

L'ARCHE ANTIGONISH

POLICY AND PROCEDURE MANUAL

POLICY: PREGNANCY/ADOPTIVE/PATERNAL LEAVE

A leave of absence will be granted by L'Arche Antigonish for a pregnant woman with an opportunity for her to return to work without the loss of position or benefits. Adoptive parents will be provided with the same benefits.

MATERNITY LEAVE REQUIREMENTS

- An employee is entitled to at least 17 weeks of unpaid leave of absence for pregnancy, provided she has been employed with L'Arche Antigonish for at least 13 weeks preceding the estimated date of delivery.
- The leave may commence no earlier than 15 weeks before the expected date of delivery and the day on which the employee gives birth.
- The employee is required to give L'Arche Antigonish at least 4 weeks of written notice of the date that the leave is to begin, and if requested, a certificate from a legally qualified practitioner stating the due date. If the employee does not specify the duration of the leave, it will be assumed she wishes to take the maximum leave.
- L'Arche Antigonish will continue to provide, and make contributions to pension plans, health and dental plans, unless the employee gives written notice that they do not wish to participate, or does not wish to continue to make employee contributions (if any) to such plans.
- An employee who has given notice to begin Pregnancy Leave may change the notice to an earlier date, by giving at least 2 weeks' written notice before the earliest date. She may change to a later date also, by giving 2 weeks' notice before the leave is to begin.
- An employee who stops working because of complications caused by her pregnancy or because of a birth, still-birth or miscarriage that occurs earlier than the due date, does not need to give prior notice. However, within 2 weeks' after stopping work, the employee is required to give written notice to L'Arche Antigonish of the day the pregnancy leave began or is to begin, and if requested, an appropriate medical certificate stating that the employee stopped working because of a complication and that she is unable to perform her duties because of the complication. The certificate should also state her due date and/or actual date of birth, still-birth, or miscarriage.
- Following Maternity Leave, the employee will be reinstated to the same position she left, providing it still exists, or to a comparable position if it does not. This does not apply if the employment of the assistant/employee is ended solely for reasons unrelated to the leave. The rate of pay on reinstatement must be at least equal to the greater of the rate the employee most recently earned, and the rate that the employee would be earning had she worked through the leave.
- If an employee wishes to change her date of return to work to an earlier date (subject to the rules concerning the maximum length of leave), she must give L'Arche Antigonish at least 4 weeks' written

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notice before the earlier date. If she wishes to change her date of return to a later date, she must give at least 4 weeks' written notice before the date the leave was to end originally.

- An employee cannot be laid off, terminated or disciplined because she is entitled to, has applied for, or has taken Pregnancy Leave.
- An employee who takes Pregnancy Leave is not allowed to terminate her employment before the leave expires or when it expires, without giving L'Arche Antigonish at least 4 weeks' written notice of termination.

ADOPTIVE/PARENTAL LEAVE REQUIREMENTS:

- An employee who has been employed by L'Arche Antigonish for at least 13 weeks and who is a parent of a child, is entitled to 35 weeks leave of absence without pay following the birth of the child, or the coming of the child into the employee's custody, care and control for the first time.
- An employee may begin Parental Leave no later 52 weeks after the day the child is born, or comes into the assistant/employee's custody, care and control for the first time.
- An employee who has taken Pregnancy Leave must begin her Parental Leave when her Pregnancy Leave ends, unless the child has not yet come into her custody, care and control for the first time.
- An employee wishing to take Parental Leave must give L'Arche Antigonish written notice at least 4 weeks before the day the leave is to begin. No notice is required where the child enters the custody, care and control of the employee earlier than expected. Should this occur and the employee has stopped working, the employee's Parental Leave begins on the day the employee stops working, and the employee must give L'Arche Antigonish written notice that the employee is commencing Parental Leave within 2 weeks after stopping work.
- An employee who has given notice to begin Parental Leave may change the notice to an earlier date, by giving at least 2 weeks' written notice before the earlier date. The employee may change to a later date by giving 2 weeks' notice before the leave is to begin.
- If an employee wishes to change the date of return to work to an earlier date (subject to the rules concerning maximum length of leave), the employee must give L'Arche Antigonish at least 4 weeks' written notice before the earlier date. If the employee wishes to change the date of return to a later date, the employee must give at least 4 weeks' written notice before the date the was to end originally.
- L'Arche Antigonish will continue to provide, and make contributions to pension plans, health and dental plans, unless the give written notice that they do not wish to participate, or does not wish to continue to make employee contributions (if any) to such plans.

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- Following Parental Leave, the employee they will be reinstated to the same position they left, providing it still exists, or to a comparable position if it does not. This does not apply if the employment of the employee is ended solely for reasons unrelated to the leave. The rate of pay on reinstatement must be at least equal to the greater of the rate the employee most recently earned, and the rate that the employee would be earning had they worked through the leave.
- An employee cannot be laid off, terminated or disciplined because they are entitled to, has applied for, or has taken Parental Leave.
- An employee who takes Parental Leave is not allowed to terminate their employment before the leave expires or when it expires, without giving L'Arche Antigonish at least 4 weeks' written notice of termination.

STATUS OF BENEFITS:

- Major medical and dental benefits will continue to be covered at no cost to the employee for the duration of Pregnancy/Parental/Adoptive Leave.
- The employee has the option of taking any earned vacation days consecutive with their Pregnancy and/or Adoptive/Parental Leave before the commencement. If the assistant/employee terminates during the leave, vacation due will then be received as pay.