

**Purpose:**

- 1 To provide guidelines for an adequate period of absence from work to care for a newborn baby or adopted child.
- 2 To outline conditions for maternity/parental/attending leave eligibility, commencement and return, pay, benefit coverage, and premium payment.

**Policy Statement(s):**

- 3 The City of Red Deer recognizes that it is both necessary and desirable for a new parent to be able to take a leave of absence from the workplace upon the birth or adoption of a child. Upon request, an eligible employee will be granted a parenting leave.
- 4 Parenting Leave is comprised of three components:
  - (1) Maternity Leave - Up to 15 weeks leave granted to the biological mother in a period surrounding the birth of a child;
  - (2) Parental Leave - Up to 37 weeks leave for biological or adoptive parents upon the birth or adoption of a child; and
  - (3) Attending Leave - Upon request a permanent employee shall be given one day's leave of absence with pay for either attending the birth of a child or to bring a new born baby or adopted child home.
- 5 The portion of maternity leave in which an employee is medically unable to perform the duties of her position may be covered by disability benefits. All remaining leave will be without pay, with the exception of attending leave.
- 6 Eligibility:
  - (1) To be eligible for a parenting leave an employee must have worked for The City of Red Deer continuously for the past 12 consecutive months.
  - (2) To qualify for a maternity leave an employee must be the biological mother of a new born child.
  - (3) To qualify for a parental leave an employee must:
    - (a) be the biological mother of a child; or
    - (b) be the biological father of a child; or
    - (c) be the adoptive parent of a child under the age of 18.
  - (4) To qualify for an attending leave an employee must:
    - (a) be a permanent employee of The City of Red Deer;
    - (b) be the biological father of a child; or
    - (c) be the adoptive parent of a child under the age of 18.

## 7 Length of Leave:

- (1) Maternity leave will be granted for a mutually agreed period of time up to 15 weeks surrounding the birth of a child including a minimum of six weeks immediately after the actual date of delivery. If during the 12 weeks immediately before the estimated date of delivery the pregnancy of an employee interferes with the performance of her duties the City may give the employee written notice requiring her to start maternity leave.
- (2) An employee may apply for up to 37 weeks of parental leave. Parental leave may be taken by one parent or shared between them but the total leave cannot exceed 37 weeks.
- (3) Where a biological mother takes parental leave in addition to maternity leave, she must commence the parental leave immediately upon the expiry of the maternity leave without a return to work.
- (4) The total of the combination of these leaves will not exceed one year.

## 8 Notice to The City of Red Deer:

- (1) Before an employee may commence a parental or maternity leave of absence, at least six weeks written notice must be given to The City of the tentative date upon which the leave is to commence and the expected duration of the leave.
- (2) If a portion of the leave is for maternity, the employee must provide The City of Red Deer with a medical certificate verifying the estimated date of delivery.
- (3) In the case of adoption, the employee shall notify The City when the application to adopt has been approved and shall keep the employer informed as to the progress of the application. The employee shall be entitled to commence parenting leave upon being notified by the agency involved that a child is available for placement.
- (4) Parenting leave must commence no later than three months after the date of birth or adoption of the child or the date on which the child comes into actual care and custody of the employee.
- (5) An employee on a parenting leave of absence must give The City of Red Deer four weeks written notice of their intention to resume employment or change the date that they intend to return from leave. This notice must be provided at least four weeks before the end of the leave. The City of Red Deer is not required to reinstate the employee until the four-week notice period has expired.
- (6) An employee who does not wish to resume employment after parenting leave must give The City at least four weeks' written notice of their intention to terminate employment.

## 9 Compensation While on Parenting Leave:

- (1) Parental leave and the voluntary portion of a maternity leave is considered "leave without pay". Employees meeting Employment Insurance requirements will receive parental and/or maternity benefits.
- (2) When entering the period of maternity leave, which is health-related, the employee may be entitled to disability coverage. The City provides several forms of coverage (Sick Leave and a SUB plan) which will normally cover the health-related portion of the leave. The SUB (Supplemental Unemployment Benefit) plan supplements Employment Insurance benefits. In order to be eligible for the SUB plan an employee must be in receipt of EI, have hours in her personal sick accrual and have a doctor's certificate verifying that she is medically unable to

work. The SUB plan is normally in effect until one of the following occurs: the employee returns from leave or the employee's EI maternity benefit runs out **or** the employee is no longer on a health-related portion of the leave. Any health-related portion of leave which falls outside the period covered by SUB plan may be covered by Sick Leave depending on eligibility.

- (3) Employees eligible to receive any sickness benefits from The City of Red Deer during a health related portion of maternity, including top-up of EI benefits, must have sufficient accrual in their personal sickness benefits.
- (4) The City reserves the right to use a second medical opinion on the length of health-related maternity leave required by the employee.
- (5) The employee is entitled to general salary increases during maternity leave. The employee is not eligible for pay increases due to job re-evaluation or service increments, and cannot finish probation or trial periods while on leave. Upon return from leave the employee's pay will be at least equal to her rate of pay prior to the commencement of leave.

#### 10 Benefit Coverage:

- (1) The employee is responsible for choosing to maintain group life and health benefits while on voluntary leave.
- (2) The employee on parenting leave will not lose seniority or previously accumulated service-related allowances. Seniority and service-related allowances will not be accumulated during the voluntary portion of parenting leave but will be for the health-related portion.

#### 11 Benefit Premium Payment:

- (1) During the voluntary portion of the leave the employee is required to make arrangements to pay both the City and employee portions of the applicable employee benefit premiums prior to the commencement of the leave or the employee shall request that all benefit plans be suspended until resumption of employment.
- (2) During the health-related portion of the maternity leave normal benefit premium sharing provisions will be continued, including pension provisions. Since the length of health-related leave cannot often be predicted the employee will be expected to prepay all benefit premiums and then be retroactively reimbursed for the employer's portion following confirmation of the length of the health-related leave. The City does not allow payment into the Local Authorities Pension Plan during a leave of absence without pay. Upon return, the employee will be sent information on purchasing this prior service.

#### 12 Return Conditions:

- (1) A permanent employee returning to work from a parenting leave will be reinstated to the same or a comparable position in terms of responsibility, pay, and benefits to the one held at the time parenting leave commenced.
- (2) On return the employee shall receive the same pay regardless of the position offered, except if it is a promotion from their previous position. If the employee's position has been deleted or the employee has been "bumped" from their position during their parenting leave the employee will be given official notice as of the day they return to their position. Normal layoff and bumping procedures will then apply.

- (3) An employee who does not report back to work by the end of the approved leave of absence is considered to have terminated employment with the City.
- (4) While on leave an employee is eligible to apply on job postings but must be ready to assume the duties of the posting within two weeks (normal internal notice period) of being offered the job.

### 13 Performance Expectations:

- (1) An employee who is on an extended leave of absence is responsible to keep up to date with technological and procedural changes that have taken place during their leave. The City will provide unpaid training for up to five days prior to the employee's return to work if necessary.

### Definitions:

- 14 Date of Delivery: the date the child is born or the pregnancy otherwise terminates.
- 15 Leave: the portion of a maternity leave for which the employee provides satisfactory evidence concerning the health related reason that she is unable to perform the duties of her position.
- 16 SUB Plan: Supplementary Unemployment Benefit Plan allows The City to supplement the income received from Employment Insurance without penalty during the valid, health related portion of the maternity leave.
- 17 Voluntary Leave: the portion of a parenting leave that does not include the portion of a maternity leave when a biological mother is not medically able to perform the duties of her position.

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### References/Links:

- 1 Alberta Employment, Immigration & Industry
- 2 Former policy numbered "03/95"
- 3 Service Canada

### Scope/Application:

- 1 Employees with the birth or adoption of a child.

### Authority/Responsibility to Implement:

- 1 Human Resources Department:
  - (1) Advise employee of benefit/pay status and ensure required forms are completed;
  - (2) Check employee's eligibility for maternity leave, SUB plan, etc.;
  - (3) Provide a Record of Employment to employee after last day of work;

- (4) Where applicable, pay SUB plan salary to the biological mother to top-up the health-related portion of illness. Be able to identify these payments as SUB plan payments for Government of Canada audit purposes; and
  - (5) Retroactively refund to the employee the employer's portion of benefit premiums which had been prepaid for the medical portion of the leave.
- 2 Employee:
- (1) Inform the City in writing of intention to commence a parenting leave and provide an indication of the expected date of return;
  - (2) Biological mother to provide the City with a medical certificate verifying the;
  - (3) Estimated date of delivery;
  - (4) Advise the Human Resources Department and the supervisor of any changes in the expected dates;
  - (5) Biological mother to submit proof by way of Employment Insurance cheque stubs that she has applied for and is in receipt of Employment Insurance benefits, in order to receive payment under the SUB plan;
  - (6) Biological mother to have her Physician complete the "Physician's Statement" which will indicate which portion of the leave is health-related; and
  - (7) Prepay full benefit premiums prior to commencing leave of absence or advise The City to suspend all benefits until the resumption of employment.
- 3 Physician: Completes the "Physician's Statement" which will indicate which portion of the employee's leave is health-related.
- 4 Department Head/Supervisor: Advise Human Resources of impending parenting leaves.
- 5 Occupational Health Nurse: Determine, in conjunction with the Employee, Department Head and the Physician what the health related portion should be and if, in fact, it should be extended.

#### **Inquiries/Contact Person:**

- I Human Resources Manager

#### **Policy Monitoring and Evaluation:**

- I This policy will be reviewed every three years and revised as necessary.

#### **Document History:**

<b>Date:</b>	<b>Approved/Reviewed By:</b>	<b>Title:</b>
Approved: May 14, 1993		
Revised: January, 2001	"Norbert Van Wyk"	City Manager