

Maternity and Parental Leave Policy

The policy of the Diocese complies with the Employment Standards Act (Ontario, January 1, 2001). It should be noted that *there are differences in timelines and policies in regards to the Employment Standards Act and the Employment Insurance Regulations (HRDC December 31, 2000).*

The policy of the Diocese with regards to *Supplemental Unemployment Insurance Benefits* is contained here followed by information regarding EI benefits that has been downloaded from the HRDC Web site for the convenience of those seeking to review this information. In all cases, the legislation supercedes any information contained here. An Employment Standards Officer or the local HRDC should be consulted for definitive information.

ENTITLEMENTS

This policy is in effect for all pregnancy/parental leaves for children born or taken into care for adoption purposes after January 1, 2001.

Pregnancy Leave

Female clerics and female Synod Office staff employed within the Diocese of Huron are entitled to a pregnancy leave of absence for 17 weeks. The pregnancy leave may commence at any time during the 17 week period immediately preceding the estimated date of delivery and end 17 weeks after the pregnancy leave began except in the case where the mother does not qualify for parental leave, then it will end no less than 6 weeks after birth. A shorter pregnancy leave of absence may be requested, but the claimant must provide a medical certificate if she wishes to return to work sooner than six weeks after birth. It should be noted that EI Maternity benefits will only be paid as early as 8 weeks prior to the birth date.

With the agreement of her parish, or in the case of Synod Office staff, their Director, a claimant may opt to take the benefit of part of the pregnancy/parental leave of absence on a part-time basis only, in which case the Paying Source shall ensure that the claimant receives an income at least equal to that which she would receive were she on total pregnancy leave of absence. Please refer to the Employment Insurance Guidelines found later in this document. HRDC states: "If you work while on maternity benefits, your earnings will be deducted dollar for dollar from your benefits. Under the new rules, claimants on parental benefits will now be able to work while on claim. You can earn \$50 or 25% of your weekly benefits – whichever is higher. Any monies earned above that amount will be deducted dollar for dollar from your benefits."

The pregnancy leave and any entitlement to vacation shall not be taken together without the approval of the Bishop and churchwardens in the case of clerics, and the applicable Director in the case of Synod Office staff.

The claimant may also be entitled to sick leave benefits available in the Diocese or through HRDC Employment Benefits.

Parental Leave

All employees of the Diocese of Huron are entitled to a parental leave of absence of up to 37 weeks (35 if the employee also took pregnancy leave) following the birth of a child or in the case of a child coming into care for adoption purposes of a parent for the first time. In the case of the biological mother, parental leave must be taken immediately following the pregnancy leave. Otherwise, the leave must begin no later than 52 weeks after the birth of the child or when the child came into custody for the first time. However, it should be noted that EI benefits can only be collected up to 52 weeks after the child is born or taken into custody or care.

APPLICATION FOR PREGNANCY AND/OR PARENTAL LEAVE

1. Obtain a medical certificate in either of the following forms:
 - a) a letter from the doctor giving the expected date of birth; or
 - b) a copy of the completed medical certificate from the E.I. "Claim Kit" (available from the local HRDC office).
2. Claimants must give at least 18 weeks written notice to the Area Bishop and churchwardens in the case of clerics, and the Director in the case of Synod Office staff, indicating the intended commencement and ending dates of the pregnancy and/or parental leave period, and enclose a copy of the medical certificate.

PENSIONS AND BENEFITS

During pregnancy the General Synod Pension Plan contributions and in the case of Clergy, Huron Pension Plan contributions will continue to be required, as will the following benefits - major medical, dental plan, group life insurance and continuing education. The claimant's contributory portion of the pension and other benefits will be deducted from her/his total income for the period immediately preceding the commencement of the Pregnancy/Parental leave. The claimants will be permitted to continue to remain in housing provided by her/his parish, or to receive Housing Allowance, under the same conditions that previously pertained before the commencement of their leave. Travel allowance will not be paid during the Pregnancy/Parental leave.

DIOCESAN POLICY REGARDING PREGNANCY AND PARENTAL LEAVE SUPPLEMENTARY EMPLOYMENT INSURANCE BENEFITS AVAILABLE FROM THE PAYING SOURCE

The objective of the Supplementary Benefit Plan is to supplement the Employment Insurance Benefits received by claimants for temporary unemployment caused by pregnancy and/or a child coming into the employee's care or custody for the first time. The Plan covers all clerics and Synod Office staff employed by the Incorporated Synod of the Diocese of Huron.

For all claimants employed in the Diocese of Huron, a Supplementary Unemployment Benefit Plan, funded by the Paying Source, will pay, only during the Pregnancy/Parental leave for which EI benefits are payable --an amount up to 85% of Total Income less all Pregnancy (maximum 17 weeks SUB including the two week waiting period)/parental benefits (maximum 10 weeks SUB) to which the claimant is entitled from the Employment Insurance Commission. If, however, the claimant's period of employment in the Diocese of Huron immediately preceding the estimated date of delivery is less than 52 weeks, the sums payable will be reduced proportionately. For example, if the claimant was employed in the Diocese of Huron for only the 26 weeks immediately preceding the estimated date of delivery, that person would receive only 26/52, or 1/2 of the Supplementary Unemployment Benefit payable.

Supplementary Unemployment Benefits are taxable.

The Supplementary Unemployment Benefits program shall be reviewed from time to time by the Diocesan Pension Board, or at the request of the Diocesan Bishop. They will consider the experience of both the claimants receiving the Pregnancy/parental leave and their parishes.

Claimants entitled to Employment Insurance Benefits must apply for Employment Insurance before Supplementary Benefits will become payable. The Paying Source shall verify payment by requesting copies from the claimant of the benefit cheque stubs from the Unemployment Insurance Commission.

ADMINISTRATIVE CONSIDERATIONS FOR PARISHES

1. Within one month following the date of notification of leave by the claimant, the Territorial Archdeacon will meet together with the cleric and the Pregnancy/Parental Leave Task Force of the parish.
2. During this month, the cleric and the Pregnancy/Parental Leave Task Force (consisting of the wardens and other parish members) will meet to identify parish ministries that need to be sustained during the Leave period.
3. During this month, the Territorial Archdeacon in consultation with the Executive Archdeacon will identify possible substitute clergy candidates for some of the ministry in the parish.

4. As all parishes are different, this document cannot legislate how much "other" pastoral ministry is sufficient for a parish ("other" being whether this ministry comes from within or without the parish). The pastoral leadership of the parish, as outlined in 2 above, is responsible for this. If the parish has problems meeting their financial obligations, application for assistance may be made to the Diocese through the Bishop.
5. Parishes are encouraged to have all aspects of the Pregnancy/parental leave arranged no later than one month prior to the commencement of the Leave.

RETURN TO WORK

On the expiry of the Pregnancy/parental leave, the claimant will return to the appointment she/he held at the commencement of the Pregnancy/parental leave providing the position still exists. Any leave in excess of Pregnancy/parental and sick leave shall be a pastoral concern of the Bishop and shall be dealt with by him or her.

DEFINITIONS

"Total Income" shall mean income from employment paid by the Paying Source, including stipend and housing allowance (if any).

"Paying Source" shall mean the cleric's parish or, in those cases where the Diocese assists in payment of the cleric's stipend and/or allowance, the parish and the Incorporated Synod of the Diocese of Huron in such proportion as may be agreed between them. *"Paying Source"* shall mean the Diocese in the case of Synod Office staff.