

Pregnancy Leave

Procedure #: HR-11.02-001

Policy #: HR-11.02

Sub-Topic: Total Rewards

Topic: Employee Attraction and Retention

Applies to: Regular Full-Time, Regular Part-Time Employees

Purpose

This Procedure supports Pregnancy Leave Policy HR-11.02. It outlines employee and employer responsibilities for pregnancy leave, coordinating benefits, OMERS administration, as well as the pregnancy leave earnings top up benefit.

Procedure

Employee Responsibilities

Prior to Pregnancy Leave:

1. Employees eligible to take pregnancy leave from the Town's employ should familiarize themselves with the Employment Standards Act (ESA).
2. Employees intending to take a pregnancy leave should notify their immediate Supervisor/Manager/Director in writing at least 3 months before they plan to start the pregnancy leave. The written notice must specify the date the pregnancy leave will begin and must include documentation from a qualified practitioner estimating the baby's expected due date.
3. Employees must contact Human Resources prior to their pregnancy leave to make arrangements for the continuance of benefits and optional benefits during the pregnancy leave and for benefit administration purposes.
4. Employees are responsible for coordinating their Employment Insurance benefits with Service Canada indicating on their EI application that a pregnancy leave top up benefit is available from their employer. Benefits to cover earnings interruption during pregnancy leave are available through the Employment Insurance Program of Employment and Social Development Canada. Employees contemplating a pregnancy leave are advised to contact the Employment Insurance Program to confirm eligibility for and arrange benefits during their pregnancy leave of absence from employment.
5. Employees must notify their Supervisor/Manager/Director in writing of their expected return to work date prior to departure. Any changes to their return to work date are to be submitted in writing as soon as possible and at least two weeks before the change occurs.

While on Pregnancy Leave:

1. Employees on pregnancy leave who have not contacted the Employment Standards Information Centre must confirm eligibility for and arrange benefits

during their pregnancy leave of absence from employment. Benefits to cover earnings interruption during pregnancy leave are available through the Employment Insurance Program of Employment and Social Development Canada.

2. Employees are to submit EI benefit statements to Payroll Services in order to receive the Pregnancy Leave top up benefit to be processed.
3. Eligible employees will receive an earnings top up benefit to Employment Insurance benefits based on EI benefits which are the difference between EI receivable at 55% and 75% of the employee's base earnings for a maximum of 17 weeks. As of the date of this Policy, the EI receivable is a maximum of 55%. The Town's top-up amount may change depending on the changes to the provincial Employment Standards Act.
4. Eligible employees who are in receipt of EI benefits and are serving a one-week waiting period will receive 75% of their base earnings for this waiting period.
5. Employees continue to accrue eligible service with OMERS while on pregnancy leave. The employee has the option to purchase OMERS pensionable credited service in accordance with the OMERS Act and must confirm with Payroll Services if they wish to do so.
6. While on pregnancy leave, employees continue to earn credit for service from the Town. However, a pregnancy leave period is not counted towards completion of probationary periods of employment.
7. Employees must notify their Supervisor/Manager/Director in writing of their expected return to work date should there be a change to their return to work date in writing at least two weeks before the change occurs.
8. Economic adjustments applied to the regular salary scales will be applied to the employee's base earnings upon return to work.

Post-Pregnancy Leave:

1. Employees in receipt of a top up benefit to their base earnings are required to remain in the Town's employ for at least 17 continuous weeks upon their return to work. Employees who have received the top up and subsequently leave the Town's employ prior to completing 17 continuous weeks of employment will be requested to reimburse the Town for amounts received for the top up benefit to their base earnings.
2. Employees returning from pregnancy leave shall be reinstated to their former position or if the former position has changed, they will be provided with alternate work that is comparable to the former position and at the base earnings at the time their leave of absence began unless otherwise agreed.

Employer Responsibilities

Management:

1. Management must ensure appropriate pregnancy leave documentation is forwarded to Human Resources.
2. Management may approve pregnancy and parental leave of a shorter duration than that provided for by legislation upon request by the employee.

Human Resources:

1. Provide policy clarification and guidance on pregnancy leave top up and related policies and programs to employees and departments, as required.
2. Maintain and process employee records related to pregnancy leave documentation in a confidential manner.
3. Coordinate benefit administration with Payroll Services as appropriate.
4. Support compliance with provincial legislation such as Employment Standards Act and Regulations, Privacy Legislation and the Ontario Human Rights Code, as amended from time to time and as applicable.

Note

Pregnancy Leave Procedure includes information on Provincial provisions as amended from time to time without immediate change to the Pregnancy Leave Policy and/or Procedure.

Cross-References

Corporate Policy:

Vacation HR-3.01
Benefits Policy HR-6.01
Parental Leave Policy HR-11.03
Service Recognition HR-8.03
Salary Progression HR-9.02

Other Government Legislation:

[Employment Standards Act, 2000 \(ESA\)](#)
[Ontario Human Rights Code](#)
[Personal Health Information Protection Act](#)
[Personal Information Protection and Electronic Documents Act \(PIPEDA\)](#)

Contact

Human Resources Department or by email at hr@newmarket.ca.

Details

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