

## Article 1.9 PREGNANCY, ADOPTIVE, PARENTAL, AND PATERNITY LEAVES

### Article 1.9.1 PREGNANCY LEAVE FOR MEMBERS WITH CONTINUING APPOINTMENTS

1.1 Subject to the provisions of section 1.9.1:3.0 the University shall, upon the request of a pregnant Member with a continuing appointment and upon receipt of a medical certificate indicating the expected birth date, grant the Member with a continuing appointment 17 weeks of unpaid Pregnancy Leave.

1.2 A Member with a continuing appointment may begin Pregnancy Leave no earlier than seventeen (17) weeks before the expected birth date.

#### 2.0 Pregnancy Leave with Supplemental Benefits

2.1 During the period of Pregnancy Leave as specified in Article 1.9.1:1.1, a Member with a continuing appointment is entitled to supplementary benefits as follows:

a) For the first two (2) weeks the Member shall receive 95% of her nominal salary;

b) For up to a maximum of fifteen (15) additional weeks, the Member shall receive an amount equal to the difference between the Employment Insurance (EI) benefits received and 95% of the Member's nominal salary.

c) In the case of 1.9.1:2.1, payments shall begin no earlier than eight (8) weeks before the expected birth date and end no later than seventeen (17) weeks after the birth unless the child is confined to hospital.

2.2 To receive the supplementary employment benefit defined in 1.9.1: 2.1 the Member with a continuing appointment shall supply the Human Resources department with proof of receipt from the Employment Insurance Commission for EI pregnancy leave benefits.

#### 3.0 Notice Required for Pregnancy Leave

3.1 The Member with a continuing appointment shall give the University at least ten (10) weeks, "written notice of the date the Pregnancy Leave, as per Article 1.9.1:1.1 is to begin. The payment of supplementary benefits under 1.9.1:2.1 also requires ten (10) weeks, "notice.

3.2 The notice period in Article 1.9.1:3.1 shall not apply if the Member with a continuing appointment stops working because of complications caused by her pregnancy. In such circumstance, the Member shall, within two weeks of stopping work, give the University:

a) Written notice of the date the pregnancy leave began or is to begin; and

b) A certificate from a legally qualified practitioner that the Member is unable to perform her duties because of complications caused by her pregnancy.

End of Pregnancy Leave

a) The Pregnancy Leave of a Member with a continuing appointment who is entitled to take Parental Leave under Article 1.9.4 shall end seventeen (17) weeks after the Pregnancy Leave began.

b) The Pregnancy Leave of a Member with a continuing appointment who is not entitled to take Parental Leave shall end on the later of the day that is seventeen (17) weeks after the Pregnancy Leave began or the day that is six (6) weeks after the birth, still birth or miscarriage. In the case of still birth or miscarriage, the Member may also be entitled to sick leave coverage, under respective sick leave article within the Member, "ôs section.

c) If a Member with a continuing appointment on Pregnancy Leave wishes to take less than seventeen (17) weeks, " Pregnancy Leave, the Member shall give written notice to the University of her intention to return to work at least four (4) weeks prior to her expected date of return.

#### ARTICLE 1.9.2 PREGNANCY LEAVE FOR MEMBERS NOT ON CONTINUING APPOINTMENTS

The University will grant pregnancy leave to Members, who are not on continuing appointments, in accordance with the provisions of the Labour Standards Code. Such leave will normally be up to seventeen (17) weeks. It can commence up to sixteen (16) weeks preceding the expected date of delivery, as the Member determines, and not later than the date of delivery.

A Member who is not on a continuing appointment shall give the University four (4) weeks notice of the date the Member will begin pregnancy leave and the date the Member will return to work upon completion of the leave.

#### ARTICLE 1.9.3 ADOPTIVE LEAVE FOR ALL MEMBERS WITH CONTINUING APPOINTMENTS

Adoptive Leave is available to Members with a continuing appointment who adopt a child under the age of twenty-four (24) months. Appropriate documentation certifying that a child under the age of twenty-four (24) months is being adopted to the care of a Member shall accompany the request for Leave.

1.1 If both adoptive parents are members with continuing appointments, the Leave can be taken

a) either by one parent only; or b) split between parents

1.2 Adoptive Leave is available for a period of 17 weeks.

#### 2.0 Adoptive Leave with Supplemental Benefits

2.1 During the period of Adoptive Leave as specified in Article 1.9.3:1.2, a Member with a continuing appointment is entitled to supplementary benefits as follows:

a) For the first two (2) weeks the Member shall receive 95% of her nominal salary; b) For up to a maximum of fifteen (15) additional weeks, the Member shall receive an amount equal to the difference between the Employment Insurance (EI) benefits received and 95% of the Member's nominal salary.

2.2 To receive the supplementary employment benefit defined in 1.9.3: 2.1 the Member with a continuing appointment shall supply the Human Resources department with proof of receipt from Employment Insurance Commission for EI pregnancy leave benefits.

### 3.0 Notice Required for Adoptive Leave

3.1 In order to facilitate planning, it is the responsibility of the Member with a continuing appointment to inform the University in the term prior to the one in which such leave is to be taken.

### 4.0 End of Adoptive Leave

If a Member with a continuing appointment on Adoptive Leave wishes to take less than seventeen (17) weeks, "Adoptive Leave", the Member with a continuing appointment shall give written notice to the University of his or her intention to return to work at least four (4) weeks prior to her expected date of return.

## ARTICLE 1.9.4 PARENTAL LEAVE FOR ALL MEMBERS WITH CONTINUING APPOINTMENTS

1.0 A Member with a continuing appointment who becomes a parent through the birth of a child(ren) or

1.1 Where a Member with a continuing appointment takes pregnancy leave pursuant to Article 1.9.1:1.1, parental leave begins immediately upon completion of the pregnancy leave and without the Member returning to work and ends not later than thirty-five (35) weeks after the parental leave began.

1.2 Where a Member with a continuing appointment did not take pregnancy leave pursuant to Article 1.9.1:1.1, parental leave begins on such date as determined by the Member coinciding with or after the birth of the child or children first arriving in the Member's home and ends not later than thirty-five (35) weeks after the parental leave begins or fifty-two (52) weeks after the child or children first arrive in the Member's home, whichever is earlier.

1.3 When a parental leave has begun, and the child is hospitalized for at least one week, the Member with a continuing appointment is entitled to resume work and to defer the unused portion of the Parental Leave until the child is discharged from hospital.

a) A Member is entitled to only one interruption or deferral of a Parental Leave.

b) A Member who intends to use a deferral shall give the University as much notice as possible of the dates of resumption of employment and the Parental Leave.

### 2.0 Parental Leave with Supplemental Benefits

2.1 In accordance with the requirements set out in Article 1.9.4:3.0, a Member with a continuing appointment who is eligible for Parental Leave under Article 1.9.4:1.0 shall be entitled to supplemental benefits as follows:

a) For the first ten (10) weeks of Parental Leave, the Member shall receive an amount equal to the difference between EI benefits received and 95% of the Member's nominal salary.

b) If parental leave is taken by a parent that was not on pregnancy leave for the first (2) weeks of Parental Leave the Member shall receive 95% of the Member's nominal salary, and for the next eight (8) weeks shall receive the amount equal to the difference between EI benefits received and 95% of the Member's nominal salary.

2.3 To receive the supplementary employment benefit defined in 1.9.4:2.1 the Member with a continuing appointment shall supply the University with proof of receipt from the Employment Insurance Commission for EI Parental Leave benefits.

2.4 When both parents are Members with a continuing appointment parental leave can be either:

a) taken by one parent; or, b) split between both parents

3.0 Notice Required to Take Parental Leave

a) A Member with a continuing appointment shall give written notice to the University of her or his intention to take a Parental Leave at least ten (10) weeks prior to the commencement of such leave. Where a Member qualifies for such leave as a result of adoption and where the child comes into his/her custody, care and control earlier than expected, the Member shall give reasonable written notice.

b) If a Member on Parental Leave wishes to take less than 35 weeks of Parental Leave, the member shall give written notice to the University of her or his intention to return to work at least four (4) weeks prior to the expected date of return.

#### ARTICLE 1.9.5 PARENTAL LEAVE FOR MEMBERS NOT ON CONTINUING APPOINTMENTS

Where a Member takes pregnancy leave (refer 1.9.1 or 1.9.2) the University will grant up to thirty-five (35) weeks of unpaid Parental Leave in accordance with the terms of the Labour Standards Code. Such leave is available to Members on the birth or adoption of a child, provided they have been employed at the University for at least one year prior to the date of the leave.

Where a pregnant Member takes a Pregnancy Leave, the Labour Standards Code requires that both leaves (pregnancy and parental) be taken consecutively, for not more than fifty-two (52) weeks in total.

A Member shall give the University four (4) weeks notice of the date the Member will begin parental leave and the date the Member will return to work upon completion of the leave if it is less than the maximum to which the employee is entitled.

Members as adoptive parents may take Parental Leave at a time of their choosing commencing with the date of birth or the date in which the child is taken into the employee's home, provided the leave is completed within a fifty-two (52) week period after the child first arrives at home.

Insured benefits coverage may be obtained for the duration of a parental leave, subject to the Member paying the full cost, and meeting any qualifying conditions under specific plans.

#### ARTICLE 1.9.6 GENERAL CONSIDERATIONS FOR PREGNANCY, ADOPTIVE AND PARENTAL LEAVE

1.0 All insurance coverage and benefits shall be maintained during the Pregnancy and Adoptive leaves up to seventeen (17) weeks and first ten (10) weeks of Parental Leave. Members wishing to maintain benefits for the remainder of the Parental Leave shall be responsible for the cost of maintaining the benefits.

2.0 It is the responsibility of the University to make such provision for the continuation of the Member's responsibilities as may be deemed necessary while she is on Pregnancy leave or he/she is on Parental Leave.

2.1 In order to facilitate planning, it is the responsibility of the Member to inform the University in the term prior to the one in which Pregnancy and/or Parental leave is to be taken.

2.2 The Dean, in consultation with the Chair, or the Director of Co-adj or Extension or the University Librarian may provide alternative teaching/working arrangements through the hiring of additional personnel on a part-time basis or by arranging with other Members of the Department or Program concerned to assume responsibilities over and above their work load.

2.3 The option of cancelling or reassigning one or more duties of the Member on Leave or of postponing them to the following term or the next academic year may be possible in some circumstances.

3.0 If one (or more) Pregnancy Leave(s) is (or are) taken during the Member's Probationary Appointment, she may elect to defer consideration of grant of tenure or permanent appointment by one year for each leave taken within that time period.

3.1 In the event that a decision is made to defer application for grant of tenure or permanent appointment, the Member shall inform their appropriate University administrator within thirty days of the date when the member would normally be considered for grant of tenure or permanent appointment.

3.2 The period of a Pregnancy Leave shall count as time worked for purpose of advancement through the steps of the salary grid, promotion, eligibility for Sabbatical Leave (where applicable), and credited service towards retirement.

#### ARTICLE 1.9.7 PATERNITY LEAVE FOR MEMBERS WHO DO NOT TAKE ADOPTIVE OR PARENTAL LEAVE

A Member shall be granted special leave of one (1) day with pay either on the day of or following the birth or adoption of the Member's child.