

**District 12 OSSTF
Secondary Teachers' Bargaining Unit**

**Pregnancy, Parental and
Extended Parental Leave**

First Printed September 2003

Revised July 2004

Introduction

This package of information is intended to assist you in preparing for pregnancy/parental leave by providing an overview of the rules and procedures that govern these leaves. The material has been organized according to topics to make it easier for you to find the specific information you may require. Several summary sheets are also included at the end. Please check with your Executive Officer at the District Office regarding any questions or concerns you may have.

Federal and Provincial legislation, the terms of our collective agreement, and TDSB policies may have changed since this document was printed, so *please make sure you verify the information prior to making any decisions*. **It is your responsibility to check** with your OSSTF Executive Officer and **with the TDSB to ensure that you have all the information and documents you require**. Updated legislation is also available through government websites.

It is strongly advised that you keep a complete record of arrangements made and documents submitted, including proof of the date submitted. **Every effort should be made to obtain written confirmation.**

First printing September 2003

Revised July 2004

Where to Get Information

OSSTF – District 12 416 393-8900

Toronto District School Board [all TDSB phone numbers are 416]
Employee Services

Records by Region

North East	Melissa Ryan	397 3868
North West	Indra Balkaran	397 3259
South East	Ritu Chopra	397 3257
South West	Amy Wong	397 3250

FAX 397 3484

Benefits 393 8984

Payroll

Distribution by employee surname

A, D	Olinda D’Costa	395 9647
B, Z	Cassandra Singh	395 9646
C, J, X, Y	Kathy Nanos	395 9643
F, G	Dianne Kruger	395 9653
H, I, Q, U, V	Barbara Cousins	395 9652
K, L, W	Nijole Mockevicius	395 9699
M	Mary MacLean	395 9655
N, O, P	Imtithal Moubarak	395 9644
E, R, T	Umena Jasminez	395 9645
S	Kay Davey	395 9649

FAX 395 8300

Or 395 4938

Human Resources Development Canada (HRDC)

www.hrdc-drhc.gc.ca/ae-ei/pubs/special_e.shtml

Check your telephone directory for local office

Ontario Teachers’ Pension Plan Board 416 226 2700

www.otpp.on.ca

Ontario College of Teachers 416 961 8822

www.oct.on.ca

Teachers’ Life (LTDI) 416 620 1140

Employee Assistance Program (EAP) 905 270 4717

Table of Contents

1.	Planning Ahead	page 5
2.	During Your Pregnancy	page 5
3.	Legislation	page 6
4.	Collective Agreement	page 7
	General Provisions	
	Supplemental Employment Benefit [SEB]	
5.	Types of Leave /How to Apply	page 8
	General Information	page 9
	Pregnancy Leave	page 10
	Parental Leave	page 10
	Extended Parental Leave	page 11
	Unpaid Leave of Absence	page 11
6.	Employment Insurance Benefits	page 12
7.	Supplemental Employment Benefits	page 13
8.	Sick Leave Entitlement	page 14
9.	Pension Contributions	page 15
10.	Benefits	page 16
11.	Employee Assistance Program	page 18
12.	College of Teachers	page 18
13.	Return to Work	page 18
14.	Calculation of Seniority and Salary/Sick Leave Accumulation	page 19
15.	Spousal Sharing of Leave and Benefits	page 19
16.	Adoption	page 19
17.	Step-parenting	page 19
18.	Some Common Questions and Answers	page 20
	<i>Chart A: Summary of Leaves and Benefits</i>	page 21
	<i>Chart B: Pregnancy and Parental Leave at a Glance</i>	page 22

1. Planning Ahead

You face some important decisions in the months ahead. As you plan for the future, take the time at each stage to:

- Do your research and get the information you need to make the best decisions for you and your family.
- Consider your options and look at the different financial, personal, and professional implications of each carefully.
- Be aware of both your rights and responsibilities.
 - If you are not ready, do not feel pressured to make a decision before it is required.
 - Be aware of deadlines and ensure your paperwork is completed in time to receive what you are entitled to.
 - Remember you do not have to apply for pregnancy, parental and extended parental leave all at once, but can take it one step at a time.
- Keep a complete home file of copies of all your documents and correspondence with the Board, including dates. You may need this verification later.

QUESTIONS????

**Call your D12 OSSTF Executive Officer for information.
We are here to protect your interests**

2. During Your Pregnancy

This is the time to do your research and prepare yourself for the decisions ahead. Although you do not have to make all your decisions right away, it is wise to think ahead and get a clear picture of both your immediate and long-term options.

- Early in your pregnancy, get an overview of what is available to you. Find out about your rights and responsibilities by checking the following:
 - Employment Standards Act
 - Employment Insurance Act
 - Collective Agreement
 - Board policies or protocols

- Call the Employee Assistance Program for information packages on pregnancy/parental leaves, childbirth, parenting and child development, etc.
- Check into what you must do to maintain the following while on the different types of leave:
 - Professional credentials with the College of Teachers.
 - Pension contributions.
 - Benefits protection, including health and dental coverage, long term disability insurance, and life insurance.
- Find out about your options for changing and/or increasing your benefits coverage in order to ensure your family is fully protected.
- Get organized so you are prepared to “hand over the reins” to the teacher who will replace you.
 - Keep your marks up to date.
 - Ensure there is a clear course outline so the teacher replacing you can pick up where you left off.
 - Keep emergency lessons on hand in case you need to take some time off prior to the birth, or if your baby arrives earlier than expected.

3. Legislation

The rights to pregnancy/parental leave are set out in the *Provincial Employment Standards Act*.

The conditions for receiving pregnancy/parental Employment Insurance benefits are under the *Employment Insurance Act*, which is federal legislation.

Please note there are some differences between these pieces of legislation in terms of eligibility and timelines.

Provincial Employment Standards Act, 2000 [ESA]

- Check website for current Pregnancy Leave and Parental Leave provisions (www.gov.on.ca/LAB/esa).
- Statutory pregnancy leave refers to the right to take a leave under provincial law and governs the minimum pregnancy and parental leave available to parents.
- You must have at least 13 weeks of continuous employment with the same school board to qualify for Pregnancy and Parental Leave benefits.
- Under ESA, a birth mother is entitled to take a pregnancy leave of 17 weeks or less, and up to 35 weeks subsequent parental leave.
- Birth fathers, adoptive parents and/or spouses, or others covered by the definition of parent under the legislation, are also entitled to up to 37 weeks

- parental leave. This leave must begin no later than 52 weeks after the date their baby was born or the child first came into care.
- Parental leave may be taken by one or both parents and may be taken at the same time as the other parent or consecutively.
- If the birth mother has a miscarriage or stillbirth, she is eligible for pregnancy leave as long as the miscarriage or stillbirth occurred no more than 17 weeks before the due date.

Federal Employment Insurance Legislation

- Check website for updated information on Maternity, Parental and Sickness benefits at www.hrdc-drhc.gc.ca/ae-ei/pubs/special_e.html
- Check the Blue Pages in the telephone directory for the EI centre closest to you.
- To be eligible for EI maternity/parental benefits, you must have worked 600 hours in the last 52 weeks or since the start of the last claim, whichever is shorter.
- To be processed, application forms must be accompanied by the following:
 - A medical form completed by your doctor.
 - A Record of Employment from the Board.
- The birth mother may collect EI Maternity Benefits for up to 15 weeks (after two week waiting period).
- EI Parental Benefits may be collected for up to 35 weeks by biological or adoptive parents, or their partners. These benefits may be collected by either parent, or shared.

4. Collective Agreement

General Provisions

The clauses governing pregnancy adoption, parental and extended parental leaves are found in Section 4.3.0.0.0. Please review carefully. The following summary is for general information only and is in no way intended to replace the clauses of the Collective Agreement.

- The TDSB will grant Pregnancy Leaves and Parental Leaves in accordance with the Employment Standards Act.
- The teacher must discuss the dates on which the leave is to begin and end with the Principal.
- Wherever possible, Pregnancy and Parental leave dates should be mutually acceptable to the Principal and the teacher and should coincide with the school terms or the beginning/end of a semester. However, this is not mandatory.
- In addition to pregnancy and parental leaves established under provincial legislation, the Collective Agreement also provides for up to a year of Extended

Parental Leave. The Extended Parental Leave must start at the end of the teacher's parental leave and end at a natural break in the school year unless there are special circumstances where a later return will better accommodate program needs and the Director agrees to extend the leave. Please note that this condition may require a teacher to return from leave prior to the full year of extended parental leave. For example, a teacher in a semestered school going on pregnancy/parental leave in April would start Extended Parental Leave the following April. Unless otherwise agreed to, that leave would end the following January.

- Wherever possible, a teacher returning from leave will be reassigned to the same school and department, but the teacher's final placement is subject to surplus procedures.
- Upon return from pregnancy/parental leave, teachers shall be granted credit both for teaching experience and for seniority. When on an extended parental leave or unpaid leave of absence, teachers shall receive credit only for seniority.
- The TDSB continues to pay the employer's share for healthcare, dental and life insurance benefits during the Pregnancy/Parental Leave but not during the Extended Parental Leave when the teacher must assume the full cost.
- During all leaves, the teacher continues to be responsible for the full cost of Long Term Disability Insurance premiums and becomes responsible for pension contributions and payment of College of Teacher fees. Both LTDI and College of Teacher fees must be paid directly by the teacher. During pregnancy/parental leave, arrangements for payment of pension contributions may be made with the Board; however, during an extended parental leave, payments must be made directly to the Pension Board.

Supplemental Employment Benefit

This is covered in a separate section in this pamphlet. For complete details regarding the payment of the Supplemental Employment Benefit, see the latest Collective Agreement.

5. Types of Leave/How to Apply

There are several types of leave available to teachers wishing to remain home to look after a child. Each has its own requirements and timelines and the following is a summary of key points. The charts at the end of this pamphlet also provide a useful overview. Please check the relevant legislation, the Collective Agreement, and Board policies for complete details, especially those applying to unusual circumstances.

General Information

- The provincial *Employment Standards Act* covers the rights to pregnancy/parental leave. Additional conditions applying to pregnancy/parental leaves are outlined in the Collective Agreement and in Board policies; however, these conditions cannot override any of the statutory rights provided for in legislation. In some cases, previous court or arbitration decisions may have established precedents, which also apply.
- In order to qualify for a pregnancy and/or parental leave you must have at least 13 weeks employment with the School Board before the expected date of birth.
- The provisions for taking Extended Parental Leave and Unpaid Leaves of Absence are established by the Collective Agreement and through Board policies.
- Applications for pregnancy, parental and extended parental leave must be made in writing to the Board. The application is made using the Leave of Absence Request form. You may also wish to include a letter with the request. The request must include:
 - The date you wish the leave to begin your leave.
 - The date on which you request a return to duty,.
 - In the case of pregnancy leave, a doctor's certificate stating the expected date of delivery.

NOTE: In lieu of the first part of the Pregnancy Leave a birth mother is entitled to use up to six weeks sick leave immediately after the birth of her baby. See section on Sick Leave Entitlement for more information on this option.

- The start of Pregnancy and Parental Leaves may be changed if you provide at least two weeks notice prior to an earlier date, or later if notice is given two weeks prior to the date leave was to originally begin.
- Make copies of all forms/letters submitted including your medical certificate.
- Regardless of the length of the leave, every effort should be made to reach agreement in WRITING on the conditions of the leave prior to the start of the leave. This is particularly important in the case of Extended Parental Leave since the Collective Agreement stipulates the dates on which this type of leave shall end unless the Board has approved an alternate date.
- A teacher should not be pressured to apply for leaves any sooner than is required. Make sure you are certain of your plans and fully understand the implications of your decisions before you apply.

NOTE: In some situations, a teacher may be asked to extend a leave period to cover a full school year. This may result in a protecting a teacher from school surplus for that year. However the teacher should be aware that once a full year leave is requested and granted, that teaching position becomes a bona fide vacancy for the next year and will be filled by a contract teacher, not a Long Term Occasional. If plans change and the teacher wishes to return earlier, s/he may be placed in a vacancy at another school. There are also implications for pension – see section on Pensions for more information.

- Teachers who become pregnant while on leave will be granted pregnancy, parental and extended parental leaves for the next child without having to return to work. According to current agreements and Board protocol, they may also apply for an additional unpaid leave of absence at the end of the extended pregnancy leave.

Pregnancy Leave

- Under the *Employment Standards Act*, a birth mother is entitled to up to 17 weeks pregnancy leave to begin no earlier than 17 weeks before the expected birth date.
- A woman who experiences a miscarriage or stillbirth is still eligible for pregnancy leave if the miscarriage or stillbirth took place no more than 17 weeks before the expected due date.
- Using the Board form, complete and submit your Leave of Absence Request to the Board as soon as you have made a firm decision, but no later than two weeks before the pregnancy leave is to begin. As indicated above, your application must include the date on which you plan to start your leave, the date when you plan to return to work, and a medical certificate from your doctor verifying you are pregnant and stating your expected date of birth.
 - Provide a copy to the Principal.
 - Keep a copy for your files.

NOTE: A according to Board protocol, you must indicate on your Application for leave if you intend to use some or all of the six weeks of sick leave you are entitled to take after the birth of your baby. Please read the section on sick leave entitlement for more details on this option.

- If your baby is born before the start of leave, your leave will be dated from then. You must notify the Board about the change within two weeks of the birth.

NOTE: Teachers may use sick leave for pregnancy related complications prior to the birth of a child. 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 she can do.

Parental Leave

- Under the Employment Standards Act (ESA), a birth mother is entitled to up to 35 weeks parental leave to begin when her pregnancy leave ends. The birth mother must begin parental leave immediately after pregnancy leave unless the baby has not come into her care by the time the pregnancy leave ends (e.g. baby has been hospitalized since birth)

- A birth father, adoptive parent and/or spouse, and others covered by the definition of parent under ESA legislation, are entitled to up to 37 weeks of parental leave. For parents, other than the birth mother, the leave must begin no later than 52 weeks after the birth of the child, or the date when the child first came into the parent's care
- This leave may be claimed by one or both parents and may be taken at the same time or consecutively.
- Application for Parental Leave must be submitted no later than two weeks before the leave is to begin.

Extended Parental Leave

- Under our Collective Agreement, a teacher eligible for parental leave may apply for up to one year of Extended Parental Leave.
- The Collective Agreement provides that Extended Parental Leaves shall be scheduled to end on December 31st, on the last day of March Break, on the last day of a semester or after the end of the school year, unless otherwise approved by the Director. We strongly advise that you obtain confirmation in writing regarding the date of return.

NOTE: These provisions may mean that you will not be able to obtain a full year of extended parental leave in addition to your pregnancy/parental leave

- Normally, Extended Parental Leaves will begin immediately after the end of that teacher's parental leave.
- In general, the sum of a pregnancy leave, parental leave and extended parental leave cannot exceed 24 calendar months, except when an extension will better accommodate program needs. No Employment Insurance or SEB payments are made for an extended parental leave.
- Application must be made at least 30 days before the Extended Parental Leave is to begin.

Unpaid Leave of Absence

- These leaves are available to all teachers, including teachers wishing to extend the period of leave beyond what is available through pregnancy, parental and/or extended parental leaves.
- The terms of unpaid Leaves of Absence are outlined in the Collective Agreement and the Staffing Handbook. Please note the application deadlines for these leaves. If the deadlines are not met, they are subject to the approval of the Director
- These Leaves must be applied for on an annual or semi-annual basis, but normally cannot exceed two years in total. These two years are in addition to the

one-year of pregnancy/parental leave. Please note, however, that Board protocol now states that an extended parental leave is included as part of the two-year limit on unpaid leaves of absence.

- Since unpaid Leaves of Absence are timed to coincide with the end of the school year or the semester (December 31 in full-year schools), a teacher will need to work out the timing of the various leaves in order to ensure they are continuous. Please note, however, that an unpaid leave of absence does not have to be taken immediately after parental leave ends.

6. Employment Insurance Benefits

General Information

- The conditions applying to pregnancy/parental EI benefits are set out in federal Employment Insurance legislation.
- To be eligible for EI maternity/parental benefits, you must have worked 600 hours in the last 52 weeks or since the start of the last claim, whichever is shorter.

Maternity Benefits

- A birth mother may begin the pregnancy leave 17 weeks prior to delivery; however, under federal Employment Insurance legislation, she is not eligible for EI benefits until 8 weeks before the birth.
- EI benefits will also not be paid later than 17 weeks after birth.

Parental Benefits

- Under Federal Employment Insurance legislation, biological or adoptive parents, or their partners, can collect EI parental benefits, or these benefits may be shared. If shared, only one waiting period must be served per birth or adoption.
- Parental EI benefits for biological parents are payable within the 52 weeks following the child's birth date. For adoptive parents, the benefits are available only within the 52 weeks from the date the child is placed with the parent(s).

Applying for EI benefits

- Complete and submit your application for Employment Insurance benefits immediately after your last teaching day and no later than 7 days after the birth of your child. You will also need:
 - A medical certificate from your doctor.
 - A Record of Employment (ROE) from the Board.

- Do not delay your application for EI benefits if you don't have your medical certificate or ROE, but remember that your EI application will not be processed until you submit these documents so do this as quickly as possible.

7. Supplemental Employment Benefit

Eligibility

- A teacher who has been granted Pregnancy Leave who has applied for and is in receipt of EI pregnancy benefits.
- A teacher who has been granted Parental Leave for the purposes of adopting and who has applied for and is in receipt of EI adoption benefits.

Applying for the Supplemental Employment Benefit

- Complete and submit your application for the Supplemental Employment Benefit (SEB) using the form provided by the Board.
- To obtain these benefits a teacher must also provide proof that shows the teacher is in receipt of EI benefits and also shows the weekly amount to be paid by Human Resources Development Canada (HRDC). A teacher must be in receipt of EI benefits before any SEB becomes payable, including the SEB payment covering the two-week waiting period.
- The teacher must sign an agreement with the Board that the teacher will return to work after the pregnancy leave, or parental leave for the purposes of adoption, prior to submitting any resignation. This condition also applies if the Board approves any subsequent leave. If a teacher does not return to the Board after these leaves, the SEB benefit shall be repaid to the Board.

Benefit Paid

- Seventy-five dollars (\$75.00) per week will be paid for up to 15 weeks following the two-week EI waiting period, provided the teacher continues to receive EI benefits.
- For the two week waiting period before EI benefits begin, the benefit level under the plan will be set at a weekly rate equal to 90% of the teacher's weekly insurable earnings as determined by HRDC.

NOTE: No SEB shall be paid for any week between the last school day in June and the first school day in September, unless the teacher is a 12-month Coordinator/Assistant. EI benefits are paid during this time.

8. Sick Leave Entitlement

The total amount of sick leave you may use is limited to the number of sick leave credits available to you. All sick leave taken will be deducted from credits.

Before the Birth

With evidence from a medical practitioner, you are entitled to use sick leave for any complications related to your pregnancy or for any other illness prior to the beginning of your pregnancy leave. This use of sick leave does not impact on your pregnancy leave or on the use of up to six weeks sick leave after the birth.

After the Birth

According to recent arbitration victories, the birth mother is entitled to up to six consecutive weeks of sick leave following the birth of a child, provided she has sufficient sick leave credits. The counting of the six weeks begins the day after the birth of the child. The use of sick leave is counted as part of the 52 weeks of the pregnancy/parental leave time and may not be used in addition to those leaves.

Note: Sick leave cannot be used to cover holiday periods. For example, if March Break falls during the six week time period after the birth, the teacher is eligible to take only five weeks sick leave. If the baby is born at the beginning of July, no sick leave may be used after the birth.

- If you elect to use sick leave after the birth, you will receive full pay, and benefits and pension coverage for that period. However, use of sick leave after birth does not extend pregnancy leave or entitlement to EI benefits. You cannot collect EI benefits while on paid sick leave. SEB payments will commence only after EI benefits are being received
- You may request sick leave for a period shorter than six weeks. The impact on pregnancy leave, EI benefits and SEB will correspond to this shorter period.
- You may apply to use this sick leave even if your pregnancy leave begins before the birth of your child. In this situation, the use of sick leave would interrupt your pregnancy leave and EI payments and you would go back on pregnancy leave/EI entitlement at the end of the sick leave period.
- You may be able to claim sick leave over and above the six weeks after the birth of your child if there are medical complications resulting from the birth and you have sick days remaining in your account. Medical evidence is necessary to access this additional sick leave.

NOTE: According to current Board protocols, the request to use sick leave after the birth must be submitted with the application for pregnancy leave. If you decide not to use the sick leave later, you may rescind this request.

Use of Sick Leave after Leave Ends

If you are unable to return to work at the end of your leave, due to a pregnancy related illness, you can access your sick leave credits without returning to work.

NOTE: Should you become ill while still on leave, you should consider ending your leave and going on sick leave so you can receive pay using your sick leave credit rather than remaining on an unpaid leave of absence. If you have long-term health problems you may also be eligible for Long Term Disability payments, provided you are enrolled in the plan.

Employment Insurance Sickness Benefits

If you are ill during your pregnancy and run out of sick days, you may be eligible for up to 15 weeks from Employment Insurance. Please check the website or contact your EI office for more information.

9. Pension Contributions

The rules concerning Teachers' pensions have important retirement implications for teachers taking leave from the Board. It is the teacher's responsibility to secure information regarding obtaining credit for pension experience and how to make payments when on leave for any reason.

General Information

- Qualifying years refer the years you may count towards reaching your 85 factor – i.e. the date you may retire with an unreduced pension.
- Credit years refers to the years in which you have made pension contributions. Your credit years determine the amount /value of your pension when you retire.
- If you teach for at least ten (10) days of a school year, you will gain a full qualifying year towards the date when you may retire (85 factor). This may have important implications for the timing of your leaves. Please note, however, that a qualifying year is not the same as a credit year and in order to gain pension credit for the time on leave, you will have to make contributions to the Pension Plan.(i.e. buy pension credits).
- If you do not teach at all during a school year, or for ten days or less, you will not earn a qualifying year. In order to obtain that qualifying year, you must buy at least ten days pension credit.
- The Pension Board determines the cost of buying back pension credits. Please contact them directly regarding your personal situation.

Making Pension Contributions While on Leave

- Under the Employment Standards Act, your employer will continue to make your pension contributions during your pregnancy/ parental leave, unless you waive this benefit. However, you must reimburse the Board for your total pension contributions. Arrangements to do this must be made with the Board prior to taking your leave. Teachers must complete the TPP Application and submit it to the Board.
- Teachers may also make pension contributions while on Extended Parental Leave or an unpaid Leave of Absence. However you must make your contributions directly to your pension plan rather than through the board.

CAREFULLY WEIGH YOUR OPTIONS BEFORE MAKING A DECISION. It may seem expensive to make pension contributions while on leave; however, the financial implications of not contributing to your pension plan while on leave 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.

For more information, contact:

Ontario Teachers' Pension Plan at (416) 226 2700
Toll free, if out of Toronto area 1 800 668 0105
Ask for brochure called "Buybacks for Absences"
e-mail member_inquiry@otpp.com
website www.otpp.com

10. Benefits

You will be sent a questionnaire after you apply for leave asking which benefits you wish to continue. **We strongly advise that teachers maintain their benefits during their leave period as there are limits placed on re-enrollment and on what is covered if benefits packages are allowed to lapse.** If you do choose to let your benefits lapse, please contact the Board and the LTDI plan after you return and arrange to re-enroll as soon as the limitations allow.

Health care, Extended Healthcare and Dental Benefits

- The Board will continue to pay its share of the benefits package – 100% of Healthcare and Extended Health; 94% of Dental - during pregnancy and parental leave. During Extended Parental Leave or a Leave of Absence without pay, the teacher is responsible for the full cost of maintaining benefits and must make arrangements with the Board regarding payment in order for benefits to continue.
- If you cancel the Dental Plan, there are severe penalties. A teacher who has “opted out” may not opt back in for a period of one year. Thereafter, you may opt in on the first day of any month; however, the maximum amount payable from the plan during the first 12 months of coverage after opting back in is \$100.00 per person

We strongly recommend that you do not cancel your Healthcare, Extended Healthcare or Dental Plan while on leave.

Long Term Disability Insurance

- The premium paid while on leave is based on the monthly salary applicable on the day immediately preceding the first day of leave. You must make arrangements to pay your premiums directly to Teachers' Life while on leave.
- If a teacher discontinues the LTDI plan for the leave period, s/he will have to reapply upon returning to work. A medical report will be required and pre-existing conditions that developed at any time prior to the reapplication will not be covered. In addition, a teacher must work for twenty continuous days before coverage will exist.

Note: If you are enrolled in the Long Term Disability Plan and become disabled during your leave, you should immediately rescind your leave and go on sick leave while you apply for disability. This will put you back on full salary and begin the waiting period you must serve before disability benefits can start. .

We strongly recommend that you do not cancel your LTDI coverage.

Life Insurance

The Board will pay the employer's share during pregnancy/parental leave, but not during extended parental leave.

We strongly advise you not to cancel your Life Insurance.

11. Employee Assistance Program (EAP)

The Employee Assistance Program Is a benefit paid for by the Board and to which all teachers are entitled. This is a voluntary, confidential counselling and information service. You may reach EAP by phoning 905-207-4717. EAP has information packages available on a whole range of issues related to pregnancy/parental rights and child development. It also offers family and financial counselling.

12. College of Teachers

Teachers are reminded that they are responsible for the payment of the College of Teachers fee while not receiving salary from the TDSB. Contact the College to make the payment and keep yourself in good standing.

We strongly recommend that you do not let your membership lapse or you may have to re-apply and write the teacher qualifying test.

13. Return to Work

Teachers will return to the position held prior to the leave, subject to the rules of surplus and placement. A teacher on leave must be treated according to the same rules of seniority and surplus as any other teacher. Anyone who believes s/he has been treated unfairly in this regard should contact an Executive Officer at the District Office.

Pregnancy/Parental Leave

- The Employment Standards Act requires a teacher to advise the Board In writing with four weeks notice that s/he intends to resume her duties after a pregnancy or parental leave. This means that you can end your leave earlier than originally planned if you provide 4 weeks written notice prior to the new date on which you intend to return to work. Similarly, you may return later than originally specified if four weeks notice is given before the original return date.
- Please note that the length of a pregnancy/parental leave may not extend beyond statutory limits.
- If a birth mother doesn't specify a return date from pregnancy leave, the Board may assume she will take the full 17 weeks.

Extended Parental Leave/Unpaid Leave of Absence

- The dates for ending extended parental leaves or unpaid Leave of Absence may only be changed by mutual consent. Please note that if such a leave is rescinded early, a teacher will be placed in a school where a suitable vacancy exists for the remainder of that school year.

14. Calculation of Seniority and Salary/ Sick Leave Accumulation

- Teachers continue to accumulate seniority and salary credits while on pregnancy and/or parental leave.
- During extended parental and general leaves of absence without pay, a teacher accumulates seniority credits only.
- Sick leave does not accumulate during the period of absence if the absence covers a full school year. Sick days will be pro-rated for part-year leaves.

15. Spousal Sharing of Leave and Benefits

- Under legislation, only the birth mother is eligible for pregnancy leave and maternity EI benefits.
- Either or both parents may take parental leave. Leave may be taken at the same time or consecutively. EI parental benefits, however, may only be claimed by one parent or shared between two partners. If shared, only one waiting period need to be served per birth or adoption.

16. Adoption

Many of the same rules for leave and benefits apply to adoption. Please check the above sections for more information on length and timing of leaves, as well as access to EI. Complete details can be found in the Employment Standards Act, the Employment Insurance Act and the Collective Agreement.

17. Step-parenting

Under the Ontario Employment Standards Act, a man or woman who becomes a step-parent or is in a relationship of some permanence with a parent of a child and who plans on treating the child as his or her own can take a parental leave. S/he is entitled to all the protections provided under the legislation.

18. Some Common Questions and Answers

Sick Leave Entitlement OR What's the downside to using sick leave after birth?

Though the possibility exists to take sick leave for up to six weeks after birth, you may not want to do so. It is an attractive idea to think you will receive your full wages; however, do you have enough accumulated sick credits? If you are a relatively new teacher you may not have enough sick credits. You must also keep in mind that when you do come back to work, you may become sick or require time to look after a sick child, and it is wise to leave yourself some credits for use. If you have used up your sick leave credits, you will have to go on unpaid sick leave. There is a tradeoff. Serious thought should be given to your decision. Remember that you do not have to take the full six weeks if you should decide to use sick leave after birth.

Pension Buyback OR Is it worth my while to pay for my pension while I'm off?

The possibility of buying your pension back in the future is there. However, it is a very costly venture. You don't just pay back the amount you would have contributed, but rather, the current actuarial cost. So unless you have an extra \$25,000-\$30,000 at your disposal, you may not be able to afford to buy back in the future. Keep in mind that contributing to your pension while on leave is both a tax advantage and adds an extra year of service – allowing you to retire according to your schedule on an unreduced pension.

Benefits, LTDI, and College of Teachers Fee OR What do I stand to lose?

Some members may have extended health care/dental benefits available through a partner. However, for those who don't, if you don't keep up the premiums thus allowing your coverage to lapse while on leave, you could find yourself paying a lot of money for prescription medications, unexpected dental work, etc. Loss of income resulting from disability is also a serious concern – especially now that you have a family to support. No one ever plans to get seriously ill; it is wise to ensure you remain covered! Even those who are eligible for coverage through their partner should consider the tradeoffs seriously before deciding to let their own coverage lapse.

Sharing your Leave with your Partner OR Can my partner also parent?

The opportunity exists for the mother to share parental leave and EI benefits with her partner. This may be a desirable option in situations where a spouse or partner wants to take on a greater role in the baby's development. In some cases, teachers have used this option when their partner earns less since this allows the higher wage earner to remain in the workforce.

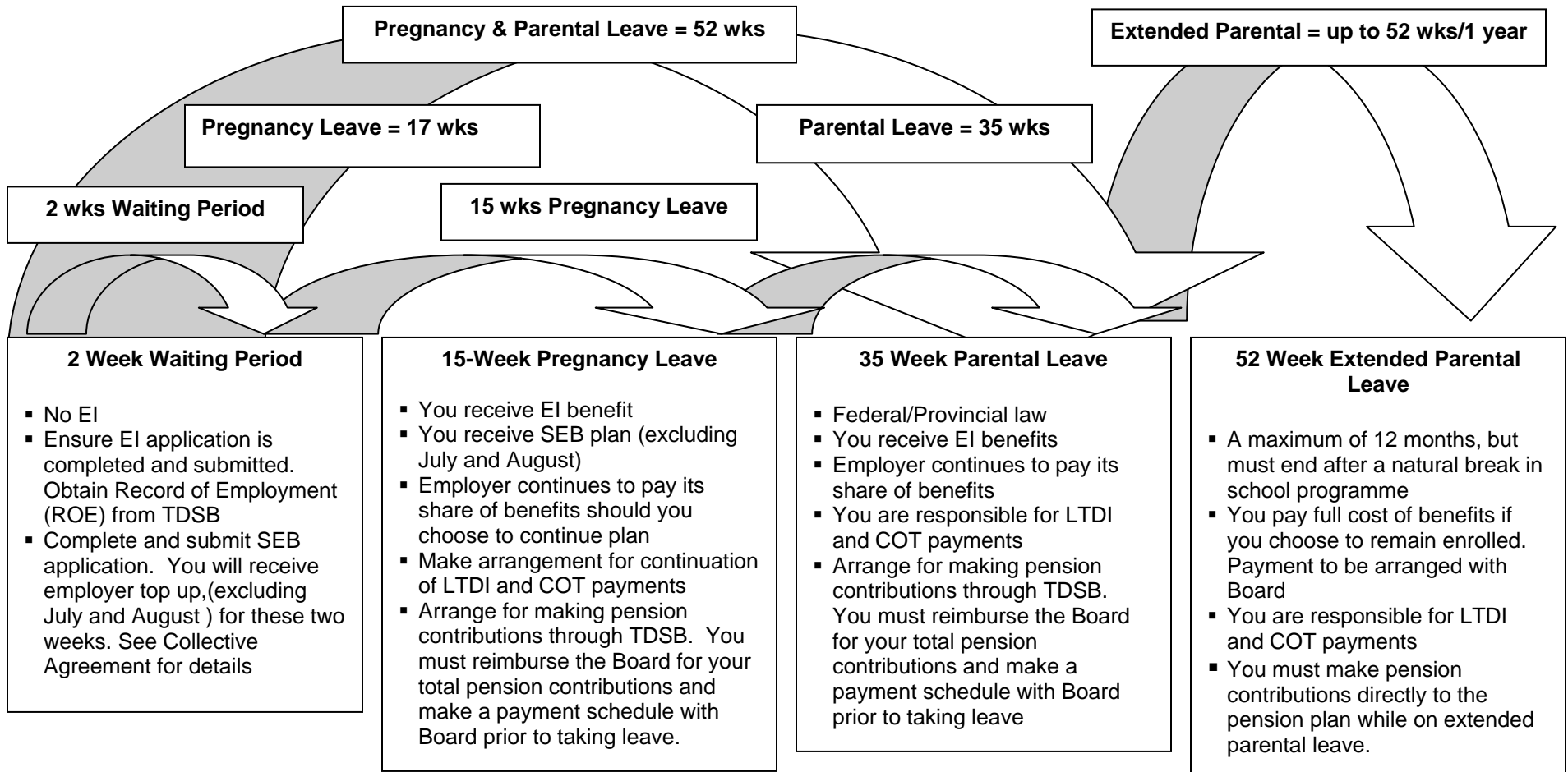
Financial Considerations OR Can I make ends meet?

Remember that the combined value of EI benefits and the SEB will be substantially less than your current take home pay. Note also that the SEB is not paid during the summer and that you will have to consider the additional costs of covering benefit premiums or making pension contributions.

CHART A: SUMMARY OF LEAVES AND BENEFITS

Type of Leave	Length	Inform Board	EI Benefit	SEB Plan**	Other Information
PREGNANCY	17 weeks Available only to birth mother	2 weeks before the leave is to begin, according to Employment Standards Act	2 weeks waiting period 15 weeks benefit	Must provide proof of receipt of EI benefits 2 week waiting period = SEB plus employer top up 15 weeks = SEB payment	Employer responsible for employer share of benefits Teacher responsible for LTDI and CoT payments Teacher may opt to continue OTPP contributions through Board, but must reimburse the full cost. Repayment schedule must be made with Board prior to leave
PARENTAL	35 weeks for birth mother, 37 weeks for other parents under the ESA. May be taken at the same time or consecutively	2 weeks before the leave is to begin.	35 weeks for biological or adoptive parents and/or their partners. May be used by one parent or shared..	None	Same as above
EXTENDED PARENTAL	Up to 52 weeks. Must return after one of the natural breaks by prior arrangement with Board	4 weeks before the leave is to begin. Since extended parental leave must end at one of the natural breaks, it is recommended that members consider arrangements carefully and well in advance	None	None	Teacher is responsible for full cost of benefits and must continue to make arrangements to pay LTDI and CoT costs Pension contributions must be made directly to OTPP
UNPAID LEAVE OF ABSENCE	Application for full or half year.	Application must be made by deadlines established in Collective Agreement. Leaves are based on school calendar		**NOTE: If a teacher decides to resign & not return to work, she will have to pay back the SEB plan to the Board	Same as above

CHART B: PREGNANCY, PARENTAL AND EXTENDED PARENTAL LEAVE AT A GLANCE



NOTE: If you choose to use some or all of the 6 weeks sick leave to which you are entitled after the birth of your child, your eligibility for EI and SEB benefits will be reduced for those same weeks. For example, if you use 6 weeks sick leave you will be paid in full for those weeks, but your EI and SEB eligibility will be reduced. [6 weeks sick leave (full pay, but loss of sick leave credits) + 2 weeks waiting period (SEB and employer top up/ No EI) + 9 weeks (EI/SEB) = 17 weeks of pregnancy leave] Use of sick leave does not extend pregnancy leave.