

# Pregnancy and Parental Leave

1. In accordance with the [Employment Standards Act](#), an employee who is a parent and has accrued at least thirteen (13) weeks of continuous service preceding the birth of a child or the date a child came into the employee's custody, care and control for the first time, is entitled to Pregnancy and/or Parental Leave.
2. Pregnancy and/or Parental Leave with Top-Up Benefits is a leave from work with top-up as specified below. Queen's University's Pregnancy and/or Parental Leave with Top-Up Benefits Program applies to the following employees:
  - a. Academic, adjunct academic, support staff and contract staff (including Post-Doctoral Fellows) who have been employed continuously for one year or more by Queen's University and who hold a current appointment/contract of a year's duration or longer.
  - b. Support staff and contract staff (including Post-Doctoral Fellows) who have held five or more successive term appointments/contracts of less than one year's duration.
3. Where both parents are employees of Queen's University, both parents can take Parental Leave, and can, if they choose, take such leave at the same time.
4. If an employee is eligible for Pregnancy Leave with Top-Up Benefits and Parental Leave with Top-Up Benefits, the total combined number of weeks for which they are eligible to receive top-up payments shall not exceed 25 weeks. In all other cases, the maximum for the period for which an employee can be eligible to receive Parental Leave with Top-Up Benefits shall not exceed 15 weeks.
5. Eligible employees will receive the top-up as outlined in Appendix A with the understanding that the employee is expected to return to work for the University for a period of at least six (6) months following the date of their return from Pregnancy and/or Parental Leave. Should an employee quit and therefore not satisfy this condition, they shall be indebted to the University for the sum of the monies paid to them during the Pregnancy and/or Parental Leave with Top-Up Benefits and will be required to repay these monies to the University.
6. An employee shall provide their department head or the department head's designate, with as much advance notice as possible of the request for Pregnancy and/or Parental Leave, but at least one month prior to the leave, the employee should make written application to the department head, or designate, for Pregnancy and/or Parental Leave. In cases where the exact date of the birth/adoption of the child is unknown, the employee must keep their Department Head/ advised of the expected date of birth/ adoption proceedings. Written notice should include the following information:
  - a) The date the leave is to commence.
  - b) The expected date of return to work.

7. Provided that the discussion with the department head or designate has taken place as outlined above, the Department shall obtain a **Leave of Absence Request form**. Upon completion, the form should be remitted to the employee's Human Resources Advisor one month prior to the commencement of the leave.
8. The employee should then contact their Human Resources Advisor to arrange an appointment to discuss benefit continuation and payment procedures during the Pregnancy and/or Parental Leave.
9. Should an employee take an additional leave from the University following their Pregnancy and/or Parental Leave, such as a **Leave of Absence Without Pay**, the same expectation will apply upon their return to work from that leave.
10. Both service credit and vacation entitlement continue to accrue while the employee is on Pregnancy and/or Parental Leave. Upon return to work the employee will be entitled to the same amount of vacation days as if they had worked. With the permission of the department head, this time may be added on to the end of the Pregnancy and/or Parental Leave. Service and vacation entitlement, however, will be prorated by the amount of additional time an employee may be granted under the Leave of Absence without Pay policy outside of any entitlement Pregnancy and/or Parental Leaves.
11. An employee who wishes to change the date of their return to work must give the department head or designate at least four (4) weeks' notice before the date they wish to end the leave.
12. Upon return to work the employee is to return to their previous position and salary. If that position no longer exists, the employee will be placed in a comparable position in the same salary grade without loss of salary.
13. All payments made under this Program must be in accordance with Service Canada Regulations.
14. As part of the requirements under the Employment Insurance Regulations, all payments by the University listed in the Pregnancy and/or Parental Leave with Top-Up Benefits Programs shall only commence when the employee provides proof that they are receiving E.I. benefits. Employees should understand that such proof will not be made available by E.I. until after the leave has commenced and hence University payments shall be retroactive. Payments in respect of guaranteed annual remuneration or in respect of deferred remuneration or severance pay will not be reduced or increased by payments under this Program.
15. Following the employee's last day of work, a Record of Employment (ROE) is prepared and sent electronically to the Service Canada Office.

Appendix A:

<b>Pregnancy and Parental Leave with Top-Up Benefits</b>			
<b>(a) General</b>	<p>i) Pregnancy Leave with Top-up Benefits constitutes Pregnancy Leave for the purposes of the <u><a href="#">Employment Standards Act</a></u> entitlements to Pregnancy Leave and</p> <p>ii) Parental Leave with Top-up Benefits constitutes Parental Leave for the purposes of the <u><a href="#">Employment Standards Act</a></u> entitlements to Parental Leave.</p>		
<b>(b) Definitions:</b>	<p><b>Pregnancy Leave with Top-up Benefits:</b> a Pregnancy Leave that is financially supported by the University, with top-up benefits as outlined above, for up to 10 weeks.</p> <p><b>Parental Leave with Top-up Benefits:</b> a Parental Leave that is financially supported by the University, with top-up payments as outlined above, for up to 15 weeks.</p> <p><b>Employment Insurance Maternity Benefit:</b> Employment Insurance Benefit of up to 15 weeks for the person giving birth.</p> <p><b>Employment Insurance Standard Parental Benefit:</b> Employment Insurance Benefit of up to 35 weeks if the employee took Pregnancy Leave or up to 37 weeks if the employee did not take Pregnancy Leave.</p> <p><b>Employment Insurance Extended Parental Benefit:</b> Employment Insurance benefit of up to 61 weeks if the employee took a Pregnancy Leave or up to 63 weeks if the employee did not take Pregnancy Leave.</p>		
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;"><b>Pregnancy Leave with Top-up Benefits</b></td> <td style="width: 50%; text-align: center;"><b>Parental Leave with Top-up Benefits</b></td> </tr> </table>	<b>Pregnancy Leave with Top-up Benefits</b>	<b>Parental Leave with Top-up Benefits</b>
<b>Pregnancy Leave with Top-up Benefits</b>	<b>Parental Leave with Top-up Benefits</b>		

<p><b>(c) Employment Insurance (EI) Benefits</b></p>	<p>In order to receive top-up payments, the employee must provide proof of receipt of EI Maternity Benefits.</p>	<p>In order to receive top-up payments, the employee must provide proof of receipt of EI Parental Benefits.</p>
<p><b>(d) Top-up benefit Eligibility</b></p>	<p>To qualify for Pregnancy Leave with Top-up Benefits, an employee must have been employed continuously for one year or more, hold a current appointment of a year's duration or longer, and be in receipt of EI Maternity Benefits.</p>	<p>To qualify for Parental Leave with Top-up Benefits, an employee must have been employed continuously for one year or more, hold a current appointment of a year's duration or longer, and be in receipt of EI Parental Benefits.</p>
<p><b>(e) Top-up Benefits</b></p>	<p>Pregnancy Leave with Top-up Benefits is a financial allowance from the University as follows:</p> <p><b>(i) Week 1:</b></p> <p>A payment equivalent to 100% of the employee's normal basic earnings for the first week of the Pregnancy Leave.</p> <p><b>(ii) Weeks 2 to 10:</b></p> <p>A payment equivalent to the difference between 100% of the employee's normal basic earnings and the amount of EI Maternity Benefit the employee receives.</p> <p><b>(iii) Weeks 11 to 17:</b></p> <p>An employee who has received Pregnancy Leave with Top-up Benefits shall also be granted up to</p>	<p>Parental Leave with Top-up Benefits is a financial allowance from the University as follows:</p> <p>Eligibility for top-up payment for Week 1 will depend on whether the employee is required to serve a waiting period for purposes of entitlement to EI benefits. If the employee is required to serve a waiting period of 1 week (i) a) below will apply. If not, then (i) b) below will apply.</p> <p><b>(i) Week 1:</b></p> <p>a) A payment equivalent to 100% of the employee's normal basic earnings for the first week of the Parental Leave; or</p> <p>b) A payment equivalent to the difference between 100% of the employee's normal basic earnings and the amount of EI Parental Benefit calculated for a Standard Parental Leave, regardless of whether the employee elected a Standard Parental Leave or an Extended Parental Leave.</p>

	<p>7 weeks of Pregnancy Leave Without Top-up Benefits and may apply for Standard Parental Leave or Extended Parental with or without top-up.</p>	<p>(ii) <b>Weeks 2 to 15:</b></p> <p>A payment equivalent to the difference between 100% of the employee's normal basic earnings and the amount of EI Parental Benefit calculated for a Standard Parental Leave, regardless of whether the employee elected a Standard Parental Leave or an extended Parental Leave.</p>
<p><b>(f) Applying for Pregnancy and/or Parental Leave Top-up Benefits</b></p>	<p>Pregnancy Leave with Top-up Benefits may be initiated by the employee at any time within 12 weeks of the expected delivery date.</p>	<p>Parental Leave must begin within 78 weeks of the birth of the baby or within 78 weeks of when the child first came into custody or care of the parent.</p>
<p><b>(g) Benefits</b></p>	<p>During the period of Pregnancy Leave with Top-up Benefits, the University will continue the employee on the benefits in which they are enrolled immediately prior to the commencement of their leave if they so choose. The employee is required to pay their share of the costs of the benefit plans in which they are enrolled during the full term of the leave.</p>	<p>During the period of Parental Leave with Top-up Benefits, the University will continue the employee on the benefits in which they are enrolled immediately prior to the commencement of their leave if they so choose. The employee is required to pay their share of the costs of the benefit plans in which they are enrolled during the full term of the leave.</p>