



An eligible employee may take up to five days of Reproductive Loss Leave following a reproductive loss. To be eligible for this leave, an employee must have been employed by Berkeley Lab and/or another UC location for at least 30 calendar days prior to the start of the leave, without a break in service. To request Reproductive Loss Leave, please complete this form and return it to the Integrated Disability & Absence Management (IDAM) Office via fax (510) 486-7070 or via email: IDAM@lbl.gov. If you have questions as you are completing this form, please email the IDAM Office or refer to the FAQs on page 2 of this form.

EMPLOYEE INFORMATION:

Name:

Email:

Requested Reproductive Loss Leave Dates:

to

Division:

Supervisor:

PLEASE ANSWER THESE QUESTIONS:

Note: You do NOT have to disclose who experienced the reproductive loss or which reproductive loss applies to your request to be able to take this leave.

1. An eligible employee may use Reproductive Loss Leave following a reproductive loss (i.e., failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction) by the employee, by the employee’s current spouse or domestic partner, or by another individual if the employee would have been a parent of a child had the reproductive loss not occurred. Are you requesting Reproductive Loss Leave for one of these reasons? **YES** **NO**
2. Please enter the date of the reproductive loss or, if you were taking another leave prior to or immediately following the reproductive loss (such as leave under the Family and Medical Leave Act, the California Family Rights Act, and/or California’s Pregnancy Disability Leave Law), please enter the end date of the other leave:
3. Reproductive Loss Leave is unpaid, but you may elect to use certain types of paid leave to remain on pay status during a Reproductive Loss Leave depending on the policy or collective bargaining agreement that applies to you. (See page 2.) Do you wish to use any of your paid leave options during Reproductive Loss Leave? **YES** **NO**

If **YES**, please identify the paid leave option(s) you are requesting to use during this leave and for which dates.

CERTIFICATION

I certify that the foregoing is true.

Employee Signature:

Date:



FAQs About Requesting and Using Reproductive Loss Leave

What do “failed adoption,” “failed surrogacy,” and “unsuccessful assisted reproduction” mean?

“Failed adoption” means the dissolution or breach of an adoption agreement with the birth mother or legal guardian or an adoption that is not finalized because it is contested by another party. “Failed surrogacy” means the dissolution or breach of a surrogacy agreement or a failed embryo transfer to the surrogate. “Unsuccessful assisted reproduction” means an unsuccessful round of artificial insemination or of an assisted reproductive technology procedure, which includes embryo transfer and gamete and embryo donation. It does not include unsuccessful reproduction via sexual intercourse.

Can I take Reproductive Loss Leave if my girlfriend experienced the reproductive loss?

If a person other than you or your current spouse or domestic partner experienced the reproductive loss, you may be eligible for this leave if you would have been the child’s biological parent, adoptive parent, legal guardian, stepparent, if you would have had day-to-day responsibilities to provide care for the child, or if you would have provided financial support to the child.

Do I have to use Reproductive Loss Leave within a certain amount of time?

If you are taking leave under any state or federal leave entitlement prior to or immediately following the reproductive loss (such as leave under the Family and Medical Leave Act, the California Family Rights Act, and/or California’s Pregnancy Disability Leave Law), then you must complete the Reproductive Loss Leave within three months of the end date of that leave. But if you aren’t taking a different leave prior to or immediately following the reproductive loss, then you must complete this leave within three months of the reproductive loss.

What paid leave options are available to me during Reproductive Loss Leave?

Reproductive Loss Leave is unpaid, but you may elect to use certain types of paid leave to remain on pay status during a Reproductive Loss Leave depending on the policy or collective bargaining agreement that applies to you.

- Policy-covered staff employees may elect to use accrued vacation and/or sick leave for pay during a Reproductive Loss Leave.
- Represented staff employees may elect to use the following options (if available and as applicable depending on the employee’s collective bargaining agreement) for pay during a Reproductive Loss Leave: accrued vacation leave, sick leave, and/or PTO.
- Represented academic appointees may elect to use the following options (if available and as applicable depending on the appointee’s collective bargaining agreement) for pay during a Reproductive Loss Leave: accrued vacation leave, sick leave, personal leave, personal time off, paid medical leave, short-term leave, and/or long-term leave.

For counseling and referral services, the Employee Assistance Program is available to help. See <https://uhs.berkeley.edu/bewellatwork/employee-assistance>. Also, depending on the circumstances, you may have additional leave options available to you. Policy-covered staff employees should refer to the Leave of Absence policies in the RPM and represented employees should refer to the applicable collective bargaining agreement.