

SAMPLE: Pregnancy, Maternity & Parental Leave Policy

From Southern Ontario Library Services (SOLS) *Internal Policies & Procedures Manual*

Note: Pregnancy and parental leaves are offered according to the *Employment Standards Act (ESA)*. Contact Administration for details.

Parents

Parents have the right to take unpaid time off work when a baby is born or a child first comes into their care. All new parents are entitled to up to 37 weeks' parental leave. Parental leave must be taken all at one time; the leave can't be split up.

Parents may choose to go on leave at the same time, or not, but each must begin their parental leave no later than 52 weeks after the date the baby was born or the date their child first came into their care.

Pregnant Employees

Pregnant employees may take up to 17 weeks of unpaid time off work as Pregnancy Leave.

If staff take pregnancy leave, they are also are entitled to up to 35 weeks unpaid parental leave right after the pregnancy leave ends, unless the baby remains in hospital. If they did not take pregnancy leave, they are entitled to up to 37 weeks' unpaid parental leave as noted above.

Eligibility

A staff member is entitled to pregnancy leave and/or parental leave whether he or she is a full-time, part-time, permanent or contract employee provided that he or she was hired by SOLS at least 13 weeks before the date the baby is due, or expected to be born – not the date the baby is actually born. An employee doesn't actually have to work the 13 weeks to be eligible for pregnancy or parental leave. The staff member could be on lay-off, vacation, sick leave or have started pregnancy leave in the 13-week period before the due date or date the leave is going to start.

A contract staff member is entitled to take pregnancy and/or parental leave during the balance of his or her contract.

Notice

Staff must request their leave in writing at least two weeks in advance of the start of a pregnancy or parental leave; before any changes to this date are made; and in advance of their intended return to work date.

If however, while you staff are on pregnancy or parental leave, they decide to change the date they will return to work or decide to resign before they return to work, they must give at least 4 weeks written notice to SOLS.

Benefits

Staff can receive Employment Insurance payments (maternity or parental benefit payments) during pregnancy and parental leaves.

At SOLS, staff on pregnancy leave receives payment equal to the Employment Insurance (EI) benefit during the two-week waiting period prior to EI coverage.

Staff continue to earn seniority and credit for service and length of employment while on pregnancy or parental leave and have benefit coverage – just as if they had stayed at work.

Parents Not Taking Pregnancy or Parental Leaves

SOLS' grants paid leave for three days on the birth or adoption of a child where the parents do not take either pregnancy or parental leaves.

The legal aspects of pregnancy, maternity and parental leave are governed by legislation and are subject to change. For definitive rules on the legal aspects of pregnancy, maternity and parental leave consult a labour lawyer or human resources specialist and refer them to the Ontario Ministry of Labour (www.labour.gov.on.ca)