

Maternity/Parental Leave Package  
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This package is designed to help you arrange for, take and return from a pregnancy/parental leave. Keep in mind that changes in legislation may occur at any time, as well as changes in your collective agreement. It is your responsibility to verify procedures before you arrange your leave. Rights and responsibilities regarding your pregnancy/parental leaves are determined by a combination of the Employment Standards Act, the Employment Insurance Act and your Collective Agreement. Each of these acts creates different rules and gives you different rights. Your President would be happy to assist you with any information or paperwork required. Congratulations and our best wishes to you!

### **Employment Insurance Act of Canada (2008)**

**Maternity benefits** are payable to the birth mother or surrogate mother for a maximum of **15 weeks**. To receive maternity benefits you are required to have worked for **600 hours** in [the last 52 weeks or since your last claim](#). You need to prove your pregnancy by signing a statement declaring the expected due or actual date of birth.

The mother can start collecting maternity benefits either up to 8 weeks before she is expected to give birth or at the week she gives birth. Maternity benefits can be collected within 17 weeks of the actual or expected week of birth, **whichever is later**. Please note that the date you file your claim is very important in order for you to receive the maximum maternity benefits you are entitled to. If you are unsure about your most advantageous maternity period to receive maximum benefits, please contact us. If the actual date of birth is different from the expected date of birth, it is very important that you provide this date as soon as possible after the birth of your child. Please contact us at **1 800 206-7218** from 8:30 am to 4:30 pm and press "0" to speak to a representative. You can also write us or go in person to your [Service Canada Centre](#). This way we will be able to determine the most advantageous maternity period, in order to receive the maximum maternity benefits you are entitled to.

**If your baby is hospitalized**, then the 17 week limit can be extended for every week your child is in the hospital up to 52 weeks — following the week of the child's birth. You will still receive benefits for a maximum of 15 weeks, but payments can be delayed until your child comes home. However, if you received maternity benefits prior to the birth and wanted to receive the remaining benefits when your child comes home, call our telephone information service at **1 800 206-7218** from 8:30 am to 4:30 pm and press "0" to speak to a representative. You can also write us or go in person to your [Service Canada Centre](#) to have the necessary adjustment done to your claim.

The weekly EI payment and the number of weeks to be paid remain the same even if you give birth to more than one child at the same time.

At the same time you present a claim for maternity benefits, yourself or/and partner can ask for parental benefits.

### ***Termination of a pregnancy***

When a pregnancy terminates **within** the first 19 weeks of pregnancy, it is considered [an illness under EI](#). If that is the case, [sickness benefits](#) may be paid as long as the qualifying conditions for sickness benefits are met.

On the other hand, if the pregnancy terminates **in the 20<sup>th</sup>** week or later, the claim for benefits can be considered for maternity benefits if the qualifying conditions for [maternity benefits](#) are met.

## ***Parental benefits***

**Parental benefits** are payable either to the biological or adoptive parents while they are caring for a new-born or an adopted child, up to a maximum of **35 weeks**. To receive parental benefits you are required to have worked for **600 hours** in [the last 52 weeks or since your last claim](#). You must sign a statement declaring the newborn's date of birth, or, when there is an adoption, the child's date of placement for the purpose of the adoption, and the name and address of the adoption authority.

Parental benefits can be claimed by one parent or shared between the two partners but will not exceed a combined maximum of 35 weeks. Claimants making application for parental benefits must provide **the name and Social Insurance Number (SIN) of the other parent** for cross-reference purposes.

Parental benefits for biological parents and their partners are payable from the child's birth date and for adoptive parents and their partners from the date the child is placed with you. Parental benefits are only available within the 52 weeks following the child's birth, or for adoptive parents, within the 52 weeks from the date the child is placed with you, [unless your child is hospitalized](#).

The weekly EI payment and the number of weeks to be paid remain the same even if you give birth to more than one child or if you adopt at the same time.

When determining how you and your partner want to take advantage of your parental leave **several choices can be made**, here are some examples:

### **Example 1**

You and your partner are sharing parental benefits, you can take the time together, the 35 weeks would be shared between the two of you.

### **Example 2**

You may want to go back to work after your maternity leave is finished and let your partner take the full 35 weeks.

### **Example 3**

You may only want to take a few weeks of parental benefits and then return to work, while your partner takes the remaining time choice.

### **Example 4**

You may decide to go back to work after you have taken a couple of weeks of parental leave. Then, a few weeks later you realize you would like to be home with your child. You can still use the weeks of parental benefits you have left as long as the weeks you take do not exceed the 52 weeks since your child's birth or placement with you for adoption.

## ***Parental benefits when your child is hospitalized***

If your newborn or newly adopted child is hospitalized, you can choose to claim parental benefits immediately following the child's birth/placement or **when he/she comes home from the hospital**. In either case, you could receive 35 weeks of parental benefits. Each week your child is hospitalized extends the period in which you can claim parental benefits, up to a maximum of 104 weeks. You must provide **a proof of the child's hospitalization**.

## **Collective Agreement 2007-2008**

**Benefits**- You may sustain your benefits while on leave by paying your portion. You need to contact the Board Office, before you commence your leave to tell them that you are going to continue benefits. Although, Long Term Disability coverage is expensive, we recommend that you continue it while on leave as you may not be eligible to return to the plan when you return from leave if you have suffered certain types of injury or illness. Ensure when your baby is born that you add he/she to your benefit plan by completing an Extended Health and Dental Change form.

**Pension**-You have the option to pay into OMERS while you are on leave. You can call the Pension Coordinator at the Board Office and inform them that you would like to purchase this credit while you are on leave. If you opt not to purchase the pension credit while you are on leave it could be detrimental to your retirement plans. If you need advice or info regarding this, please contact your OSSTF President.

**Supplementary Employment Benefit** (SUB Benefit)-This benefit is accessible for the first 6 weeks that you are on leave. This includes your waiting period. It is a top of your salary between the time you commence your maternity leave and the time your Employment Insurance Benefit begins. You are entitled to collect full pay for this if the two-week period coincides with time you would normally work. (For example, you could not collect SUB if your 2-week waiting falls during summer lay off. EI may waive the wait period of you go directly from use of sick leave to EI.

## **TEN STEPS TO HELP APPLY FOR MATERNITY/PATERNAL LEAVE**

Follow the steps below, in order, when applying for maternity leave.

### **□ STEP 1:**

**Decide on your leave date** - best to start on a Monday due to the way E.I. is paid.

### **□ STEP 2:**

**Notify the Board of your pregnancy leave** – not less than two weeks before your leave begins you need to fill out a leave form- form is called “Request for Leave” - principal can send form to Board office or you can send it yourself.

### **□ STEP 3:**

**Write a letter to the Board.** - the letter should include: due date, date of leave commencement and approximate date of return, confirmation letter from approved medical practitioner and request for the SEB “top up” provision. See sample in this package (Appendix ‘C’ in Collective Agreement). Note that if your leave is to begin at a time when you are not normally employed (july/aug) then you will not be eligible for a SEB “top up”.

### **□ STEP 4:**

**Contact E.I.** - ask what documentation is needed to make your application. Note that you need a certain amount of hours before you can obtain EI for your maternity leave. Ensure that you have accumulated those hours. You can get this information by visiting [www](http://www.ei.gc.ca).

### **□ STEP 5:**

**Contact The Pension/Benefits Coordinator at the Board office** – you need to inform her/him whether you wish to continue paying your pension and benefits while on leave. S/he will let you know the amount for each post-dated cheque if you decide to pay while on maternity leave.

**□ STEP 6: Apply for E.I.** - as soon as your leave begins; apply either on-line or in person at your local Employment Insurance office. The Board will send your Record of Employment to the E.I. office electronically once you start your leave. In the event that you work right up to the end of June and the baby is due over the summer, complete the E.I. paperwork early in July even though the Board will likely not send your R.O.E. until late July/early August.

**□ STEP 7: Send letters from E.I. to Board office** - E.I. will send you a letter telling you when your two week wait period begins (if applicable). Send a copy of this letter to the Board office as

soon as you receive it so they can calculate how much SEB you will receive. E.I. will also send you a Benefit Statement including the weekly wage rate you will receive; send a copy of this to the Board office as this is needed to calculate the Top-Up amount

□ **STEP 8:**

**Send hospital records to the Board office** - as soon as possible after the baby is born, you **must** send the Board office a copy of your hospital document (Summary Record) showing the baby's date of birth. Attach a note to the document asking them to calculate your Top-Up amount for the six weeks following the baby's birth.

□ **STEP 9: Add the baby to your benefits** - complete a benefits change form with the Board, adding the baby to your benefit plan, and send a copy to the Pension/Benefits Coordinator at the Board office. If your coverage is with another company through your spouse, you will need to contact that company to make the appropriate changes.

□ **STEP 10: Keep copies** - Remember to keep copies of all paperwork and correspondence for your own files, including any information from E.I.