

ETFO Thames Valley Teacher Local



**Pregnancy and Parental Leave
Workshop**

Tuesday, April 9, 2024



Checklist for Pregnancy / Parental Leaves

- Review your local Collective Agreement language regarding a Supplemental Employment Benefits Plan and Pregnancy, Parental and Extended Leaves of Absence. (L12–Pregnancy, L13-Parental, L14-Adoption)
- Contact your ETFO Local (or the ETFO Provincial office to discuss your options).

**Your Local is Here
to Help**

Notice Requirements



The Employment Standards Act (ESA) outlines minimum notice requirements:

- You are required by law to provide 2 weeks written notice of the date your leave will begin (this is a minimum, it can be more).
- The written notice is The Application for Pregnancy / Adoption / Parental Leave.
- The Application 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 birth (or still-birth or miscarriage) occurs earlier than the expected date of birth.
- See page 1 of the Pregnancy / Parental Leave Information Book for details.

Notice Requirements

Collective Agreement Article L12.02

Requests for Pregnancy Leave shall be made in writing on the **Application for Pregnancy / Adoption / Parental Leave Form** and submitted to matleaves@tvdsb.ca as far in advance as possible but in no case any later than 2 weeks before the expected date of birth.

- The form can be submitted via e-mail or faxed to 519-452-2478.
- Your leave may start on your due date or earlier if you wish.
- The termination date for a full 52 week leave is a year minus 2 days from start date.

For example, if your leave begins October 26 of year 1, your termination date is October 24 of year 2. Your first day back to work is October 25.



Notice Requirements to Change Your Leave Period

- To change the date for beginning your Pregnancy / Parental Leave (adoption) = at least **2 weeks**.

(Collective Agreement Articles L12.10, L13.12 and L14.10)

- To change the date for ending your Pregnancy / Parental Leave (adoption) = at least **4 weeks**.

(Collective Agreement Articles L12.11, L13.13 and L14.11)

- Extended Parental Leave (not to exceed one year)

(Collective Agreement Articles L13.15, L13.16, L14.13, and L14.14)

Pay

- Your salary is based on 194 working days.
- The amount of pay you receive does not always match the amount of time you have worked.
- See the ETFO Thames Valley Teacher Local website under “Resources” for “Going on Leave” and “Returning from Leave” pay examples.



Going On Leave

Example

- Working until April 5, baby is due April 11

- Total Pay Received by April 5

16/26 (Salary x 16/26 = Amount Paid)

(\$72,800 x 16/26 = \$44,800.00)

- Total Pay Earned by April 6

Number of Days Worked 135 x \$72,800 = \$50,659.79

Number of School Days 194

Going On Leave

Example continued...

Compare

Amount Earned	\$50,659.79
<u>Amount Paid</u>	<u>\$44,800.00</u>

- Earnings Adjustment \$5,859.79 (added to your final pay)
- This adjustment is your **FINAL PAY**. There will be no further “summer pay.”

Going on Leave Worksheet

Personal Example Now It's Your Turn.



ETFO THAMES VALLEY TEACHER LOCAL

2911 Bateman Trail
London, Ontario N6L 0A6
Telephone: (519) 474-3150 / Fax: (519) 474-3664
Website: www.etfothamesvalley.com
E-mail: etfovtl@etfothamesvalley.com

Going On Leave

Example:

Pick a date (real or hypothetical) that your leave will start:

Working Until: _____

Baby Due: _____

Total Pay Received by Date:

$$\frac{\text{_____}}{\text{(Salary)}} \div 26 \times \frac{\text{_____}}{\text{(# of Pays to Date)}} = \$ \frac{\text{_____}}{\text{(Amount Paid)}}$$

$$\frac{\text{_____}}{\text{(# of Days Worked)}} \div 194 \times \frac{\text{_____}}{\text{(Salary)}} = \$ \frac{\text{_____}}{\text{(Amount Earned)}}$$

$$\$ \frac{\text{_____}}{\text{(Amount Earned)}} - \$ \frac{\text{_____}}{\text{(Amount Paid)}} = \$ \frac{\text{_____}}{\text{(Earnings Adjustment Added to Final Pay)}}$$

Returning From Leave

Example

- A teacher returning from leave will receive pay for days worked.
 - Returning April 22
Normal Gross Bi-Weekly Pay:
 $1/26 \times \$72,800 = \$2,800.00$
- But
- Returning Pay is from April 22 to June 28 = 49 school days

Returning From Leave

Example continued...

Entitled Pay is:

$$\frac{\text{Number of days to be worked}}{\text{Number of days in school year}} \times \$72,800 = \$18,387.63$$

49 x \$72,800 = \$18,387.63
194

Returning From Leave

Example continued...

- With 9 pay periods left from April 22 to August 31, you would receive 1/9 of \$18,387.63 on each remaining pay period.
- $1/9 \times \$18,387.63 = \$2,043.07$
- That is \$756.93 LESS for EACH bi-weekly pay compared to the teacher who has worked all year.
($\$72,800/26 = \$2,800.00$)

Return from Leave Worksheet

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Returning From Leave

Example:

Pick a date (real or hypothetical) that you will return to work: _____

$$\frac{\text{_____}}{\text{(Salary)}} \div 26 = \$ \frac{\text{_____}}{\text{(Gross Bi-Weekly Pay)}}$$

$$\frac{\text{_____}}{\text{(# of Days to be Worked)}} \div 194 \times \frac{\text{_____}}{\text{(Salary)}} = \$ \frac{\text{_____}}{\text{(Entitled Pay)}}$$

$$\$ \frac{\text{_____}}{\text{(Entitled Pay)}} \div \frac{\text{_____}}{\text{(# of Pay Periods Remaining)}} = \$ \frac{\text{_____}}{\text{(Gross Bi-Weekly Pay)}}$$

Determining Your Deductions

- Print out a copy of your latest pay stub from the Board. This will show you your current bi-weekly deductions.
- You must continue to pay LTD premiums.
- You may choose to keep making your pension payments.
 - Use existing RRSP funds to pay your pension
 - Buy back your pension credit within five (5) years
 - Take a lower pension or work longer to reach your 85 factor
- Your benefit premiums will remain the same during your Pregnancy / Parental Leave for any optional or supplemental coverage you have selected.
- If you work less than 1.0 FTE you will have to continue to pay your portion to maintain coverage while on leave.
- If you take an Extended Leave, you will need to pay 100% of the benefit premium to maintain your benefits.

LTD Review – 2 Year Provision

The group LTD policy states the following:

A Member's coverage will be continued subject to payment of premiums, while the Member is absent from work due to an approved Leave of Absence, to a maximum of 24 consecutive months, or the number of years negotiated under the collective bargaining agreement. An additional approved Leave of Absence where the Member does not return to work is considered a continuation of the original approved Leave of Absence.



Collective Agreement Entitlements

Supplementary Employment Benefit (SEB) Plan

- See pages 8, 9 and 10 in the Pregnancy / Parental Leave Information Book
- Article C11.20 and L12.06 – Pregnancy Leave
8 weeks (max. 40 days)
- Article L13.07 – Parental Leave
2 weeks only (max. 10 days)
- Article L14.05 – Adoption Leave
2 weeks only (max. 10 days)
- In order to access the SEB Plan, you must apply for EI. You must provide proof that you have served the unpaid waiting period.
- Article L13.07 and L14.05 are currently being reviewed as the unpaid waiting period for EI has changed to one week.

Collective Agreement: Supplementary Employment Benefit (SEB Plan)

C11.20 Pregnancy Leave

- a) The Employer shall provide for permanent and long-term occasional teachers a SEB plan to top up their E.I. Benefits. The teacher who is eligible for such leave shall receive 100% of salary for not less than (8) weeks of pregnancy leave less any amount received under the Employment Standards Act during such period. There shall be no deduction from sick leave or the Short Term Leave Disability Program (STLDP).
- b) Teachers not eligible for employment insurance benefits or the SEB plan will receive 100% of salary from the employer for a total of not less than eight (8) weeks with no deduction from sick leave or STLDP.

- Apply for this benefit in writing to Human Resources once you have received notice from EI that you have served your waiting period.
- You MUST apply for this benefit.
- This can be a print screen of the Service Canada EI page titled, “My Current Claim,” either faxed, scanned and e-mailed, or a picture of this screen will also work if it is legible and your name is visible. It must include the row identifying the Waiting Period (which sometimes shows up on the third or fourth week of the claim).
- If you do not qualify for EI Pregnancy Benefits, you must send a letter indicating that you will not be receiving funds and the full amount will be topped up for 8 weeks.

Welcome to My Service Canada Account



www.servicecanada.gc.ca
to apply for EI Benefits

See page 11 of the Pregnancy / Parental Leave Information Book.

Applying for EI Benefits

What Information Is Required?

- your **Social Insurance Number (SIN)**;
- a Record of Employment (ROE) from each job held over the last 52 weeks (sent electronically by the Board to EI);
- personal identification such as your driver's license, birth certificate or passport if you are applying in person;
- banking information so your payment can be deposited into your bank account;
- a certificate of adoption for adoptive parents who are applying for parental benefits; and
- a medical certificate indicating how long your illness is expected to last, if you are claiming sickness benefits.
- As of September 2022 the EI hours required to qualify may vary by region (600-700 hours).

ESA Entitlements Regarding Benefits

The *Employment Standards Act* in Ontario provides the following additional entitlements:

Benefit Plans

- The right to continue to participate in benefit plans including pension, life insurance, extended health, LTD, etc.



Regarding Benefits

- Your Basic Life, Health and Dental premiums continue to be covered while on the statutory leave.
- To see what your supplemental and optional benefit premiums will be, check my benefits at otip.com.
- TVDSB teachers must continue to pay LTD premiums while on leave.

(Collective Agreement Articles L12.09, L13.10, and L14.08)

To see what this amount would be check your most recent pay stub.

- You **MUST** add your child(ren) within 31 days of birth or for adoption within 31 days of coming into your care and custody.
- See pages 12-15 and 29 of the Pregnancy / Parental Leave Information Book for details.

Please Note

- The ETFO ELHT plan includes Out of Province/Out of Canada Emergency Services.
- The plan does provide coverage for a sudden, unexpected injury or a new medical condition which occurs while a covered person is travelling outside of their province of residence.
- This coverage is available for medical emergencies related to pregnancy as long as travel is completed at least 4 weeks before the due date.

ESA Entitlements Regarding Pension Plan Contributions

1-800-668-0105 (OTPP)

- Under the *Employment Standards Act*, your employer will continue to make your pension contributions during your Pregnancy and / or Parental Leave, unless you waive this benefit.
- This applies if you have worked 13 or more weeks with the Board. You must reimburse your employer for your total pension contributions. It is necessary to arrange a payment schedule with the Board prior to taking your leave.
- See pages 15 and 16 of the Pregnancy / Parental Leave Information Book.

Pension Plan Contributions *continued...*

How long can you contribute?

- You can contribute while on the statutory portion of your Maternity leave. The pregnancy leave portion can begin no earlier than 17 weeks before the expected date of birth. The parental leave portion starts immediately following the end of the pregnancy leave.
- If you adopt a child you can contribute up to 37 weeks for a Parental Leave.

Pension Plan Contributions *continued...*

How do you make arrangements with the school board?

- You must complete the Teachers' Pension Plan (TPP) Application and submit it to the school board. The Board will arrange the payment schedule with you and send TPP your pension contributions during the leave. To see what this amount would be, check your most recent pay stub.

What if you take an extended leave of absence?

- You may continue making pension contributions for longer than the statutory periods. However, you must make your contributions for the extended period directly to your pension plan rather than through your employer. Contact TPP for an "Application to Buy Credit" form.

New www.otpp.com/babysteps. You can download Babysteps to track your payments, buyback deadlines and balances right on your iPhone or iPad.

Pension Plan Contributions *continued...*

What happens if you waive the right to contribute?

- The amount of your pension will be less than it would be with the additional credited service. Less credit means a lower pension, unless you teach an extra year later on.
- It may postpone the date you can retire with an unreduced pension.
- It will cost more to purchase the credit later. If you waive your right and decide later to purchase credit for your leave it will be more expensive. Interest will be added.
- If you return to a position less than your full FTE (take a part-time leave), you are not eligible to purchase pension credit as if you are working full-time. Recent changes to part-time pension paybacks may allow some credit to be purchased. Contact OTPP at 1-800-668-0105 to inquire.

Fifth Disease

- See pages 22 and 23 of the Pregnancy / Parental Leave Information Book for details.
- Request a blood test (covered by OHIP), before you become pregnant or as soon as you become pregnant.

Employees who are absent from work for the following reasons:

- With the symptoms, or
- Pregnant employees in the first half of pregnancy, awaiting results of the blood test, or
- Pregnant employees off work with a doctor's note, or
- Have a chronic blood disorder or depressed immune system and are susceptible to Fifth Disease, are to be coded in TVARRIS as absent due to illness.

(From the *TVDSB's Fifth Disease Procedure – Employees*)

Note to Probationary Teachers

- Time on Pregnancy / Parental Leave does not count toward your 10 month probationary period.

ESA Entitlements Regarding Seniority

- Length of employment.
- Right to continue to accrue seniority and service.

ESA Entitlements Regarding Discipline

Right to be free from discipline

- The *Act* prohibits the employer from disciplining or discriminating against an employee who is on a leave or may be preparing to go on a leave.

ESA Entitlements Regarding Reinstatement

Right to Reinstatement

- Right to be reinstated to the position if it still exists.
(*Collective Agreement Articles L12.12, L13.14 and L14.12*)

Collective Agreement - Leaves

- Extended Parental / Extended Leave
(Collective Agreement Article L13.15)
- Part-time Leave
(Collective Agreement Article L29.00)





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