

# **PARENTAL LEAVE POLICY (ALBERTA** **VERSION)**

Employment standards laws of all jurisdictions allow employees to take unpaid parental leave. But because rules vary, it's important to implement a parental leave policy that reflects the laws of your province. Here's a template policy based on parental leave rules in Alberta.

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## **1. ENTITLEMENT TO PARENTAL LEAVE**

ABC Company will grant unpaid parental leave to an employee as follows:

(a) Employees entitled to maternity leave under the Alberta *Employment Standards Code* (ESC) (other than a pregnant employee whose pregnancy ends other than as a result of a live birth within 16 weeks of the estimated due date) will be granted parental leave for a period of no more than 62 consecutive weeks immediately following the last day of maternity leave;

(b) A parent who has been employed by ABC for at least 90 days will be granted parental leave for a period of no more than 62 consecutive weeks within 78 weeks after the child's birth;

(c) An adoptive parent who has been employed by ABC Company for at least 90 days will be granted parental leave for a period of no more than 62 consecutive weeks within 78 weeks after the child is placed with the adoptive parent for the purpose of adoption.

## **2. SHARING OF PARENTAL LEAVE**

If eligible employees are parents of the same child, parental leave may either be taken wholly by one of the employees or shared between them. Employees who intend to share parental leave must notify ABC Company of their intention to share parental leave. ABC Company is not required to grant parental leave to more than one employee at a time.

## **3. WRITTEN NOTIFICATION OF LEAVE**

Employees wishing to take parental leave under this Policy must give ABC Company at least 6 weeks' written notice of the date they will start parental leave, unless they can't comply because: (a) of the medical condition of the birth mother or child makes it impossible to provide 6 weeks' notice; or (b) the date of the child's placement with the adoptive parent is not foreseeable.

Employees who cannot comply with the written notice requirement for any of these reasons must give ABC Company written notice at the earliest possible time of the date the employee will start or has started parental leave.

## **4. RETURN TO WORK**

Employees must give ABC Company at least 4 weeks' written notice of the date they intend to resume work and no later than 4 weeks before the end of the leave period to which the employee is entitled or 4 weeks before the date on which the employee has specified as the end of the employee's leave period, whichever is earlier.

Employees must resume work on the date specified in the written notice. If they fail to do so, they may not resume work subsequently unless the failure to return to work resulted from

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unforeseeable or unpreventable circumstances. Employees that fail to provide at least 4 weeks' notice before the end of the leave period to which they're entitled, are not entitled to resume work unless the failure to provide the notice resulted from unforeseeable or unpreventable circumstances.

Where an employee is entitled to resume work under this section, ABC Company will reinstate them to the position they occupied when parental leave started, or provide them alternative work of a comparable nature at no less than the earnings and other benefits that had accrued to the employee when the parental leave started.

## **5. EMPLOYEES NOT RETURNING FROM PARENTAL LEAVE**

Employees who do not wish to resume employment after parental leave must give ABC Company at least 4 weeks' written notice of intention to terminate employment.

## **6. DUTY TO COOPERATE & COMMUNICATE**

Employees must remain in communication with their supervisor or manager while they are on leave to ensure that arrangements can be made for their return.

## **7. NON-RETALIATION**

ABC Company will not discharge, threaten, penalize or in any other manner discriminate or retaliate against any employee for exercising their rights under this Policy, including but not limited to requesting or obtaining parental leave.