

The College of Chiropractors of Ontario

Subject: **Pregnancy and Parental Leaves of Absence**

Date: March 1, 2016

Pregnancy/Parental Leave

Under the Employment Standards Act, 2000, a pregnant Employee is entitled to a 17 week leave of absence without pay. The earliest that an Employee may begin pregnancy leave is 17 weeks prior to the date that the child is due unless the child is born earlier. The latest date that the Employee can begin pregnancy leave is the date that the child is born.

In addition to pregnancy leave, both the mother and the father of a newborn or a newly adopted child are entitled to take parental leave. An Employee who has taken pregnancy leave must take parental leave immediately following the pregnancy leave. Parental leave following a pregnancy leave may last for up to an additional 35 weeks, for a combined pregnancy and parental leave of up to 52 weeks.

Birth mothers who do not take pregnancy leave and all other new parents are entitled to up to 37 weeks' parental leave. Birth mothers who take pregnancy leave ordinarily must begin their parental when the pregnancy leave ends. However, an Employee's baby may not come into her care for the first time when the pregnancy leave ends (e.g. if the baby has been hospitalized since birth and is still in the hospital when the pregnancy leave ends). In such a case the Employee can either begin her leave when the pregnancy leave ends or choose to return to work and start her parental leave later. If the Employee returns to work she is able to start her parental leave anytime within 52 weeks of the birth or the date the baby first came home. All other parents must begin their parental leave no later than 52 weeks after the date the baby is born or the date the child first came into their care, custody and control. Parental leave does not have to be completed within the 52 week period – it just has to be started within that timeframe.

Procedure:

- You must be employed by the College for at least thirteen (13) weeks to be eligible for the benefits available under this Policy.
- More specifically, in order to be eligible for the income top-up, an employee must be employed by the College on a full-time, indefinite term basis. To be clear, part-time employees (less than 30 hours per week) and employees whose contract with the College is for a fixed term will not be eligible for the income top-up.
- You must provide the College with at least two (2) weeks written notice of the date your pregnancy leave is to begin.
- Notice provisions do not apply if you stop work because of pregnancy complications, however, under these circumstances you must still provide the College with written notice of the date your pregnancy leave began or is to begin within two (2) weeks of stopping work.
- You must provide the College with at least four (4) weeks written notice of the date you wish to return to work or of any change to the date that you are scheduled to return to work.

Top-Up to Salary while on Pregnancy Leave Only

The purpose of this benefit is to provide an income top-up to Employment Insurance benefits for Employees during their pregnancy leave *only*. A top-up income plan will be provided for full-time permanent Employees who meet the conditions for pregnancy leave, as identified by the Employment Insurance Commission.

To be eligible for top-up benefits, full-time permanent employees must satisfy a twelve (12) month eligibility period of continuous employment (which can be a combination of contract and permanent employment with no break) at the College.

Effective March 1, 2016, the College will top-up Employment Insurance benefits to a maximum of 75% of the normal gross pay. The duration of the College top-up is a maximum of seventeen (17) weeks of pregnancy leave.

Procedure:

- The Employee will provide the Registrar with proof that she is receiving Employment Insurance benefits before top-up payments are awarded.
- The College will make payments to the Employee every two weeks for a maximum of seventeen (17) weeks.

Vacation Accrual and Top-up Option

During pregnancy and/or parental leave, generally speaking, vacation time will continue to accrue but not vacation pay. An Employee may be eligible to receive vacation pay in relation to the income top-up available during pregnancy leave. Vacation that is accrued over the course of pregnancy and/or parental leave, whether paid or unpaid, maybe taken at any time after the individual's leave.

Group Benefits

During pregnancy and/or parental leave there will be continued coverage under the College's group benefit plan.

Length of Service

During pregnancy and/or parental leave, length of service will continue to accrue for all purposes.

Employees Retirement Savings Plan

The College will continue to contribute the standard five (5) % of salary to the College's Retirement Savings Plan while on pregnancy and/or parental leave, if the Employee is eligible.

Salary Increases following Pregnancy or Parental Leaves of Absence

During a pregnancy and/or parental leave, any annual salary increase is effective on the later of the annual adjustment date or the date that the leave ends.

Reinstatement

When the Employee's leave ends, the College will reinstate the Employee to the position the Employee most recently held, if it still exists, or to a comparable position, if it does not.