



# **PREGNANCY/PARENTAL LEAVES**



## **AN INFORMATION PACKAGE FOR TEACHERS**

**January 2018**

# TABLE OF CONTENTS

<b>Introduction and Important Contact Information</b>	3
<b>Leave Entitlements</b>	4
• For the Birth Mother	
• For the Father/Partner/Adoptive Parent	
<b>Employment Insurance Benefits</b>	5
<b>Notice Requirements</b>	7
• Notifying the HWDSB to Begin a Leave	
• Notice to Change a Leave Period	
<b>Collective Agreement Entitlements</b>	8-9
• Supplemental Employment Benefits (SEB)	
• Extended Leaves of Absence	
• Voluntary Timetable Reduction	
<b>Sick Leave Entitlements</b>	10
<b>Teacher’s Pension Plan Contributions</b>	11
<b>Grid Placement/Seniority/Your Pay</b>	12
<b>Salary Grid Indicating Overpayment/Underpayment</b>	13
<b>Benefits</b>	14
<b>Ontario Teacher’s Insurance Plan and Long-Term Disability</b>	14
<b>Application Process for Leaves and E.I.</b>	15-16
<b>Pregnancy/Parental Leave Checklist</b>	17
<b>Types of Leaves and Your Collective Agreement: Chart</b>	18
<b>Chart Summary of E.I. and Employment Standards Act</b>	19
<b>Sample Letters</b>	20-24
<b>Important Information on Fifth Disease</b>	25-26

## Introduction

Congratulations as you anticipate a new addition to your family! This package is intended to assist you in preparing for pregnancy/parental leave. Hopefully, it will answer many of your questions. However, if you need further information do not hesitate to call us at the District 21 Office. We are here to protect your family's interests!

It is strongly recommended that you keep a complete record of arrangements made and documents submitted, including proof of the date submitted. You might need this verification in the future.

## Where to Get Information

District 21 Office	905-574-8285
H.W.D.S.B.	905-527-5092 Payroll ext. 2226 (Perm. Teachers) ext. 2225 (Occ. Teachers)
OTIP (Benefits)	1-866-783-6847 (Plan #: 0205001)
Ontario Teacher's Pension Plan Board	1-800-668-0105 <a href="http://www.otpp.com">www.otpp.com</a> (have SIN# handy when you call)
Service Canada (Employment Insurance)	905-572-2211 <a href="http://www.servicecanada.gc.ca">www.servicecanada.gc.ca</a>
Ontario College of Teachers	1-888-534-2222 <a href="http://www.oct.on.ca">www.oct.on.ca</a>

## Leave Entitlements

The rights to pregnancy/parental leave are set out in the *Provincial Employment Standards Act*. Your negotiated Collective Agreement (see Article L8.0) also outlines and protects Pregnancy, Parental, and Paternity Leave. The following is a summary of these entitlements.

**\*Note:** The *Fair Workplaces, Better Jobs Act* became law in later November 2017 and, as such, there were a number of changes to the *ESA*. These changes are reflected below.

### **For the Birth Mother**

**Pregnancy Leave**---17 weeks pregnancy leave to begin no earlier than seventeen weeks before the expected birth date. Although you may begin your leave at 17 weeks prior to delivery, you will not be eligible for E. I. Benefits until 8 weeks before the birth of your child.

**Parental Leave**--- *As of December 3, 2017:* **61** weeks parental leave to begin when the pregnancy leave ends unless the child has not yet come into custody, care and control for the first time.

### **For the Father/Partner/Adoptive Parent**

**Parental Leave**— *As of December 3, 2017:* **63** weeks (1 week waiting period plus **62** weeks parental leave) to begin no later than **78** weeks after the child is born or comes into custody, care and control for the first time.

**Paternal Leave (around the birth of a baby)** - under the Collective Agreement Article L8.23, paternal leave is two days, upon written request. These days are given for the day of birth, the day of hospital release, or when the child comes into care and custody. These two days are **not** deducted from the member's sick leave account.

## **Employment Insurance Benefits (E.I.)**

In order to qualify for benefits, the Employment Insurance Act requires that you must have at least 600 hours of insurable employment in the 52-week period preceding the birth of a child. For a full-time teacher, this translates to 75 working days. A full-time teacher accumulates 8 insurable hours per day worked.

### ***When does my E.I. claim begin?***

Maternity benefits payment may begin up to **12** weeks before a child is born. You cannot receive EI maternity benefits more than 17 weeks after the week you were expected to give birth OR the week you actually gave birth, whichever is later. When the actual date of birth is different from the expected date of birth (DOB), you must let Service Canada know the child's actual DOB as soon as possible.

**If your newborn is hospitalized**, the 17-week timeframe can be extended by the number of weeks your child is in the hospital, up to 52 weeks after the date of birth

A claim for parental benefits must start no later than **52 weeks** (*Standard parental benefits* option) or **78 weeks** (*Extended parental benefits* option) after the baby is born or comes into your care.

### ***What is my entitlement to maternity benefits?***

Human Resources Canada (HRDC) will provide maternity benefits to a birth mother for a maximum period of **15 weeks**.

**If your baby is hospitalized**, then the 15-week limit can be extended for every week your child is in the hospital up to 52 weeks — following the week of the child's birth. You will still receive benefits for a maximum of 15 weeks, but payments can be delayed until your child comes home.

### ***What is my entitlement to parental benefits?***

When applying, you will have to select under which option you choose to claim EI parental benefits: standard or extended.

**Standard parental benefits** can be paid within a 52 week-period after the week the child is born or placed for the purpose of adoption. The benefits are paid for a maximum of 35 weeks at a weekly benefit rate of 55% of your average weekly insurable earnings, up to a maximum amount.

**Extended parental benefits** can be paid within a 78-week period after the week the child is born or placed for the purpose of adoption. The benefits are paid for a maximum of 61 weeks at a weekly benefit rate of 33% of your average weekly insurable earnings, up to a maximum amount.

### ***How much will I get from E. I.?***

Under the standard parental benefits option, the rate is 55% of your average weekly insurable earnings up to a maximum of \$501 per week. A Category 3, year 1 teacher calculation would be  $(\$54,167/52) \times .55 = \$572.92$ . However, as this exceeds the maximum allowable, this teacher will receive \$501 each week.

Under the extended parental benefits option, the rate is 33% of your average weekly insurable earnings up to a maximum of \$501 per week. Using the same teacher above, the weekly benefit would be \$343.75.

### **Permanent Teachers**

- There is no change to Maternity Benefits for permanent members. The contract remains the same with 8 weeks of top up to 100%. One difference is that you do not need to qualify for EI in order to receive Maternity top-up; if you can't collect EI, the Board will pay out 8 weeks of FULL salary and not just the top up portion.
- For a complete review of the benefit provided please go to Article L8.0 of the Collective Agreement.
- Permanent Teachers that are listed as redundant and are placed into a Long Term Occasional Assignments are also eligible for the Maternity Top Up.

### **Continuing Education Teachers**

- Permanent, day school Continuing Education teachers are entitled to the same benefits listed under Article L8.0 of the Collective Agreement.
- Maternity top-up is also provided for Continuing Education Teachers provided that they are full time employees (defined as working greater than 24 hours per week).

## **Occasional Teachers**

- Occasional Teachers are now also entitled to 8 weeks of full salary, provided they are in a long-term assignment.
- The length of this benefit is limited by the term of the assignment. For this reason, it is very important that the Board provides OTs with a contract outlining the expected end date of the assignment.

## **Notice Requirements**

### ***Notifying the HWDSB To Begin a Leave***

#### For Pregnancy Leave:

- You are required by law to provide a minimum of 2 weeks written notice of the date your leave will begin. However, giving 4 weeks' notice will ensure that the Board has all the necessary paperwork for your E. I. claim application.
- The written notification must include a certificate from a legally qualified medical practitioner stating the expected date of birth.
- The minimum notice does not apply where there are complications due to pregnancy or where the birth (still birth or miscarriage) occurs earlier than the expected date of birth.

#### For Parental Leave:

- You are required to provide at least **2 weeks** written notice of the date the leave is to begin.
- Minimum notice does not apply where the child comes into custody, care and control for the first time sooner than expected.

### ***Notice to Change a Leave Period***

To change the date to an earlier or later date for beginning a pregnancy or parental leave, at least **2 weeks** written notice of the date must be provided.

To change the date to an earlier or later date for ending a pregnancy or parental leave, at least **4 weeks** written notice of the date must be provided.

## **Collective Agreement Entitlements**

Your collective agreement includes provisions affecting pregnancy and parental leave.

### **1. Supplemental Employment Benefits (SEB)**

**Article L8.10 (b)** and **Article C8.0 (g)-(j)** states that the Board will provide a SEB plan to top up E.I. benefits. It guarantees that you shall receive 100% salary for a period not to exceed 8 weeks provided the period fall within the school year and during a period for which the teacher would normally be paid. The SEB Plan pay will be the difference between the gross amount the teacher receives from E.I. and their regular pay. Please contact Patti MacArthur at the Board for more information about the SEB plan. *(Please note that only birth mothers are eligible for pregnancy leave, therefore only birth mothers will receive 8 weeks of SEB.)*

Members who get top-up in the summer will receive payments for the amount, around the 25th of each month. At the end of the tax year, though, they will get two T4s. One will be for the amount of the manual cheques, and the other will be for the rest of their automatically-issued salary.

### **2. Extended Leaves of Absence**

**Article L8.22** indicates that upon application to the Board you are entitled to an extended parental leave of another **2 years**, under the **General Leave Plan, Article L7.07 to L7.10**. Note that, however, this will be an unpaid leave of absence. Thus, you must pay the full cost of all your benefits during this period or they will be cancelled for the duration of this leave.

To maintain LTD you will also have to continue to pay premiums. If you choose not to, you will be subject to the “pre-existing clause” upon your return to work. Questions regarding OTIP LTD coverage can be directed to the District 21 Office.

**Article L9.01** outlines the rights of teachers returning from leaves. Teachers that return to work within three years or less of the original leave will be considered part of the staff at the school at which they last worked. Teachers that return to work after three years will become a system responsibility and be available for placement. Teachers that hold a position of responsibility (i.e. headship) will have to relinquish this position if they extend the **general leave portion** of their total leave beyond 2 years.

### **3. Voluntary Timetable Reduction**

**Article L7.33 to L7.41** outlines the right of a teacher to request a reduced timetable. Note, however, that salary and sick leave allowance will be pro-rated depending on how many classes you teach over the school year. Additionally, your benefits premiums will increase with a reduced timetable. It is also important to note that such a request must be made in writing no later than **April 1<sup>st</sup>** for the following school year. Teachers that are on a voluntary timetable reduction will be automatically returned to full-time status at the end of the year unless another written application for voluntary timetable reduction is made.

*Special note:* taking a reduced timetable will affect the amount of teacher pension you will receive when you retire. It is important to consider this when making the decision to teach part-time.

**Remember that during your Pregnancy/Parental Leave or Extended Leave of Absence you must make arrangements with the Ontario College of Teachers to pay your annual fees.**

## **Sick Leave Entitlements**

### ***When can I use sick leave?***

#### **1. You can use sick time before the birth of your baby.**

**Article L8.05** of your Collective Agreement allows you to use sick time prior to your statutory leave if there are medical complications surrounding your pregnancy. In order to access these sick days, you must provide the Board with a medical certificate from your doctor. In such a case it is your choice whether to use sick time or to begin your 17 weeks of pregnancy leave.

#### **2 You can use sick time after the birth of a baby, if you do not qualify for E.I.**

Recent court rulings support your entitlement to use sick leave with pay following the birth of your baby. You may wish to access this sick time if you do not qualify for E.I, and therefore cannot access the Board's Supplemental Employee Benefits for this 6-week period. Use of sick leave will depend, of course, on the number of available sick days you currently have.

Note that the use of sick time after birth will not extend your pregnancy leave, which will still be a maximum of 17 weeks. However, your one-week waiting period for E. I. will be included in the six weeks, and the Supplementary Benefits provided by the Board will not apply. You will then be able to receive E. I. payments immediately after the six-week period.

Remember that the due date you submitted to the Board is the date that your pregnancy leave begins, and that sick leave cannot be used until after the birth of the baby. If the baby is late, there will be no sick leave pay until the baby is born. It is therefore advantageous to request that your Doctor records the latest due date possible on the documentation submitted to the Board.

**It is against the law for an employer to make a woman start pregnancy leave early because of sickness, or if her pregnancy limits the type of work that she can do.**

## **Teacher's Pension Plan Contributions**

### ***Why should I continue my contributions?***

It may seem expensive to make pension contributions while on leave; however, the financial implications of not doing so are considerable. Remember that it will cost more to purchase the credit later, and that direct payment to a registered pension plan is a tax deduction. You also need to consider that the amount of your pension will be less than it would be with the additional credited service, and it may postpone the date you can retire with an unreduced pension. **It is important to carefully weigh your options before making a decision.**

### ***How do I maintain my Pension Plan Contributions?***

Under the Employment Standards Act, the Board will continue to make your pension contributions during your pregnancy and/or parental statutory leaves if you instruct them to do so.

This applies if you have worked 13 or more weeks with the Board. However, you must reimburse the Board for your total pension contributions.

It is important that you determine a payment schedule with the Board to ensure contributions are paid to maintain your pension. The pension department (in Benefits) at the Board will send you everything you need to pay your pension during your leave or buy it back after the leave.

All contributions for current service and purchases of credit for service after 1989 are fully income tax deductible in the year that they are made.

To contact the Teacher's Pension Plan Board directly, use the contact information on the Introductory page of this booklet.

## Grid Placement/Seniority/Your Pay

**Article L11.06 (d)** ensures that you will not lose advancement on the grid for a statutory pregnancy/parental leave.

**Article L20.01 (a) (i)** states that you will not lose seniority (your experience credit for seniority on the seniority list) during a statutory pregnancy/parental or extended parental leave.

## Your Paycheque

Depending on when you start your leave you may have been paid more or paid less than the actual time you taught in the classroom. The Board will make an adjustment to return any extra monies to you, if you have been paid less. If you have been paid more, the Board will deduct the appropriate amount from your pay.

**The pay schedule set by Article L12.01(a) is as follows:**

<b>DATE</b>	<b>PERCENTAGE</b>
September, first Friday after Labour Day	8%
September 25	8%
October 25	8%
November 25	8%
December, last day of school before break	8%
January 25	8%
February 25	8%
March 25	8%
April 25	8%
May 25	8%
June 25	20%

On the following page you will see a grid that you can use to determine if you are in a position of over/under salary payment. This should help you to plan if this will affect you.

<p><b>Salary Grid Indicating Overpayment / Underpayment Throughout the Teaching Year</b></p>
--

Pay Date	You Re- ceived	Cumulative Paid Days Received	Days Ac- tually Worked	Overpaid / Underpaid (Days)
September (first Friday after Labour Day)	15.52 days (8%)	15.52		
September 25, 2017	15.52	31.04	19	12.04
October 25, 2017	15.52	46.56	21	6.56
November 25, 2017	15.52	62.08	22	0.08
December	15.52	77.6	16	-0.4
January 25, 2018	15.52	93.12	18	-2.88
February 25, 2018	15.52	108.64	19	-6.36
March 25, 2018	15.52	124.16	16	-6.84
April 25, 2018	15.52	139.68	20	-11.32
May 25, 2018	15.52	155.2	22	-17.8
June 25, 2018	38.8 (20%)	194	21	0
<b>TOTAL</b>	<b>194 (100%)</b>	<b>194</b>	<b>194</b>	

**Example 1:** Your leave begins October 26, 2018.

You have worked 40 school days. You should be paid 40/194 which is 20.61% of the school year. But, you were paid 8% the first Friday after Labour Day, 8% on September 25, and then 8% on October 25. Thus, you have been paid for 24% of the year, but you worked for only 20.61%.

The Board will ask to have the 3.39% overpayment returned.

**Example 2:** You return to work May 28, 2018.

You work until the end of the school year. This is 25 school days. You will be paid 25/194 which is 12.88% of the school year.

Your June 25 pay will then be 12.88% of your salary.

## **Benefits**

The OSSTF Employee Life and Health Trust (ELHT) covers the premiums for the period of your statutory leave for Basic Life and AD&D benefits just as it did as when you were not on leave.

You will continue to pay the 6% premium share for extended health and dental along with any additional premiums due to Optional Life and/or Optional AD&D. OTIP will be in contact with you via Board email (unless you have altered your email settings in your online OTIP account) early on in your Leave.

### **Ontario Teacher's Insurance Plan (OTIP) and Your Long-Term Disability Coverage (LTD)**

The forms sent to you by the Benefits Department will outline what you must pay to maintain your LTD coverage with OTIP. Should you choose to maintain this coverage, Human Resources will send you an invoice.

***We urge you to very carefully consider your choices in this regard. Should you decide to discontinue this coverage while you are on leave, you will become subject to a 'pre-existing clause' for one year upon your return to work. This could greatly affect whether or not you will receive benefits should you become ill in the first year you return to work, if the illness is due to a condition that developed while you were on leave.***

**All questions concerning your OTIP coverage should be directed to the District 21 Office at (905) 574-8285.**

## **Application Process for Your Leave of Absence and E.I. Claim**

### **Leave of Absence with the Board:**

1. Send a letter to Darlene Steele, Human Resources. This should include:
  - A medical certificate stating the expected date of birth.
  - The date you wish to begin your leave, and the date you wish to return to work.

There are sample letters attached to help you with this. They include:

**Example A**—requests statutory pregnancy leave, statutory parental leave, and 6 weeks of Supplementary Employment Benefits (SEB)

**Example B**—requests statutory pregnancy leave with SEB (top-up)

**Example C**—requests parental leave for adoptive parents

**Example D**—requests parental leave only

**Example E**—requests an extended leave of absence

***Note: It may be advisable to request pregnancy leave separately from parental leave. This allows you to keep your options open in the event that your circumstances change.***

2. As a courtesy you may wish to send a copy of the leave request letter to your Principal, and always keep a copy for yourself. *Note that your Principal does not need a copy of the medical certificate.*
3. Remember that you are required by law to provide a minimum of 2 weeks written notice of the date you wish to start your leave. However, it is to your advantage to give a minimum of 4 weeks notice so that the Board can provide you with the necessary paperwork for Employment Insurance when your leave begins.
4. After your last teaching day or sick day paid (provided your leave has been approved by the Board), Payroll will issue you a Record of Employment (ROE). You will need this to hand in with the rest of the E.I. forms. E. I. will not process the claim until they have the ROE.

5. If the pregnancy leave is to end on an earlier date than stated in your notice to the Board, 4 weeks' notice of your intent to return to work must be confirmed in a separate letter to the Superintendent of Human Resources (Jamie Nunn) and the Human Resources Staffing Officer (Darlene Steele).
6. Should you move during your leave, you must inform the Board in writing of your new address.

### **Applying for E. I.**

1. Ensure that you have your Record of Employment (ROE) from the Board (see #4 above.)
2. Apply for pregnancy/parental leave E.I. You can do this online at *www.servicecanada.gc.ca*. Follow the on-screen instructions to complete your application. Alternatively, you can apply at the E. I. computer kiosk at your local E.I. office (Human Resources Development Canada Centre). *A medical certificate for maternity benefits is no longer required.*

## **Pregnancy/Parental Leave Checklist**

### **BEFORE/WHILE YOU ARE EXPECTING**

- ( ) Request the Pregnancy/Paternal Leaves booklet from the District 21 Office.
- ( ) Research and make phone calls. Find out the best possible options for you and your family regarding length of leave, benefits, pension, etc. You can contact Human Resources Development Canada, the Teacher's Pension Board, the HWDSB, The Ontario College of Teachers, and of course, our office. *It is especially important that you find out if you have the 600 insurable hours required for the collection of EI benefits.*
- ( ) See your doctor (if you are pregnant.) Obtain documentation that states your due date. Also have your doctor test you for immunity to Fifth Disease.
- ( ) See your adoption agency (if you are adopting). Get documentation on when your child will be released into your care.
- ( ) Notify the Board of your pregnancy/parental leave. Attach the appropriate documentation. Sample letters are available in the Pregnancy/Parental Leaves booklet. See the Pregnancy/Parental Leaves booklet for deadlines. **KEEP COPIES OF ALL PAPERWORK.**
- ( ) Return the paperwork that the HWDSB has sent you since they received your Leave Notice. **KEEP COPIES OF ALL PAPERWORK.**
- ( ) Begin your application for EI Benefits. You can do this online at Service Canada, at [www.servicecanada.gc.ca](http://www.servicecanada.gc.ca). **KEEP COPIES OF ALL PAPERWORK.**

### **AFTER YOUR CHILD HAS ARRIVED**

- ( ) Obtain your Record of Employment (ROE) from the Board. (They issue this after the last day worked/fully paid sick day.)
- ( ) Submit your ROE to HRDC (complete your application for E.I. Benefits.) Be aware of deadlines. **KEEP COPIES OF ALL PAPERWORK.**
- ( ) Notify OTIP (OSSTF Benefit Plan) of your new dependent.
- ( ) Arrange with the College of Teachers to pay your annual fee during the time you are on leave.
- ( ) Ensure that you have arranged with the HWDSB to pay for LTD and Pension contributions.
- ( ) Plan ahead if you wish to take an extended leave/reduced timetable. Check your Collective Agreement/call the District 21 Office.

**TYPES OF LEAVES AND YOUR COLLECTIVE AGREEMENT:  
A COMPARISON CHART**

	<b>Deadline for application</b>	<b>Maximum length</b>	<b>How your pay works</b>	<b>Benefits</b>	<b>Pension</b>	<b>Sick days</b>
<b>General Leave</b>	None; requests will not be unreasonably withheld. Must give 10 weeks notice if you wish to change the date you are coming back. Must have worked at least 2 years with the Board to be granted a leave.	2 years, with option of 1 year extension.	No pay	You must pay 100% of benefits during period of leave	You can purchase pension credit for a full-time leave period only, including during the leave. You have five years from the end of leave to buy back, in one lump sum.	N/A
<b>Teacher-funded leave</b>	On or before Jan. 31 <sup>st</sup> for the next school year. Teacher must confirm leave request prior to April 1 of the year in which the leave is to occur.	Total of one year within a five year period (can also be one semester at a time)	Choice: no pay at all for leave period, <u>or</u> percentage of salary is held back during time worked, then paid out during leave.	You must pay 100% of benefits during period of leave	You can purchase pension credit for a full-time leave period only, including during the leave. You have five years from the end of leave to buy back, in one lump sum.	N/A
<b>Voluntary timetable reduction</b>	April 1 <sup>st</sup> for the next school year; however, late requests will be considered and not be unreasonably withheld. Must be resubmitted each year.	Unlimited	Salary is pro-rated according to reduced timetable.	Premium rates will be higher based on the reduction in FTE. Contact OTIP for more info.	Cannot buy back credit for partial days; will not affect date you can retire, but will affect amount of pension received. (For every year you teach full-time, you earn 2% towards your pension income. For every year you work at 2/3, for example, you would earn 2/3 of 2%.)	Will be pro-rated in the same proportion that the teacher's partial timetable bears to a full timetable. (For example—a 2/3 teacher would be entitled to:  -100% sick days: $11 \times 2/3 = 7.3$ days  - 90% sick days: $120 \times 2/3 = 79$ days

## Quick Summary of E.I. and Employment Standards Act

<b>FEDERAL-EMPLOYMENT INSURANCE (EI) Maternity and Parental Benefits</b>	<b>PROVINCIAL---EMPLOYMENT STANDARDS ACT Right to Leave of Absence</b>
<p><b>Pregnancy</b></p> <ul style="list-style-type: none"> <li>• 1 week waiting period. Most District School Boards pay Supplementary Employment Benefits (SEB) for this period</li> <li>• 16 weeks of EI benefits paid</li> <li>• no benefits earlier than 8 weeks before birth or later than 17 weeks after birth</li> </ul>	<ul style="list-style-type: none"> <li>• Up to 17 weeks</li> <li>• May begin no earlier than 17 weeks before the expected date of delivery</li> <li>• Must provide employer with 2 weeks written notice of the date the leave is to begin</li> <li>• must provide a certificate from a legally qualified practitioner stating expected birth date</li> </ul>
<p><b>Parental</b></p> <ul style="list-style-type: none"> <li>• <i>Standard parental benefits:</i> 35 weeks of EI benefits paid for natural or adoptive mother or father or shared. Must be claimed within a 52 week period after the week the child was born or placed for the purpose of adoption.</li> <li>• <i>Extended parental benefits:</i> 61 weeks of EI benefits paid for natural or adoptive mother or father or shared. Must be claimed within a 78 week period after the week the child was born or placed for the purpose of adoption.</li> <li>• No second waiting period if leave is shared between two parents</li> </ul>	<ul style="list-style-type: none"> <li>• Up to 61 weeks for natural mother or 63 weeks for adoptive mother and father</li> <li>• Natural mother's leave must follow pregnancy leave</li> <li>• Other parents must begin leave no later than 78 weeks after the child is born or comes into the parent's care</li> </ul>
<p><b>Conditions</b></p> <p>Pregnancy and parental benefits are known as 'Special Benefits'</p> <ul style="list-style-type: none"> <li>• Must have accumulated 600 hours of insurable earnings in the last 52 weeks (can be with different employers)</li> <li>• The average weekly earnings calculation will be based on the 52 weeks period preceding the filing of the claim</li> <li>• <i>Standard parental benefits:</i> max 50 weeks of combined maternity and parental benefits in a 52 week period.</li> <li>• <i>Extended parental benefits:</i> max 76 weeks of combined maternity and parental benefits in a 78 week period</li> <li>• Claimants whose net income exceeds 1.25 x EI maximum annual insurable earnings (\$48,750) will have to repay 30% of their EI benefits</li> <li>• The intensity rule which lowers the benefit paid to people who claim more than 20 weeks of EI benefits in a 5 year period does not apply to Special Benefits</li> </ul>	<ul style="list-style-type: none"> <li>• Must have been employed for at least 13 weeks by the same employer</li> <li>• Must give 2 weeks notice before the leave</li> <li>• Must give 4 weeks notice to change the end date of the leave</li> <li>• Employers must continue to pay their share of benefits (in our case this is done directly through the OSSTF ELHT and not the Board)</li> <li>• Seniority and salary credit continue to accumulate during leave</li> <li>• Redundancy cannot take effect during leave</li> <li>• Reinstatement to position held before leave if it still exists</li> <li>• 'Parent' means a natural parent, adoptive parent, and a person in a relationship of some permanence with the natural or adoptive parent who intends to treat the child as his or her own</li> </ul>

**There are exceptions to these rules if the expectant mother is ill or the baby is hospitalized. Additionally, in the case of miscarriage or stillbirth, there are leave provisions available through the ESA.**

**SAMPLE A**  
**Pregnancy and Parental Leave with SEB**

Date:

Darlene Steele (Human Resources)  
Hamilton-Wentworth District School Board  
20 Education Ct., Hamilton, Ontario L9A 0B9

In accordance with the Collective Agreement, Article L8.01, I am writing to request a Statutory Pregnancy Leave beginning \_\_\_\_\_. The Statutory Pregnancy Leave is to be followed by a Parental Leave (Article L8.11).

As required, please find enclosed a letter from Dr. \_\_\_\_\_ indicating my expected date of delivery.

I am also requesting the top-up provided for in Article L8.10(b) of the Collective Agreement.

It is my understanding that under the Employment Standards Act, I am entitled to return to my former position, if it still exists, or a comparable position if it does not. Therefore, I look forward to returning to \_\_\_\_\_ when I return from my leave.

Sincerely,

(your name)

cc. Principal  
A copy for your records

*(Note: Your Principal does not require a copy of the Doctor's Certificate. This letter requesting top-up is to be used if you are eligible for EI Benefits. If you have not met the E.I. eligibility requirements, see Sample F.)*

**SAMPLE B**  
**Pregnancy Leave only with SEB**

Date:

Darlene Steele (Human Resources)  
Hamilton-Wentworth District School Board  
20 Education Ct, Hamilton, Ontario L9A 0B9

In accordance with the Collective Agreement, Article L8.01, I am writing to request a Statutory Pregnancy Leave beginning \_\_\_\_\_.

As required, please find enclosed a letter from Dr. \_\_\_\_\_ indicating my expected date of delivery.

I am also requesting the top-up provided for in Article L8.10(b) of the Collective Agreement.

It is my understanding that under the Employment Standards Act, I am entitled to return to my former position, if it still exists, or a comparable position if it does not. Therefore, I look forward to returning to \_\_\_\_\_ when I return.

Sincerely,

(your name)

cc. Principal  
A copy for your records

*(Note: Your Principal does not require a copy of the Doctor's Certificate.)*

**SAMPLE C**  
**Parental Leave Only**  
**(For Adoptive Parents)**

Date:

Darlene Steele (Human Resources)  
Hamilton-Wentworth District School Board  
20 Education Ct., Hamilton, Ontario L9A 0B9

In accordance with the Collective Agreement, Article L8.01, I am writing to request a Statutory Parental Leave beginning\_\_\_\_\_.

As required, please find enclosed a letter from \_\_\_\_\_ indicating the date of adoption of my \_\_\_\_\_ (son/daughter).

It is my understanding that under the Employment Standards Act, I am entitled to return to my former position, if it still exists, or a comparable position if it does not. Therefore, I look forward to returning to \_\_\_\_\_ when I return.

Sincerely,

(your name)

cc. Principal  
A copy for your records

*(Note: Your Principal does not require a copy of the letter).*

**SAMPLE D**  
**Parental Leave Only**

Date:

Darlene Steele (Human Resources)  
Hamilton-Wentworth District School Board  
20 Education Ct., Hamilton, Ontario L9A 0B9

In accordance with the Collective Agreement, Article L8.01, I am writing to request a Statutory Parental Leave beginning \_\_\_\_\_.

As required, please find enclosed a letter from Dr. \_\_\_\_\_ indicating the expected arrival date of my child.

It is my understanding that under the Employment Standards Act, I am entitled to return to my former position, if it still exists, or a comparable position if it does not. Therefore, I look forward to returning to \_\_\_\_\_ when I return.

Sincerely,

(your name)

cc. Principal  
A copy for your records

*(Note: Your Principal does not require a copy of the Doctor's Certificate.)*

**SAMPLE E**  
**Extended Leave**

Date:

Darlene Steele (Human Resources)  
Hamilton-Wentworth District School Board  
20 Education Ct., Hamilton, Ontario L9A 0B9

In accordance with the Collective Agreement, Article L7.07, I am writing to request a General Leave of Absence beginning \_\_\_\_\_.

I look forward to returning to teaching on \_\_\_\_\_.

Sincerely,

(your name)

cc. Principal  
A copy for your records

## Fifth Disease

Included here is Appendix B (from the HWDSB Procedure on Communicable Diseases) regarding expedited testing for Fifth Disease immunity. **We strongly recommend that members who are planning to become pregnant or who are expecting a child ask their doctor to test them for immunity to Fifth Disease.**

### **What is Fifth Disease?**

Fifth Disease is a mild viral infection common among elementary school children. The disease is spread from person to person through direct contact with *respiratory* secretions of an infected person and has an incubation period of 4-14 days.

The disease is usually diagnosed when a rash appears on the child's face, and at that point, the virus is no longer considered contagious. The affected child is not required to stay home from school.

There is no vaccine or medicine to prevent the Fifth Disease infection. To reduce the spread of the virus, schools are reminded to use proper precautions such as frequent hand washing (see attachment). Since ill persons are contagious before they develop the characteristic rash, excluding them from work and school is *not likely* to prevent the spread of Fifth Disease.

**About 50% of women are already immune to Fifth disease. However, pregnant women who do not have immunity may be at some risk. All employees who are pregnant or who are contemplating pregnancy are encouraged to contact their physicians regarding their immunity status.**

### **Fifth Disease Expedited Testing for Immunity**

If you are or could be pregnant, it is in your interest to inform your doctor that you may have been exposed to Fifth Disease (Parvovirus 19) and to arrange for a blood test to confirm immunity.

In order to avoid unnecessary delays for results of your immunity to Fifth Disease, please follow the steps below:

1. Take this procedure with you to your physician and to the laboratory that will be drawing the blood sample.
2. The physician should note on the Ministry of Health requisition STAT – Exposure to Parvovirus 19 and pregnant. A written report will be sent to your physician. Physician can contact Ontario Public Health lab after two days to obtain verbal results at 1 877 604-4567.
3. Once results are received, you are advised to seek direction from your treating physician.

4. Results of your immunity should be reported to your Principal/Manager immediately.
5. Staff with no immunity to Fifth's Disease can access their sick leave entitlement when they are acting on the direction of their treating physician and with supporting documentation to validate the need to be excluded from work. Staff may be re-assigned to another location by the board.

The following laboratories provide direct service to Hamilton Public Health.

**LifeLabs - Hamilton**

25 Charlton Ave. E.	905 528-3370
206 James St. S Suite 103	1-877-849-3637
989 Fennell Ave. E. Suite 1007	1-877-849-3637
1119 Fennell Ave. E.	905 383-0507
280 Queenston Road	905 547-0592

**LifeLabs - Dundas**

16 Cross St.	905 627-3965
60 Hatt St. Suite 2004	1-877-849-3637

**LifeLabs - Stoney Creek**

15 Mountain Ave. S. Suite 111	1-877-849-3637
-------------------------------	----------------

**LifeLabs - Ancaster**

54 Wilson St. W.	1-877-849-3637
------------------	----------------

**LifeLabs - Burlington**

2200 Fairview St.	905 333-5990
3155 Harvester Rd Suite 102	1-877-849-3637

**Gamma-Dynacare Medical Laboratories**

849 Upper Wentworth 905-389-3403