

Pregnancy Leave

Policy Number: HR-11.02

Sub-Topic: Total Rewards

Topic: Employee Attraction and Retention

Applies to: Regular Full-Time, Regular Part-Time Employees

Policy Statement and Strategic Plan Linkages

The Town supports employees' family and parenting well-being needs by providing employees with supplemental "top up" earnings to Employment Insurance benefits for pregnancy leaves. This Policy aligns with Newmarket's vision of a community well beyond the ordinary through the Town's mission of making Newmarket even better in all five Strategic Plan directions, particularly Living Well and Well-Equipped and Managed.

Purpose

This Policy outlines the time off available to employees who are eligible for pregnancy leave in accordance with applicable legislation as well as any additional benefits provided by the employer.

This Policy is to be actioned by the Pregnancy Leave Procedure that outlines employee and employer responsibilities.

Definitions

Pregnancy Leave: an absence from work for up to 17 weeks of job-protected, unpaid time off work for regular full-time and regular part-time pregnant employees who are employed by the Town, covered by the Province's Employment Standards Act, 2000 (ESA), and employed at least 13 weeks prior to the date the baby is expected to be born (the "due date").

Base Earnings: Salary earned from the Town for the employee's regular position excluding any bonus, overtime, incentive pay, temporary salary adjustments, shift premiums, etc..

Provisions

Pregnancy Leave Eligibility: Employees may be eligible to take pregnancy leave from the Town in accordance with the Employment Standards Act (ESA).

Top Up Eligibility: Eligible employees will receive a "top up" to Employment Insurance benefits based on EI eligibility.

Pregnancy Leave Benefit: The Town will continue to pay the employer's share of the relevant benefit premiums during the period of the pregnancy leave to employees. Employees accrue eligible service with OMERS while on pregnancy leave and will have the option to buy OMERS credited pensionable service in accordance with the OMERS Act. Employees must confirm with Payroll Services if they wish to do so. In addition,

eligible employees will continue to accrue service for the purposes of vacation entitlement.

Top Up Benefit: The difference between EI receivable and 75% of the employee's base earnings for a maximum of 17 weeks. As of the date of this Policy, the EI receivable is a maximum of 55%. The Town's top-up amount may change depending on the changes to the provincial Employment Standards Act. Eligible employees in receipt of EI benefits and are serving a one-week waiting period will receive 75% of their base earnings for this waiting period.

Top Up Provisions: Employees in receipt of the top up are required to remain in the Town's employ for at least 17 continuous weeks following their return to work date. Employees who have received the top up and subsequently leave the Town's employ prior to completion of 17 weeks will be required to reimburse the Town for the amounts received for the top up.

Cross-References

Corporate Procedure:

Pregnancy Leave Procedure HR-11.02-001 (includes information on Provincial provisions)

Corporate Policy:

Vacation HR-3.01

Benefits Policy HR-6.01

Parental Leave Policy HR-11.03

Service Recognition HR-8.03

Salary Progression HR.9-02

Other Government Legislation:

[Employment Standards Act, 2000 \(ESA\)](#)

[Ontario Human Rights Code](#)

[Personal Health Information Protection Act](#)

[Personal Information Protection and Electronic Documents Act \(PIPEDA\)](#)

Contact

Human Resources Department or by email at hr@newmarket.ca.

Policy Details

Approval Authority: Jag Sharma, Chief Administrative Officer

Approval Date: March 03, 2018

Policy Effective Date: December 31, 2000

Revision Date: July 27, 2015

Revision #: 001

Revision Date: February 06, 2018

Revision #: 002

Revision Date: October 9, 2019

Revision #: 003