

## **ARTICLE E 6.01 – MATERNITY AND PARENTAL LEAVE**

- A. Every female teacher shall be entitled to maternity leave and every teacher shall be entitled to parental leave in accordance with this article.
- B. Every teacher shall be entitled to unpaid parental leave.
- C. The teacher and the Division may mutually agree to extend the length of leave if the teacher so desires. Any such arrangements shall be confirmed in writing by the Division.
- D. Supplemental Employment Benefits Plan

Maternity or Parental leaves shall be in accordance with the Employment Standards Code of the Province of Manitoba.

### Top Up Benefits

- i. Effective July 1, 2017 a teacher taking Maternity Leave and/or Parental/Adoptive Leave pursuant to this article shall be entitled to receive pay equivalent to ninety percent (90%) of the teacher's gross salary (gross salary means the teacher's gross salary at the time the leave commenced plus any subsequently negotiated salary adjustments) for up to one hundred and thirty-five (135) teaching days, which pay will include any employment insurance benefits received in accordance with this article.
- ii. Effective July 1, 2017 the Division shall pay a teacher on Maternity Leave and/or Parental/Adoptive Leave:
  - 1) If the teacher's one (1) week or five (5) day waiting period falls entirely on teaching days, ninety percent (90%) of the teacher's gross salary plus up to eighty (80) teaching days of Maternity Leave Top-Up calculated at the difference between the teacher's gross salary provided the teacher remains on either maternity or parental leave and continues to receive employment insurance benefits;
  - 2) If the teacher's one (1) week or five (5) day waiting period falls partially or entirely within a non-teaching period, ninety percent (90%) of the teacher's gross salary for any teaching days and up to eighty-five (85) teaching days of Maternity Leave Top-Up calculated at the difference between the teacher's gross salary provided the teacher remains on either maternity or parental leave and continues to receive employment insurance benefits;
  - 3) Up to fifty (50) teaching days of parental/adoptive leave top-up calculated at the difference between the teacher's employment insurance benefit and ninety percent (90%) of the teacher's gross salary provided the teacher remains on parental/adoptive leave and continues to receive employment insurance benefits.

- iii. For greater certainty, a teacher who is receiving employment insurance benefits shall be entitled to:
- 1) one hundred and thirty-five (135) teaching days of pay and/or top-up benefits if the teacher takes both maternity leave and parental/adoptive leave;
  - 2) eighty-five (85) teaching days of pay and/or top-up benefits if the teacher only takes maternity leave;
  - 3) fifty (50) teaching days of pay and/or top-up benefits if the teacher only takes parental/adoptive leave;

unless the teacher takes a shorter period of maternity leave or parental/adoptive leave in which case, the pay and/or top-up will be pro-rated to reflect the actual number of teaching days taken. The parties acknowledge that the top-up payments made by the Division for maternity leave may extend into the period time that the teacher is on parental leave but the payment is intended to be a top-up of maternity leave benefits.

iv. Non-Application

This article shall not apply to any teacher who is employed on a term contract during the teacher's first year of employment. All other teachers shall be eligible to receive the top-up benefits once they have been employed for a period of seven (7) months by the Division.

- E. The qualifying period of seven teaching months must be seven consecutive teaching months in the employ of the Louis Riel School Division, as per the Manitoba Employment Standards Code. The full seven (7) months qualifying period must be served in order to qualify for any maternity leave payment. For greater certainty, should a teacher fail to serve the full qualifying period prior to the start of the maternity leave, then that teacher shall be eligible to receive maternity leave top up benefits only for that portion of the seventeen (17) weeks referenced in (1) above which occurs after the completion of the seven (7) month qualifying period.
- F. The Division requires, from each of the teachers on maternity leave, a copy of the Statement of Finalized Employment Insurance Benefits in order to accurately calculate her entitlement. This is a document which the teacher should have received (or will receive) from Employment Insurance four to six weeks from the date that she applied for Employment Insurance Benefits. Should payments to teachers be required prior to receipt of the Statement, an estimate of the correct entitlement will be made with an adjustment made following receipt of the Statement.