

## PREGNANCY AND PARENTAL/ADOPTION LEAVE

### Pregnancy Leave

1. A pregnant Member shall be granted Pregnancy Leave of up to seventeen (17) weeks, provided she has been employed at the University for thirteen (13) weeks or more of continuous service at the time the Leave commences.
  - 1.1 Such a Leave may be initiated at any time within seventeen (17) weeks of the expected delivery date of the Member's newborn child(ren) following notification in writing to her Dean, normally three (3) months prior to the commencement of the Leave, indicating the approximate date upon which the Leave is to commence. The notice period shall not apply if the Member stops working because of complications caused by her pregnancy or because of a birth, stillbirth or miscarriage.
    - 1.1.1 In the case when a newborn is hospitalized within four (4) weeks of birth, a Member may postpone her Pregnancy Leave by the number of weeks the child is hospitalized, but the Pregnancy Leave shall be taken within fifty-two (52) weeks from the date of the birth of the child. In such circumstances the Member can apply for Compassionate Leave in accordance with Clause 3 of the Article *Income Security*.
  - 1.2 A Member is entitled to Supplemental Employment Insurance Benefits (SEIB) during her Pregnancy Leave provided that:
    - a) the Member has been employed by the University on a continuous regular basis for a period of one (1) year or more at the time the Leave commences;
    - b) the Member has a Full-Time Appointment or Part-Time RMYA Appointment at the time the Leave commences; and
    - c) the Member makes application, qualifies for and receives Employment Insurance Benefits.
  - 1.2.1 A Member who qualifies under the provisions in Clause 1.2 is eligible for a maximum of seventeen (17) weeks paid Leave under the conditions set out in Clauses 4, 4.1 and 4.2.
  - 1.3 A Member's Pregnancy Leave ends:
    - a) if she is entitled to Parental Leave, seventeen (17) weeks after the Pregnancy Leave began;
    - b) if she is not entitled to Parental Leave, on the day that is the later of:
      - (i) seventeen (17) weeks after the Pregnancy Leave began, and
      - (ii) six (6) weeks after the birth, stillbirth or miscarriage.
2. In accordance with the Article *Income Security*, the Employer shall grant Sick Leave for absences from work due to illness or injury, including illness or injury related to pregnancy.

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- 2.1 Members who do not meet service eligibility requirements for Pregnancy Leave or SEIB entitlements should contact the Office of Faculty Relations to discuss other possible arrangements.

### **Parental/Adoption Leave**

3. A Member who becomes a parent of a newborn or newly-adopted child or who takes custody of a child who is being placed for adoption with the Member, shall be entitled to Parental/Adoption Leave of up to thirty-five (35) weeks if the Member has also taken Pregnancy Leave, or of up to thirty-seven (37) weeks otherwise. Such a Member shall be granted Parental/Adoption Leave upon notification in writing to her or his Dean, at the earliest opportunity prior to the commencement of the Leave, indicating the approximate date upon which the Leave is to commence, subject to the following:
- a) except where the Leave is to be taken by the birth mother of a child, the Leave shall commence no later than fifty-two (52) weeks after the day the child is born or first comes into the care or custody of the adoptive parent(s).
  - b) in cases where the Parental Leave is an extension of the Member's Pregnancy Leave, the Leave shall commence immediately following the Pregnancy Leave, unless the child has not come into the care and control of the mother at the end of the Pregnancy Leave (e.g., is hospitalized), in which case alternative arrangements respecting the timing of the Parental Leave may be made.
  - c) in the case of an adoption where the Member travels in order to bring the child into the Member's care or custody, at the discretion of the Member, the Parental Leave may commence on the date such travel begins.
  - d) in the case of where a newly-adopted child is hospitalized within four (4) weeks of the child's coming into the care and custody of the Member, a Member may postpone Parental/Adoption Leave by the number of weeks the child is hospitalized. In such circumstances, the Member may apply for Compassionate Leave in accordance with Clause 3 of the Article *Income Security*.
- 3.1 A Member is entitled to Supplemental Employment Insurance Benefits (SEIB) during his or her Parental/Adoption Leave provided that:
- a) the Member qualifies for Parental/Adoption Leave under Clause 3;
  - b) the Member has been employed by the University on a continuous regular Full-Time basis for a period of one (1) year or more at the time the Leave commences and is Full-Time at the time the Leave commences;
  - c) the Member makes application, qualifies for and receives Employment Insurance Benefits.

- 3.1.1 A Member who qualifies under the provisions in Clause 3.1 is eligible for a maximum of twenty-four (24) weeks paid Leave, inclusive of any paid Leave received under Clause 1.2.1, under the conditions set out in Clauses 4, 4.1, and 4.2.
- 3.1.2 Members who do not meet service eligibility requirements for Parental/Adoption Leave or SEIB entitlements should contact the Office of Faculty Relations to discuss other possible arrangements.

### **Supplementary Employment Insurance Benefits**

- 4. The details of SEIB are as follows:
  - a) 100% of salary at the time of the initiation of the Leave paid by the Employer, for the initial two-week waiting period prior to the commencement of the Employment Insurance Benefits and;
  - b) the difference between Employment Insurance Benefits receivable and 95% of the salary at the time of the initiation of the Leave, paid by the Employer.
- 4.1 In no case shall the total amount of the Supplementary Employment Insurance Benefits, Employment Insurance Benefits and any other earnings received by the Member exceed 100% of the Member's salary at the time of the initiation of the Leave.
- 4.2 In the case where both parents are employees of The University of Western Ontario, the twenty-four (24) weeks may be taken by one parent or shared between the two parents.

### **Payment of Benefits**

- 5. Where a Member is receiving benefits under the SEIB in accord with the provisions of Clause 4, the Employer will continue the Member on full benefits. Any costs normally paid by the Member will be deducted by the Employer from the benefits available under the SEIB.
- 5.1 Vacation entitlement will continue to accrue while a Member is on Pregnancy and/or Parental/Adoption Leave.

### **Continuous Service**

- 6. The Leaves defined in this Article shall not be considered a break in service.
- 6.1 A Member's First Refusal Rights and/or eligibility for Renewable Multi-Year Appointments shall not be affected by Leaves as defined in this Article.
- 6.2 A Member who does not hold a Renewable Multi-Year Appointment for a particular course may elect to count Pregnancy and Parental/Adoption Leave periods toward the attainment of First Refusal Rights and/or eligibility for a Renewable Multi-Year Appointment for that

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course provided that such Leave does not exceed seventeen weeks (17) in one (1) Calendar Year.

- 6.3 For Members with First Refusal Rights and/or Renewable Multi-Year Appointments, for the purposes of calculating entitlement the Leave period shall be treated as if the Member taught his or her entitlement.
- 6.4 For Members with Renewable Multi-Year Appointments, determination of the established pattern of employment shall not include periods of Pregnancy and Parental/Adoption Leave.

### **General Considerations**

- 7. A Member who has taken a Pregnancy and/or Parental/Adoption Leave of at least twenty-four (24) weeks may elect to have her or his Promotion and/or Tenure decision postponed for one (1) year for such Leave.
- 8. Periods of Pregnancy and/or Parental/Adoption Leave shall be counted as time toward Sabbatical Leave eligibility.
- 9. Upon return to work following a Pregnancy and/or Parental/Adoption Leave, the Member shall not be penalized for her or his absence or for the fact that she or he did not perform work during such Leave. Members shall not be required to make up teaching that would otherwise have occurred during such Leave.
- 10. In the event that a Pregnancy and/or Parental/Adoption Leave coincides with some or all of a Sabbatical Leave or Modified Alternative Workload, the Member is entitled to a modification or postponement of the Sabbatical Leave or Modified Alternative Workload.
- 11. Members taking Pregnancy and/or Parental/Adoption Leave are not expected to work during the period of Leave. Members may, at their own option, elect to apply for research grants.
- 11.1 If a Member on Pregnancy and/or Parental/Adoption Leave has responsibility for graduate students and/or an active laboratory then the Member shall make arrangements for the supervision of graduate students and/or for compliance with lab safety regulations.
- 12. A Member who returns from Pregnancy and/or Parental/Adoption Leave and a Member who is eligible for, but chooses not to take, such Leave may apply for a Reduced Responsibility Agreement. Such an application shall not be arbitrarily denied. Such an Agreement is governed by the relevant provisions of the Articles *Reduced Responsibility* and *Alternative Workload*.
- 13. A Member may end the Leave on a date earlier than that originally set out by providing written notice to the Member's Dean at least four (4) weeks before the earlier date.