

---

## Maternity and Child Care Leave

---

Policy Number:	4103
Key Process Area:	Employee Engagement & Culture
Owner:	VP FA
Current Approved Date:	Jan 17, 2019

---

### POLICY STATEMENT

New Brunswick Community College (NBCC) supports its employees through time off following the birth or adoption (Child Care) of a child.

### PURPOSE

Maternity Leave provides leave for employees who wish to take time off for the birth and care for a newborn child. Child Care Leave provides leave to natural or adoptive parents who wish to take time off work to care for a child. The total leave of absence for Maternity Leave and Child Care Leave is up to a maximum of 78 weeks.

### SCOPE AND LIMITATIONS

This policy applies to non-union employees. Unionized employees should refer to their collective agreement. Some sections of this policy apply only to full time regular employees.

## 1.0 DEFINITIONS

### Regular Rate of Pay

- the rate of pay the employee was receiving at the time maternity leave began and does not include retroactive adjustment of rate of pay, acting pay, any other form of supplementary pay.

## 2.0 IMPLEMENTATION

Unless otherwise agreed to by the employer and the employee, where maternity leave and child care leave are taken by the same employee, the leaves must be taken in a consecutive manner.

### 2.1 Maternity Leave: How it Works.

- 2.1.1 Notify your supervisor in writing of your intention to take maternity leave at least four (4) months prior to the expected delivery date.
- 2.1.2 In the absence of an emergency, give two (2) weeks written notice to the Employer of the commencement date and duration of the leave.
- 2.1.3 NBCC shall approve 17 weeks of Maternity Leave following the delivery of a child.

### 2.2 Sick Leave and Maternity Leave

Sick leave may be granted to an employee for illness arising from complications associated with the pregnancy, excluding delivery, upon production of an appropriate medical certificate.

Leave is to begin no earlier than 13 weeks before the probable delivery date.

## 2.3 Pay During Maternity Leave (full time regular employees)

**2.3.1** An employee who qualified for Supplementary Unemployment Benefits while on maternity leave receives 75% of their regular rate of pay which is a combination of EI benefits and pay.

### 2.3.2 Supplementary Unemployment Benefit Plan (SUB): How it Works

For employees who have completed one (1) year of continuous employment and agree to return to work for a period of at least 6 months:

- During the one (1) week waiting period for EI eligibility, the employer pays the employee a maternity allowance of 75% of their regular rate of pay, less any other monies earned during this period.
- During the next sixteen (16) weeks, following proof of eligibility for EI, the employer pays the employee the difference between the EI benefits and 75% of the employee's regular rate of pay.
- If the employee does not return to work for a period of six (6) months, they shall reimburse the amount of received from the employer.

For additional questions on Employment Insurance, refer to the Government of Canada's website.

## 2.4 Child Care Leave: How it Works

**2.4.1** Child Care Leave is treated as leave without pay.

**2.4.2** An employee requesting child care leave shall request in writing and be granted a leave of absence without pay for a period of 37 weeks. If the employee is taking Maternity Leave, the combination of the two leaves shall not exceed 52 weeks.

**2.4.3** Should both parents be employed with NBCC, only one request for such leave shall be granted at one time under this policy and should both parents take leave, no more than 37 weeks shall be granted to both parents combined.

**2.4.4** An employee may request an additional leave of absence without pay following the completion of Child Care Leave. This Extended Leave would be to a maximum of 61 weeks (78 if combined Maternity Leave and Child Care Leave).

## 2.5 Other Benefits

**An employee on maternity or child care leave will:**

- be permitted to continue contributions to insurance and health plans on a cost-shared basis with the employer during the period of leave where the plans allow it.
- accrue continuous service credits for earning additional vacation and be credited continuous service for the period of the leave.

**An employee on maternity or child care leave will not:**

- accumulate sick leave or vacation credits during the leave period, but will retain previously earned sick leave and vacation credits.

## **2.6 Return to Work**

Where an employee reports for work upon the end of leave, NBCC shall permit the employee to resume work in the position the employee held immediately before the commencement of the leave or an equivalent position with no decrease in pay and with no loss of benefits accrued up to the commencement of the leave.

## **3.0 OTHER RELATED DOCUMENTS**

Employment Standards Act  
Request for Leave (4100.4693)  
Sick Leave (4102)

For all other benefits, including Pension Plan and Group Insurance Participation, see *Leave Without Pay* Policy.