



# Understanding options for pregnancy-related leaves

Benefits and resources that support growing families



ABOUT **20%**

of all filed short-term disability claims involve pregnancy-related conditions.<sup>1</sup>

**Pregnancy is an amazing, yet challenging, time of life.** Fortunately, many employers offer short-term disability insurance that provides replacement income for time away from work due to sickness or injury, including pregnancy-related conditions.

The FMLA protects employees who must be absent from the workplace by ensuring their right to take unpaid leave. Certain family and medical situations may be eligible, including maternity, birth, the adoption of a child or a newly placed foster child.

In this paper, we'll explore some of the ways short-term disability coverage can help support pregnant employees and how these benefits may complement federal and state-specific leaves.

## The Family and Medical Leave Act

The federal Family and Medical Leave Act (FMLA) provides employees with up to 12 weeks of unpaid, job-protected leave when certain criteria are met.

### To be eligible for FMLA benefits, an employee must:

- Have worked for a covered employer for a total of 12 months.
- Have worked at least 1,250 hours over the previous 12 months.
- Work at a location where at least 50 employees are employed by the employer within 75 miles.

Several state-specific versions of Family and Medical Leave (FML) provide additional benefits for both new mothers and new fathers. Bonding benefits under federal and state FML programs are also frequently extended to parents adopting or otherwise being the primary caregiver for a child. A small number of municipalities, including San Francisco and Washington D.C., also offer FML-type benefits.

[Continued >](#)



**Some carriers offer absence management programs** to help employers administer pregnancy-related leaves and ensure compliance with federal, state and local regulations.

## How short-term disability benefits work for conditions related to pregnancy and childbirth

About one fifth of all claims filed for short-term disability benefits arise from conditions related to pregnancy and childbirth.<sup>1</sup> A short-term disability benefit replaces a portion of the employee's income after they've stopped working for a specified period of time (typically seven days) due to their condition.

In most cases, employees stop working at or around the estimated date of delivery; however, some carriers may allow the claimant to cease work up to two weeks early (the pre-partum period) based on self-reported symptoms.

Employees working in certain more physically demanding occupations may be authorized to stop working up to four weeks prior to their estimated date of delivery under their medical provider's recommendation. Other pregnancy-related complications, such as pre-eclampsia and incompetent uterus, may warrant stopping work at an earlier date. For these complications, the carrier's case managers will get the medical information needed to make a claim determination based on the specifics of that individual's situation. If a claimant is not approved for early disability benefits, they may still be eligible after the baby is born.

Once the baby arrives (the post-partum period), short-term disability benefits are generally paid for six to eight weeks, depending on the method of delivery. Some carriers even allow new moms to receive their short-term disability benefit as a lump sum for greater flexibility with their funds.

As with the pre-partum period, benefits may be extended if there are clinical complications such as infections or post-partum depression.

## Statutory disability programs

Employees working in California, Hawaii, New Jersey, New York, Rhode Island and Puerto Rico are also eligible for statutory disability insurance (SDI) programs. Benefits paid under SDI programs are typically integrated with employer-sponsored short-term disability plans and can provide income protection for employees who are unable to work due to pregnancy-related conditions.

## Paid family leave programs

A growing number of states have introduced paid family leave (PFL) programs that provide income to employees while away from work for an extended period of time to care for a family member. PFL programs typically provide benefits for conditions related to pregnancy and childbirth, including income while an employee is away from work to bond with the newborn child.

In several states, PFL programs work in conjunction with SDI programs. For example, in California, New Jersey and New York, employees are eligible to receive income under an SDI program for six to eight weeks following delivery and additional income under a PFL program for bonding.

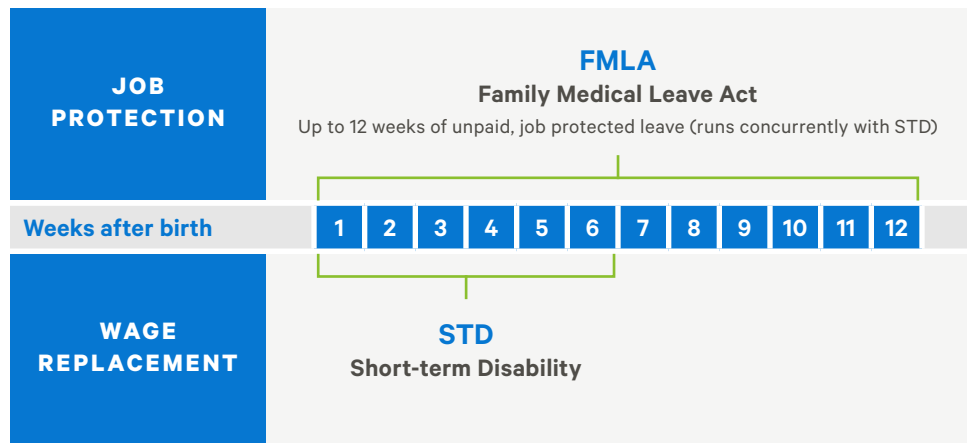


**Look for a carrier that has experienced case managers** who stay current on state and federal regulatory updates.

## Leave management

FML and state-specific leave programs provide valuable job protections for employees, but tracking and administering these leaves can be complicated.

For example, in many states, pregnancy-related short-term disability leave runs concurrent with FML. So if an employee were to have an uncomplicated vaginal delivery, she may be eligible for six weeks of short-term disability leave and 12 weeks of FML. Since these are concurrent leaves, she will be away from work for a total of 12 weeks to recover and bond with her new child. The short-term disability coverage can provide partial income replacement for six weeks (less any elimination period—typically one week) and the FML will provide an additional six weeks of unpaid, job-protected leave.



Employees in certain states and municipalities may be eligible for a longer leave. To help reduce the risk of noncompliance, many employers choose to outsource leave administration. Look for a carrier that has experienced case managers who stay current on state and federal regulatory updates. Many employers find that having a single carrier manage short-term disability and leave of absence claims can help expedite the claims decision process.

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## Additional support

Many employers provide access to an employee assistance program (EAP) that offers important services to new moms and dads. An EAP frequently includes services such as:

- **Counseling services:** These professionals can help new parents deal with personal or family concerns as well as other stresses.
- **Financial and legal assistance:** Participants may be able to contact financial or legal professionals for help with taxes, guardianship issues, estate planning and will preparation.
- **Online referral services:** Some EAPs offer online tools that allow new families to research child care options, community resources or other support groups.

More employers are taking steps to enhance their employee benefit offerings for pregnancy-related conditions. These benefits can help reduce some of the stress of balancing employment with the needs of a growing family, and serve as an effective tool for retaining employees.

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**To learn more, talk to your group benefits representative.**



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<sup>1</sup> 2023 Symetra claims data.