



<p>POLICY:</p> <p style="text-align: center;"><b>Maternity, Adoption and Parental Leave</b></p>		<p>POLICY NUMBER:</p> <p style="text-align: center;"><b>PS-4-6</b></p>
		<p>PREVIOUS/REPLACES:</p> <p style="text-align: center;"><b>Maternity, Adoption and Parental Leave</b></p>
<p>APPROVED BY:</p> <p style="text-align: center;"><b>Executive Council</b></p>	<p>EFFECTIVE DATE AS OF:</p> <p style="text-align: center;"><b>March 6, 2019</b></p>	<p>PRIOR VERSIONS:</p> <p style="text-align: center;"><b>June 4, 2018</b> <b>September 6, 2017</b> <b>July 1, 2016</b></p>

**1. Policy Statement:**

The purpose of this policy is to define the maternity and parental leave (including adoption) benefit plans provided by the Manitoba Institute of Trades and Technology (to be referred to as MITT). The provisions for these leaves are consistent with all applicable federal and provincial legislation.

As an incentive to attract and retain high quality staff, MITT will provide eligible employees the following maternity and parental leave benefits as provided below.

**I – MATERNITY LEAVE**

**Plan A - Maternity Leave Without an Allowance**

a. Eligibility:

To qualify for Plan A a pregnant staff member must:

- i. Complete seven (7) continuous months of employment with MITT;
- ii. Submit an application to People Services in writing for leave under Plan A at least four (4) weeks before the day specified by them in the application as the day on which they intend to commence such leave;
- iii. Provide People Services a medical certificate prepared and signed by a duly qualified medical practitioner certifying that they are pregnant and specifying the estimated date of their delivery.
- iv. An employee who does not qualify may request an unpaid leave of absence which will be evaluated on a case-by-case basis consistent with MITT's Leave of Absence for Personal Reasons Policy.



b. Duration:

An employee who qualifies under Plan A is entitled to benefits for the following duration:

- i. A period of 17 weeks if the delivery occurs on or before the date of delivery as provided in the medical certificate; or
- ii. A period of 17 weeks plus an additional period equal to the period between the estimated day of delivery specified on the medical certificate and the actual date of delivery, if delivery occurs after date mentioned in the certificate;
- iii. MITT may vary the length of maternity leave upon proper certification from the attending physician.
- iv. An employee may end their maternity leave early by providing MITT with two (2) weeks written notice before the days they wish to end the leave.

c. Return-to-Work:

Upon completion of the maternity leave, the employee will return to their position at MITT held prior to the leave or will be offered a comparable position with not less than the same wages and benefits.

**Plan B - Maternity Leave With Allowance**

a. Eligibility:

To qualify for Plan B a pregnant staff member must:

- i. Complete seven (7) continuous months of employment with MITT;
- ii. Submit an application to People Services in writing for leave under Plan B at least four (4) weeks before the day specified by them in the application as the day on which they intend to commence such leave;
- iii. Provide People Services a medical certificate prepared and signed by a duly qualified medical practitioner certifying that they are pregnant and specifying the estimated date of their delivery.
- iv. Provide People Services with proof that they have applied for Employment Insurance benefits and that Employment and Social Development Canada (ESDC) has agreed that the employee has qualified and is entitled to Employment Insurance benefits.
- v. Plan B does not apply to term employees.



b. Duration:

An employee who qualifies under Plan B is entitled to benefits for the following duration:

- i. A period of 17 weeks if the delivery occurs on or before the date of delivery as provided in the medical certificate; or
- ii. A period of 17 weeks plus an additional period equal to the period between the estimated day of delivery specified on the medical certificate and the actual date of delivery, if delivery occurs after date mentioned in the certificate;
- iii. MITT may vary the length of maternity leave upon proper certification from the attending physician.
- iv. An employee may end their maternity leave early by providing MITT with two (2) weeks written notice before the days they wish to end the leave.

c. Benefits:

The following benefits are provided to an employee who qualifies:

- i. For the first one (1) week an employee shall receive ninety percent (90%) of their weekly rate of pay;
- ii. For a maximum of sixteen (16) additional weeks, an employee shall receive payments equivalent to the difference between the Employment Insurance benefits the employee is eligible to receive and ninety percent (90%) of their weekly rate of pay;
- iii. The combination of Employment Insurance benefits and any earnings received from all sources cannot in respect of any week exceed ninety percent (90%) of the employee's weekly salary.

d. Agreement

- i. An employee who has requested consideration for the maternity benefit is required to sign an agreement with MITT that they will return to work at MITT on a full-time basis for a minimum of six months following their return to work, or in the case of a part-time employee, they will return to work at MITT on a part-time basis equivalent to their hours prior to the leave for at least six (6) months following their return to work;
- ii. The employee will return to work on either the expiry of their maternity leave or alternatively upon the expiry of their parental leave if they choose this option;



- iii. In the event the employee chooses not to return to work as provided above, they will be required to reimburse MITT for the full amount received from the maternity allowance;
- iv. If a full-time employee requests to return to work on a part-time basis which is approved by MITT, the employee will be required to work the equivalent of 6 months full-time or they will be required to return the maternity allowance.

e. Return-to-Work:

Upon completion of the maternity leave, the employee will return to their position at MITT held prior to the leave or will be offered a comparable position with not less than the same wages and benefits.

## **II – PARENTAL LEAVE:**

Parental leave gives a parent (either the mother or father) an opportunity to take a leave from MITT to care for a new child in their family. MITT offers two (2) parental leave plans.

### **Plan A – Parental Leave Without an Allowance (includes adoption)**

a. Eligibility:

- i. Complete seven (7) continuous months of employment with MITT;
- ii. Submit an application to People Services in writing for parental leave at least four (4) weeks before the day specified by them in the application as the day on which they intend to commence the leave.
- iii. Become the natural parent of a child or adopt a child under the laws of the Province of Manitoba.

b. Duration:

- i. An employee who qualifies is entitled to and will be granted Parental Leave without pay consisting of a period not to exceed sixty-three (63) weeks which must be taken consecutively.
- ii. A parental leave must commence not later than 18 months after the date on which the child is born or adopted.
- iii. Employees who have taken maternity leave and also wish to take parental leave must do so immediately following the maternity leave.



- iv. An employee may end their parental leave early by providing MITT with two (2) weeks written notice before the day they wish to end the leave.

c. Return-to-Work:

Upon completion of the parental or adoption leave, the employee will return to their position at MITT held prior to the leave or will be offered a comparable position with not less than the same wages and benefits.

**Plan B - Parental Leave With Allowance (includes adoption leave allowance)**

a. Eligibility:

- i. Complete seven (7) continuous months of employment with MITT;
- ii. Become the natural parent of a child or adopts a child under the laws of the Province of Manitoba that is sixty (60) months or younger;
- iii. Submit an application to People Services in writing for parental leave at least four (4) weeks before the day specified by them in the application as the day on which they intend to commence the leave;
- iv. Provide People Services with proof that they have applied for Employment Insurance benefits and that Employment and Social Development Canada (ESDC) has agreed that the employee has qualified and is entitled to Employment Insurance benefits;
- v. Employees who have received a maternity allowance under Plan B are not eligible to receive an additional allowance under Plan B of the parental leave;
- vi. Plan B does not apply to term employees.

b. Duration:

- i. An employee who qualifies is entitled to a parental or adoption leave with an allowance consisting of a period not exceeding ten (10) weeks;
- ii. An employee who has been granted a parental or adoption leave with allowance shall upon written application be granted an additional continuous leave under the parental leave such that the total cumulative length of the leave is less than or equal to sixty-three (63) weeks;
- iii. A parental or adoption leave must commence not later than 18 months after the date on which the child is born or adopted;



- iv. Employees who have taken maternity leave and also wish to take parental leave must do so immediately following the maternity leave;
- v. An employee may end their parental or adoptive leave early by providing MITT with two (2) weeks written notice before the day they wish to end the leave.

c. Benefits:

The following benefits are provided to an employee who qualifies:

Standard Parental Benefit Option – 37 Weeks Duration

- i. For the first one (1) week an employee shall receive ninety percent (90%) of their weekly rate of pay;
- ii. For a maximum of nine (9) additional weeks, an employee shall receive payments equivalent to the difference between the Employment Insurance benefits the employee is eligible to receive and ninety percent (90%) of their weekly rate of pay;
- iii. The combination of Employment Insurance benefits and any earnings received from all sources cannot in respect of any week exceed ninety percent (90%) of the employee's weekly salary.

Extended Parental Benefits – Up to 63 Weeks Duration

If an employee chooses to receive an extended parental leave, benefits will be equivalent to what they would have received if they had chosen the Standard Parental Benefit Option (37 week duration).

d. Agreement

- i. An employee who has requested consideration for the parental or adoption leave benefit is required to sign an agreement with MITT that they will return to work at MITT on a full-time basis for a minimum of six months following their return to work, or in the case of a part-time employee, they will return to work at MITT on a part-time basis equivalent to their hours prior to the leave for at least six (6) months following their return to work;
- ii. The employee will return to work on either the expiry of their parental or adoption leave with allowance or alternatively upon the expiry of their parental leave if they choose this option;
- iii. In the event the employee chooses not to return to work as provided above, they will be required to reimburse MITT for the full amount received from the parental or adoption leave allowance;



- iv. If a full-time employee requests to return to work on a part-time basis which is approved by MITT, the employee will be required to work the equivalent of 6 months full-time or they will be required to return the parental or adoption leave allowance.

e. **Return-to-Work:**

Upon completion of the parental or adoption leave, the employee will return to their position at MITT held prior to the leave or will be offered a comparable position with not less than the same wages and benefits.

**III - Accrual of Benefits Applicable to all Maternity, Adoption and Parental Leaves**

- a. Service entitlement will continue to accrue and will be used to calculate vacation entitlement and long-term service awards.
- b. Vacation entitlement will continue to accrue, but will be unpaid.
- c. Sick leave entitlement will not accrue.
- d. In a situation where the employee's anniversary date falls during the period of the leave the employee shall be eligible to receive a merit increase effective the date upon which the employee returns to work.
- e. Employees are required to pay the employee and employer portion for life insurance and long-term disability while on leave.
- f. Employees have the option to continue Blue Cross coverage but would be required to pay the employee and employer portion.

**2. Scope:**

This policy applies to all MITT employees excluded from the bargaining unit and who qualify to receive maternity and parental leave as defined by this policy.

MTS instructors will follow provisions as stated in the collective agreement.

**3. Procedure:**

N/A

**4. Administration:**

The Director, People Services and Organizational Development is responsible for enforcement of this policy.



**5. Review:**

This policy will be reviewed by Executive Council every five years.

**6. Reference:**

**Legislation:**

*Canada Labour Code*

*Employment Insurance Act*

*Employment Standards Code of Manitoba*

**MITT Policies:**

Leave of Absence for Personal Reasons – Unpaid Policy

Vacation Policy for Support Staff, Managers, Directors & Executive Officers

**7. Definitions:**

N/A