, closets and restrooms are considered inappropriate.

Employees needing such accommodations are encouraged to examine the workspace, communicate with their departmental supervisor, and be ready to discuss possible locations suitable for use as lactation spaces. It is important to note that a request for such accommodations can only be denied where it is shown that the normal operations of the workplace would be “seriously disrupted” by providing such accommodations and complying with campus policy.

If an employee has any questions or concerns regarding this policy, he or she can contact Emily Tunteri, Employee Relations Consultant and Administrative Supervisor, at etunteri@chr.ucla.edu. For general questions regarding UCLA lactation policy and procedures, contact Lazetta Smith, Associate Vice Chancellor for Campus Human Resources, at lazetta@chr.ucla.edu or Kety Duron, Chief Human Resources Officer for the Department of Health Sciences, at kduron@mednet.ucla.edu.

76 Id.
77 Id.
78 Id.
79 Id.
80 Id.
California Paid Family Leave

Employees at UCLA who meet the qualifications for FMLA, CFRA, and/or PDL are generally eligible to utilize the benefits granted by these laws. However, some employees may also be eligible for California Paid Family Leave (“PFL”).81 Also known as the PFL Insurance Program, PFL provides up to six weeks of paid leave per year to employees with State Disability Insurance.82 Qualifying employees may use this paid leave to care for children or bond with a new child.83

Eligibility for PFL at UCLA is not guaranteed. Since the UC is not subject to SDI, UCLA employees cannot become PFL-eligible during their employment at the school unless they are concurrently working for another employer that does offer SDI.84 However, new employees arriving from a workplace that did provide SDI may be eligible for PFL within the first 18 months of employment at UCLA.85

Employees interested in using PFL benefits should note that the program grants partial income replacement for missing work. Further, there is a seven-day waiting period before PFL benefits begin to run, and PFL is taxable. Finally, with PFL, there is no guarantee of job protection. Thus, an employee taking PFL leave alone can technically be terminated. However, risk of termination can be counteracted when the employee is eligible for job protection under, say, FMLA or CFRA.86

Pursuant to UCLA employment policy, if an employee is covered by PFL but does not yet qualify for FMLA or CFRA because he or she has not yet worked for the University for 12 months and has not dedicated 1,250 hours, they technically do not have job protection. More information about how PFL interacts with UCLA employment can be found here, and general information regarding PFL can be found here.

Union Benefits and Leaves of Absence

Many staff and employee members at UCLA are also affiliated with a particular union. These unions are significant in that each of them have bargaining agreements with the school that may entitle its members to additional benefits besides those accompanying FMLA, CFRA, or PDL. The following list outlines the various unionized departments on campus, as well as links to each union’s bargaining agreement regarding leaves of absence and reasonable accommodations.

1. Clerical and Allied Service Unit
   Leaves of Absence Policy
   Reasonable Accommodations

2. Service Unit

82 Id.
83 Id.
84 Id.
85 Id.
86 Id.
Leaves of Absence Policy
Reasonable Accommodations

3. Patient Care Technical Unit
Leaves of Absence Policy
Reasonable Accommodations

4. Technical Unit
Leaves of Absence Policy
Reasonable Accommodations

5. Research Support Professionals Units
Leaves of Absence Policy
Reasonable Accommodations

6. Health Care Professionals Unit
Leaves of Absence Policy
Reasonable Accommodations

7. Skilled Crafts Unit
Leaves of Absence with Pay Policy
Leaves of Absence Without Pay Policy
Reasonable Accommodations

8. Registered Nurses Unit
Leaves of Absence Policy
Health and Safety\textsuperscript{87}
Sick Leave

9. Police Officers Unit\textsuperscript{88}
University Benefits: 34 – 36
Sick Leave: 40 – 42
Leaves of Absence Policy: 42 – 62
Reasonable Accommodation: 62 – 64

10. Non-Senate (Lecturers) Unit

\textsuperscript{87} The bargaining agreement for the Registered Nurses Unit does not have an article dedicated to reasonable accommodations. However, Article 16 – Health and Safety, states that the school “shall make reasonable accommodations in work assignments for nurses who are pregnant and for lactating mothers as required by law, including adequate and accessible facilities for expressing breast milk in close proximity to the nurse’s work area.”

\textsuperscript{88} Unfortunately, the articles within the bargaining agreement for the Police Officers Unit have been separated. For your convenience, this protocol provides relevant articles and corresponding page numbers.
Leaves of Absence Policy
Reasonable Accommodations

11. Professional Libraries Unit
Leaves of Absence Policy
Sick Leave
Reasonable Accommodations
Flexible Work Arrangements
Family and Medical Leave and Pregnancy Disability/Childbearing Leaves

12. Student Health Physician’s Unit
Leaves of Absence Policy
Sick Leave
Reasonable Accommodations

FACULTY

Unlike standard UCLA staff, employees holding academic positions at the school are often referred to as academic personnel or academic appointees. As such, many of the policies pertaining to their employment are found in the Academic Personnel Manual (“APM”). To find out if your employment is subject to the APM, click here.

The APM lists the following as roles that generally qualify under the APM: one who is engaged primarily in one or more of the following: teaching, research, and public service, and whose duties are closely related to the university's instructional and research functions. Included in this group are academic administrative officers, faculty, student appointees, medical residents, research appointees, Cooperative Extension and University Extension appointees, and librarians. If you are an employee who is covered by a Memorandum of Understanding with an exclusive bargaining agent, the APM may not apply to you unless you meet certain criteria.89

Available Leave Options Depending on Job Position

If you are an academic year appointee—meaning you are employed to work according to the nine-month academic year—or a fiscal year appointee—meaning you are employed to work throughout the twelve-month calendar year—it is imperative that you provide some form of advance notice of your need to take leave. Academic appointees who miss work for 30 calendar days without approved leave are assumed by the school to have resigned from their positions.90

Pursuant to the APM, UC faculty do not accrue sick leave. At the same time, however, they may be given paid medical leave to tend to illness, disability or an injury.\textsuperscript{91} The amount of paid leave granted generally depends on the faculty’s amount of service to the UC.\textsuperscript{92} Such faculty members are also still eligible for FMLA, CFRA, and PDL. Faculty covered by the Health Sciences Compensation Plan are \textit{not} covered by the forthcoming discussion.\textsuperscript{93}

Academic personnel that do accrue sick leave may use it to tend to a number of “normally approved purposes,” such as disability and childbearing.\textsuperscript{94} The accrued sick leave can also be exchanged for unpaid family and medical leave.\textsuperscript{95} This substitution may be used to care for an appointee’s newborn.

\textit{Family and Medical Leave}

As mentioned earlier in this protocol, employees qualifying for general family and medical leave qualify for up to 12 workweeks off due to childbirth or childrearing. Qualification is in part contingent on an appointee having worked at UCLA for at least 12 months and at least 1,250 hours.\textsuperscript{96} While this sort of leave is generally unpaid, an appointee who accrues sick leave may substitute this for unpaid leave “granted for any covered reason,” including the care of a child.\textsuperscript{97}

It is advisable that an academic appointee seeking to take family and medical leave inform the school of such desire at least 30 days in advance. Of course, in situations like medical emergencies where advance notice is infeasible, it is best to give notice “as soon as practicable.”\textsuperscript{98} Under special circumstances, academic appointee can take this leave intermittently.\textsuperscript{99}

Leave taken to care for a newborn child “shall be concluded within 12 months following the child’s birth...”\textsuperscript{100} While taking family and medical leave, the University will continue to cover an appointee’s healthcare benefits for up to 12 workweeks. Further, an appointee must be reinstated to the same position held prior to leave or its equivalent upon return from leave.\textsuperscript{101}

\textsuperscript{92} \textit{Id.}
\textsuperscript{93} \textit{Id.}
\textsuperscript{94} \textit{Id.} at 4.
\textsuperscript{95} \textit{Id.} at 5.
\textsuperscript{97} \textit{Id.} at 2.
\textsuperscript{98} \textit{Id.}
\textsuperscript{99} \textit{Id.} at 3.
\textsuperscript{100} \textit{Id.} at 3.
\textsuperscript{101} \textit{Id.} at 4.
Additional types of leave with pay may also be granted to appointees where it is for “other good cause.”

**Alternative Leave and Family Accommodations for Childbearing and Childrearing**

**Childbearing Leave**

Appointees with children may take childbearing leave before, during or after childbirth as a means to tend to any temporary disabilities “because of pregnancy, childbirth, or related medical conditions.” In accordance with state law, appointees disabled due to pregnancy or related medical conditions qualify for up to four months of pregnancy disability leave. This leave may be taken intermittently.

As stated in the APM, an appointee is “eligible for childbearing leave regardless of the length of her University service.” However, one’s pay status may vary depending on the nature of her job position.

**Workplace Accommodations**

The University is committed to accommodating the working needs and concerns of its pregnant appointees. As such, the school is required to provide temporary modifications to a pregnant appointee’s position. Such modifications include transferring the appointee to a job “less strenuous or hazardous...if medically necessary” if the school can reasonably accommodate the change. Importantly, the modifications cannot impact a qualifying appointee’s right to family and medical leave or pregnancy disability leave.

**Interaction of Family and Medical Leave and Pregnancy Disability Leave**

If an appointee qualifies for both pregnancy disability leave and family and medical leave, and would like to utilize both, then pursuant to federal law, up to 12 workweeks of the

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103 UNIV. OF CAL. OFFICE OF THE PRESIDENT, ACADEMIC PERSONNEL MANUAL: FAMILY ACCOMMODATIONS FOR CHILDBEARING AND CHILDRearing (2018), https://www.ucop.edu/academic-personnel-programs/_files/apm/apm-760.pdf. It is important to note that this UC policy is currently under revision. Thus, it is important to routinely check the site for policy updates and changes.
104 *Id.* at 4.
105 *Id.*
106 *Id.* at 5.
107 *Id.* at 5-6.
108 *Id.* at 6.
109 *Id.*
110 *Id.*
pregnancy disability leave must run alongside family and medical leave.\(^{111}\) Further, following pregnancy disability leave, if an appointee requires more leave, she may be granted up to twelve workweeks of additional unpaid leave pursuant to the CFRA.\(^{112}\) This additional leave is unpaid, and health coverage may not extend to this leave period.\(^{113}\)

**Parental Leave Without Pay**

If an appointee needs additional leave, parental leave without pay might be a viable option. This leave provides appointees with either full-time or part-time leave, without pay, for up to one year, and may be utilized to care for a child.\(^{114}\) If taking parental leave alongside family and medical leave, then up to 12 workweeks of parental leave must run alongside family and medical leave.

**Stopping the Clock**

Appointees responsible for at least 50 percent of the care of a child may “stop the clock,”\(^ {115}\) during a probationary period in order to care for a child that is part of appointee’s family. The process to stop the clock may be found [here](#).

**Unionized Academic Appointees**

As discussed earlier in this protocol, many UCLA employees are part of labor unions. Included in these unions are some members of the academic personnel community. If you believe you may fall within the ambit of one of the below union contracts, please feel free to review the relevant sections of the union’s bargaining agreement to learn about possible benefits available.

1. Professional Librarian Unit
   - Statement of Nondiscrimination
   - Leaves of Absence
   - Sick Leave
   - Reasonable Accommodation
   - Flexible Work Arrangements
   - Family and Medical Leave & Pregnancy Disability/Childbearing Leaves

2. Non-Senate Instructional Unit
   - Non-Discrimination in Employment
   - Benefits
   - Leaves of Absence
   - Reasonable Accommodation

\(^{111}\) *Id.* at 6.

\(^{112}\) *Id.*

\(^{113}\) *Id.* at 6-7.

\(^{114}\) *Id.* at 7.

\(^{115}\) *Id.* at 10.
OTHER EFFORTS TO FURTHER IMPROVE CAMPUS CLIMATE FOR PREGNANT AND PARENTING STUDENTS

Alongside the administrative policies set forth earlier in this protocol, UCLA students have taken initiative to improve the campus environment for pregnant and parenting members of the Bruin community.

Creating Space

Creating Space is a student-led initiative within the Bixby Center on Population and Reproductive Health at UCLA. Its members have been dedicated to increasing communal accessibility to lactation spaces and improving space conditions, such as by lobbying for the addition of key pad locks to the doors for current lactation spaces. With recent complaints of the need for more comfortable and designated lactation spaces on campus, Creating Spaces has been working with the UCLA Office of Equity, Diversity and Inclusion and other campus stakeholders to increase lactation space accessibility.

The initiative’s goal is to increase accessibility by implementing Mamava pods—mobile, sanitary and size-inclusive lactation stations offering nursing mothers a private and comfortable breastfeeding experience. In addition to these efforts, Creating Space plans to host a campus-wide event on barriers to breastfeeding during the 2018-2019 academic year.

To get in touch with Creating Space, please contact UCLACreatingSpace@gmail.com.

Mothers of Color in Academia de UCLA

Mothers of Color in Academia de UCLA (“MOCA”) is a collective of student activists mobilizing “on campus towards institutional change.” MOCA has collaborated with Creating Space to form the Bruin Lactation Coalition and offers a supportive community to Bruins both on campus and via social media.

To connect with MOCA de UCLA, please contact MOCAdeUCLA@gmail.com.

Mother-Infant Support Group

UCLA offers a weekly support group to UCLA students, faculty and staff at the school’s medical centers in Westwood and in Santa Monica at no cost. A lactation specialist or nurse is always in attendance to address questions, and mothers are encouraged to “share concerns, celebrate successes, and offer encouragement for mothers with new babies.”

Topics commonly covered during meetings include breastfeeding, returning to work after childbirth, and developmental stages.

If interested in attending, please review the weekly schedule for each medical center below:


UCLA Medical Center, Westwood  
Wednesdays, 1:30 - 2:30 pm  
200 Medical Plaza, Suite 206A  
For more information call: (310) 267-9517

UCLA Medical Center, Santa Monica  
Thursdays, 12:00 – 1:00 pm  
Merle Norman Pavilion, 2nd floor  
Postpartum Family Room  
For more information call: (424) 259-8250