

Maternity Leave

Reviewed Date		Number	HR0706
Revised Date	January 17, 2007	Approved Date	January 1, 1992

Introduction

The Board of Health believes in providing fair and equitable benefits to all its employees consistent with the health unit's mandate to promote and protect public health in the community.

Purpose

This policy outlines employee entitlements in relation to maternity leave. The policy applies to all non-union employees of the health unit. This policy does not apply to those employees who are members of the Ontario Nurses Association who will refer to their collective agreement on this issue.

Legislative Authority

N/A

Policy Definitions and Interpretation

N/A

Policy

A pregnant employee is permitted 17 weeks of maternity leave per the Employment Standards Act.

The employee on maternity leave is entitled to seventeen (17) weeks of employer paid benefits.

Vacation and sick leave will accrue during the maternity leave. Seniority will continue to accrue during the period of the leave.

The employee will return to their former position on expiration of their leave.

If while the employee is on maternity a temporary lay-off results which affects them, the employee's name will be added to the layoff list in accordance with their seniority and recalled accordingly.

Procedures

1. Pregnant employees are responsible for reviewing relevant policies and procedures related to maternity leave and for contacting the local Human Resource Social Development Office (EI office) for the process of claiming EI.
2. Vacation earned up to the date of the maternity leave must be taken prior to the leave starting. For maternity leaves starting before June 30th, any vacation carryover must also be taken prior to the leave starting.
3. The employee will contact the HR Generalist for questions related to dates to be used for maternity leave and time to be utilized prior to maternity leave starting, benefits, pension, and vacation/sick credit accrual during the maternity leave.
4. The employee will contact the Payroll Accounting Clerk regarding their final pay, record of employment and salary Top Up processes prior to going on leave.
5. The employee will advise the Service Director, Manager and HR Generalist in writing of their pending maternity leave a minimum of 4 weeks in advance of their intended last day of work. This letter will outline the intended duration of the maternity leave.
6. The Director will respond to the employee within two weeks of receipt of the request and copy this response to the Manager and HR Generalist.
7. The employee will notify the HR Generalist within 30 days of delivery to provide the baby's name, date of birth and sex. Failure to do so will result in late entrant provisions for benefit purposes and restricted benefit coverage for the new dependant.
8. At the expiration of their leave, the employee must use the vacation accrued during the leave using one or a combination of the following:
 - Extend leave by amount of vacation accrued on leave
 - Reduce fte utilizing vacation accrued on leave
 - Request a payout of outstanding vacation accrued on leave
9. The employee will make known in writing to the Director at least four (4) weeks prior to the expiration of their leave, their intention to return to work. Included in this letter will be their request to use or be paid out for the vacation accrued during the leave.
10. The Director will immediately acknowledge this letter in writing and copy the HR Generalist.
11. Within two (2) weeks of receiving the letter from the employee, the Director will review the employee's plan for return to work and request for use or pay out of vacation time accrued with the Manager and provide a response in writing back to the employee. A copy of this response will be forwarded to the HR Generalist.

Complications During Pregnancy

- Procedure #5 will not apply where an employee stops work due to complications caused by pregnancy or because of birth, still birth or miscarriage that happens earlier than the employee was expected to give birth. In these instances, the employee must within two weeks of stopping work, give the employer written notice of

the date the maternity leave began or is to begin. A medical certificate will be required in the event of pregnancy complications.

In the event of miscarriage or still birth an employee may be entitled to a leave of absence in accordance with the Employment Standards Act and may also qualify for benefits from Employment Insurance.

Related Policies

HR0502 – Maternity and Parental Leave Salary Top Up
HR0707 – Parental and/or Adoption Leave
HR0704 - Sick Leave

Also refer to:

- SMDHU Benefit Handbook
- Federal Department of Human Resource and Social Development

Related Forms

N/A

Final Approval Signature: _____

Review/Revision History:

June 26, 2002 - revised

September 2010 Policy re-numbered, previous number B5.090