



Maternity/Parental Leave

Edmonton Public Local



The Alberta Teachers' Association

Three Pillars of Maternity Leave

Time Off



EI



Top-up



Time Off

The *Employment Standards Code* guarantees minimum levels of time off

- Maternity leave—16 weeks
 - Only birth mothers can access maternity leave
- Parental leave—62 weeks
 - Either parent can access parental leave
 - Parental leave covers adoptions as well



Time Off...continued

Teachers on temporary or probationary contracts will have time off for the duration of their contracts

- There is no guarantee for the next contract



Time Off...continued

- To access maternity/parental leave:
 - Our Collective Agreement and *the Employment Standards Code* require six weeks' notice (3 months where possible according to Clause 11.1.4)
- To return from maternity/parental leave:
 - Four weeks' written notice is required in first 68 weeks
 - Must be returned to the same school on the same basis as continuing staff



Employment Insurance (EI)

- **Maternity Benefit** (for the birth parent): up to 15 weeks at a rate of 55% of earnings to a maximum of \$562 as of January 1, 2019.
- **Eligibility**
 - 600 hours in the previous 52 weeks
- You can start receiving maternity benefits as early as 12 weeks before your due date or the date you give birth.
- There is a 1 week waiting period. You'll receive the first payment about 28 days after you apply.



- **Standard Parental Benefit** (up to 40 weeks, but one parent cannot receive more than 35 weeks of standard benefits. The benefit rate is 55% of earnings to a maximum of \$562.)
- **Extended Parental Benefit** (up to 69 weeks, but one parent cannot receive more than 61 weeks of extended benefits. The benefit rate is 33% of earnings to a maximum of \$337.)



Working While on Claim

- If you earn money while receiving EI benefits, you can keep 50 cents of your benefits for every dollar you earn, up to 90% of your previous weekly earnings (~4.5 days of work).
- You are not eligible to receive benefits if you work a full week, regardless of the amount you earn. However, this will not reduce the total number of weeks payable on your claim.
- You need to declare your earnings online.



Employment Insurance

- Special cases (hospitalization of child)
 - Access to EI may be extended past the normal periods of time for maternity and parental benefits



Salary

- **Health Related Plan**

- Maximum pay out is 90 days for teachers on continuing contracts; if you need more, you must apply for Extended Disability
- The calculation of 90 calendar days starts with sick leave AND CONTINUES post partum (even though two leaves and two payment schemes exist)
- 6 weeks post partum minimum (more if medically necessary & a medical note is provided.)



Salary

- Any summer pay saved up prior to leave is paid out
- (SUB) Plan top up is paid only for work days
- Weekly calculation is $1/200$ per day X number of days in week—Employment Insurance (EI) entitlement.
- EI cares about when salary is earned, not when salary is paid.



Salary: SUB Plan

- SUB = Supplementary Unemployment Benefit
Tops up employment insurance benefits to 100 per cent of the employee's weekly salary and benefits for the duration of the health related portion of the maternity leave; hence is often called "Top Up"
- **During the 1 week waiting period, the school board pays 100% of salary.**
- Top up is based on 1/200 of annual salary for each work day missed
 - One week = 5/200 - \$562



Salary: Temporary or Probationary

- Probationary: Up to 20 days sick leave/year (you might already have used some)
- Temporary: Max sick leave = (#days taught in yr)/9
- Sick leave and then personal leave from end of sick leave to end of contract or one year which ever comes first



Salary: High Risk Pregnancies

- If you're required to stop working well before the birth due to complications
 - Access sick leave until the 90 day entitlement is used up
 - Apply for EDB after the first month of absence (when you get the package from ASEBP)
 - Apply for EI following the birth (if already on EDB, tell EI and they will wait until EDB is done; if not, tell EI when accepted for EDB)
 - EDB will pay beyond your 90 days until your medical recovery



Benefits

- The School Jurisdiction shall pay the portion of the teachers benefits plan premiums and Health Spending Account amounts for 16 weeks of **maternity leave**. (after May 1, 2019, Mediator's Report from Central Table bargaining.)
- The School Jurisdiction shall pay the portion of the teachers benefits plan premiums for 36 weeks of parental leave. The HSA will remain active, but no further credits will be contributed during this time.
 - ****ADD Baby to Benefit Plan within 30 Days!**



Prepayment or Repayment of Benefits during Maternity, Adoption or Parental Leave

Collective Agreement 11.2

- a) Teachers can make arrangements through the school jurisdiction to **PREPAY** 100% of the benefit premiums for applicable benefits for a period of up to 18 months.
- b) Upon request by the teacher, the school jurisdiction will continue paying the employer portion of the benefit costs for a period of up to 18 months, provided the teacher **REPAYS** the employee portion of the benefit premiums.



- c) If committing to b), the teacher is responsible for repaying the amount of the employer paid benefit premiums and shall reimburse the school jurisdiction upon return from the leave, in a mutually agreeable, reasonable manner over the period of no more than 18 months following the teachers return to duty.

- d) If you have not fully repaid the cost of the benefit premiums, you are not eligible to reapply for additional consideration under the repayment option.



Benefit Options

- Keep all benefits (recommended)
- Keep Life Insurance, AD&D and EDB
- Keep Life Insurance and AD&D only
- Drop all benefit coverage (not recommended)
 - Risk: Late applicant
 - Limits on coverage for the first year back
 - Proof of good health
 - Applies to teacher and dependants



Parental/Adoption Leave

- 37 weeks
- Mom, Non-birth parent or adoptive parents
- Can be split between parents
- If both parents work for same employer the employer does not have to give leave at the same time
- Timelines for notice of adoption are looser than maternity or parental leave



Parental/Adoption (Collective Agreement)

- Adoption: Clause 11.1.18 of Collective Agreement (CA)
 - Maximum of 37 weeks without salary
 - Benefits are paid for 20 weeks (one parent only)
 - Commence at discretion of the teacher within 52 weeks of date of birth or date child is placed upon proof to Board of impending adoption
- Additional leave available
 - See Clause 11.1.20 of CA



Return to Work

(Employment Standards Code)

- 4 weeks written notice is the minimum
- Return to former position or “alternative work of a comparable nature”
- Can not be laid off or terminated while on leave except
 - Suspension or discontinuation of part of business
- Teacher on maternity/parental leave must be treated no better or worse than any other teacher in the same position



Non-Birth Parent or Adoptive Parents

- Provide at least 6 weeks written notice of intent to take parental leave (unless circumstances relating to the adoptive parent prevent such notice)
 - May provide a prospective date of return
 - Provide written notice of actual date of return at least 4 weeks before the prospective or actual date of return, whichever is earlier

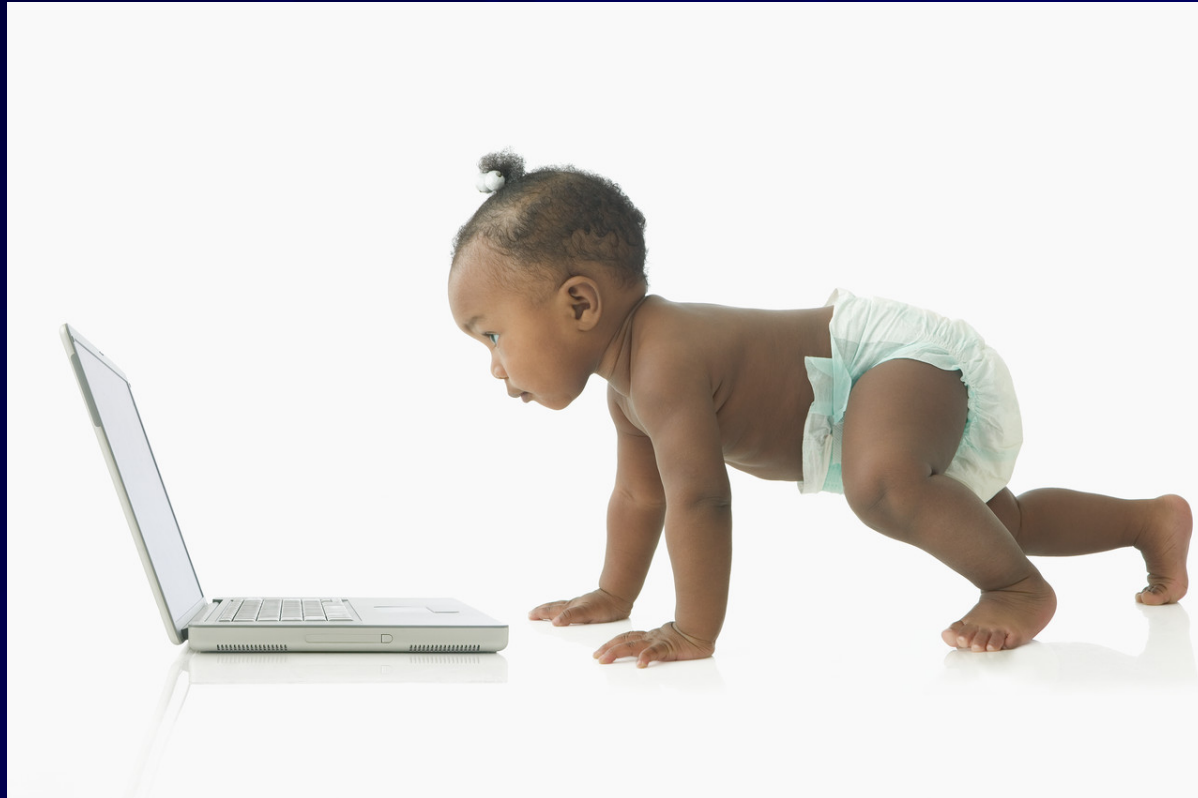


Pension

- While on salary/SUB plan
 - Contributions are made and service accrued the same as teaching
- Unpaid leave
 - Teacher may purchase service **AFTER** returning to work
 - Cost is based on current salary, age and service – so it increases over time
 - For example: A teacher under 30 with 5 years of service would pay less to buy pension than a teacher over 40 with 20 years of service. If you have service to buy, consider doing it when you are young.
 - You may transfer directly from an RRSP
 - Call ATRF directly.



Sample Letters



Notice of Pregnancy to EMPLOYER:

- Date: _____
- Dear Human Resources:
- This letter is to notify you that I am pregnant and my due date is _____. I would like to start my maternity leave on the actual date of delivery of my baby. At this time, my plan is to return to teaching _____. I will confirm this decision in writing at least four weeks prior to my return.
- Sincerely, _____
- *Include doctor's note verifying pregnancy and expected due date*



Doctor's Pre-delivery Note #2:

When you must stop working prior to the birth

- Date: _____
- To Whom it may concern
- Re: _____
- I wish to advise that _____ is unable to work for medical reasons, effective ____ (date)_____.
- Signed, Dr. _____



Doctor's Post-Partum Note #3:

- Date: _____
- To Whom it may concern
- Re: _____
- I wish to advise that I treated Ms _____ during her recent pregnancy. Ms _____ gave birth on _____. Ms _____ was/is unable to perform her teaching duties from _____ until _____ due to a medical condition and/or medical reasons which arose in connection with her pregnancy.
- Signed, Dr. _____



Parental Leave

(Without accessing maternity leave)

Date _____

Dear _____

This letter is to notify you that I will be accessing parental leave starting (date)_____. My child was born/will be placed (date)_____. At this time, my plan is to return to teaching (date)_____, but I will confirm this decision in writing at least four weeks prior to that date.

Signed, _____(Teacher)



ATA Recommendations

- Birth mothers
 - Provide 6 weeks written notice to start maternity leave on the 'actual date of delivery'
 - May provide a prospective date of return up to one year from date of delivery
 - If prospective date of return is not provided in advance, provide a letter no later than 9 weeks after the birth notifying of intent to take parental leave
 - Provide another letter at least 4 weeks prior to actual date of return
 - Actual date of return may be different from prospective date as long as notice is provided at least 4 weeks before the prospective or actual date, whichever is earlier



Summary

- Leave starts on the 'actual date of delivery'
 - Prior to that, access sick leave
- Full salary continues during health related portion – pay-rate switches to 1/200th per day & only for school operational days
- 12 months or 18 month leaves are available as are extensions afterward.
- ATA recommends you continue with health plans during an extended parental leave
 - Even though you are required to pay the full amount
- Continue ATA membership (\$8 month)
 - Ensures representation if you have problems

