Maternity w/associated Parental Leave for Birth Mothers:

Part A - Article 19

- Maternity and Parental Leave provisions are governed by our Collective Agreement (CA), Employment Standards and Human Rights.
- This tip sheet is directed towards Birth Mothers and has been the result of a joint consultation process involving many groups including NASA; therefore, it reflects our joint understanding of application of the provisions of the collective agreement and the statutes.
- All periods expressed in weeks or months are meant as consecutive weeks or months.
- For the purpose of this tip sheet, employment means the most recent period of continuous employment at U of A without a four-month break. Employment is not continuous if an employee resigns, is terminated for cause, or does not return from recall (see Article 12).
- Employees must apply in writing for Maternity Leave a minimum of three months prior to the expected date of birth.

<table>
<thead>
<tr>
<th>Length of Service or Employment</th>
<th>Type of Leave</th>
<th>Illness Leave</th>
<th>Top Up</th>
<th>Return to Work Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Casual 1 - &lt; 52 weeks employment</td>
<td>Leave for medical reasons, usually 6–8 weeks. Each request will be considered individually by the University.</td>
<td>None</td>
<td>No</td>
<td>Returns to Casual 1 status at end of leave and maintains service provided she works within 4 months following the end of the leave.</td>
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<tr>
<td>Casual 1 - ≥52 weeks of employment</td>
<td>Maternity Leave: 15 weeks Parental Leave: 37 weeks</td>
<td>Can apply accrued illness leave during the illness-related portion. When the employee commences the leave portion, any remaining illness leave is paid out (Max 84 hrs).</td>
<td>No</td>
<td>Returns to job if probationary period complete and the position still exists. Employee maintains service provided she works within 4 months following the end of the leave.</td>
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<tr>
<td>Casual 2 &lt;52 weeks of employment</td>
<td>Leave for Maternity Reasons for up to 15 weeks</td>
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<tr>
<td>Casual 2 ≥52 weeks of employment</td>
<td>Maternity Leave: 15 weeks Parental Leave: 37 weeks</td>
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<tr>
<td>Auxiliary and Regular with &lt;52 weeks of employment</td>
<td>Leave for Maternity Reasons for up to 15 weeks</td>
<td>Apply illness leave for period supported by medical or until delivery, whichever is earlier.</td>
<td>Yes*</td>
<td>Returns to status and position worked at commencement of leave if probationary period complete and the position still exists. Employee maintains service provided she works within 4 months following the end of the leave.</td>
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<tr>
<td>Auxiliary and Regular with ≥52 weeks of employment</td>
<td>Maternity Leave: 15 weeks Parental Leave: 37 weeks</td>
<td></td>
<td>Yes*</td>
<td>Right to return to same or comparable position. Article 20 applies if position has been disrupted but does not begin until employee returns to work.</td>
</tr>
</tbody>
</table>

*Top up applies only to the illness-related portion of maternity leave; to receive top up, the employee must apply for EI immediately upon commencing Maternity Leave.

An Employee whose appointment ends during the leave period must contact Human Resources to request a service adjustment if she returns within four months following the end of the leave period. If this request is not made within four months following the return date, there will be no retroactive service adjustment.

For ISS and Supplemental Trades, please refer to the appropriate sections of Part A.
Support Staff
Maternity and Parental Leave Information

What is Maternity Leave?

Maternity Leave is “job protected, unpaid time off from work for a period before and after the birth of a child.” (Alberta Employment and Immigration, 2009, p.22) Eligible Birth Mothers are entitled to 15 weeks of leave; this is a combination of health related and voluntary leave. To be eligible for maternity leave, an employee must have been employed by the University for at least 52 consecutive weeks. To determine eligibility, please refer to the attached tip sheet. If an employee meets the Employment Insurance (EI) eligibility requirements, she will receive EI benefits for the 15 weeks of Maternity Leave, with or without a 2 week waiting period. Further, if she meets eligibility requirements she can receive top up benefits from the University during the illness-related portion of her maternity leave.

Employees who are not eligible for maternity leave may apply for illness leave or leave without pay as outlined on the attached tip sheet.

What is Parental Leave?

Parental Leave is “job protected, unpaid time off from work to care for a new-born or adopted child. Eligible parents are entitled to a maximum of 37 weeks.” (Alberta Employment and Immigration, 2009, p. 26) To be eligible for parental leave, an employee must have been employed by the University for at least 52 consecutive weeks. To determine eligibility, please refer to the attached tip sheet. Parental leave can be taken by one birth parent or shared between two birth parents or taken by one adoptive parent or shared between two adoptive parents. However the total combined parental leave cannot exceed 37 weeks. Birth Mothers must take their maternity and parental leaves consecutively. If the employee(s) meet EI eligibility requirements, they will receive EI benefits; a two week waiting period may or may not be required for each parent.

How do I apply for Maternity Leave?

Application for Maternity Leave must be made a minimum of three months prior to the estimated date of delivery. A written request is provided to your Supervisor and must be accompanied by written verification of the due date from a physician or a registered mid-wife. Birth Mothers can apply for both Maternity and Parental leave at the same time on one request.

How do I apply for Parental Leave?

Eligible parents must apply for leave a minimum of one month prior to the anticipated birth or adoption date, or provide as much notice as possible. Leave cannot begin before the baby is born or the adopted child arrives; and must commence no later than 52 weeks after the birth or adoption date.

What is Top Up?

Top up is a negotiated benefit provided by the University to supplement an eligible Birth Mother’s EI income for the illness related portion of her Maternity Leave. To determine eligibility please refer to the attached tip sheet. Top up will provide an employee with 100% of gross earning less normal payroll deductions. The illness-related portion of the Maternity Leave is normally 8 weeks for a regular delivery, 10 weeks for a caesarean section; any additional maternity related illness leave will need to be medically supported and is coordinated through Organizational Development, Equity and Health (ODEH).
How do I apply for Top Up?
To receive Top Up:
- an employee must be receiving EI benefits
- must have sufficient illness leave
- provide medical documentation specifying the portion of her maternity leave attributable to any illness-related absence

Evidence that an employee is in receipt of EI benefits must be provided to the University. A copy of the statement detailing that an employee is receiving EI benefits and their commencement date will serve as evidence, this statement can be found on the Service Canada Website under “My Current Claim.” This documentation can be provided directly to payroll or forwarded from the department to the appropriate payroll advisor. List of Payroll Advisors.

Applications for EI Maternity Benefits may be submitted in-person or online to Service Canada. Records of Employment will be provided directly to Service Canada electronically from the University. It is important that application for EI benefits be made immediately upon commencing Maternity Leave. The decision as to eligibility of EI benefits rests with the Federal Government; the University of Alberta has no involvement in the decision process. All EI queries should be forwarded to Service Canada.

What happens to my benefits while on Maternity and Parental Leave?
For employees who are benefitted, benefits will automatically continue during the illness related portion of the Maternity Leave. If an employee wishes to continue benefits for the remainder of Maternity Leave and/or Parental Leave this will need to be arranged with the benefit advisor prior to the leave commencing.

What do I do when I want to return to work?
An employee will provide 4 weeks written notice of their intention to return to work. The earliest an employee can return to work is 4 weeks after the birth of their child with a medical certificate or 6 weeks without a medical certificate.

Who can I contact if I have questions?
Employment Insurance questions can be directed to Service Canada Personnel: 1-800 206-7218 or http://www.servicecanada.gc.ca/

General Maternity and Parental Leave questions can be directed to Department/Faculty Human Resources Personnel or the appropriate payroll advisor. List of Payroll Advisors. In addition Pensions and Benefits consultants can provide counsel on benefits and pension while on Maternity or Parental Leave. List of Pension and Benefit Advisors

Resources
- Support Staff Agreements: Operating Agreement- Part A Trust Agreement - Part B
- Service Canada Employment Insurance
- Service Canada Application for Employment InsuranceBenefits
- Alberta Employment and Immigration

References