

THE SIMCOE COUNTY
ELEMENTARY TEACHERS'



GUIDE TO PREGNANCY,
PARENTAL and CHILD CARE
LEAVES

Updated February 2012

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Current SCDSB Payroll Issues:

- 1) **Having Your Baby Early:** When you have your baby early you need to contact both payroll (Roger Kennedy) and Human Resources (Abigail DesForges). There will be a delay in when your ROE (Record of Employment) is processed due to the automated pay system the Board uses. The ROE can't be manually corrected until the current bi-weekly pay period has closed so it is essential you contact payroll as soon as you can.
- 2) **Overpayments:** Once again due to our automated pay system you may have issues with EI claiming you have been overpaid. The issue is we are not paid for holidays and vacation time but we are paid bi-weekly throughout the year. So it is possible that a pay period may begin over Christmas and your pay stub would show you being paid for that time when you can't actually earn any money. The Board will address this situation when they are made aware – if you have any issues please contact me.

Fifth Disease Awareness

The Simcoe County Elementary Teacher's Federation strongly encourages any pregnant members, or members planning a pregnancy, and their spouses be checked for Fifth Disease immunities. We would also encourage any male members whose partners are not teachers, but are either pregnant or planning a pregnancy, to be tested as well. This simple blood test may be requested through your local family doctor and is currently covered by OHIP. It is also advisable to ensure complete adult immunization, including Hepatitis B, chickenpox, rubella and whooping cough.

Fifth Disease: Fifth Disease is a mild childhood illness, which is so prevalent that a large percentage of adults, roughly 50 – 65% are already immune because they had Fifth Disease as a child. In the first stage, Fifth Disease has flu like symptoms which last for 2 or 3 days. The second stage has no symptoms at all for up to a week. In the third stage, children get a bright red rash on their cheeks that looks like slap marks. Fifth Disease is also commonly referred to as slap face for this very reason. The rash may come and go over the next several weeks and during this stage the child is no longer likely to spread the infection. Fifth Disease is most commonly spread through respiratory secretions, when the child sneezes, coughs or talks and from hand to mouth contact.

Recent research suggests that if a teacher becomes infected there is a 2% to 6% risk of the unborn baby becoming infected and developing severe anemia. Spontaneous abortion occurs in less than 5% of all pregnant women, usually during the first half of the pregnancy. **(All statistics relating to Fifth Disease came from Infection in Pregnancy published by ETFO).**

19.04 Fifth Disease

When a case of Fifth Disease in the school becomes known to the principal, he or she shall notify the school staff. If a pregnant Teacher is advised by her physician not to attend the workplace where there is a known case of Fifth Disease, the Teacher has the option to remain at home with loss of sick leave, or to be re-located to an alternative workplace where Fifth Disease has not been reported (if a member wishes to be re-located she must make the request in writing, including the doctor's note, to Employee Services. In this case the Teacher will remain at home with loss of sick leave until an appropriate alternative work location is found). This will continue until 20 days have passed since the last reported case.

The SCETF recommends that in all cases you follow your doctor's advice as it relates to 5th Disease and any other illnesses.

Pregnancy Leave Checklist

- Review the following documents:
 - Your current Collective Agreement (relevant clauses are located in this document).
 - The ETFO Pregnancy & Parental Leave: A Guide to Rights & Responsibilities (your school Steward should have a copy or you can contact the SCETF office).
 - The ETFO website (www.etfo.on.ca). Click on Professional Relations, and then go to Employment Insurance Benefits.

- Decide what type of leave you will be taking and the timing of the leave (you may want to start your leave early to maximize top-ups):
 - A Pregnancy Leave (17 weeks).
 - A Parental Leave (35 weeks) which may be shared.
 - A Pregnancy and Parental Leave (17 weeks + 35 weeks).
 - A Pregnancy/Parental + Child Care Leave (up to 2 years in length).
 - **Keep Child Care in mind – it's never too early to plan.**

- Obtain a letter from your doctor:
 - The letter should verify that you are pregnant and state your expected due date.

- Send copies of your request for a Pregnancy/Parental Leave to Abigail DesForges in the Human Resource Services Department (705-737-6996). You should also give a copy to your principal and keep the original in your home files. **The Ontario Employment Standards Act states the letter must be sent at least 2 weeks prior to the beginning of your leave. You may wish to do this in advance of the 2 week date as the last 2 weeks may be a busy time.**

Your letter should include the following:

 - The start and end time for your leave.
 - A copy of your doctor's letter.
 - Notification stating whether or not you intend to use six weeks of paid sick leave. **(Used prior to top-up language being added)**

- Contact the Ontario Teacher's Pension Plan Board. (www.otpp.com) (416) 226-2700, 1-800-668-0105.

You have several options available to you with regard to your pension:

- You may continue to make pension contributions during your leave.
- You may waive your right to contribute.
- You may wish to buy back your pension credits after your leave.
- **Please talk to an Ontario Teacher's Pension Plan Board representative before you make any decisions with regard to your pension.**

- Contact the Ontario College of Teachers. (www.oct.ca) (416) 961-8800 or 1-888-534-2222.

- **It is a members' responsibility to maintain good standing with the College while on leave so please contact them and arrange to pay your yearly dues. You will not be able to return to your teaching duties unless your dues have been paid during your absence.**

- Once the baby has been born make sure to contact Nathan Klaassen (at the SCETF Office at (705)-728-2888, 1-800-746-2633, (705) 792-8880 or nathan@scetf.org) to register the baby with OTIP. You have 31 days after the birth of the baby to register them without a medical. If you have any benefit questions while on leave please contact Nathan.

- A couple of days after your maternity leave has started (birth of baby or expected due date) log into www.servicecanada.gc.ca and complete your online EI application (don't wait for confirmation that your ROE has been sent – it goes electronically).

- Log into My Service Canada Account and print off your current claim information. This will provide the Board with confirmation of your eligibility to receive EI and the amount of your gross weekly EI earnings so your SEB Plan and Top-Up can be calculated.

- Contact the local SCETF office if you have any questions, problems or concerns at (705) 728-2888, 1-800-746-2633 or contact@scetf.org.

Please Note: If you have the baby early contact both Human Resources and Payroll so your ROE can be sent and your pay can be calculated correctly.

Adoption/Parental Leave Checklist

In accordance with the Employment Standards Act, Adoption Leave is a Parental Leave.

- Review the following documents:
 - Your current Collective Agreement (relevant clauses are located in this document).

- Decide what type of leave you will be taking:
 - A Parental Leave (37 weeks) which may be shared.
 - A Parental/Child Care Leave (up to 2 years in length).

- Provide a copy of the Certificate of Adoption to the Superintendent of Employee Services.

- Send copies of your request for a Pregnancy/Parental Leave to Abigail DesForges in the Human Resource Services Department (705-737-6996). You should also give a copy to your principal and keep the original in your home files **The Ontario Employment Standards Act states the letter must be sent at least 2 weeks prior to the beginning of your leave. You may wish to do this in advance of the 2 week date.**
 - Please note that if the child comes into your care sooner than expected, you may begin your leave immediately and provide written notice of the leave to the Board within 3 days after you begin the leave.

- Contact the Ontario Teacher's Pension Plan Board. (www.otpp.com) (416) 226-2700, 1-800-668-0105.

You have several options available to you with regards to your pension:

 - You may continue to make pension contributions during your leave.
 - You may waive your right to contribute.
 - You may wish to buy back your pension credits after your leave.

Please talk to an Ontario Teacher's Pension Plan Board representative before you make any decisions with regards to your pension.

Contact the Ontario College of Teachers. (www.oct.ca)
(416) 961-8800, 1-888-534-2222.

- **It is a member's responsibility to maintain good standing with the College while on leave so please contact them and arrange to pay for yearly dues. You will not be able to return to your teaching duties unless your dues have been paid during your absence.**

Once the baby has come into your care and control contact Nathan Klaassen (at the SCETF Office at (705)-728-2888, 1-800-746-2633, (705) 792-8880 or nathan@scetf.org) to register the baby with OTIP. You have 31 days after the baby comes into your care and control to register them without a medical. If you have any benefit questions while on leave please contact Nathan.

Contact the local SCETF office if you have any questions, problems or concerns at (705)-728-2888, 1-800-746-2633 or contact@scetf.org.

Please Note:

1) Under the terms of the current Collective Agreement article 19.05 states,

A Teacher may request use of accumulated sick leave for travel needs for the adoption of a child. Dependent on circumstances, up to five (5) days in a school year may be approved by the Superintendent of Employee Services.

Child Care Leave Checklist

- Review the following documents:
 - Your current Collective Agreement (relevant clauses are located in this document).

- Decide what type of leave you will be taking. **Discuss options with your principal in advance and get confirmation in writing. The Board controls the leave and it may change. Never assume they will grant what you request:**
 - A full time 1.0 Child Care leave – up to 1 year in length
 - A half time 0.5 Child Care Leave – up to 1 year in length (**5 Day Cycle**)

- Send copies of your request for a Child Care Leave to Abigail DesForges in the Human Resource Services Department (705-737-6996). You should also give a copy to your principal and keep the original in your home files. **The Ontario Employment Standards Act states the letter must be sent at least 4 weeks prior to the ending of your pregnancy/parental leave. If you know in advance that you will be taking the leave then you can request the leave before the 4 week minimum and give Employee Services some advanced notice.**

- Contact the Ontario Teacher’s Pension Plan Board. (www.otpp.com) (416) 226-2700, 1-800-668-0105.

You have several options available to you with regards to your pension:

 - You may continue to make pension contributions during your leave.
 - You may waive your right to contribute.
 - You may wish to buy back your pension credits after your leave.

Please talk to an Ontario Teacher’s Pension Plan Board representative before you make any decisions with regards to your pension.

- Contact the Ontario College of Teachers. (www.oct.ca) (416) 961-8800, 1-888-534-2222.
 - **It is a member’s responsibility to maintain good standing with the College while on leave so please contact them and arrange to pay for yearly dues. You will not be able to return to your teaching duties unless your dues have been paid during your absence.**

- While on an approved unpaid Child Care Leave members are responsible for the full cost of their benefits. Please contact Nathan Klaassen (at the SCETF Office at (705)-728-2888, 1-800-746-2633, (705) 792-8880 or nathan@scetf.org) with regards to the possible suspension of benefits while on an approved leave of absence.
- If you have any other questions, problems or concerns please contact the SCETF Office at (705)-728-2888, 1-800-746-2633 or contact@scetf.org.

Please Note:

1) Under the terms of the current collective agreement article 27.04 states,

(a) A Teacher may make a written application for an unpaid Child Care Leave; such a leave may be an extension of a pregnancy or parental leave. **This leave must follow a pregnancy/parental leave and is intended to be an extension. You may request a full or part time leave and you may request a specific length (not to exceed one year) of the leave.**

(b) **NEW Language** **27.04 Child Care Leave**

A Teacher may be granted a return from their child care leave by providing two (2) weeks written notice to the Superintendent of Human resources Services. Such requests may be considered if vacancies exist, as a result of resignations or retirements, in accordance with the Teacher's qualifications.

The Employment Standards Act (E.S.A.)

In order to qualify for a pregnancy, and or parental leave, you must have at least 13 weeks employment with the School Board before the expected date of birth.

Pregnancy Leave

- Up to 17 weeks.
- An employee may begin pregnancy leave no earlier than 17 weeks before the expected birth date. The last day on which the employee is entitled to commence the leave will be the expected date of birth. It is important to note that you will not be eligible for E.I. benefits until 8 weeks before birth.
- You are required by law to provide a minimum of 2 weeks written notice of the date your leave will begin.
- The minimum notice does not apply where there are complications due to pregnancy, or where birth (or miscarriage) occurs earlier than the expected date of birth.
- You may access up to 6 weeks of sick leave after the birth of the baby.

Parental Leave

- Up to 35 weeks for a birth mother
- A birth mothers leave must follow her pregnancy leave.
- Up to 37 weeks for adoptive mother or spouse (2 week waiting period + 35 week parental leave) to begin no later than 52 weeks after the child is born or comes into custody, care and control for the first time.
- You are required by law to provide a minimum of 2 weeks written notice of the date your leave will begin.
- The minimum notice does not apply where the child comes into custody, care and control for the first time sooner then expected.

Employment Insurance Benefits (E.I.)

In order to qualify for E.I. benefits, an employee must have at least 600 hours of insurable employment in the 52 week period preceding the birth of a child.

- The current benefit is 55% of your weekly insurable earnings up to a maximum benefit of **\$485.00** per week. Benefits will be paid for 15 weeks of pregnancy leave and 35 weeks of parental leave.
- An E.I. claim for maternity benefits may begin up to 8 weeks before a child is born but no later than the birth of the child.
- Recent changes to E.I. allow a member to access sick benefits up to a maximum of 15 weeks prior to the birth of the baby if they have exhausted their sick leave credits with the Board.
- An E.I. claim for parental benefits must start no later than 52 weeks after the baby is born or comes into your care.
- HRSDC will provide maternity benefits for the birth mother for a period of 15 weeks after the 2-week waiting period.
- HRSDC will provide parental benefits to a birth or adoptive mother or spouse for a period of 35 weeks. These benefits may be accessed by one parent or shared. This may happen at the same time, consecutively or on alternate weeks.
- HRSDC allows entitlement to pregnancy leave benefits if a miscarriage or stillbirth occurs. The pregnancy must be greater than 19 weeks at the time of the miscarriage or stillbirth. A member qualifies for 17 weeks of leave (15 weeks of benefits from the date of the miscarriage or stillbirth). The pregnancy leave must end 17 weeks after the date of the miscarriage or stillbirth. If the miscarriage or stillbirth occurs earlier than 19 weeks, a member may apply for E.I. sick leave benefits if the member has exhausted her Board sick leave credits.

***HRSDC - Human Resources and Skills Development Canada**

RELEVANT COLLECTIVE AGREEMENT ARTICLES

ARTICLE XXVII --- PREGNANCY AND PARENTAL LEAVES

A Teacher who is granted a leave will ensure that, prior to beginning the leave, arrangements have been made regarding payment of the benefit premiums for the period of the leave. The Teacher will also ensure that, prior to returning from the leave, necessary steps have been taken to ensure that good standing has been maintained with the Ontario College of Teachers and that proof of good standing has been provided to the Employee Services Department.

27.01 Effective Date

- (a) The Board shall grant to a Teacher a pregnancy leave of at least seventeen (17) weeks and a parental leave of at least thirty-five (35) weeks or such shorter leave as the Teacher requests.

- (b) Effective September 1st, 2003, upon approval of the H.R.S.D.C., the Board will provide a weekly benefit payable for the two-week waiting period at a weekly rate equal to 95% of the Teacher's normal weekly earnings providing the Teacher complies with the conditions in the SEB plan (Article 28.14). Normal weekly earning to be calculated as follows:

$$\frac{\text{Teacher's annual earnings}}{\text{No. of days in the school year}} \times 5 \text{ days}$$

- (c) The Board shall provide a top up to 100% of the Teacher's salary for the six (6) weeks of pregnancy leave following the waiting period.

- (d) A Teacher who is eligible for E.I. benefits may only use the provisions of 27.01 (b) and (c). A Teacher who is not eligible for E.I. benefits and who provides medical substantiation for the need may use sick leave credits. A Teacher may only access the number of sick day credits available to her under the Board's sick leave plan.

- (e) The benefits provided in Articles 27.01 (b), (c) (d) are intended to be income replacement and may only be claimed for days when the Teacher would otherwise have worked.

27.02 Adoption Leave

- (a) In accordance with the Employment Standards Act, Adoption Leave is a Parental Leave.
- (b) Adoption leave refers to the coming of a child into custody, care and control of the parent for the first time. In the event that the child comes into her/his custody, care and control sooner than expected, the Teacher may commence leave immediately. The Teacher shall provide written notice of the leave within three (3) days after the Teacher has begun the leave.

27.03 Paternity Leave

- (a) Paternity Leave without pay shall be available in accordance with the following:
 - (i) advance notification shall be given to the Board concerning the plans for said leave;
 - (ii) this period shall not exceed three (3) teaching days.
- (b) Effective September 1st, 1989, one day without loss of pay will be charged to accumulated sick leave.

27.04 Child Care Leave

- (a) A Teacher may make a written application for an unpaid Child Care Leave; such a leave may be an extension of a pregnancy or parental leave.
- (b) No Teacher shall expect a Child Care Leave to extend for longer than a two year period. This includes any time taken under Articles 27.01, 27.02, 27.03.
- (c) **A Teacher may be granted a return from their child care leave by providing two (2) weeks written notice to the Superintendent of Human Resource Services. Such requests may be considered if vacancies exist, as a result of resignations or retirements, in accordance with the Teacher's qualifications.**

27.05 Sick Leave

Normal pregnancy is not an illness under the terms of the Sick Leave Plan. A Teacher who suffers a pregnancy-related illness, while still working, shall qualify for sick leave during the illness.

27.06 Seniority, Benefits and Teaching Experience

- (a) Seniority shall accumulate for all Pregnancy and Parental leaves.
- (b) The Board shall pay its share of all benefits of a Teacher on a Pregnancy or Parental leave.
- (c) Effective September 1985, through the period to December 19th, 1990, absence for a Pregnancy Leave or a Parental Leave taken for the purposes of adoption of a child, of seventeen (17) weeks, will not result in the loss of experience credits for the placement of the Teacher on the salary grid.
- (d) Effective December 20th, 1990, teaching experience, for the purpose of salary grid placement, shall accumulate for all Pregnancy and Parental Leaves.

27.07 Salary Upon Return

When a Teacher returns to duties upon the expiration of a Pregnancy or Parental leave, salary shall be paid in accordance to the portion of the year taught.

27.08 Position Upon Return

Upon the expiration of a Pregnancy, Parental or Voluntary Leave of Absence, including Child Care leaves, which do not exceed two years, except in the circumstances described in 24.01 (a), the Teacher will be assigned to a similar position (including a position of responsibility) held prior to going on leave, in the original workplace, subject to the provisions of Article 10.

27.09 Termination of Leave

A Teacher may terminate a pregnancy leave or parental leave and return to work upon providing the Board with two (2) weeks' written notice.

27.10 Maximum Leave

No teacher shall expect a Voluntary Leave of Absence (Child Care) leave, including Pregnancy or Parental Leave, for longer than a two year period. A teacher may apply in writing to the Superintendent of Employee Services to extend the leave for up to two months in order that the leave ends at a scheduled school break (Winter or March break) or at the end of the school year.

27.11 Seniority and Teaching Experience

If the Board requests that a Teacher extend a pregnancy or parental leave and the Teacher consents to the extension, the SEB plan shall apply for the applicable number of weeks and thereafter the extended leave shall be with full pay and benefits. Seniority and teaching experience shall continue to accumulate during such leave. A Teacher returning from an extended leave at Board request shall be reassigned to the same position held prior to going on leave, subject to the lay-off procedures in Article 10.

27.12 Accumulation of Seniority

Seniority for the purpose of declaration shall continue to accumulate during all Pregnancy, Parental and Voluntary Leave of Absence (Child Care) leaves for a maximum of two years on any one occasion, granted since September, 1988.

27.13 A Teacher who is pregnant or breastfeeding and provides a medical certificate verifying that her working conditions are unsafe or unhealthy to the Teacher, an unborn child, or a breastfeeding child, shall be reassigned to another assignment. The Teacher will co-operate with the Board in its accommodation efforts.

27.14 **SUPPLEMENTAL EMPLOYMENT BENEFITS (SEB) PLAN**

- (a) The object of this SEB Plan is to supplement the employment insurance (E.I.) benefits received by Teachers from the Canada Employment and Immigration Commission for temporary unemployment caused by Pregnancy or Adoption Leaves.
- (b) Only Teachers granted a Pregnancy Leave or an Adoption Leave are covered by this Plan.
- (c) The other requirements for receipt of a SEB are:

- (i) the Teacher must be eligible to receive E.I. pregnancy or adoption benefits from the Canada Employment and Immigration Commission;
- (ii) an application for SEB must be made by the Teacher on a form to be provided by the Board and the Teacher shall provide verification of the approval of the E.I. claim indicating the weekly amount to be paid by the Canada Employment and Immigration Commission.
- (iii) the Teacher shall sign an agreement with the Board indicating:
 - that the Teacher will return to work [**current payroll minimum is 4 weeks**](prior to submitting any resignation) and remain in the service of the Board (in accordance with the terms of the Teacher's Contract) after returning from the Teacher's Pregnancy Leave or Adoption Leave (and any subsequent additional leave granted by the Board under this Agreement); and
 - that should the Teacher not comply with (i) above the Teacher shall reimburse the Board any monies paid to the Teacher under this SEB Plan.
- (d) A Teacher must have applied for E.I. benefits before a SEB becomes payable.
- (e) A Teacher disentitled or disqualified from receiving E.I. benefits shall not be eligible for a SEB. A SEB payment shall be made only when it has been verified that the Teacher has applied and qualified for E.I.
- (f) A Teacher shall not have the right to a SEB payment except for supplementation of E.I. benefits for the unemployment period as specified by this Plan.
- (g) The two week waiting period before E.I. benefits commence is the maximum number of weeks for which a SEB is payable.

24.01 Leave of Absence Without Pay

- (a) A Teacher may be granted a Leave of Absence Without Pay for a period not to exceed two (2) years, except to the extent the return to work date is within six (6) weeks of a school break (i.e. Winter or March break) or the end of the school year, in which case the leave may be extended to the school break or June 30, whichever is sooner, at the discretion of the Superintendent of Employee Services and with the agreement of the Union. Such leave shall be without accumulation of sick leave credits.

Frequently Asked Questions and Answers

1. What is my entitlement to E.I. benefits?

The current benefit is 55% of your weekly insurable earnings to a maximum of \$485.00 per week. Benefits will be paid for 15 weeks of your total 17 week pregnancy leave and 35 weeks of your parental leave.

2. What do I need to qualify for E.I. benefits?

- **You need to have been employed by the SCDSB for a minimum of 13 weeks.**
- **You need to have at least 600 hours of insurable employment in the 52 week period preceding the birth of the child. According to our current Collective Agreement a full time teacher shall be deemed to have worked (7) hours each day. This means a full-time teacher must work 86 days to qualify.**

3. What do I need to apply for E.I. Benefits?

- **SIN Number**
- **Record Of Employment (On your last teaching day, provided your leave has been approved by the Board, payroll will issue your R.O.E and send an electronic copy to E.I.).**
- **Complete Banking Information**
- **Expected Due Date, date of newborn's birth, or in the case of adoption the date of placement and the name and full address of adoption agency**

4. When do I apply for E.I. benefits?

You may apply for benefits any time after your maternity leave has started. The sooner you complete the necessary paperwork the sooner your claim can be processed. You have the ability to retrieve your application up to 24 hours after you have started it. It takes on average 28 days after filing to receive your first EI payment.

5. When does my E.I. claim begin?

An E.I. claim for maternity benefits may begin up to 8 weeks before a child is born but no later than the expected due date or the birth of the child, whichever comes first. An E.I. claim for parental benefits must start no later than 52 weeks after the baby is born or comes into your custody, care and control.

6. How much notice must I provide the Board before I begin my leave?

You are required by law to provide a minimum of two (2) weeks written notice of the date your Pregnancy/Parental leave will begin.

7. Are there top-ups available?

Yes, there are top-ups available for Teachers who qualify for E.I. benefits. The Board provides a two week waiting period (SEB Plan) at 95% of your normal weekly earnings and a 6 week top-up at 100% of your weekly earnings. The top-ups are intended to be income replacement and can only be claimed for days when you would have otherwise worked. Remember you are paid for 194 teaching days but we are paid over the course of a year.

8. How do I get the top-ups and how long does it take to get the money?

In order to qualify for the SEB plan you must complete the SEB form, (found online) and sent it into payroll. You are then required to provide payroll with your proof of weekly earnings from EI (you may print this off by logging into "My Service Canada Account"). Your SEB payment and whatever top-up you were entitled to will then be paid out in a lump sum on the next pay date. Usually 3-4 weeks.

9. How much notice must I provide the Board in order to return from my leave early?

A Teacher may terminate a pregnancy or parental leave and return to work upon providing the Board with two (2) weeks written notice.

**New Collective Agreement Language would allow an early return from a Child Care Leave with (2) weeks written notice provided a vacancy exists.
27.01 (c)**

10. Can a member collect E.I. benefits over the summer?

Yes, members may collect E.I. benefits for pregnancy and parental leave over the summer holidays but under the terms of the current Collective Agreement they are not eligible for the top-ups for any non-teaching days.

11. Does my leave have to commence with the birth of the baby?

Yes. Your leave must begin with the birth of the baby or your expected due date, whichever comes first. Your leave may begin prior to the birth of the baby but not after unless the baby is hospitalized.

12. What if my baby has to remain in the hospital after the birth, can I delay the start of my pregnancy leave?

Yes. EI allows for the delay of your pregnancy leave while the baby remains in the hospital. With a doctor's note the Board will allow you to use a maximum of six weeks of sick leave while your baby is in the hospital. Your Pregnancy leave will then begin when you bring the baby home. In addition to the use of sick leave you may also qualify for the top-up if the days fall on days when you would have otherwise taught.

13. Can a Teacher go on sick leave and still collect E.I.?

A Teacher may not collect E.I. for the weeks that she is receiving sick pay. For each week she stays on sick leave after the birth of her child a week of E.I. entitlement will be deducted. The use of sick leave will not extend the E.I. entitlement and the teacher will still have the two (2) week waiting period before E.I. benefits begin. If a teacher took four (4) weeks of sick leave after the birth of her child those four (4) weeks would be part of her seventeen (17) weeks of statutory pregnancy leave.

14. What happens to a Teacher's pension payments while they are on leave?

Under the Employment Standards Act (ESA), your pension contributions will continue during your pregnancy or parental leave, unless you waive this benefit before the leave begins. It is your responsibility to notify the Board of your intent to continue your pension benefits and arrange a payment schedule with them. (See OTTP forms in booklet).

Please Note: If your (pregnancy/parental) leave extends past 52 weeks, or your parental leave extends past 37, weeks you will be required to make the pension contributions directly to the pension plan.

15. Will I receive my top-ups if my due date is the first day back in September?

Yes, current payroll practice is to list the employee's last day worked as their due date, provided they apply for E.I. after their due date. It depends on when the member applies for E.I.

16. Do I still get my 20 sick days if I start the year of maternity leave or are they prorated?

You still qualify for the full 20 sick days. The days will not however show up in your sick leave credits until after you return to work.

17. Does a member still have any E.I. entitlement if she experiences stillbirth/miscarriage?

Yes, if the pregnancy occurred greater than 19 weeks at the time of stillbirth/miscarriage the member qualifies for 17 weeks of leave (15 weeks of benefits from the date of the stillbirth/miscarriage). If the stillbirth/miscarriage occurs earlier than 19 weeks a member may apply for E.I. sick leave benefits if the member's sick leave credits from the Board have been exhausted.

18. Will I still get paid by the Board and collect E.I. if I have my baby over the summer break?

No, the Board will pay the Teacher in a lump sum payment all the money she is owed for the summer. A member is not eligible to collect a regular salary and E.I. at the same time.

19. What if my doctor orders me off work before I can claim E.I. benefits? Do I have to go that entire time without pay?

No. As with any illness you may access your Board sick leave credits. For absences of less than 10 consecutive days you may write you own absence letter (Article 19.02). For absences greater than 10 consecutive days you may use sick leave credits with a letter from your doctor confirming you will be off work. The letters go to Cathy Giles in Human Resource Services and must contain the following information;

- **Confirm the existence of a medical condition (no details)**
- **Indicating you are participating in a treatment plan**
- **Provide your EDC estimated date of confinement (time off work)**
- **Outline the specific restrictions and limitations that prohibit you from fulfilling the essential duties of your position. This is not a diagnosis rather what is prohibiting you from working.**

If you have exhausted your Board sick leave you may apply for E.I. sick leave benefits, which can last up to 15 weeks and is not considered part of your maternity leave. In order to qualify you may need a doctor's note confirming the illness and duration of incapacity. EI sick leave may not be available over the summer for Teachers.

20. I plan on returning to work after 6 months do I include that date in my letter to the Board?

My advice would be no, always ask for the full year off. Your pregnancy/parental leave can be ended early but it can not be extended.

21. If I am off on expired sick leave and collecting E.I. Sick leave do I still qualify for the top-ups?

Yes. If your maternity leave falls on days you would have otherwise worked you will qualify for your top-ups.

22. If I suffer from a pregnancy related illness that forces me off work and I have no no Board sick leave, would LTD be an option?

Yes, provided you have supporting medical evidence. The LTD claim would then end with the birth of the baby if that eliminated the medical condition.

23. What is the maximum length of time I can be off and claim E.I. benefits?

With appropriate medical documentation a member could be eligible for up to a maximum of 65 weeks (15 weeks sick benefits + 15 weeks maternity benefits + 35 weeks parental benefits) + your 2 week waiting period.

24. Can I resign from the Board after my leave had ended?

Yes, but if you do you must pay back any monies paid under the SEB Plan. Current Board practice is that a member must return to work for a minimum of 4 weeks.

25. How are my benefits paid if I go off on an unpaid child-care leave?

The Board will set up an automatic deduction from you bank account to cover any member portion of the benefit contributions. Members will pay the full benefit contribution premiums as the Board does not pay its share during an unpaid leave of absence.

26. If I end my pregnancy leave in the summer, how are my benefits paid for while I am on summer vacation and not collecting any money?

Current payroll practice is to hold the money owed in a negative account at the Board office and then deduct whatever you owe from your first couple of paychecks.

27. Can I still apply to postings and participate in the Teacher Initiated One for One Transfer if I am on maternity leave and plan on taking a Child Care Leave?

Yes, you are eligible to participate in all staffing processes. You do not ever need to be in the school as your LTO will be a place holder until your approved leaves end.

28. My partner and I want to share the parental leave is this an option?

Yes. The parental leave (35 weeks) may be shared between you and your partner. While two people can not technically be paid for the same claim in a practical sense you will both be off at the same and will both collect E.I. What this means is that your E.I. entitlement will end the equivalent amount of time taken by your partner. So if they took 6 weeks your E.I. payments would end 6 weeks early but the length of your leave would remain unchanged.

29. If I have twins is it possible for my partner and I, to each claim a child and collect E.I.?

There was a recent case in Ottawa where this exact scenario took place. The initial request was denied by E.I. but was granted after an appeal was filed. It is important to note that your partner may only claim the Parental Leave portion and not the pregnancy leave.

30. I am pregnant and am worried about slipping on the ice when I am outside on duty, is there anything I can do about this?

Yes. You would certainly be able to at minimum request size appropriate no-slip footwear and if you still were uncomfortable I would suggest you speak to your administrator and request a shift to indoor supervision.

If you have any health concerns at all (aggressive student, too many stairs, air quality) please bring them to your administrator's attention immediately. If your concerns are not addressed or are not addressed to your satisfaction then please contact the SCETF Office.

31. Can I use sick leave to be with my wife and newborn?

Yes. The current Collective Agreement allows for 2 days that will be without loss of pay and charged to accumulated sick leave and a maximum leave of up to 4 days.

You are permitted 1 day for the birth of the baby (SCARRI Code 24) and 1 day of paternity leave (SCARRI Code 16). The Collective Agreement allows for 3 days of Paternity leave but 2 of those days would be without pay.

If you require more time off please contact the SCETF Office to discuss your options.

SAMPLE LETTER - PREGNANCY/PARENTAL CARE LEAVE

_____, 2012

Abigail DesForges
Human Resource Services Department
Simcoe County District School Board
Midhurst, Ontario
L0L 1X0

Dear Abigail DesForges,

Pursuant to Article XXVII of the 2008-2012 Simcoe County Elementary Teachers' Collective Agreement, I am applying for Pregnancy and/or Parental Leave to commence _____ and to conclude _____. Enclosed you will find a medical practitioner's certificate stating my expected date of delivery _____.

I understand that during my Pregnancy and/or Parental Leave, the Board will continue to pay its portion of my Employee Benefits (Articles 20.02, 20.03, 20.04, 20.06). While on a Pregnancy and/or Parental Leave my teaching experience, for the purpose of salary grid placement shall accumulate (Article 27.06). I also understand that seniority for the purpose of declaration will continue to accumulate during all Pregnancy, Parental and Child Care Leaves (Articles 27.11 and 27.12). I also understand that the Board will not be forwarding pension contributions on my behalf and that I must make arrangements directly with OTPP, if I so choose.

Unless I suspend my Group Life Insurance, AD&D and/or my Long Term Disability Insurance I will continue to provide the cost of these premiums to the Board (Articles, 20.04, 20.05) during my leave.

I also understand that I shall return to my present assignment _____ (grade), (Article 27.08 and the Employment Standards Act) if the position still exists or to a comparable position if it does not. I look forward to returning to _____ (school).

According to the Collective Agreement, Article 27.01, if eligible, I understand that the Simcoe County District School Board will pay 95% of my salary for the two-week waiting period. I also understand that the Board will pay a top-up to 100% of my salary for the first six weeks of my pregnancy leave following the two-week waiting period.

Sincerely,

Teacher I.D. # _____

SAMPLE LETTER - CHILD CARE LEAVE

_____, 2012

Abigail DesForges
Human Resource Services Department
Simcoe County District School Board
Midhurst, Ontario
L0L 1X0

Dear Abigail DesForges,

Pursuant to Article XXVII of the 2008-2012 Simcoe County Elementary Teachers' Collective Agreement, I am applying for an unpaid Child Care Leave to commence on _____ and conclude on _____. I am asking for a _____ (1.0 or 0.5) Child Care Leave.

I understand that during my Child Care Leave, the Board will not continue to pay its portion of my Employee Benefits. I also understand that seniority for the purpose of declaration will continue to accumulate during all Pregnancy, Parental and Child Care Leaves (Articles 27.11 and 27.12). I also understand that the Board will not be forwarding pension contributions on my behalf and that I must make arrangements directly with OTPP, if I so choose.

Unless I suspend my Group Extended Health and Dental Insurance, Group Life Insurance, AD&D and/or my Long Term Disability Insurance I will continue to provide the cost of these premiums to the Board (Articles, 20.03, 20.04, 20.05) during my leave.

I also understand, that I shall be reassigned to a similar position (including a position of responsibility) held prior to going on leave (Article 27.04), at _____ (school).

Sincerely,

Teacher I.D. # _____

Contact Information

SCETF Office

Phone: 728-2888

Fax: 739-1269

Mark Butt

Phone: 728-2888

Cell: 722-2055

Fax: 739-1269

Email: mark@scetf.org

Payroll

(Roger Kennedy)

Phone: 734-6363 ext 11303

Fax: 725-7719

Medical Benefits

(Robin Gibson)

Phone: 734-6363 ext 11317

Fax: 725-7719

Human Resource Services

(Abigail DesForges)

Phone: 734-6363 ext 11578

Fax: 737-6969

Compensation and Wellness

(Cathy Giles)

Phone: 734-6363 ext 11735

Fax: 728-2305 (**secure fax line**)

Barrie EI Office (48 Owen Street)

www.servicecanada.gc.ca

Record of Employment Information

Employment Insurance Information

Employment Insurance Program

Phone: 1-800-367-5693

Phone: 1-800-206-7218

Phone: 1-800-529-3742

Ontario Teachers Pension Plan

Phone: 1-800-668-0105

Fax: 1-800-949-8208

Ontario College of Teachers

Phone: 1-888-534-2222

Fax: 1-416-961-8822

Email: info@oct.ca

Simcoe Muskoka District Health Unit

Phone: 1-877-721-7520

(www.simcoemuskokahealth.org)



Instructions

Please give this form to your employer before your leave begins.

To continue making pension contributions during your leave, complete part 1. Your employer completes part 3 and arranges the payment schedule with you.

To waive your right to contribute through your employer, complete parts 1 and 2. Your employer completes part 3.

If you plan to take time off beyond the ESA limit (52 weeks for birth mothers or 37 weeks for fathers and adoptive parents) and wish to pay pension contributions for the entire period, complete part 1. Your employer completes part 3 and arranges the payment schedule for the ESA portion of your leave. For the period extending beyond the ESA limit, you will contribute directly to the pension board. Please complete an *Application to Buy Credit*.

1. Member

SIN

Name *last* *first* *initial*

Please remember to send us a copy of your child's birth certificate.

Address *street* *city*

province *postal code*

Telephone *home* *work*
() ()

Signature Date

2. Waiver

Sign the waiver section only if you do *not* wish to contribute through your employer

By signing below, I certify that I have read the Pregnancy & Parental Leaves fact sheet and understand my right to make pension contributions during my leave; however, I have decided to waive this right.

Signature Date

3. Employer information

For leaves that extend beyond the ESA limit, the ESA period ends on the last day of the 52nd week.

To be completed by employer

Employer *name* *number*

Total period of leave *from (dd/mm/yyyy)* *to (dd/mm/yyyy)*

Period employee will contribute under ESA *from (dd/mm/yyyy)* *to (dd/mm/yyyy)*

Employer contact

Employer's signature Date

Employers: Please fax this form to the pension plan at (416) 730-7807 or 1-800-949-8208.

SIMCOE COUNTY DISTRICT SCHOOL BOARD
PAYROLL DEPARTMENT
MEMORANDUM

TO: Robin Gibson, Payroll SCDSB
SUBJECT: Benefits – Birth of Child

I _____, I.D. # _____, would like to apply for the following benefits with the notification of the birth of my child.

I have enclosed a copy of the birth certificate or health card. OTIP has to be notified within 31 days of the date of birth.

Date of Birth: _____

PLEASE INITIAL BESIDE EACH BENEFIT YOU ARE APPLYING FOR

Benefit	Initials
Extended Health Dependent Coverage	_____
Dental Health Dependent Coverage	_____
Dependent Life Insurance	_____

SIGNATURE

DATE

Notes