

## **Maternity Leave for contract teachers Article G.31 FAQ**

**CONTACT EI – THESE REQUIREMENTS CHANGE REGULARLY!**

- 1. What if my doctor recommends that I take medical leave prior to delivery?**
  - a. With a doctor's note, you can use sick leave until the date of delivery. You can start your maternity leave earlier, but you cannot start it later than the actual date of delivery.
  - b. If you are out of or low on sick time you can also apply for Salary Indemnity Plan.
- 2. What if my baby is born during winter or spring break?**
  - a. Employment Insurance leave starts the day of delivery (or earlier, see above). You are still entitled to top up for 16 weeks:
    - i. First week the employer will pay 100% of your regular wage.
    - ii. Weeks 2-16 the employer will top up your pay from employment insurance to 100% of your regular wage.
- 3. What if my baby is born during summer break?**
  - a. Employment insurance leave starts the day of delivery (or earlier, see above). You are entitled to top up if you are in a continuing assignment. Top up can start in the summer. You need to contact Rachel Bitter in HR ([Rachel.bitter@sd68.bc.ca](mailto:Rachel.bitter@sd68.bc.ca)) to let them know when your maternity top up should start.
- 4. Can I take maternity leave from a temporary assignment?**
  - a. Yes, but you will only be entitled to top up for the length of the assignment.
- 5. Can I accept a job if I am pregnant and will need to take maternity leave.**
  - a. Yes. You should be up front with the Employer regarding your status. If the job is temporary, you must be able to teach at least ten days in the assignment. If you are denied an assignment and you believe it is because you are pregnant, call the office.
- 6. Can I apply for positions while I am on maternity leave?**
  - a. Yes. For the purposes of top up, it is always better to "own" an assignment while on leave. Your top up will be based on your current salary. If you are on leave and a job in another school is posted that you would like, you can apply. You cannot be denied because you are pregnant or on leave, unless the job is temporary, and you will not be able to teach at least 10 days of the assignment.
- 7. Do I accrue seniority while on maternity leave?**
  - a. Yes. Seniority is accrued while on maternity, parental, and extended maternity leave.
- 8. Do I accrue experience while on maternity leave?**
  - a. Yes. Full experience credit will be earned while on maternity leave or parental leave, though not on extended maternity leave. Therefore, you will earn 12 or 18 months of experience, depending on which option you choose under Employment Insurance. If you are on leave from a 1.0 position you should see an increment change during the 12 months you are off.

**9. Are benefits covered during maternity leave?**

- a. Medical, extended health benefits, group life insurance, and dental benefits will continue to be administered by the Board during short term maternity leave, the 16 week “top up” period.

**10. What is the difference in Maternity Leave and Parental Leave?**

- a. Maternity Leave is specific to the parent that delivers a baby. This leave is to ensure that the medical considerations are taken care of as the act of giving birth can require extensive medical care.
- b. Parental leave can also be considered Adoption Leave as it is for the parent that did not deliver the baby. Parental leave must be taken in a continuous stretch.

**11. What is extended maternity/parental and how does it work?**

- a. Extended maternity/parental Leave: leave shall be granted upon request for a period up to a maximum of thirty (30) school months inclusive of short term maternity leave, with return to coincide with the commencement of a term or semester unless the Board and teacher otherwise agree to an earlier return to work date.
- b. Teachers must advise the Board of their intent to return on or before March 31<sup>st</sup> in the calendar year in which they are returning or before October 31<sup>st</sup> if returning at the commencement of the term or semester immediately following October 31<sup>st</sup>.
- c. A teacher on extended maternity leave can choose to continue medical benefits by paying 100% of all benefit premiums during the leave.

**12. When do I have to return to work? And when do I have to give notice?**

- a. The return to work should coincide with the commencement of a term or semester. A teacher on short term maternity leave can give four weeks (or more) notice prior to the original expiration of the leave to extend the leave. Teachers who extend the shall advise the Board of their intention to return to work on or before March 31<sup>st</sup> in the calendar year in which they are returning or before October 31<sup>st</sup> if returning at the commencement of the term or semester immediately following October 31<sup>st</sup>.
- b. When you return to work within a year of the start of your leave, you return to your same job. The Employer is currently denying the ability to return to the same position within 18 months, but we disagree and hope to have a resolution to this soon. We believe that the new rules under employment insurance that allow you to take 18 months of leave should also allow you to return to your same job after 18 months. Stay tuned.

**13. What happens to my pension while I am on maternity leave?**

Pension payments are discontinued during maternity leave. You can buy back pensionable service within 5 years. Teachers Pension Plan has more information:

<https://tpp.pensionsbc.ca/taking-time-off-work-and-buying-service>