TOWN OF STETTLER

<u>Prepared by:</u> Department Heads <u>Number:</u> II-7(j)

Adopted by: Town of Stettler Council <u>Original Policy</u>: 1986 09 02

Previous Policy: 1993 04 20

Current Policy: 2002 04 16

<u>Title</u>: Maternity and Parental Leave

<u>Purpose:</u> To establish guidelines for maternity and parental leave benefits for

Town of Stettler employees.

Policy Statement: An employee who has been employed for a continuous period of at

least twelve (12) months is entitled to maternity leave and/or parental

leave without pay as follows:

Maternity

a) a period not exceeding seventeen (17) weeks commencing at any time during the period of twelve (12) weeks immediately preceding the estimated date of delivery, and

- b) if the actual date of delivery is after the estimated date of delivery, an additional period consisting of the time between the estimated date of delivery and the actual date of delivery.
- c) maternity leave shall include a period of at least six (6) weeks immediately following the date of delivery, which is the Health-Related portion of leave.
- d) an employee, who takes maternity leave and parental leave, must take the leaves consecutively to a maximum of 52 weeks.

Parental

a) a period not exceeding thirty seven (37) weeks commencing at any time after the birth or adoption of the child but it must be completed within 52 weeks of the date of birth or placement.

"Date of Delivery" means the date when the pregnancy of an employee terminates with the birth of a child or the pregnancy otherwise terminates.

"Medical Certificate" includes a written statement for the purpose of this policy containing the signature of a physician.

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An employee shall give at least six (6) weeks notice in writing of the day on which they intend to commence maternity or parental leave and, if so requested, shall provide a medical certificate certifying the estimated date of delivery.

An employee who fails to give six (6) weeks notice and who is otherwise entitled to maternity leave, is entitled to maternity leave for any of the periods specified above if within two (2) weeks after she ceases to work she provides a medical certificate:

- a) indicating that she is not able to work by reason of a medical condition arising from her pregnancy, and
- b) giving the estimated date of delivery or the actual date of delivery.

If, during the twelve (12) week period immediately preceding the estimated date of delivery, the pregnancy of an employee interferes with the performance of her duties the Town of Stettler may, by notice in writing, require the employee to commence maternity leave.

An employee, with the agreement of her Supervisor, may shorten the duration of the six (6) week period following the actual date of delivery by providing a medical certificate indicating the resumption of work will not endanger her health.

When an employee takes maternity leave and is unable to return to work after the expiration of the allowable period referred to in this policy by reason of a medical condition arising following the date of delivery, she shall be granted a further period of maternity leave without pay of not more than three (3) weeks if she provides a medical certificate that she is not able to return to work at that time.

The Town of Stettler shall not terminate or lay off an employee who has commenced maternity or parental leave under this policy.

An employee who wishes to resume their employment on the expiration of the leave to which they were entitled shall give the Town of Stettler four (4) weeks notice in writing of the day on which they intend to resume employment. The Town of Stettler shall:

- a) reinstate them in the position they occupied at the time their leave commenced, or
- b) provide them with alternative work of a comparable nature, at not less than the same wages and other benefits that had accrued to them to the date that they commenced leave.

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The Town of Stettler is not required to allow an employee to whom leave has been granted, to resume their employment until after the expiration of four (4) weeks from the date on which they give notice of their intention to resume employment after the date of delivery or placement.

An employee on leave shall not be eligible for accumulation of vacation or sick leave entitlements during the total period of leave granted.

The employee may pay both the employer and employee portion (100%) of all benefit costs. Total payment covering the entire period of authorized leave shall be arranged before commencement of leave. The employer will pay for the employer portion of benefit costs during the Health-Related portion of absence.

SUB Plan top-up for the Health-Related portion of maternity leave to a maximum of seventeen (17) weeks or based on accumulated sick leave, whichever is less, will be payable upon receipt of the following:

- a) evidence of receiving El benefits
- b) a medical certificate confirming Health-Related absence.

SUPPLEMENTAL UNEMPLOYMENT BENEFITS (SUB) PLAN FOR THE TOWN OF STETTLER PERMANENT FULL-TIME FEMALE EMPLOYEES.

- 1. The employees covered by the SUB Plan include only female staff that are full-time permanent employees and who have served continuously for at least 12 months prior to the date the said leave commences.
- 2. The objective of the Plan is to supplement the Employment Insurance Benefits (EI) received by female employees for temporary unemployment due to valid health-related reasons during maternity leave.
- 3. (a) Employees must prove they have applied for and are in receipt of El benefits in order to receive payment under the Plan.
 - (b) Employees must provide satisfactory medical evidence confirming the validity of the health-related reason for absence from work during maternity leave.
- 4. Employees disentitled or disqualified from receiving El benefits are not eligible for SUB except if the only reason for non-receipt is that the employee:
 - (a) is serving the two week El waiting period.
- 5. Employees do not have a right to SUB payments except for supplementation of El benefits for the unemployment period as specified in the SUB Plan.
- 6. The benefit level paid under the SUB Plan is set at ninety-five percent (95%) of the employee's normal weekly earnings. It is understood that in any week the total amount of SUB, Employment Insurance gross benefits, and any other earnings received by the employee will not exceed ninety-five (95%) of the employee's normal weekly earnings.
- 7. The maximum number of weeks for which SUB is payable during a maternity leave is seventeen (17) weeks (if paid during waiting period).
- 8. (a) The SUB Plan is financed from the employer's general revenues.
 - (b) SUB payments will be identified separately in the payroll files.
- 9. The Town of Stettler will use the employee's El benefit stub to verify that the employee is receiving El benefits.
- 10. Payments in respect of guaranteed annual remuneration or in respect of deferred remuneration of severance pay benefits will not be reduced or increased by payments received under the SUB Plan.