



# INFOSHEET

Programs and Services



Number

8

2018-09-01

## Teachers and Parenthood Leave

### Collective Agreement Provisions

Both the Provincial Collective Agreement (Article 17) and the Labrador West Collective Agreement (Article 28) provide for maternity, adoption and parental leave without pay to a teacher, with the provision that the teacher shall be returned to a comparable or the same teaching position held prior to the commencement of such leave, all other provisions of the collective agreements having been met.

#### (a) Maternity Leave

Maternity leave shall, upon written request, be granted to the teacher as requested and in accordance with the provisions of the Collective Agreement. When requesting maternity leave, teachers should be aware of the following:

- (i) A written request must be made not later than four months prior to the expected date of delivery;
- (ii) The leave shall be granted to commence and terminate as requested;
- (iii) Where possible, the application shall be accompanied by a doctor's certificate confirming the expected date of delivery;
- (iv) The period of leave may be up to 39 weeks when school is in session;
- (v) Time periods specified in the article may be changed by mutual agreement.

The school board cannot require a teacher to commence maternity leave earlier than the time specified if she can produce a certificate from a medical practitioner stating that her health is compatible with the requirements of her teaching position.

For more specific information on maternity leave and related issues, please refer to the NLTA publication "Going on Maternity Leave", which can be accessed on the NLTA website at [www.nlta.nl.ca](http://www.nlta.nl.ca).

#### (b) Adoption Leave

When requesting adoption leave, teachers should be aware of the following:

- (i) A written request must be made at or prior to the time the teacher's application is accepted by an adoption agency;
- (ii) Leave shall be granted to commence and terminate as requested;

(iii) Leave shall be for up to 39 weeks when school is in session;

(iv) Time periods may be changed by mutual consent.

#### (c) Parental Leave

(i) Either parent can avail of parental leave up to a maximum of 39 weeks when school is in session.

(ii) A written request must be made to the School Board not later than one month prior to the commencement of the leave.

#### Sick Leave

Illness associated with pregnancy and childbirth is covered by sick leave. A teacher who has sufficient sick leave credits can access paid sick leave up to the established date of the commencement of maternity leave and/or following the agreed date of return. Also, birth mothers are entitled to access paid sick leave immediately following delivery, if necessary, for a "reasonable" period of recovery from childbirth. Generally speaking, six weeks is considered to be reasonable with a physician's recommendation. As with any use of sick leave, paid leave is not available during the non-teaching periods (July and August, Christmas and Easter breaks, any other unpaid holidays). Teachers who access paid sick leave for recovery from childbirth are not eligible to claim Employment Insurance (EI) maternity benefits until the end of the period of sick leave; however, the waiting period may be waived if a teacher's last days before maternity leave is paid sick leave. Teachers should advise the school board of the intent to access sick leave following delivery when requesting maternity leave. Medical certificates must, of course, be provided as per the usual requirements for sick leave. Teachers on parenthood leave will continue to accumulate teaching service for the purpose of sick leave accrual up to a maximum leave period of 39 weeks (one full school year).

#### Pensions

Upon returning to work following a period of approved parenthood leave, teachers are able to buy back the leave time for pensionable service in the Teachers' Pension Plan

(TPP). It is important to arrange to do this within 180 days of returning to work. If this timeline is met, the teacher will have to repay the contributions he/she would have made to the TPP had leave not been taken. Pensionable service can still be bought back after 180 days, but the cost will then be calculated at full actuarial value, which is much more expensive and will increase as time passes.

For information or to make transactions relative to this, it is necessary to contact the Teachers' Pension Plan Corporation, 130 Kelsey Drive, Suite 101, St. John's, NL A1B 0T2; email: [memberservices@tppcnl.ca](mailto:memberservices@tppcnl.ca).

### Salary Increments

Teachers' placement on the salary grid is reviewed and changes made once per year at the beginning of the school year or at the date of initial employment. To determine the number of teaching years for salary increments, all teaching days to the date of calculation are totaled and this total divided by 195, which is the number of days in a school year. A fraction of half a year or more is required to move to the next step on the salary grid. Teachers on parental leave will continue to accumulate teaching service for the purpose of salary increments up to a maximum leave period of 39 weeks (one full school year).

Since parenthood leave is leave without pay, in addition to the salary lost for each day on parenthood leave, there will also be a reduction during the months of July and August. A teacher's yearly salary is based on a 195 day teaching year and payable in 26 equal installments. Therefore, gross pay received for the months of July and August will be reduced in proportion to the number of unpaid days during the school year.

### NLTA Membership

Teachers on parenthood leave qualify for active membership in the Newfoundland and Labrador Teachers' Association under Section III.A.(4)(f) of the NLTA By-Laws. In order to maintain membership and benefits, the fee is \$5.00 per month for each complete month of leave. It is the responsibility of the teacher to contact the Association advising of the leave and arranging to pay the membership fee.

### Group Insurance

As active members of the Association (see paragraph immediately above), teachers on parenthood leave are eligible to continue their membership in the Group Insurance Plan.

For the basic plan, A1 – Life, B – Health, and A3 – Accidental Death and Dismemberment, the government will pay its share of the premiums for a maximum of one year of parenthood leave. Should a teacher take more than one year of leave, the full premium must be paid by the teacher for

the additional leave period. The administrators of our plan, Johnson Inc., will arrange to have the premiums owed by the teacher paid by a bank deduction system. **The onus is on the teacher to contact Johnson Inc. to arrange for coverage to continue.**

**It is critical for teachers to realize that if insurance is not continued during a period of parenthood leave, medical proof of insurability will be required in order to be reinstated in the plan.** Coverage is provided for pregnancies for those teachers who are automatically enrolled in the plan whether or not the pregnancy commenced prior to the date of coverage.

### Employment Insurance

Employment Insurance (EI) provides benefits for teachers on maternity/parenthood leave, provided the eligibility requirements for EI are met. Biological mothers are eligible for 15 weeks of maternity benefits. The 35 weeks of parental benefits can be claimed by either parent, or may be split between both parents. Adopting parents may also share up to 35 weeks of parental benefits once the child arrives in the home. Note: Although parental leave under the Collective Agreement is available to both parents for a period of up to 39 continuous weeks when school is in session, EI regulations specify that the combined total benefits available to biological parents is 50 weeks, and 35 weeks for adoptive parents.

Teachers can receive EI maternity and parental benefits during the non-teaching periods (Christmas and Easter breaks, summer). Receipt of "holdback" pay does not impact on a teacher receiving these benefits during July and August. For example, if a teacher has a spouse who is not a teacher and who is returning to work at the beginning of July after collecting 42 weeks of EI maternity and parental benefits, that teacher would be eligible to claim the remaining eight weeks of parental benefits during July and August. An application for Employment Insurance must be filed at the nearest Service Canada office or online at: [www.servicecanada.gc.ca/eng](http://www.servicecanada.gc.ca/eng).

### Extended Parental Benefits

Extended Parental Benefits can be paid for a maximum of **61** weeks and must be claimed with a 78-week period (18 months) after the week the child was born or placed for the purpose of adoption. The benefit rate is 33 percent of the claimant's average weekly insurable earnings up to a maximum amount. The two parents can share these 61 weeks of extended parental benefits.

You can choose to claim extended parental benefits **only** if your child was born or placed with you for the purpose of adoption on or after December 3, 2017.

<p><b>Note:</b> In the event of a discrepancy between this Infosheet and the Group Insurance Master Policy, the terms of the Group Insurance Master Policy will apply</p>
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