



## AB 500: Paid Pregnancy Leave for K-14 Employees

### IN BRIEF

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Assembly Bill 500 would require school districts, charter schools, and community colleges to provide certificated, academic, and classified employees at least six weeks of fully paid leaves of absence due to pregnancy, miscarriage, childbirth, and recovery from those conditions.

### BACKGROUND

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California is facing a significant teacher shortage, with 80 percent of districts reporting difficulty in filling positions in the 2017-2018 school year, according to research by the Learning Policy Institute. There simply haven't been enough people interested in pursuing the profession and obtaining the proper credentials at the rate needed to fully serve California's students. Even when teachers are hired, schools struggle to retain them, which negatively impacts students and imposes additional costs on the districts.

Given that in the 2017-2018 school year, nearly 74 percent<sup>1</sup> of certificated school employees and 70 percent<sup>2</sup> of classified employees were women, it's clear that issues surrounding pregnancy leave are important to the vast majority of school employees. On average, 37 percent of teachers cite personal reasons, such as pregnancy, for leaving the teaching profession<sup>3</sup>.

Existing law provides that schools must allow their female employees to take unpaid leave for pregnancy, childbirth or related medical conditions. After employees have exhausted vacation (if applicable) and sick leave, then they may receive differential pay—the remainder of their salary after the school's costs of paying for a substitute—for a period of up to five months.

### PROBLEM

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Unlike private-sector employees, many public employees are not eligible for State Disability Insurance coverage, and therefore do not receive any type of paid leave

under the state's Paid Family Leave program. This means female employees are forced to exhaust their sick leave and vacation time for pregnancy and childbirth, which depletes their accrued leave and limits their ability to fully recuperate prior to returning to work. Employees are left with the decision to either "schedule" pregnancies based on the academic year calendar, wait to have children until they have saved up enough sick leave, or simply attempt to survive without pay. The current practice is discriminatory against women who are the only school or academic employees forced to deplete their other paid leave benefits when they are disabled by pregnancy, childbirth, or a related condition.

### THE SOLUTION

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AB 500 will require school districts, charter schools, and community colleges to provide paid leave to certificated, classified, and academic employees when an employee is required to be absent—for a length to be determined between the employee and their doctor, but no less than six weeks—for pregnancy, miscarriage, childbirth and recovery.

California schools are having enormous difficulty hiring and retaining teachers, in part because of low pay, skyrocketing housing costs, and other rising costs of living. This bill will help retain valued school and academic employees in the workforce after they've had children and will end the current discriminatory practice that forces only female employees to utilize their leave balances when choosing to have children.

### SUPPORT

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CA Federation of Teachers (Cosponsor)  
Faculty Association of California Community Colleges (Cosponsor)  
ACLU  
CA Professional Firefighters  
CA School Employees Association  
CA Teachers Association

### FOR MORE INFORMATION

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<sup>1</sup><https://dq.cde.ca.gov/dataquest/Staff/StaffByEth.aspx?cLevel=State&cYear=2017-18&cChoice=StateNum&cType=O&cGender=B&Submit=1>

<sup>2</sup><https://dq.cde.ca.gov/dataquest/DQ/FTEClassifiedStaff.aspx?ShortYear=1718&TheYear=2017-18&ReportCode=StClass&Level=State&DC=StClass>

<sup>3</sup> [https://learningpolicyinstitute.org/sites/default/files/product-files/Teacher\\_Turnover\\_REPORT.pdf](https://learningpolicyinstitute.org/sites/default/files/product-files/Teacher_Turnover_REPORT.pdf)