

**POLICY 6.11 – Pregnancy and Parental Leaves and Supplemental Employment Insurance Benefits**

**Policy Category:** Personnel

**Subject:** Pregnancy & Parental Leaves and Supplemental Employment Insurance Benefits

**Approving Authority:** Board of Governors

**Responsible Officer:** Vice-President, Operations and Finance

**Responsible Office:** Human Resources

**Related Procedures:** [Administrative Procedures for Pregnancy and Parental Leave and Supplemental Employment Insurance Benefits](#)

**Related University Policies:**

**Effective Date:** July 1, 2013

**Supersedes:** December 1, 1998; April 28, 2005, June 20, 2013

*(Incorporated Policy 6.16 – Parental Leave, Policy 6.17 – Pregnancy Leave and Policy 6.18 – University Supplemental Employment Insurance Benefits (SEIB) Plan)*

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**I. PURPOSE**

This policy defines the leave arrangements for pregnancy and parental leaves and supplemental employment insurance benefits available to PMA Eligible staff at Western. It is in accordance with all applicable federal and provincial legislation including, but not limited to the Ontario *Employment Standards Act*.

**II DEFINITIONS**

Pregnancy Leave – A leave of absence of up to 17 weeks for a PMA staff member who is pregnant.

Parental Leave – A flexible leave of absence of up to 35 or 37 weeks for PMA staff members who have recently become parents of a newborn or newly adopted child(ren).

Parent - Includes a birth parent, an adoptive parent (whether or not the adoption has been legally finalized), or a person who is in a relationship of some permanence with a parent of the child and who intends to treat the child(ren) as his or her own.

## **POLICY 6.11 – Pregnancy and Parental Leaves and Supplemental Employment Insurance Benefits**

### **III POLICY**

#### **1. Pregnancy Leave**

- (a) PMA staff members who have thirteen (13) continuous weeks of service at the university as outlined in the Employment Standards Act are eligible for pregnancy leave under this policy.
- (b) Pregnancy Leave may be initiated at any time within 17 weeks of the staff member's expected delivery date, but in any case no later than the day the child is born.
- (c) Leave in excess of seventeen (17) weeks for medical reasons relating to the pregnancy, and/or delivery of the child(ren), will be treated in accordance with [Policy 6.9 – Sick Leave and Long Term Disability](#).
- (d) During the Pregnancy Leave a staff member may qualify for Employment Insurance benefits and may also be eligible for Supplemental Employment Insurance Benefits (SEIB) under the university's SEIB plan as outlined in the [Procedures for Pregnancy and Parental Leave and Supplemental Employment Insurance Plan](#).

#### **2. Parental Leave**

- (a) To be eligible for parental leave a staff member must have been employed by the university for at least 13 continuous weeks before the start of the parental leave. In the event of a newborn child(ren), the birth mother shall be entitled to a leave of up to 35 weeks; the other parent shall be entitled to a leave of up to 37 weeks. In the event of an adoption, both parents shall be entitled to a leave of up to 37 weeks.
- (b) A female staff member who has taken a pregnancy leave and who elects to take a parental leave, shall take the parental leave immediately following the pregnancy leave, unless the child has not come into the care, custody and control of the mother at the end of the pregnancy leave (e.g., is hospitalized). In such a case, alternative arrangements respecting the timing of the parental leave may be made providing the parental leave starts anytime within 52 weeks of the child(ren)'s birth or the date the child(ren) first come into the mother's care, custody and control.
- (c) All other staff members must begin a parental leave no later than 52 weeks after the date of the child(ren)'s birth or the date the child(ren) first come into their care, custody and control.

#### **3. Continuance of Entitlements and Benefits**

- (a) Vacation entitlement and service continue to accrue during pregnancy leave and parental leave.
- (b) During any period of unpaid pregnancy or parental leave, the university-paid portion of the staff member'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 without alteration or interruption. The staff member may make arrangements with Human Resources to pay his/her share of any paid group insurance benefits premiums and pension contributions.

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### **4. Supplemental Employment Insurance Benefits**

PMA eligible staff members who qualify for pregnancy and/or parental leave may be eligible for Supplemental Employment Insurance Benefits as outlined in the [Procedures for Pregnancy and Parental Leave and Supplemental Employment Insurance Benefits](#) if they meet the following requirements:

- (a) have been employed at the university for a minimum of one (1) year as of the delivery date of the child(ren) or if the child(ren) is adopted, the date on which the child(ren) comes into the care and custody of the adoptive parent(s). The one-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 custody of the parent is outside the control of the parent.
- (b) qualify and are in receipt of Employment Insurance Benefits.

In the case where both parents are employees of Western, the seventeen weeks of SEIB may be taken by one parent or shared between the parents.

### **5. Return to Work**

A staff member who has received Supplementary Employment Insurance Benefits during a pregnancy or parental leave is expected to return to work for the university for a minimum of six months following the date of return from a pregnancy and/or parental leave. If the staff member does not satisfy this condition, he/she will be indebted to the university for the sum of monies paid to him/her by the university during the leave.

A staff member who is on a pregnancy or parental leave shall be informed at the earliest opportunity of any changes in the faculty/administrative unit that have a direct impact upon the staff member's position.

Upon return to work, the staff member is to return to the same position if it still exists or to a comparable position if it does not. If no comparable position exists, the staff member will be treated in accordance with [Policy 6.15 – End of Employment Relationship](#).