

Pregnancy and Parental Leave Policy



Glossary of Terms for the purposes of this policy

Insurable Earnings:	The income amount which is insured through the Employment Insurance program. In 2018 this is a maximum of \$51,700 per year.
Salary:	An employee's income as reported on their annual T4 slip. For clergy, this includes both the stipend and housing amount.
Housing Amount:	A portion of clergy remuneration provided in either the form of a cash housing allowance, or a parish-provided house (rectory). To calculate the cash value of the rectory, the fair rental value provided by the parish is used.
Pregnancy Leave:	The first leave period (17 weeks) accessible only to a parent who is pregnant and gives birth.
Parental Leave:	The second leave period for those who become new parents through birth or adoption. This leave is 35 weeks or 61 weeks for those who took Pregnancy Leave and 37 weeks or 63 weeks for all others.
Employee:	An employee or office holder (clergy) whose remuneration is administered through the centralized payroll of the Incorporated Synod of the Diocese of Toronto.
Supervisor:	The position which provides oversight and ensures accountability. For clergy, the Area Bishop is the supervisor. For Diocesan Centre staff, the Executive Director and the Directors are the supervisors for the purposes of this policy.
Service	Qualifying service in the Anglican Diocese of Toronto for: <u>Diocesan Staff</u> it is 12 full months of employment with the Incorporated Synod of the Diocese of Toronto. <u>Clergy</u> it is 12 full months consecutive service in the previous 24 months in the Anglican Church, or a Church in Communion.

Pregnancy and Parental Leave Entitlement

Employees must have been employed for at least 13 weeks prior to the due date to qualify for a pregnancy and/or parental leave. New parents have the option of either taking a 12-month combined Pregnancy and Parental Leave or an 18-month combined leave.

Pregnancy leave: In compliance with the Ontario Employment Standards Act, pregnant employees are entitled to an unpaid pregnancy leave for an absence of 17 weeks. The pregnancy leave may commence 12 weeks before the expected due date at the earliest, and the day after delivery at the latest. A shorter leave of absence may be requested, but requires a medical certificate.

Parental leave: New parents who take a Pregnancy Leave are entitled to an additional 35 weeks of unpaid Parental Leave if they have chosen a 12-month combined Pregnancy and Parental Leave or 61 weeks if they have selected an 18-month combined leave. New parents who do not take Pregnancy Leave (e.g. through adoption) are entitled to up to 37 weeks' Parental Leave if taking the 12-month leave or 63 weeks if taking the 18-month leave. In the case of a birth, the parental leave must immediately follow the pregnancy leave.

Please note that the rules governing the right to take time off work for pregnancy and parental leave under the Ontario Employment Standards Act (ESA) are different from the rules regarding the payment of pregnancy and parental benefits under the Employment Insurance Act (EI). For more information about the Employment Insurance benefits criteria, please see below.

Employment Insurance (EI) Benefits:

EI Pregnancy Leave Benefit

EI Pregnancy Leave Benefit is 17 weeks in duration, paid at 55% of insurable earnings after a 1 week waiting period. This applies if premiums have been paid for at least 600 hours in the past 52 weeks before the leave commences.

EI Parental Leave Benefit

EI Parental Benefits can be collected by natural and adoptive parents caring for a newborn or adopted child. There are two options to select from. The difference is the length of the parental leaves.

Option 1: 12-Month Pregnancy and Parental Leave

For a 12-month leave, and if Pregnancy Leave is taken, EI Parental Benefits will be paid at 55% of insurable earnings for a maximum period of 35 weeks. In this case, combined Pregnancy and Parental Leave must end 52 weeks after the child was born. If Pregnancy Leave is not taken (i.e. adoption), EI Parental Leave Benefits are paid at 55% of insurable earnings for a maximum period of 37 weeks.

Option 2: 18-Month Pregnancy and Parental Leave

For an 18-month leave, and if Pregnancy Leave is taken, EI Parental Benefits will be paid at 33% of insurable earnings for a maximum period of 61 weeks. In this case, combined Pregnancy and Parental Leave must end 78 weeks after the child was born. If Pregnancy Leave is not taken (i.e. adoption), EI Parental Leave Benefits are paid at 33% of insurable earnings for a maximum period of 63 weeks.

Apply to the local Service Canada Office. Applications are to be made 4 weeks before the start of the leave; late applications may result in a loss of benefits. Applications can be made earlier than 4 weeks before the start of the leave, and pregnancy benefits can begin up to 12 weeks before the expected due date or actual birth. For more information, please visit

<https://www.canada.ca/en/services/benefits/ei>.

Diocesan Supplementary Benefits Policy:

The Diocese of Toronto provides a Supplementary Benefit Plan in addition to EI benefits. This benefit is only available to those who qualify for and are in receipt of the EI Pregnancy and Parental Benefits. These Supplementary Benefits are as follows:

- 100% of salary during the 1-week EI waiting period (during which no EI benefits are paid to either parent);
- a top-up to 100% of salary during the 15-week period that EI Pregnancy Benefits are paid;
- for parents taking a 35-week Parental Leave, a top-up to 100% of salary during the first 12-week period that parental benefits are paid; or
- for parents taking a 61-week Parental Leave, a top-up of salary for the first 12-week period equal to the dollar amount that would have been paid if the employee had elected to take a 35-

week Parental Leave. This means the employee will not receive a top-up to 100% of salary for this 12-week period because Parental Leave has been extended by 6 months, thereby reducing the weekly EI benefits to 33%.

- the employer's share of the pension and benefits costs during the leave.

A maximum of 28 weeks of Supplementary Benefits can be received by one parent or split between the two, if both parents are eligible. This policy will be implemented in accordance with the procedures below.

Funding:

The Supplementary Benefits will be paid through the Diocesan Pregnancy and Parental Leave Fund rather than through the parish/Synod Office department. The funds for these leaves are paid through a central payroll tax administered by the Diocese of Toronto. The payroll tax paid by the salary source is determined at 0.24% of salary. The salary amount used for clergy will be 1.5 times stipend, to include the housing portion of salary.

Implementation Procedure:

Application Process: Employees that meet the qualifications for an unpaid leave, will be granted a leave for a maximum of either 52 weeks or 78 weeks in accordance with the Employment Standards Act. To qualify for Diocesan Supplementary Benefits the employee must be a current diocesan employee, have at least one year's service, and be eligible for E.I. benefits. Employees are expected to give at least 4 weeks' written notice to their supervisor indicating the commencement and ending dates of the leave period to ensure appropriate coverage during their absence. Employees are encouraged to give as much notice as possible.

For Pregnancy Leave, a medical certificate in either of the following forms must be obtained:

- a letter from the doctor giving the expected date of birth;
- a copy of the completed medical certificate from the EI "Claim Kit" (obtainable from the local Service Canada Office)

The Employee Assistance Program (offered through Morneau Shepell 1-800-387-4765) offers a package of forms, information, and resources for employees taking a pregnancy or parental leave. The Diocese of Toronto recommends that all employees taking this leave contact the EAP and request this package.

Effect on:

1. **Pension and Benefits:** Subject to the terms and conditions of the applicable plan policies, Pension, Long Term Disability, Extended Health Care, Dental, Vision Care, Group Insurance, and Continuing Education contributions will continue during the leave. The employee can choose one of three options before the leave commences: A) continue pension contributions at pre-leave salary amount for the entire period of leave, B) continue pension contributions only on the supplementary benefits salary for the entire period of leave, or C) make no pension contributions during the leave. Prepayment of the employee portion of the premiums by post-dated cheque will be organized prior to the commencement of the leave.
2. **Clergy Housing:** As defined in the Glossary, housing is the "portion of clergy remuneration provided in either the form of a cash housing allowance or a parish-provided house (rectory)" and is part of the total salary on which EI benefits are calculated. For those residing in a rectory, EI benefits will be reduced by the full weekly value of the rectory. Therefore, depending on the cleric's salary level, it is possible that clergy living in rectories may not receive EI benefits. Before

the Pregnancy/Parental Leave commences, it is the employee's responsibility to be in contact with both Service Canada and the Diocesan Centralized Payroll office to determine the amount of eligible benefits from each source on a weekly basis.

Please note that the current maximum weekly EI benefit under the 18-month combined leave option is \$328, which is less than the weekly rectory value for most clergy. Therefore, for those living in a rectory, it is strongly encouraged that you choose the 12-month option for **EI benefits**. You may still choose to take a leave of 18-months in total, however you will not receive income from any source for weeks 29-78. * *Please refer to example 2 on page 5.*

To be eligible for the Diocesan Supplementary Benefits, all employees must make application for EI benefits. For the purposes of this policy, those employees who apply for EI benefits and do not receive them based solely on the rectory value will remain eligible for the Diocesan Supplementary Benefit.

If the parish provides a rectory, the parish will receive the fair-rental value of that rectory during the Supplementary Benefit period

3. **Vacation:** All accrued, unused vacation must be taken prior to the start of the leave. Vacation entitlements will continue to accrue during the leave.
4. **Synod Status:** Employees on a Pregnancy/Parental leave will be considered "On Leave"; however, they will maintain their normal Synod voting status and privileges.
5. **Return to Work:** The employee is expected to return to work following the leave. If the employee does not wish to return, they must give a minimum of one month's written notice before the end of the leave. An employee not wishing to return to the previous appointment will be deemed to have resigned.

APPENDIX – What can I expect to be paid?

Normally, diocesan salary is calculated monthly (12 pay cycles), however during this type of leave it will be calculated weekly (52 pay cycles) and issued monthly. The examples below will give you an idea of how much you can expect to receive from each source, each week, depending on whether you choose to take a 12-month or 18-month combined leave.

Example 1: Cash Housing Allowance or Salary

By way of example, if you are taking a full Pregnancy and Parental Leave with a total salary of \$60,000 (stipend of \$40,000 and a cash housing of \$20,000) the following is how the weekly payments would be determined without mandatory deductions. This is a salary of \$1,153.85 per week.

12-Month Combined Pregnancy and Parental Leave		
Source of Funding		Employee Receives
Diocesan Fund	Week 1	\$1,153.85
Diocesan Fund	Weeks 2-16	\$606.85
Employment Insurance		\$547.00
Diocesan Fund	Weeks 17-28	\$606.85
Employment Insurance		\$547.00
Employment Insurance	Weeks 29-51	\$547.00
Unpaid	Week 52	Unpaid

18-Month Combined Pregnancy and Parental Leave	
	Employee Receives
Week 1	\$1,153.85
Weeks 2-16	\$606.85
	\$547.00 (at 55%)
Weeks 17-28	\$606.85
	\$328.00 (at 33%)
Weeks 29-77	\$328.00 (at 33%)
Week 78	Unpaid

Example 2: Living in a Rectory

By way of example, if you are taking a full Pregnancy and Parental Leave with a total salary of \$60,000 (stipend of \$40,000 and a fair rental value of \$20,000) the following is how the weekly payments would be determined without mandatory deductions. This is \$1,153.85 per week (\$769.23 stipend, and \$384.62 rectory value). *Please refer to the Clergy Housing section on page 4.*

12-Month Combined Pregnancy and Parental Leave			
Source of Funding		Employee Receives	Parish Receives
Diocesan Fund	Week 1	\$769.23	\$384.62
Diocesan Fund	Weeks 2-16	\$222.23	\$384.62
Employment Insurance		\$547.00	\$0
Diocesan Fund	Weeks 17-28	\$222.23	\$384.62
Employment Insurance		\$547.00	\$0
Employment Insurance	Weeks 29-51	\$162.38 <i>(reduced by rectory value)</i>	\$0
Unpaid	Week 52	Unpaid	

18-Month Combined Pregnancy and Parental Leave		
	Employee Receives	Parish Receives
Week 1	\$769.23	\$384.62
Weeks 2-16	\$222.23	\$384.62
	\$547.00 (at 55%)	\$0
Weeks 17-28	\$222.23	\$384.62
	\$328.00 (at 33%)	\$0
Weeks 29-77	* (\$56.62) <i>(reduced by rectory value)</i>	\$0
Week 78	Unpaid	

Example 3: Cash Housing Allowance – Parental Leave Only

By way of example, if you are only taking a Parental Leave with a total salary of \$60,000 (stipend of \$40,000 and a cash housing of \$20,000) the following is how the weekly payments would be determined without mandatory deductions. This is a salary of \$1,153.85 per week.

12-Month Combined Pregnancy and Parental Leave		
Source of Funding		Employee Receives
Diocesan Fund	Week 1	\$1,153.85
Diocesan Fund	Weeks 2-13	\$606.85
Employment Insurance		\$547.00
Employment Insurance	Weeks 14-36	\$547.00
Unpaid	Week 37	

18-Month Combined Pregnancy and Parental Leave	
	Employee Receives
Week 1	\$1,153.85
Weeks 2-13	\$606.85
	\$328.00 (at 33%)
Weeks 14-62	\$328.00 (at 33%)
Week 63	Unpaid