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## Maternity and Parental/Adoption Leave

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**Department Policy Number**

120 006

**Effective Date**

Revised July 1, 2005

Revised October 1, 2002

**Purpose**

This policy outlines staff member's access to maternity, parental and adoption leave and any benefits related to these leaves.

**Definitions**

|                                    |   |
|------------------------------------|---|
| <b>Maternity leave</b>             | a combination of health related and voluntary leave for female staff members                          |
| <b>Parental/Adoption Leave</b>     | leave following the birth or adoption (both parents may access this leave)                            |
| <b>Maternity Top-up</b>            | supplements the employment insurance benefit while on a valid health related absence due to pregnancy |
| <b>AUFA</b>                        | Athabasca University Faculty Association  |
| <b>AUPE</b>                        | Alberta Union of Provincial Employees, Local 069  |
| <b>CUPE</b>                        | Canadian Union of Public Employees, Local 3911  |
| <b>Academic/Professional Staff</b> | permanent and term Academic and Professional staff who are members of AUFA                            |
| <b>Excluded Contract Staff</b>     | Executive, Management and Professional staff who are exempt from the AUFA agreement                   |
| <b>Support Staff</b>               | permanent and temporary staff who are members of AUPE, Local 069                                      |



**Excluded Support Staff** support staff who are exempt from the AUPE agreement

## **Policy**

The University supports staff and their new family members by providing leave and benefit provisions.

## **Regulation**

The provisions as stated in the Employment Standards Code pertaining to maternity, parental and adoption leave.

The provisions as stated by Human Resources Development Canada in relation to supplements to Employment Insurance benefits.

## **Procedure**

### **1.0 General**

- 1.1 Eligible staff members shall be granted up to fifteen (15) weeks maternity leave and up to thirty-seven (37) weeks parental leave.
- 1.2 Eligible staff members shall be granted up to thirty-seven (37) weeks parental/adoption leave within a fifty-two (52) week period immediately following the birth (in the case of the father or same-sex partner) or the placement of the child with the adoptive parent(s). If staff members are parents of the same child, both parents may access parental leave, however, the combination of leaves cannot exceed twelve (12) months.
- 1.3 CUPE indefinite term employees who have been employed for more than fifty-two (52) weeks shall be eligible as per 1.1 and 1.2 above.

CUPE indefinite term employees who have been employed for less than fifty-two (52) weeks shall be granted up to twenty-six (26) weeks maternity leave without pay, or twenty-six (26) weeks parental or adoption leave without pay within the fifty-two (52) week period immediately following birth (in the case of the father or same-sex partner) or the placement of the child with the adoptive parent(s). If staff members are parents of the same child, both parents may access parental leave, however, the combination of leaves cannot exceed six (6) months.

- 1.4 Leave for eligible term and temporary staff shall not extend beyond their appointment end date.
- 1.5 All leaves are without pay unless noted under Maternity Top-Up and other remuneration sections that follow.



## **2.0 Eligibility**

- 2.1 Permanent and term Academic/Professional and Excluded Contract Staff members who have completed one (1) year of continuous service at the time of leave commencement.
- 2.2 Permanent and temporary Support and Excluded Support staff members who have completed nine (9) months of continuous service at the time of leave commencement.
- 2.3 CUPE indefinite term employees.
- 2.4 Casual staff, whether academic/professional or support, are not eligible.

## **3.0 Application**

- 3.1 Permanent and term Academic/Professional and Excluded Contract Staff must provide the supervisor with at least twenty (20) working days' notice in writing of the date upon which he or she intends to commence leave.
- 3.2 Permanent and temporary Support and Excluded Support staff must provide the supervisor with at least two (2) weeks' notice in writing of the date upon which he or she intends to commence leave.
- 3.3 CUPE indefinite term employees must provide the supervisor with at least two (2) weeks' notice in writing of the date upon which he or she intends to commence leave.

## **4.0 Maternity Top-up**

Pregnancy is a legitimate health related reason for females to take leave from work and as such, should be compensated. To be eligible for the Maternity Top-up payment, the staff member will be required to submit satisfactory medical evidence verifying their valid health related reason for being absent from work and must prove she is in receipt of Employment Insurance (including 2 week waiting period).

- 4.1 A staff member shall receive up to 100% of her regular earnings for the period in which she would be entitled to sick leave benefits. Regular maternity leave will commence following this health related period (to a maximum of 52 weeks from date of delivery).

## **5.0 Other Remuneration**

All staff are provided with a Record of Employment (ROE) once they are in a no pay status from the University. This form is part of the application process for eligible staff to apply for Employment Insurance benefits. In addition to EI benefits:



- 5.1 Permanent Academic/Professional and Excluded Contract Staff shall be paid his or her regular salary for a three (3) month period commencing at the beginning or end of leave.
- 5.2 Term Academic/Professional and Excluded Contract Staff (appointments greater than five years) shall be paid his or her regular salary for a three (3) month period commencing at the beginning or end of leave.
- 5.3 CUPE indefinite term employees shall be entitled to five (5) days special leave with pay.

The earnings stated in 5.1 through 5.3 above may affect the staff members Employment Insurance benefits and must be reported to Employment Insurance accordingly.

## **6.0 Benefits**

For the health related period of maternity leaves, the University and staff member will continue to pay the same portions of the benefit premiums and pension contributions they paid while the staff member was working.

- 6.1 Permanent and term (appointments greater than 5 years) Academic/ Professional and Excluded Contract Staff benefit premiums shall be maintained by the University (cost-shared for part-time) for the voluntary period of leave.

Pension contributions will continue during the three (3) month paid leave. The staff member may elect to continue to contribute both their and the University's share during the voluntary period of leave or purchase the service upon return from leave.

- 6.2 Term (appointments less than 5 years) Academic/Professional and Excluded Contract Staff benefit premiums can be maintained at the staff member's expense during the voluntary period of leave.

The staff member may elect to continue to contribute both their and the University's share of pension during the voluntary period of leave or purchase the service upon return from leave.

- 6.3 Permanent and Temporary Support and Excluded Support staff benefit premiums shall be maintained by the University (cost-shared for part-time) for the voluntary period of leave. Dental premiums may be continued at the staff member's expense.

The staff member may elect to continue to contribute their share of pension during the voluntary period of leave and the University will continue its share up to a lifetime maximum of twelve (12) months leave; the staff member may elect to purchase their pensionable service upon return from leave.



## **7.0 Return to Work**

- 7.1 Permanent and term Academic/Professional and Excluded Contract Staff must provide the supervisor with at least twenty (20) working days' notice in writing prior to the date he or she wishes to return to work.
- 7.2 Permanent and temporary Support and Excluded Support staff must provide the supervisor with at least four (4) weeks' notice in writing of the date he or she intends to return to work.
- 7.3 CUPE indefinite term employees must provide the supervisor with at least four (4) weeks' notice in writing of the date he or she intends to return to work.

### **Approved By**

Executive Group; March 18, 2003.

### **Amended Date/Motion No.**

### **Related References, Policies and Procedures**

Article 26 - AUPE Collective Agreement

Article 16 - AUFA/The Governors of Athabasca University (the Board) Terms and Conditions

Articles 16, 17 and 18 - CUPE Collective Agreement

### **Applicable Legislation/Regulation**

Employment Standards Code

Human Resources Development Canada

Alberta Human Rights and Citizenship Commissions

### **Responsible Position/Department**

This policy is maintained and administered by Human Resources; Learning Services Tutorial administers this policy as it relates to the CUPE agreement. For further information, please contact the Return to Work & Benefits Coordinator (Human Resources) or the Coordinator (Learning Services).

### **Keywords**

Maternity Top-up

Health related absence

Voluntary leave