

# Maternity, Parental and Adoption Leave Policy



## **1. PURPOSE**

Leaves are available so you can focus on your new responsibilities as a parent. Maternity and parental leaves are covered under the Employment Standards Act.

## **2. ELIGIBILITY CRITERIA**

Any employed associate in good standing, who gives birth to or adopts a child, and who has been with \_\_\_\_\_ on a full-time basis for at least 12 consecutive months (or the equivalent in part time work) before the date on which a leave period is to begin is eligible for benefits under this policy. Associates who are spouses of persons giving birth or adopting a child and who have been associated with \_\_\_\_\_ full time for 12 consecutive months, or the equivalent in part-time work, are eligible for parental leave benefits under this policy, regardless of sexual orientation, marital status or sex.

All partners in good standing who give birth to or adopt a child are eligible for benefits under this policy. Partners who are spouses of persons giving birth or adopting a child are also eligible for parental leave benefits under this policy, regardless of sexual orientation, marital status or sex.

## **3. MATERNITY LEAVE**

Birth parents expecting a baby are entitled to a maternity leave of up to 17 weeks. When combined with standard parental leave, the time off work can add up to 52 weeks. When combined with extended parental leave, the time off work can add up to 78 weeks.

If you're eligible for maternity benefits (for example, if your Main Agreement or Terms & Conditions of Employment offer them), maternity leave begins 6 weeks before your expected due date. You can choose to begin your maternity leave up to 13 weeks before your due date or you can choose to defer it closer to your due date with written consent from your doctor or midwife. BCGEU, PEA, Queen's Printer/Unifor and

excluded employees don't require written consent unless they're absent and not able to perform their full duties within the six weeks before the expected due date and would like to return to full duties.

If you're not eligible for maternity benefits (for example, if you're an auxiliary employee), your leave is per the Employment Standards Act.

**If you become ill before your leave begins, but within the 6-week period before your due date, contact HR to confirm your leave start date.**

### **1. Timeline for Maternity Leave**

Follow this timeline closely.

**The start date of your leave will always be the day after your last day worked and/or including any leave banks taken until the day your doctor cleared you to work.**

Employment Insurance (EI) pay periods run Sunday to Saturday inclusive. EI will not pay for partial weeks. It's in your best interest to have the day after your last day of pay be a Saturday, if possible.

#### **1. 10 weeks before your due date**

Notify your supervisor of your upcoming leave. If you have any further questions, contact the HR director.

If you're eligible for maternity leave benefits, submit the following documents to your supervisor.

- A note from your doctor or midwife stating your due date and the date to which you're physically fit to continue working (not required for BCGEU, PEA, Queen's Printer/Unifor or excluded employees).
- A letter stating the dates of your leave (the start date will always be the day after your last day of pay).
- Maternity, Parental and Pre-placement Adoption Leave Application

If you aren't eligible for maternity leave benefits, but are requesting maternity leave, submit a letter to your supervisor stating the dates of your leave and a doctor's note stating your due date. (See the template: [Letter to Supervisor Advising of Maternity, Parental or Pre-placement Adoption Leave \(DOCX, 41KB\)](#)).

If you're electing to start your maternity leave 13 weeks prior to your due date, you must notify your supervisor in writing at least 4 weeks prior to the start of your leave.

#### **1. Before your maternity leave begins**

- If you don't want to continue your benefits coverage, you must cancel it for the duration of your leave.
- If you want additional taxes deducted from your maternity leave allowance, submit a [TD1 form](#) to the HR or Finance Director.

##### **1. When your maternity leave begins**

Apply for [Employment Insurance](#). Payroll services will electronically submit your record of employment (ROE) directly to Service Canada.

**The soonest an ROE can be issued is five days after the end of the pay period in which your leave started.**

## 1. After your first EI payment

If you choose to take maternity allowance, submit an application to HR director after you receive your first EI payment. Include the following:

- Your name and employee number.
- Copy of your "My Latest Claim" EI page. It should show your benefit waiting period dates (if applicable), benefit amount, and start and end dates of your approved EI claim.

### 1. After the birth

Update your medical and dental benefits, and your life insurance. You have 60 days from the birth of your baby to make changes to your Optional Life Insurance selections or to your flexible benefits options, if applicable.

### 1. Before your maternity leave ends

If you aren't taking parental leave and are returning to work, inform your supervisor in writing at least 1 month before the end of your maternity leave. (Use the template: [Letter to Supervisor Advising of Return to Work after Maternity, Parental or Pre-placement Adoption Leave \(DOCX, 40KB\)](#)). Also inform your supervisor if you're:

- Requesting an extension to your leave (and this leave wasn't already included in your maternity leave letter).
- Resigning and not returning to work.

### 1. Extending Your Leave

There are two ways to extend your time off after you've used your maternity leave.

### 1. Extended childcare leave

Regular employees can take this leave **without pay** at the end of their leave as long as they haven't already taken the full 18 months of maternity and extended parental leave. The total combined leave can be up to 18 months. Send a written request to your supervisor at least 4 weeks before the end of your initial leave.

Extended childcare leave follows the same rules as a general leave without pay for benefits coverage and pension contributions.

### 1. Vacation

Employees can also use vacation earned before their maternity leave to extend their time off work.

- Look up your annual vacation entitlement.

## 4. PARENTAL LEAVE

Parents welcoming a new baby or adopting a child are entitled to parental leave of up to 63 consecutive weeks. You may also **qualify** for the parental sharing benefit if you and your spouse are sharing parental leave and your child is born or placed with you for the purpose of adoption on or after March 17, 2019.

If you're combining parental leave with maternity leave, then your parental leave entitlement is either 35 consecutive weeks if you select the standard parental leave option, or 61 consecutive weeks if you select the extended parental leave option,

beginning immediately after the end of the maternity leave. Follow the steps for maternity leave, and then contact your supervisor to confirm your return-to-work plans (whether you are returning to work, taking extended child care leave if applicable, or resigning) one month before the end of your leave.

You can defer the start of parental leave if it begins within the 52-week period following the birth or placement for the purpose of adoption. EI requires parental leave to conclude within 52 weeks for standard parental leave, or 78 weeks for extended parental leave following the birth or placement for the purpose of adoption. Therefore, if any part of the leave falls outside the 52 weeks for standard parental leave, or 78 weeks for extended parental leave, there's no supplemental allowance for that portion. If you're only taking parental leave, follow the instructions below.

Before you apply, read the important information about your benefits, vacation, and pension contributions while on parental leave.

### **1. Timeline for Parental Leave**

#### **1. Before your parental leave starts**

If you're eligible for parental leave benefits, submit the parental leave application documents to your supervisor at least one month before your leave. The application also requires:

- A copy of the birth certificate or adoption papers (if the birth or adoption has already taken place).
- If you don't want to continue your benefits coverage, you must cancel it for the duration of your leave.

If you're not eligible for parental leave benefits, but are requesting parental leave, speak to the HR director. State the dates of your leave and submit a copy of the birth certificate. Parental leave cannot begin before the baby's birth or child's placement.

If the birth or adoption is in the future, submit your application to your supervisor to HOLD until they are advised of the birth of your child and the dates can be confirmed.

Send the birth certificate or adoption papers, as soon as they're available. Send the information to your supervisor to submit for you.

#### **1. When your parental leave begins**

Apply for Employment Insurance. Payroll Services will electronically submit your ROE directly to Service Canada. The soonest an ROE can be issued is 5 days after the pay period has ended in which your leave started.

#### **1. After your first EI payment**

If you choose to take the parental allowance, after you receive your first EI payment, contact HR. Include the following:

- Your name and employee number.
- Copy of your "My Latest Claim" EI page.

This should show your benefit waiting period dates (if applicable), benefit amount, and start and end dates of your approved EI claim.

#### **1. After the birth or adoption**

Update your medical and dental benefits and your life insurance plans. You have 60 days from the birth of your baby to make changes to your optional life insurance selections or to your flexible benefits options, if applicable.

### **1. Before your parental leave ends**

At least 1 month before the end of your leave, inform your supervisor in writing of your intention to return to work. (Use the template: [Letter to Supervisor Advising of Return to Work](#)). Also inform your supervisor if you're:

- Requesting an extension to your leave (and this leave wasn't already included in your maternity or parental leave letter).
- Resigning and not returning to work. See more about returning to work.
- Extending Your Leave

There are two ways to extend your time off after you've used your parental leave.

#### **Extended child care leave**

Regular employees can take this leave without pay at the end of their parental leave as long as they've not already taken the full 18 months of maternity and extended parental leave. The total combined leave can be up to 18 months. Send a written request to your supervisor at least 4 weeks before the end of your leave.

Extended child care leave follows the same rules as a general leave without pay for pension contributions and maintaining benefits coverage.

#### **Vacation**

Employees can also use vacation earned before or after their parental leave to extend their time off work.

Look up your annual vacation entitlement.

### **5. ADOPTION LEAVE**

This leave provides parents with up to 7 weeks off (245 work hours) and the flexibility you need to complete the steps to adopt a child.

#### **Pre-placement Adoption Leave**

Parents preparing to adopt a child can take this leave to attend mandatory pre-placement visits with the prospective adoptive child. Leave is also available for completing the legal process required by the child's country. This may include travel for international adoption. Refer to your Collective Agreement or Terms & Conditions of Employment for further details.

Pre-placement visits aren't normally required for direct placement adoptions; for example, adoptions by:

- A family member;
- The partner of a birth parent;
- Foster parents if the child was living with them immediately before the adoption process.

Pre-placement adoption leave can be taken intermittently as needed to a combined maximum of 7 weeks (245 hours) per calendar year. Leave under this provision will end

with the placement of the adoptive child. However, if a match isn't successful, the employee is still eligible for the balance of the yearly maximum.

Adoptive parents are eligible for parental leave following the placement.

## **Pre-placement Adoption Leave Timeline**

### **1. Before your leave**

Submit the Maternity, Parental, Pre-placement Adoption Leave and/or Allowance Application to HR.

Record leave days

Submit your days off work with HR.

### **1. After the adoption**

Update your medical and dental benefits, and your life insurance. You have 60 days from the date of adoption to make changes to your optional life insurance selections or to your flexible benefits options, if applicable.

### **1. Before the end of your leave**

Inform your supervisor in writing of your intention to return to work as soon as possible. Also inform your supervisor if:

- You're submitting a request to take parental leave (and this leave wasn't already included in your pre-placement adoption leave letter).
- Resigning and not returning to work. See more about returning to work.

If you're taking parental leave and have already included this leave with your pre-placement adoption leave application, please refer to the parental leave timeline to find out what you need to do one month before the end of your parental leave.

### **1. Returning to Work**

If you're a regular employee returning to work from a pre-placement adoption leave, you retain your seniority. You're also granted credit for seniority accumulated during your leave period.

### **1. Choosing not to return to work**

If you don't return to work for six months (or the equivalent amount of time you were on pre-placement adoption leave, whichever is longer), the start date of your leave will be deemed your date of resignation. You'll be responsible for repaying benefit premiums (both employee and employer portions) and any allowances you received on a pro-rated basis.

### **1. Extending Your Parental Leave**

There are two ways to extend your parental leave.

#### **1. Extended child care leave**

Regular employees can take this leave without pay at the conclusion of their pre-placement adoption leave. The total combined leave can be up to 18 months. Send a written request to your supervisor at least four weeks before the end of your leave.

Extended child care leave follows the same rules as a general leave without pay for pension contributions and maintaining benefits coverage.

### **1. Vacation**

Employees can also use vacation earned before their pre-placement adoption leave to extend their time off work.

Look up your annual vacation entitlement.

### **6. RETURNING TO WORK (OR NOT) FOLLOWING MATERNITY, PARENTAL & PRE-PLACEMENT ADOPTION LEAVE**

Inform your supervisor that you intend to return to work at least one month before the end of your leave, preferably in writing.

#### **Choosing Not to Return to Work**

If you don't return to work for the time period stated in your Collective Agreement or Terms & Conditions of Employment, the start date of your leave will be deemed your date of resignation. You'll be responsible for repaying benefit premiums (both employee and employer portions), applicable flexible benefits credits and any allowances you received on a pro-rated basis.

If you return to work at a later date, you'll still be responsible for repaying benefit premiums and allowances as above.

**Group life insurance and long term disability (LTD) coverage are mandatory. You can't opt out of coverage.** Your employer pays the premiums on your behalf throughout the leave, even if you chose to waive and extended health and dental coverage. If you don't return to work, you'll be responsible for repaying these premiums to the employer.

#### **Benefits, Pension, Vacation Accrual & Payroll Deductions**

You may want to adjust or cancel benefits or deductions during your leave.

#### **Extending Your Leave**

There are two ways to have more time off after you've finished your maternity, parental or pre-placement adoption leave.

#### **Extended child care leave**

Regular employees can take this leave **without pay** at the end of their maternity, parental or pre-placement adoption leave if they haven't already taken the full 18 months with maternity and extended parental leave. The total combined leave can be up to 18 months. Send a written request to your supervisor at least four weeks before the end of your initial leave.

#### **Vacation**

Employees can use vacation earned before their maternity, parental or pre-placement adoption leave to extend their time off work. Vacation may be approved up to 6 weeks prior to their due date or up to the date in which they have been cleared to work. Look up your annual vacation entitlement.

## **Benefits, Pension, Vacation Accrual & Payroll Deduction for B.C. Government Employees**

Benefits in place before your leave will remain in place during the leave. If you choose, you may cancel extended health and dental coverage. For example, if you're unsure about returning to work and you want to minimize the repayment of benefits because you didn't satisfy the return-to-work obligation, you may want to cancel.

**You must maintain Group Life Insurance and long-term disability coverage. There's no option to waive this coverage.**

If you don't fulfil the return-to-work requirements, you'll have to repay any benefit premiums and/or flex credits paid on your behalf during your leave.

If you waive, are not eligible, or defer your top-up allowance and have optional life insurance coverage and you wish to maintain coverage for those plans by paying the premiums.

### **Cancelling Benefits While on Leave**

#### **Vacation Accrual**

In most cases, your entitlement will be pro-rated according to your maternity and/or parental leave start date. Your vacation entitlements and vacation pay continue to accrue if you're covered under the Crown Counsel Agreement or were employed before March 28, 2001, you return to work for at least six months after being on leave, and you haven't received parental allowance. Your vacation will be credited once you've returned to work for six calendar months.

#### **Pension**

Pension contributions based solely on the maternity, parental or pre-placement adoption allowance continue while you're on leave. Contributions aren't made on the amount you receive from employment insurance and you can purchase that service after returning to work.

#### **Payroll Deductions**

You may wish to cancel some deductions from your pay while you're on leave. You can suspend your contributions while on a temporary leave, such as maternity leave.