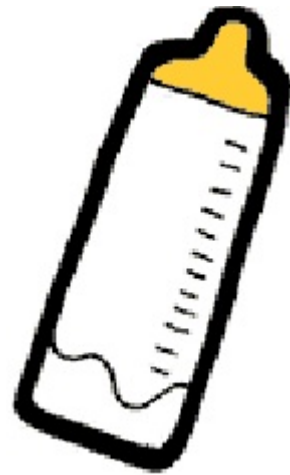


# **Pregnancy / Parental Leave and Adoptive Leave Guidebook**



Published by:

**The Elementary Teachers' Federation of Ontario  
Durham Teachers' Local**

\*updated April 2011

Dear Member:

Congratulations on the anticipated birth or the adoption of a child!

The purpose of this guidebook is to answer some of the questions you might have about your upcoming leave of absence. If, after reading it, you need clarification or still have questions, please do not hesitate to give us a call.

ETFO- Durham Teachers' Local (905) 666-1122  
603 Palace Street, 1-800-220-6912  
Whitby, ON, L1N 6S5

President	Gerard O'Neill
1 <sup>st</sup> Vice-President	David Mastin
2 <sup>nd</sup> Vice-President	Sirkku Meldrum

<u>Useful Contacts</u>	<u>Phone Number</u>
<b>ETFO - Provincial</b>	1-888-838-3836

<b>Ontario Teachers' Pension Plan</b>	1-800-668-0105
---------------------------------------	----------------

<b>Education Centre-</b>	666-8080
Payroll: Angie Samkovas	extension 6418
Human Resources: Karen Wind	extension 6348
Operations Officer: Rick White	extension 6436

<b>College of Teachers</b>	1-888-534-2222
----------------------------	----------------

## **Length of Leave**

### Pregnancy Leave - Article 9.04 A

Up to 17 weeks of leave (to be eligible, you must have worked a minimum of 13 weeks for the Board - an Employment Standards Act regulation)

### Parental Leave - Article 9.04 B

Up to 35 weeks of leave; can be taken by either or both parents, natural or adoptive (to be eligible, you must have worked a minimum of 13 weeks for the Board). Must directly follow the pregnancy leave in order to be treated as a “statutory leave” under Ontario’s Employment Standards Act. May begin no later than 52 weeks after the child is born *or* comes into the custody, care and control of a parent for the first time.

### Extended Parental Leave - Article 9.04 C

Up to 3 years total leave (52 weeks statutory pregnancy/ parental leave + 2 years), plus (as appropriate) any partial year associated with a pre-arranged date of return.

## **Notice of Leave**

### Requesting a Leave or Changes to a Leave

All leaves may be applied for online from the Quick Links drop down menu: Leave of Absence Request. A minimum of 2 weeks written notice is required by law for requesting a statutory leave; it is to your advantage to give as much notice as possible (to allow time for the Board to provide a record of employment, staffing, avoid overpayment, etc.). A note from your doctor or midwife, stating the expected birth date, must be attached. Two weeks written notice is also required to extend a leave.

If your due date changes, you can amend the date of the commencement of your leave on line.

## Adoption

Give the Board notice of your intent to adopt as soon as possible (as you may have to commence leave immediately when your child becomes available for adoption).

### **To complete online REQUEST fill in: Reason/Purpose of Leave Request**

“Pursuant to Article 9.04 of the Collective Agreement, I am requesting a pregnancy (and/or) parental leave commencing (date) and ending (date).

I have attached a certificate from my (doctor or midwife) certifying the expected date of delivery as (date).

I understand that I will be returning to my current position at (school or worksite name) if the position still exists or to a comparable position if it does not.

Also, I will be accessing the pregnancy leave SUB top-up benefits under the Collective Agreement and will apply for this following the date of birth.

I look forward to returning to (school or worksite name) when I return on (date).”

### **To complete online EXTENSION fill in: Reason/Purpose of Leave Request**

“Pursuant to Article 9.04 of the Collective Agreement, I am requesting an extended leave to commence (date) and to conclude (date).

I look forward to returning to (school or worksite name) when I return on (date).”

## **Benefits**

During a statutory pregnancy/parental leave, the Board will continue to make its contributions (90% of premiums) towards your medical/dental, life insurance and AD&D coverage, unless you indicate in writing that you do not intend to continue coverage or you fail to make your payments as required.

A teacher on extended leave will have the option to continue benefits coverage at a cost of 50% paid by the Board and 50% paid by the teacher, exclusive of Long Term Disability which is always paid 100% by the teacher.

If you wish to continue your benefit coverage during your leave, you will need to provide the Board with a void cheque at the commencement of your leave. The Payroll department will contact you to arrange benefit payments.

Contact Glenda Masey (Benefits/Payroll Clerk, Elementary Benefits, x6413) in the Payroll department to make arrangements to add your new dependent to your benefit coverage. She will send you a "Dependent Enrollment Form".

While Group Life Insurance, Accidental Death and Dismemberment (AD&D), and Long-Term Disability benefits are conditions of employment for teachers actively at work, you may choose to discontinue these while on leave. Medical/ Dental coverage is always optional (e.g., you can be covered under your spouse's plan if it is preferable).



## Return from Leave

You may end your pregnancy or parental leave earlier than planned if you give the Board 4 weeks written notice before the desired date of return.

Any return from extended leave must be scheduled, at the time the leave is requested, for the commencement of the next school year, for the first school day after the Christmas break, for the first day of the second term in February, for the first school day after the March break or, by mutual agreement, at another natural break in the school year.

Returning from leave and your teaching assignment

*Article 9.04 C (h) states “A teacher returning from a pregnancy and/or parental leave in the same school year in which the leave was commenced shall return to the position held prior to commencement of the leave.”*

*Article 9.04 C (l) states that “A teacher who returns from a pregnancy leave, parental leave or extended leave in a following school year will be entitled to return to a position in the same division at his or her original school, provided she or he indicates a wish to do so prior to the deadline specified in the Transfer and Redundancy Procedure.*

*In the case of Specialist Teachers, such as Special Education, Librarian, or S.E.R.T., if their previous position is not available the teacher will be assigned to a position at his or her school within his or her area of qualifications.”*



## **Grid Placement/ Seniority/ Your Pay**

You will continue to gain seniority and advance on the salary grid for a statutory pregnancy/ parental leave (52 weeks). You will also continue to accrue sick days for the period of your leave.

Please note that due to the Ontario Employment Standards Act 52 week limit, any leave of absence beyond 52 weeks is *not* statutory and you will not gain seniority or experience credit during that time.

## **Pregnancy Related Illness**

Article 9.04 C (f) states that: *“A teacher who is required to be absent from work because of pregnancy related illness is entitled to sick leave in accordance with Article 9.01.”*

You may use sick leave throughout your pregnancy or prior to commencing your leave of absence. It is ETFO’s position that the use of sick leave can be supported by a note from either your doctor *or* your midwife.

---

## **Ontario Teachers’ Pension Plan Contributions**

It is in your best interest to maintain your contributions to the OTPP while you are on leave so that you may receive as much credited service as possible towards your pension upon retirement. The Payroll department at the Board will send you forms to fill out to continue your pension payments during your leave (see example in this booklet).

If you are unable to maintain contributions to your pension during your leave, you can arrange to purchase credit for your absence through the OTPP, provided you do so within five years from the end of your absence. The cost of your purchase of credit is what you would have contributed to the plan if

you had continued to work, plus applicable interest. You can transfer some or all of the amount for your purchase of credit from your RRSP - this can be done as a direct transfer from your financial institution to the OTPP.

Should you take an extended leave of absence (beyond one year), you may continue to make pension contributions. These contributions must be made directly to the OTPP.

## **Employment Insurance Benefits**

Please refer to the ETFO “Pregnancy & Parental Leave: A Guide to Rights & Responsibilities” booklet, pages 4 and 14. If you still have questions, contact your nearest Human Resources and Skills Development Canada office, listed in the blue pages of your phone book.

Process for applying for Employment Insurance

- Your application can be completed on-line at the Human Resources and Skills Development Canada website @ [www.hrsdc.gc.ca](http://www.hrsdc.gc.ca)
- A medical certificate is no longer required for maternity benefits.
- At the commencement of your leave, the Payroll department will electronically submit your Record of Employment to HRSDC - a copy should be sent to you.
- Although E.I. will not process your claim until the Record of Employment is received, you can apply earlier and indicate that the ROE will be submitted electronically by the employer at a later date.

## **Part-time teachers and Employment Insurance**

A part-time teacher will need to have worked the required minimum of **600 hours** in the **52 weeks prior to going on leave or *since the start of your last claim***. For Employment Insurance purposes only, each workday (including PA days and sick leave usage) is considered to be **8 hours**, and pro-rated if you are a part time teacher.

Example for a .5 teacher, based on a school year of 194 days:  
194 x 4 hours = 776 hours

Example for a .4 teacher, based on a school year of 194 days:  
194 x 3.2 hours = 620 hours

There is no shortfall of hours, as the minimum number of hours required is 600.

Part-time teachers who work less than .4 will need to increase their hours through additional work.

**You are advised to count your days carefully and ensure that you accumulate 600 hours before you go on leave.**

---

---

## **Two-Part Supplementary Unemployment Benefits Plan**

The SUB plan has two parts: The two-week EI waiting period top-up and an additional six-week top-up for teachers eligible for EI.

The first part covers those on pregnancy or parental leave for the two week waiting period that you may serve before EI benefits commence, no matter what the time of year. Only teachers covered by the Collective Agreement are covered by this plan. S.U.B. is equal to 90% of your weekly insurable earnings, to a maximum of \$42,300. Those earning in excess of \$42,300 should receive \$1464 for the two weeks as a result of this benefit.

After you receive your first cheque stub from EI, attach it to the completed S.U.B. application form the Board sent you and return it to the Board.



The second part of the SUB plan is for pregnancy leave only. A teacher who is eligible for Employment Insurance may apply for an additional top-up of your EI benefits to match your regular salary for a maximum of six weeks recovery after the baby is born. The six week period commences from the date of your baby's birth. This only covers days you would have worked.

To access a pregnancy leave SUB top-up:

- In your letter requesting leave, include a paragraph indicating that you will be accessing this benefit
- Wait for your baby to arrive.
- Complete the SUB application - include verification of your approved E.I. claim indicating the amount of EI being paid to you (a cheque stub is sufficient proof), and a note from your doctor or midwife attesting to the actual date of delivery.
- Return the completed application form and supporting material to Karen Wind in the Employee Relations Department.

On receipt of this information, the Board will process a lump sum payment for the top-up of benefits owing to you. This top-up is only payable for those days during the six week period which fall on regular school days (e.g. not March break, summer holidays, etc.).

If you should make a claim for pregnancy leave SUB top-up in excess of the six week period of recovery, you will be required to provide comprehensive medical certification to support your need for a longer recovery period. \_\_\_\_\_



## Ontario College of Teachers'

If you are on leave during the month of January you are responsible to ensure that your College of Teachers' **annual fee** is paid. The fee must be paid by April 15<sup>th</sup> in order to ensure that you remain a "Member in Good Standing". Payment after April 15<sup>th</sup> will include an additional administrative charge of approximately \$100.00.

**Pay your fee directly to the College and keep your receipt.**

---

## Fifth Disease

About 50% of women are immune to Fifth disease and these women and their unborn children are protected from infection and illness. A simple blood test can confirm whether or not you are immune to Fifth disease, and if you are not, if you have had a recent infection. **It is recommended that you request this test early in your pregnancy, or even before becoming pregnant.**

As in any health related issue, contact your personal physician or health care provider if you have any questions. More information regarding Fifth disease is provided in the back of this guidebook. Your Workplace Steward has a copy of the ETFO booklet "Infection in Pregnancy: Minimizing The Risk In Schools".

As per the Collective Agreement (see Article 9.01.13 c), your Principal should make it a priority to notify all staff as soon as possible if a case of Fifth disease is reported in the workplace. Teachers prevented by their physician from entering their school or classroom due to communicable disease should notify their Principal and will be re-assigned to another worksite (usually the secondary school in the area).



## Checklist for Pregnancy/Parental Leaves

- Read this guidebook and ETFO's "Pregnancy and Parental Leave: A Guide to Rights and Responsibilities". Contact the ETFO Durham Teachers' Local office if you have any questions or to discuss your options.
- Request, from your physician, a blood test for Fifth disease to confirm whether or not you are immune.
- Obtain a note from your midwife or physician, stating the expected date of birth.
- Request a leave of absence from the school board.
- Make arrangements with the payroll department to continue health benefits and pension contributions (if applicable) during your leave.
- Obtain information from Human Resources and Skills Development Canada (HRSDC) regarding your application for EI benefits.
- Obtain a copy of your Record of Employment (ROE) from the school board on your last teaching day.
- Complete your application for EI benefits and submit to HRSDC.
- Complete and submit the application for SUB and Pregnancy Leave SUB Top-up once you have the applicable paperwork (proof of waiting period served, written verification of birth of baby, cheque stub from EI).
- Ensure that your Ontario College of Teachers' annual fee is paid if you are on leave over the month of January.

