

FAQs about Pregnancy, Parental, and Adoption Leaves

Note – Members must contact Employment Canada for advice about employment insurance.

Members must contact the Ontario Teachers' Pension Plan for pension advice (www.otpp.com).

Pregnancy Leave

What is a pregnancy leave and how long can I take?

Pregnancy leave (often called maternity leave) occurs according to the Employment Standards Act.

Under the Act, the maximum duration of a pregnancy leave is 17 weeks. This leave cannot begin any earlier than 17 weeks before the due date. The latest this leave can start is the earlier of:

1. The due date or
2. The day on which the employee gives birth.

Who can take a pregnancy leave?

Only pregnant employees can take a pregnancy leave.

When do I need to notify the board?

Members taking pregnancy leave must notify the employer at least 2 weeks before the date the leave is anticipated to begin. If the birth occurs sooner than expected, the commencement date of the leave will be amended.

Can the board request medical documentation prior to the leave?

Yes, the board can request a medical note stating the expected birth date.

Will I receive any pay while on pregnancy leave?

The leave is without pay; however, the member taking the statutory pregnancy leave will receive a top-up that will be the equivalent of two full weeks of salary plus 6 weeks of the difference between regular pay and EI benefits. The top-up funds will be used to top up the member's EI until it is exhausted, and top-up pay can occur over the summer months.

What about my benefits while on pregnancy leave?

Members may purchase benefits while on pregnancy leave; however, the member will be required to pay the member's share of premiums. The board will continue to pay the employer's share of premiums.

What will happen to my seniority and years of teaching experience on the salary grid while on a pregnancy leave?

A pregnancy leave will not have any impact on your seniority. Also, you will receive the same teaching experience for progression through the salary grid as if you were teaching.

What will happen to my pension while on pregnancy leave?

Members may purchase their pension while on leave. Please contact the Ontario Teachers' Pension Plan for specifics.

What if I have a miscarriage or stillbirth?

A member who has a miscarriage or stillbirth more than 17 weeks before the due date is not entitled to pregnancy leave. However, a member who has a miscarriage or stillbirth within the 17-week period preceding the due date will be eligible to receive a full pregnancy leave.

Parental Leave

What is a parental leave?

A parental leave is a leave that occurs after the birth of the baby.

Who can take a parental leave?

All new parents, including those who are adopting, have the right to take a parental leave. All members are eligible for this leave.

How long can I take?

Birth mothers can take up to 61 weeks of parental leave. All other parents can take up to 63 weeks of parental leave.

When do I need to notify the board?

The commencement and duration of the leave are determined by the member. The request needs to be submitted to the board at least two weeks prior to the commencement of the leave, or two weeks after the member stops working due to circumstances under which the child comes into the custody or care of the parent for the first time sooner than expected. Timelines may be revised provided that 4 weeks' notice is provided.

A member intending to adopt a child should give the board notice, where possible, of the intent to adopt, so that when the child becomes available the member may cease duties immediately or at the discretion of the member.

Will I receive any pay while on parental leave?

Parental leave is without pay; however, the member taking the statutory parental leave will receive a top-up that will be the equivalent of two full weeks of salary. The top-up funds will be used to top up the member's EI until it is exhausted, so for a few weeks. Members who received top-up salary while on pregnancy leave are not eligible to receive the two-week top-up while on a parental leave.

What about my benefits while on parental leave?

Members may purchase benefits while on parental leave; however, the member will be required to pay the member's share of premiums. The board will continue to pay the employer's share of premiums.

What will happen to my seniority and years of teaching experience on the salary grid while on a parental leave?

A parental leave will not have any impact on your seniority. Also, you will receive the same teaching experience for progression through the salary grid as if you were teaching.

What will happen to my pension while on parental leave?

Members may purchase their pension while on leave. Please contact the Ontario Teachers' Pension Plan for specifics.

What if we have a miscarriage or stillbirth?

A member who experiences a miscarriage or stillbirth more than 17 weeks before the due date is not entitled to parental leave.

Extended Parental Leave

What if I want to take more time off immediately after my parental leave?

A member may request an extended parental leave (a leave that follows a parental leave) at least 4 weeks before the leave would begin, and must indicate a return date with the request. Parental leaves cannot be unreasonably denied by the employer.

Will I receive any pay while on extended parental leave?

Extended parental leave is without pay.

What about my benefits while on extended parental leave?

Members may purchase benefits while on extended parental leave; however, the employer will not continue to pay the employer's portion towards benefits.

What will happen to my seniority and years of teaching experience on the salary grid while on a extended parental leave?

An extended parental leave will not have any impact on your seniority. Members on extended parental leaves will receive teaching experience for progression through the salary grid while on leave.

What will happen to my pension while on parental leave?

Members should contact the Ontario Teachers' Pension Plan for specifics about whether they can buy back their leave.

How long of a leave can I take?

The combined length of pregnancy, parental, and extended parental leaves may be a total of two years in length. Members who wish to do so can request an unpaid leave of absence at the conclusion of a parental leave.

General Conditions for Pregnancy, Parental, and Extended Parental Leave

What happens to my position when I return from a pregnancy leave, parental leave, or extended parental leave?

Members returning from a pregnancy, parental, or extended parental leave will return to the same or better position at the same work location, subject to surplus and redundancy rules.

What happens to my salary if I go on a pregnancy or parental leave mid-year?

Salary will be paid in accordance with the portion of the school year taught.

Short-Term Leave for the Birth of a Child

What short-term leaves are available for the birth of a child?

- Under 18.03.01, the principal shall grant a leave for a member to attend the birth or adoption of a child for whom the member has a parenting responsibility.
- Under 18.05.06.01, members will receive two paid days off without loss of sick leave for the birth or adoption of a child.
- This means that the member should receive at a minimum 3 paid days off for the birth of a child. This could be longer depending on the circumstances of the birth.

For more information, please see Article 18 of the TBU Collective Agreement.