



# Pregnancy and Parental Leave & Benefits

# FAQ

# PREGNANCY AND PARENTAL LEAVE & BENEFITS

## FAQ

*Congratulations* on welcoming a new addition to your family! PARO is committed to helping you understand the leave time and benefits that you are entitled to during this time.

Pregnancy and parental benefit information can be found under Article 11.5, 14.1, and 15 of the PARO-OTH Collective Agreement. As well, information about your Employment Insurance benefit entitlements can be found on the Service Canada website at [www.servicecanada.gc.ca](http://www.servicecanada.gc.ca)

### How long are pregnancy and parental leave?

Pregnancy leave, which applies only to a birth or surrogate mother, is 17 weeks.

Parental leave applies to all new parents. There are two options available for parental leave, standard or extended.

Standard parental leave can be taken for a maximum of 35 weeks for a birth mother who also takes pregnancy leave and 37 weeks for all new parents who do not take pregnancy leave (e.g. non-birth mothers, fathers and adoptive parents).

Extended parental leave can be taken for a maximum of 61 weeks for those that also take pregnancy leave, or 63 weeks for those that do not take pregnancy leave.

### Will I receive Employment Insurance (EI) benefits?

Eligible employees on pregnancy and/or parental leave are entitled to government provided benefits (Employment Insurance) payable during the time the employee is on leave.

To qualify for Employment Insurance, an employee is required to have accumulated 600 insurable hours in the last fifty-two (52) weeks since his/her last claim.

Attachment 11 "Employment Insurance Hours of Work," of the PARO-OTH Collective Agreement provides that you are entitled to be credited with your **actual** hours worked, rather than any hours recorded for payroll or other administrative purposes.

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### Temporary Covid19 Relief

*Effective as of September 25, 2020, there are some temporary changes to the government issued Employment Insurance (EI) benefit. The following changes will be in effect for 1 year and could apply to you:*

- *The waiting period may be waived*
- *You only need 120 insured hours to qualify for benefits because you'll get a one-time credit of 480 insured hours to help you meet the required 600 insured hours of work.*
- *For maternity and standard parental benefits, you'll receive at least \$500 per week before taxes but you could receive more. In 2020 the maximum amount is \$573 a week.*
- *For extended parental benefits, you'll receive at least \$300 per week before taxes but you could receive more. In 2020 the maximum amount is \$344 a week.*
- *The one week waiting period may be waived*
- *If you received the CERB, the 52-week period to accumulate insured hours will be extended*

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These changes have been introduced to provide assistance and relief during the COVID19 pandemic and will be in effect from September 27th, 2020 to September 25th, 2021. We will be sure to provide further updates on any changes the Federal Government may make to EI, as we receive them.

Each family must wait a one week unpaid waiting period before receiving EI benefits. For example, a birth mother who takes pregnancy leave will be required to wait one week until they will be in receipt of funds. They will then receive a total of 15 weeks of EI payments for pregnancy leave.

Standard parental benefits can be paid for a maximum of 35 weeks. The weekly benefit is 55% of the resident's average weekly insurable earnings to a maximum amount.

When the second parent (non birth parent) takes a minimum of five weeks of parental leave, the parental benefit increases by up to five weeks for a total of 40 weeks.

Extended parental benefits can be paid for a maximum of 61 weeks. The benefit rate is 33% of the resident's average weekly insurable earnings to a maximum amount. When the second parent (non birth parent) takes a minimum of five weeks of parental leave, the parental benefit increases by up to eight weeks for a total of 69 weeks.

**Note:** Parental leave benefits are shared per family. The two parents will decide how the benefit is used.

Example of sharing standard parental leave benefits: one parent takes 25 weeks of the benefit and the other takes 10 weeks, or one parent takes the entire 35 weeks of benefits.

Example of sharing extended parental leave benefits: one parent takes 41 weeks of the benefit and the other takes 20 weeks, or one parent takes the entire 61 weeks of benefits.

When EI benefits are shared between parents, a single one week waiting period may apply. For example, if the mother served the one week waiting period during their pregnancy leave, neither parent would need to serve the waiting period for parental benefits.

**Note:** The leave time (provincial entitlement) is a separate entitlement from the EI benefit payments (federal entitlement). Even if you do not qualify for EI benefits, you are entitled under the Employment Standards Act to the same amount of time off.

## Will I get an income top-up to EI payments?

The PARO-OTH Collective Agreement provides a supplemental income top-up to residents who are on either pregnancy or parental leave and are in receipt of EI (Article 15.7 of the PARO-OTH Collective Agreement).

This benefit is provided for a maximum of 27 weeks for mothers who are taking pregnancy and parental leave (15 weeks pregnancy leave top-up + 12 weeks parental leave top-up). For residents on 'stand alone' parental leave (those who did not take pregnancy leave) the top-up will be provided for a maximum of 12 weeks.

The benefit will be equivalent to the difference between 84% of the resident's regular weekly earnings and the sum of the resident's weekly EI benefits and any other earnings.

The below chart summarizes the total length of leave vs. length of benefit payments – both EI and the top-up.

TYPE OF LEAVE	LENGTH OF LEAVE	LENGTH OF BENEFIT PAYMENTS	WHEN CAN THE BENEFIT BEGIN?	WHO IS ELIGIBLE FOR THE BENEFIT?
<b>Pregnancy Leave</b>	17 weeks	15 weeks EI benefits  PARO members in receipt of EI also qualify for top-up for the same 15-week period.	The earliest a <u>pregnancy leave</u> can begin is 17 weeks before the due date. The latest a pregnancy leave can begin is the day the baby is born.  The earliest the <u>benefit payments</u> can begin is 12 weeks before the expected delivery and can end as late as 17 weeks after the date of birth.	Birth mother or surrogate mother
<b>Parental Leave</b>	Standard parental leave: 35 weeks  37 weeks if you did not take pregnancy leave  Extended parental leave: 61 weeks  63 weeks if you did not take pregnancy leave	Standard parental leave: 35 weeks EI benefits per family. The benefit rate is up to a maximum of 55% of the resident's regular weekly earnings, to a maximum amount.*  When the second parent (non birth parent) takes a minimum of five weeks of parental leave, the parental benefit increases by up to five weeks for a total of 40 weeks.  Extended parental leave: 61 weeks EI benefits per family. The benefit rate is 33% of the resident's average weekly insurable earnings up to a maximum amount.*  PARO members in receipt of EI also qualify for 12 weeks of top-up during parental leave.  * We encourage that you contact Service Canada to determine your maximum benefit amount.		New parents (note that the Employment Standards Act defines "parent" as birth parent, adopting parent, or person in a relationship with a parent of a child and plans to treat the child as their own)

## How do I apply for benefits?

Applications for benefits can be made online at [www.servicecanada.gc.ca](http://www.servicecanada.gc.ca). You will need the following documentation:

- Social Insurance Number (SIN)
- Record of Employment (ROE) which is provided by your payroll centre
- Personal identification such as a driver's license, birth certificate, passport
- Your complete bank information
- The expected or actual date of birth of your child, if you are claiming pregnancy benefits
- To claim parental leave benefits, you will need your newborn's date of birth, or date of placement in the case of an adoption. For the latter, you will also need to provide the name and full address of the agency handling the adoption.

For a complete list of required documents, please visit Service Canada's website at [www.servicecanada.gc.ca](http://www.servicecanada.gc.ca)

## How much notice should I give my program?

Residents must give four (4) weeks minimum written notice of their intended timing of their pregnancy and/ or parental leave in order to ensure that professional and patient care responsibilities are met. We advise residents that the earlier your program is informed of your leave, the better it will be for all parties involved.

## When will I receive my first payment?

The Service Canada website states that "if we have all the required information and if you qualify for benefits, your payment will be issued usually within 28 days from the date of filing your claim. If you do not qualify, Service Canada will notify you of the decision made on your claim."

You must serve a one week unpaid waiting period before your Employment Insurance and the top-up will be paid.

## Does my extended healthcare coverage (e.g. dental) continue during pregnancy and/or parental leave?

As per Article 14.1 of the PARO-OTH Collective Agreement, all employee benefits continue while on leave.

## What happens to my vacation and professional leave days?

You do not lose your vacation entitlement as a result of being on pregnancy or parental leave.

As set out in Article 11.5 of the PARO-OTH Collective Agreement, while on pregnancy/parental leave, you are entitled to vacation as follows:

- Residents who take pregnancy and parental leave (birth mothers) accumulate vacation for the entire length of their leave, up to 52 weeks.
- Residents who take parental leave (e.g. non-birth mothers, fathers, adoptive parents) accumulate vacation for up to 37 weeks.
- Normally, unused vacation may not be carried over into the following appointment year. However, if you are on pregnancy or parental leave at the end of one appointment year and the start of another, any unused vacation prior to going on leave, and accumulated vacation while on leave, can be carried over to the new appointment year and taken immediately following the end of your leave, before your return to work. It may also be taken at a later time mutually agreed upon between you and your program and/or preceptor.
  - If you are required to undertake additional services at the end of your program to make up for time missed while on pregnancy or parental leave, your vacation entitlement will be pro-rated based on the length of the additional training.
  - You do not accumulate professional leave days while on leave and unused professional leave days expire at the end of each appointment year. However, you will be entitled to seven (7) days of professional leave in the next appointment year.

## Am I required to be on call while pregnant?

In no event will residents be scheduled or required to participate in on-call duties after 27 weeks gestation unless otherwise agreed to by the resident.

## Do I have to make up the time I missed while on leave?

Depending on the length of the leave, residents will generally need to make up time missed in order to complete the educational and training requirements outlined by individual programs.

Both the RCPSC and CFPC permit individual universities to grant waivers of training (up to a maximum length) to

'exceptional' residents. If granted, waivers are applied in the final year of training.

The decision to grant a waiver of training is at the discretion of the specific program director and/or university.

We advise you to speak with your program director about the possibility of being granted a waiver of training.

### **What if I require specific accommodations, such as a lactation room, upon my return to work?**

Upon your return to work from leave, the hospital must make accommodations so that you may breastfeed or express milk for your child. This might include ensuring that you are provided with a private and protected space, as well as a secure fridge to store milk safely.

This FAQ has been prepared for your convenience. While every effort has been made to ensure that information in the FAQ is correct, the PARO-OTH Collective Agreement and any other applicable law prevails over any information in this FAQ. Any resident considering a leave is encouraged to contact the PARO office to ensure that they obtain information relevant to her or his particular situation.

**Questions?** Contact us at 416-979-1182 or by email at [paro@paroteam.ca](mailto:paro@paroteam.ca)