

POLICY 8.15 – Pregnancy and Parental Leave

Policy Category: Personnel – Select Administrative Group Employees (SAGE)

Subject: Pregnancy and Parental Leave

Approving Authority: Board of Governors

Responsible Officer: Associate Vice-President (Human Resources)

Responsible Office: Human Resources

Related Procedures: [Procedures for Pregnancy and Parental Leave](#)

Related University Policies:

Effective Date: May 4, 2017

Supersedes: June 26, 2002; September 10, 1999
[Previously MAPP 8.22 – Pregnancy and Parental Leave]

I. PURPOSE

This policy defines the leave arrangements for pregnancy and parental leaves and Supplementary Employment Insurance Benefits (SEIB) available to Select Administrative Group Employees (SAGE) members at Western. This Policy will be interpreted and applied in accordance with all applicable legislation including, but not limited to, the *Employment Standards Act, 2000* (the “ESA”) and the federal *Employment Insurance Act*.

II. POLICY

- 1.00 Following thirteen (13) weeks of service, a SAGE member shall be eligible for pregnancy and/or parental leave as provided in the ESA.
- 2.00 Pregnancy leave shall extend for up to seventeen (17) weeks, and may be initiated at any time within seventeen (17) weeks of the expected delivery date of the SAGE member's newborn baby. Notice of intent to take pregnancy leave should be given to Western at least three (3) months in advance of the expected delivery date.
- 3.00 Parental leave, separate from pregnancy leave, shall be a flexible leave, and shall be extended to any employee who becomes a parent of a new born or newly adopted child(ren). A birth mother who took a pregnancy leave shall be entitled to a leave of thirty-five (35) weeks, whereas all other new parents shall be entitled to a leave of thirty-seven (37) weeks. Both the mother and the father of an adopted child shall be entitled to a leave of thirty-seven (37) weeks.
- 4.00 A female member who has taken a pregnancy leave, if she chooses to take a parental leave also, shall take the parental leave immediately following the pregnancy leave, unless the child has not come into the custody, care and control of the mother at the end of the pregnancy leave (e.g., if the child is hospitalized), in which case alternative arrangements respecting the

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timing of the parental leave may be made.

- 5.00 Leave in excess of seventeen (17) weeks for medical reasons relating to the pregnancy, and/or delivery of the infant, will be treated in accordance with Policy 8.13 Sick Leave, Disability Income Protection and Health Care Appointments. A SAGE member who is unable to return to work because of illness following such a pregnancy leave or subsequent parental leave associated with the birth of a child must notify Western as soon as possible.
- 6.00 Vacation entitlement and service shall continue to accrue during the course of any pregnancy or parental leave.
- 7.00 During any period of unpaid pregnancy or parental leave, the Western-paid portion of the employee's group insurance benefits premiums and pension contributions will be continued on the same basis as provided for prior to the unpaid leave of absence. Benefits for which Western pays the full cost shall continue without interruption or alteration during the course of all unpaid pregnancy and/or parental leaves as defined in Clause 2.00 and 3.00. At a SAGE member's discretion, and provided the member arranges with Western for the payment of the employee portion of the premium costs, those group insurance benefits premiums and pension contributions paid by the member will be continued.
- 8.00 As per the ESA, when the leave ends, the employer of an employee who has taken pregnancy leave or parental leave shall reinstate the employee to the position the employee most recently held with the employer, if it still exists, or to a comparable position if it does not.
- 9.00 For parents not giving birth (i.e., fathers and parents of an adopted child), the parental leave must commence within fifty-two (52) weeks after the child is born or comes into the custody, care and control of the parent for the first time.
- 10.00 A SAGE member who (i) qualifies under this Policy for pregnancy and/or parental leave (ii) has at least one (1) year's service with Western, and (iii) makes the necessary application for, is eligible for, and receives Employment Insurance (EI) benefits, shall be granted Supplementary Employment Insurance Benefits ("SEIB") for the period of the pregnancy leave or for seventeen (17) weeks of the parental leave. The application for SEIB will be made through Human Resources. The one (1) year period shall be calculated from the commencement of service to the expected delivery date or the date on which a child comes into the custody, care and control of the parent for the first time. The one (1) year period may be waived in the case of the adoption of a child where the date that the child comes into the care and control of the parent is outside the control of the parent. During any period of approved SEIB, group insurance benefits levels will be continued and the group insurance benefit premiums and pension contributions will be continued as they were prior to the leave.
- 11.00 SEIB referred to in Clause 10.00 shall be in the amount of:
 - a) 95% of salary at the commencement of the leave paid by Western for the initial two (2) week waiting period for EI benefits; and
 - b) the difference between the EI benefit level and 95% of the employee's pre-leave salary paid by Western for the remainder of the eligible leave, not to exceed an additional fifteen (15) weeks.
- 12.00 If, before six (6) months have elapsed since his/her return to work, a SAGE member voluntarily resigns his/her employment or is discharged for cause, he/she will be indebted to Western for the sum of monies paid to him/her by Western during the pregnancy leave or adoption-related parental leave.

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- 13.00 SAGE members will not be eligible for SEIB on parental and pregnancy leaves after the member's Normal Retirement Date and any SEIB will end upon a member reaching the Normal Retirement Date (as defined in [Policy 8.18](#)).