

Pregnancy/Parental Leave

Congratulations! You may be expecting a child, adopting, or planning on it in the near future. In any case there are exciting times ahead with many decisions to be made. Understanding your rights and preplanning for your leave can assist in making prudent decisions. The purpose of this bulletin is to provide some basic information.

Employment Standards Act

This provincial legislation establishes minimum rights to leaves from work for pregnancy and parental purposes. To qualify you must have worked for the employer a minimum of 13 weeks.

The *Employment Standards Act* defines your leave period as 17 weeks for pregnancy leave and 35 weeks for parental leave. You may begin your leave no earlier than 17 weeks before the expected date of birth. Parental leave must begin when the pregnancy leave ends. In cases where a pregnancy leave has not been taken, the parental leave is 37 weeks and may begin no later than 52 weeks from the time the child is born or comes into your care for the first time.

The *Act* sets out notice requirements. You are required to provide the employer a minimum of two weeks written notice of the date the leave is to begin. Notice requirements are waived if the child comes into your care sooner than expected.

Employment Insurance Act

This federal legislation sets out your entitlement to benefits during your leave period. You may be eligible to receive a maximum of 15 weeks of benefit for the 17 week pregnancy leave. The first 2 weeks are a "waiting period" where no benefits are received from Service Canada. The two week waiting period is calculated from the Sunday of the week of application before benefits are payable.

A maximum of 35 weeks of parental benefits are available to new parents. The full 35 week entitlement may be taken by one parent or may be shared by two parents. If there has been no pregnancy benefits claim related to the child (as in the case of adoption), a two week waiting period will have to be served at the start of the parental benefits claim.

To qualify for Employment Insurance (EI) you must have accrued 600 insurable employment hours within the 52 week period prior to your claim for benefits. You may begin your claim up to eight weeks in advance of the birth of your child and no later than the birth of your child. A claim for parental benefits must begin no later than 52 weeks after the child has come into your care.

Collective Agreement

Your collective agreement contains important language to review. Supplemental Employment Benefits (SEB) is a program of income replacement during the two week EI waiting period and often, for a period thereafter. As well, collective agreements contain important language on extended leaves, salary, benefits, sick leave, miscellaneous leaves, and other protocols which are relevant to teachers planning a family.

There are financial ramifications in taking a pregnancy parental leave. If you haven't checked your pay stub lately, take a closer look. Understand your salary, pay periods and deductions. This will give you a better understanding of costs you may be responsible for on your leave.

Pension

You can choose to continue contributing to your pension while on leave or later purchase credit for the time away. By buying credit, you will receive a higher pension and you may be able to retire sooner. Waiving the right to contribute to pension may postpone the date you can retire with an unreduced pension.

To buyback pension credit, payment must be arranged with either OTPP (for teaching members) or OMERS (for non-teaching members).

Tips on planning for your leave:

- Keep a calendar of important dates to remember and a folder including all copies of communication and forms completed.
- Review your collective agreement and local information package regarding pregnancy, parental, and other entitlements.
- Obtain a medical certificate that states the expected date of birth.
- Contemplate your leave beginning and end date and provide written notice to the employer.
- Understand your pay stubs, salary and pay structure.
- Find out your level of benefit coverage including long term disability coverage and associated costs.
- Contact your pension plan and obtain pension information including contribution costs, and buyback information.
- Discuss the implications of returning from the leave in less than a full time capacity.
- Obtain your current sick leave accumulation balance.

Relevant contacts:

Elementary Teachers' Federation of Ontario, www.etfo.ca, 1-800-838-3836, 416-962-3836

Ontario Teachers' Pension Plan, www.otpp.com, 1-800-668-0105

Ontario Municipal Employees Retirement System, www.omers.com, 1-800-387-0813

Service Canada, www.servicecanada.gc.ca, 1-800-622-6232

Human Resources and Skills Development Canada, www.rhdcc-hrsdc.gc.ca

Ontario College of Teachers, www.oct.ca, 1-888-534-2222

Your local district school board and local union may have websites that will be helpful to you

For further information:

ETFO's resource *Pregnancy & Parental Leave – A Guide to Rights & Responsibilities* provides more comprehensive information. Visit ETFO.ca (then go to shopETFO) to obtain a copy. As well, you may contact ETFO Professional Relations staff in Protective Services at 1-888-838-3836 or 416-962-3836 for further assistance.

LL:VF
January 2012
Volume #62



Elementary Teachers' Federation of Ontario
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Cert no. SW-COC-000319
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