



MATERNITY LEAVE – SUPPORT STAFF

Policy E.3.A

An employee who is pregnant is eligible for maternity leave pursuant to *The Employment Standards Code*.

Information: [The Employment Standards Code](#)

Adopted September 1, 2009		
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Two maternity leave plans are available for support staff.

PLAN A

1. Eligibility

- a. A pregnant employee who has been employed by the Division for at least seven (7) consecutive months is eligible for unpaid maternity leave pursuant to *The Employment Standard Code*. A maternity leave must begin not earlier than seventeen (17) weeks before the date of delivery estimated in the medical certificate and end not later than seventeen (17) weeks after the date of delivery.
- b. Subject to c. below, an employee who is eligible for maternity leave is entitled to the following maternity leave:
 - i. if the date of delivery is on or before the date estimated in a medical certificate, a period of not more than seventeen (17) weeks; or
 - ii. if the date of delivery is after the estimated date, seventeen (17) weeks and a period of time equal to the time between the estimated date and the date of delivery.

A maternity leave must begin not earlier than seventeen (17) weeks before the date of delivery estimated in the medical certificate and end not later than seventeen (17) weeks after the date of delivery.

- c. An employee who is eligible for maternity leave shall:
 - i. as soon as practicable, provide the Principal/supervisor with a medical certificate giving the estimated date of delivery; and
 - ii. give the Principal/Supervisor not less than four (4) weeks' written notice of the date she will start maternity leave.
- d. An employee who is eligible for maternity leave but who does not give at least four (4) weeks' written notice before leaving the employment is still entitled to maternity leave if, within two (2) weeks after stopping work, she gives notice and provides the Principal/supervisor with a medical certificate
 - i. giving the date of delivery or estimated date of delivery, and
 - ii. stating any periods of time within the seventeen (17) weeks before the date of delivery or estimated date of delivery that the normal duties of the employment could not be performed because of a medical condition arising from the pregnancy.

2. Process

- a. An employee who has been granted maternity leave shall be permitted to apply up to a maximum of five (5) days of accumulated sick leave against the Employment Insurance waiting period.
- b. Applications for maternity leave must be submitted to the Principal/supervisor and the Area Superintendent with a copy to Human Resources for processing.
- c. An employee who takes maternity leave and parental leave shall take them in one (1) continuous period.
- d. The Division will reinstate the employee in the position occupied at the time the leave began or in a comparable position with not less than the wages and any other benefit earned by the employee immediately before the leave began.

PLAN B (Supplementary Employment Benefit Plan, SEB Plan)

1. Eligibility

In addition to the above, full-time, permanent employees are eligible for Plan B maternity leave benefits. In order to be eligible to receive payments under Plan B, employees must be permanent full-time or permanent part-time (not term/temporary/casual) during the period when maternity leave benefits may be paid by Frontier School Division. The employee shall provide the Division with proof that she has applied and is eligible for Employment Insurance Maternity benefits.

2. Benefits

Employees eligible for Plan B maternity leave are entitled to the following benefits:

- a. For the first one (1) week (waiting period) an employee shall receive payment equivalent to ninety percent (90%) of gross salary;
- b. For the next immediate fifteen (15) additional weeks, the employee shall receive payment equivalent to the difference between the Employment Insurance benefit the employee is eligible to receive and ninety percent (90%) of gross salary;
- c. For the last one (1) week period in week seventeen (17) the employee shall receive equivalent to ninety percent (90%) of gross salary;
- d. The employee shall provide a letter from Human Resources Development Canada (HRDC) that confirms approval of EI benefits amount with effective dates for maternity benefits in order to calculate benefits under Plan B.

- e. Where a portion of the maternity leave falls during the summer break, winter break, spring break or any other period where the employee is not earning salary, the employee is not entitled to receive top-up benefits for that portion of the maternity leave. The break periods shall count toward the fifteen (15) additional weeks.

3. Process

Employees applying for maternity leave under Plan B shall sign a Memorandum of Understanding with the Division agreeing to return to work for at least six (6) months following the maternity leave. If the employee fails to return to work, the full amount of maternity benefits paid by the Division as a maternity allowance shall be repaid in full.

4. Sick Leave and Vacation Benefits

During the period of maternity leave, sick leave and vacation benefits will be maintained but will not accrue.

5. Other Provisions

All other leave provisions governing maternity leave shall be in accordance with *The Employment Standards Code* and as outlined in part in Plan A.

Adopted September 1, 2009	Revised January 16-17, 2017	Revised March 12-13, 2019
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