

August 1992	Corporation of the City of Pembroke	
Revision #: 1	Human Resources Policies and Procedures	
Date: July 2006	Policy: 400 – Attendance	Section 400-07 Pregnancy and Parental Leave
Coverage: All Employees		

POLICY STATEMENT:

Pregnancy leave and parental leave are available to all employees who have at least thirteen (13) weeks service with the City of Pembroke.

PROCEDURE:

1. Consult the appropriate Union contract for any deviations to this policy.
2. The following provisions of the *Employment Standards Act 2000* apply:
 - 2.1. Pregnancy Leave:
 - 2.1.1. employees who are pregnant and who have been employed with the Employer for a least thirteen (13) weeks prior to the expected date of birth are entitled to take a pregnancy leave without pay and without loss of service/seniority or benefits. The pregnancy leave is for a seventeen (17) week period commencing on the date requested by the mother to commence leave, or the date of birth (whichever is first);
 - 2.1.2. employees taking pregnancy leave must provide at least two (2) weeks written notice to the Employer advising of the date that the leave will begin. The date chosen for commencing leave must be no more than seventeen (17) weeks prior to the expected date of birth as confirmed by the woman's physician;
 - 2.1.3. in the event of complications with the pregnancy or birth, still birth, or miscarriage that occurs earlier than the expected date of delivery of the child, the employee must, within two (2) weeks of stopping work, provide written notice to the Employer of the date the pregnancy leave will begin or has begun. The employee provides the Employer with a certificate from her physician stating the expected birth date of the child; and
 - 2.1.4. the pregnancy leave of an employee ends seventeen (17) weeks after the pregnancy leave began. If the employee wishes to return to work earlier, the employee provides the Employer with a least four (4) weeks' written notice of the date of return.

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2.2. Parental Leave (includes Adoptive Leave):

- 2.2.1. if an employee has been in the employ of the Employer for at least thirteen (13) weeks and is the parent of a child, he/she is entitled to take an unpaid parental leave, without loss of service/seniority or benefits, for up to thirty-five (35) weeks following the birth of the child, or the coming of the child into the employee's custody, care, and control for the first time. The term "parent" includes a person with whom a child is placed for adoption and a person who is in a relationship of some permanence with a parent of a child and who intends to treat the child as his or her own;
- 2.2.2. employees who wish to take a parental leave commence such leave no more than fifty-two (52) weeks after the day the child is born or comes into the employee's custody, care and control for the first time;
- 2.2.3. employees who have taken a pregnancy leave and who also desire to take parental leave, commence parental leave immediately when the pregnancy leave ends, unless the child has not yet come into the custody, care and control of a parent for the first time;
- 2.2.4. adoptive parents may commence parental leave when the child comes into the custody and control of the parent;
- 2.2.5. the employee gives the Employer at least two (2) weeks' written notice of the date the leave is to begin. In the event that an employee who is a parent stops working because the child comes into the custody, care and control of a parent for the first time sooner than expected, the employee, within two (2) weeks of stopping work, provides the Employer with written notice of the date the parental leave began. The parental leave begins on the date that the employee stopped working; and
- 2.2.6. parental leave ends thirty-five (35) weeks after it began, if the employee also took pregnancy leave, and thirty-seven (37) weeks after it began, otherwise;
- 2.2.7. an employee may return to work sooner if the employee gives the employer at least four (4) weeks' written notice of that day;

2.3. General Provisions applicable to Pregnancy and Parental Leave:

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- 2.3.1. an employee who has given notice to begin pregnancy or parental leave may change the notice to begin leave upon giving the Employer at least two (2) weeks' written notice;
- 2.3.2. an employee who has given notice to end leave may change the notice to an earlier date upon giving the Employer at least four (4) weeks' written notice before the earlier date;
- 2.3.3. employees are entitled, during pregnancy and parental leave, to continue participation in the benefit plans that they participated in prior to taking the leave. The Employer continues to make the Employer's contributions unless the employee gives the Employer written notice that the employee does not intend to pay the employee's contributions during the leave period, in which case such benefits would cease;
- 2.3.4. an employee may choose to purchase all of or part of the leave period as pensionable service (through OMERS) upon return from pregnancy or parental leave. The employee would be responsible to pay for their portion of the applicable remittances for their chosen buy-back period, which is then matched by the Employer.
- 2.3.5. while on Pregnancy and Parental Leave, employees continue to accumulate service for the purposes of determining salary increment, vacation, and sick leave entitlement;
- 2.3.6. employees are reinstated following return from pregnancy or parental leave in the position that the employee held prior to commencing leave, if it still exists, or a comparable position at the rate equal to the wages most recently paid by the Employer; and
- 2.3.7. extensions to Pregnancy and Parental Leave are handled under Policy 400-09 (General Leave Without Pay).