

Examples of Maternity Leave Policy

This maternity policy is adapted from Royal Roads University. You can use it as a guideline to help create your own.

01 / DOCUMENTATION

In addition to the applicable sections of the Employment Standards Act, regular full-time and regular part-time employees who are not on lay-off or leave of absence are eligible for this benefit. In order to qualify for maternity leave, a regular full-time or regular part-time woman employee must:

- > Submit to [Department, Company Name] an application in writing for leave under this provision at least four (4) weeks prior to the commencement of the leave, and
- > Submit to [Department, Company Name] a certificate from a qualified medical practitioner certifying that the employee is pregnant and specifying the estimated date of the birth of the child.

02 / LENGTH OF LEAVE

Upon receipt of this application, [Company Name] shall grant maternity leave to the employee consisting of:

- > A maximum of seventeen (17) consecutive weeks of maternity leave, without pay, which may commence no sooner than eleven (11) weeks prior to the predicted birth of the child, and
- > If, for reasons related to the birth of the child as certified by a doctor, the employee is unable to return to work, a further unpaid leave of absence not exceeding six (6) consecutive weeks.

03 / TOP UP AND BRIDGING BENEFIT

Top up and bridging benefits will apply to only one of either Maternity or Parental Leave, but not both. Top up and bridging benefits will only apply to those employees who, due to their term of employment will satisfy the 'return to work' criteria set out in this guideline. During the period of maternity leave, an employee who has applied for and received Employment Insurance Benefits pursuant to the Employment Standards Act is entitled to a maternity leave allowance as follows:

- > 100% of the basic gross earnings for the initial two (2) weeks of maternity leave, and
- > For any further period during which the employee is collecting Maternity Employment Insurance benefits, the employee shall receive payments equivalent to the difference between 95% of the weekly salary and the amount of Employment Insurance earnings the employee is receiving.

04 / PENSION/BENEFITS WHILE ON MATERNITY LEAVE

Pension/benefits will only apply to the extent of the employee's coverage at the time of commencing leave. During the period of maternity leave, (insert company name) will continue to pay the benefit premiums normally paid for the eligible employee. Should the employee wish to continue Optional Life coverage, post-dated cheques shall be required from the employee for the period of leave to be covered.

05 / PAYMENT

To receive the benefits defined in paragraph 3, the employee shall supply [Company Name] with proof of application to the Employment Insurance Commission. On completion of maternity leave the employee shall return to her previous position. Service credit shall continue to accrue during the period of Maternity Leave for benefit entitlements and vacation purposes. The payment of the Supplementary Employment Benefit shall be as follows:

- > [Company Name] shall estimate the amount of the Employment Insurance payment and provide a supplementary payment to the employee on the usual salary payment schedule and this supplementary payment will be regarded as an advance.
- > The employee shall provide evidence of the actual payments received from the Employment Insurance Commission.
- > The subsequent payments to the employee shall be adjusted, up or down, to reflect the actual Employment Insurance payment.

06 / PROBATIONARY EMPLOYEES

An employee who commences maternity leave while on probation in a regular full-time or regular part-time position shall be reimbursed in a lump sum the difference between the Employment Insurance benefit and the employee's normal weekly salary to ninety-five percent (95%) upon returning to work and successfully completing the probation period.

07 / RETURN TO WORK

Employees who have received maternity leave benefits must return to work for a minimum of twelve (12) months of continuous service following maternity leave, or a combination of maternity and parental leave. If an employee who has received these benefits does not return to work or leaves the organization prior to completing twelve (12) months of service, they will be required to re-pay the top up and two (2) week bridging benefits (on a pro-rata basis - repayment reduced 1/12th for every month of service completed).

08 / CASUAL EMPLOYEES

Casual employees shall be entitled to maternity leave in accordance with the Employment Standards Act but shall not receive top up or bridging benefits.

This policy was last revised [insert latest revisal date]