

**Pregnancy, Parental and Adoption Leave Policy**

Revised: November 14, 2008

Effective date: January 1, 2009

Supersedes: Not applicable

**Scope/Purpose:**

This policy is intended to outline the maternity, parental and adoption leave provisions applicable to all full-time and part-time employees. Individuals providing services under a contractor agreement are not eligible. Contractors may be eligible for certain Employment Insurance benefits. Contractors should contact Service Canada for more information.

**Pregnancy Leave**

In accordance with the Employment Standards Act, pregnant female employees are eligible to take up to seventeen (17) weeks of unpaid leave of absence. This leave must begin no earlier than 17 weeks before the employee's due date (set out in the medical certificate described below) and not later than the day on which she gives birth.

**Reporting Requirements**

Employees are encouraged to provide at least four (4) weeks written notice before leave commences that they intend to take the leave. However, employees must provide the Company with at least two (2) weeks written notice. A medical certificate, completed by a qualified medical practitioner, confirming the pregnancy and stating the estimated date of delivery, must accompany this written notice.

If an employee must begin leave earlier or later than expected, she must provide at least two weeks notice of the change. If the change is due to medical complications related to the pregnancy, she must provide at least two weeks written notice where possible, or where the nature of the medical complications makes this impossible, the employee must provide written notice as soon as possible.

If an employee wishes to end her leave earlier than initially reported, she must provide the Company with at least four (4) weeks written notice.

**Parental Leave – Biological Parents**

New parents are eligible to take unpaid leave of absence when a baby is born. Pregnant female employees who have taken their Pregnancy Leave are entitled to up to thirty-five (35) weeks unpaid leave of absence. Parental leave is not part of the pregnancy leave and so a birth mother may take both Pregnancy and Parental leave.

A birth mother may defer taking her Parental Leave and return to work at the end of her Pregnancy Leave. This may be the case where the baby has been hospitalized since birth and is still in the hospital's care when the pregnancy leave ends. The birth mother may commence her Parental Leave at a later date providing that she starts her Parental Leave anytime within the 52 weeks after the birth of her child or the date the baby first came home from the hospital. Birth mothers who do not take Pregnancy Leave and all other new parents are eligible for up to thirty-seven (37) weeks' Parental Leave.

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Non-Birth parents (includes same sex parent) are eligible for up to thirty-seven (37) weeks' unpaid parental leave and this leave must commence no later than 52 weeks after the birth of the child.

**Reporting Requirements**

Birth mothers who wish to take Parental Leave are expected to provide written notice to the Company of their intention to take Parental Leave at the same time that they notify the Company that they wish to commence their Pregnancy Leave, but must provide at least two (2) weeks written notice prior to the commencement of Parental Leave. Birth mothers who do not take pregnancy leave are requested to provide at least four (4) weeks written notice before commencing pregnancy leave, but must provide at least two (2) weeks written notice.

Non-Birth parents (includes same sex parent) are requested to provide written notice to the Company of their intent to take Parental Leave at least four (4) weeks prior to commencing their Parental Leave, but must provide at least two (2) weeks written notice. This written notice must include the date of the baby's birth, the date the employee wishes to commence their leave and the intended date of return from leave.

**Parental Leave – Adoptive Parents**

Employees who have adopted a child and wish to take Parental Leave are eligible for up to thirty-seven (37) weeks unpaid leave of absence that may commence no later than 52 weeks after the date their child first came into their care, custody and control. Both new parents may take unpaid Parental Leave of up to thirty-seven (37) weeks.

**Reporting Requirements**

Adoptive parents who wish to commence their Parental Leave must provide the Company at least four (4) weeks written notice before the leave commences, provide the intended date of return to work in addition to supplying the Company with documentation to confirm the adoption and date of placement in the employee's custody.

**Relationship to Federal Employment Insurance Benefits**

Employees may be eligible to receive Federal Employment Insurance (EI) benefits during Pregnancy and Parental leaves. The Company will provide the employee with a Record of Employment for EI claim purposes at the time the leave commences. For more information, contact Human Resources or Service Canada.

**Impact on Group Benefits**

Employees who have group benefits prior to the commencement of their Pregnancy/ Parental Leave of absence will continue to have uninterrupted coverage through their respective leave of absence. The Company will continue to pay premiums for benefit premiums wholly paid by the Company at the time the employee commences leave.

The Company will continue to pay its portion of premiums for benefits for which the Company and employee share responsibility for premium payments ("Shared-Cost Benefits") so long as the

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employee continues to pay their portion of the premiums and provides post-dated cheques to the Company in advance. **If the employee fails to pay their portion of the premiums for Shared-Cost Benefits the Company will cease to pay its portion of the premiums and coverage will lapse.** For more information about your benefits entitlement and benefit premiums, see your benefits booklet or contact Human Resources.

**Relationship to Personal Emergency Leave and Sick Leave provisions**

Pregnant employees who develop a medical complication requiring medical attention and absence from work may be entitled to the following:

- 1) The employee may be compensated for all or part of the absence under the Personal Emergency leave benefits providing that these benefits have not been exhausted for the calendar year (see Personal Emergency Leave policy) and/or;
- 2) The employee may commence Sick Leave (See Sick Leave Policy). In this case, the Company will provide the employee with a Record of Employment for EI Sick Leave Claim purposes.

Non-Birth Parents who may be required to provide care and support as defined under the Personal Emergency Leave definitions to family member(s) resulting from pregnancy/birth complications and provide appropriate documentation may be eligible for leave under the Personal Emergency Leave policy.

**Impact on Vacation**

Prior to the commencement of Pregnancy or Parental Leave under this policy, and at the request of the employee, the Company will advise the employee of any outstanding vacation accrued. Such outstanding vacation may be paid prior to the commencement of the employee's pregnancy/ parental leave, at the employee's request.

Vacation time continues to accrue during an employee's pregnancy and/or parental leave, upon the employee's return from leave or following the conclusion of the leave, the Company will advise the employee of the total vacation time accrued during leave. Vacation Pay will be calculated based on the respective vacation percentage (4% for 10 days; 6% for 15 days) on wages earned during the respective vacation period. Such vacation pay will be paid (if available) at the time the individual takes the vacation time.

**Example:**

Jane was hired on Feb 5, 2002 and she is entitled to 15 vacation days as of Feb 5, 2008.

Jane commences her maternity leave on May 1, 2008 and has not taken any of her vacation entitlement prior to her maternity leave. Jane plans to take her 52 weeks of maternity/parental leave and plans to return on May 2, 2009.

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Jane requests her outstanding vacation pay prior to leaving on maternity leave.

Jane will receive her vacation pay accumulated to May 1, 2008 as follows:

- 6% of wages earned from February 5 2007 to February 4 2008 *plus*
- 6% of wages earned from February 5 2008 to May 1, 2008

As Jane does not earn any income while on maternity/parental leave from the Company, her accrued vacation pay is nil during this period of time.

Jane returns to work on May 2, 2009 and is entitled to her 15 vacation days. As all of her outstanding vacation pay was paid to her prior to her maternity/parental leave, any vacation days taken upon her return will be unpaid for this vacation period.

**Employee Responsibilities:**

- The employee is requested to provide written notification of their intention to commence pregnancy and/or parental leave of absence at least four (4) weeks prior to commencing the leave to their manager and Human Resources.
- Maintain contact with the immediate supervisor and/or the Company and apprise them of any changes to their leave status.
- In the case of early leave or sick leave commencing prior to pregnancy/parental leave, provide appropriate documentation to the company to ensure smooth transition.
- Advise the immediate supervisor and Human Resources of any changes to anticipated return to work date in order to prepare for the return.

**Immediate Supervisor and/or Manager Responsibilities:**

- Keep a record of all employee absences including sick, vacation, and personal leaves.
- Report sick leaves as indicated above (Reporting of Sick Leave).
- Report any extensions or early returns to Human Resources.
- Maintain regular contact with the employee.
- Maintain confidentiality of medical/personal information.
- Work with the employee, physician (as necessary), and Human Resources to make arrangements for the return to work.

**Human Resources Responsibilities:**

- Upon notification from the Immediate Supervisor/Manager and/or employee coordinate appropriate documentation to facilitate leave payments under Company and EI programs.
- Maintain confidentiality of personal/medical information.
- Provide consistency in policy/procedure in administering leave programs.
- Provide advice/support to the employee as requested.