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PARENTAL LEAVE

PURPOSE


1. The Government provides parental leave benefits to employees who have, or will have, in his or her care and custody his or her newborn child, or who adopt a child.

APPLICATION


2. These guidelines and procedures apply to NEU, NTA, Senior Management and Excluded employees.

PROVISIONS


3. Parental leave without pay is available to male and female employees who:
 - have or will have the actual care and custody of his/her newborn child;
 - have commenced proceedings to adopt a child and have actual care and custody of that child; or
 - obtain an order for the adoption of a child.
4. Parental leave without pay can be taken for a single period up to 26 consecutive weeks for NEU employees and 37 weeks for NTA employees. The leave must be taken during the 52-week period immediately following the day the child is born or, in the case of adoption, within the 52-week period from the date the employee has care and custody of the child.
5. Parental leave may be shared by an employee couple, but the total amount of parental leave cannot exceed 26 weeks for both employees combined in the NEU bargaining unit and 37 weeks combined in the NTA bargaining unit.
6. An employee who takes maternity leave may also take parental leave, in which case, it must be taken immediately following the maternity leave. The total amount of maternity and parental leave combined cannot exceed 52 weeks.
7. Where an employee on Maternity Leave has applied for and been granted Parental Leave, she may, at her request, receive parental leave allowance immediately after termination of the maternity allowance and prior to the start of the parental leave.

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8. The time for which an employee is entitled to parental leave does not increase if the employee is adopting more than one child or has or is the natural parent of more than one newborn child.
9. Parental leave can be taken with or without benefits.
10. To be eligible for the parental leave an employee must:
 - have at least six months of continuous service with the Government;
 - have applied for and been granted parental leave;
 - apply for and receive Employment Insurance (EI) benefits; and
 - sign an agreement with the Government, to return to work on the date of the expiry of the parental leave, and work for a minimum of six months after the parental leave.
11. Benefits are available for up to 13 weeks for NEU, Excluded and Management employees and up to 12 weeks for NTA employees. This includes the two week waiting period required by Employment Insurance.
12. When parental leave is taken by an employee couple, payments made for Parental Leave shall not exceed a total of 13 weeks for NEU, Excluded and Management employees and 12 weeks for NTA employees for both employees combined. The requirement to return to work for six months will be split between the couple, proportional to the number of weeks of the SUB Plan taken by each one.
13. Benefits "top up" regular EI benefits so the employee receives 93% of regular salary during the period. Term employees are not eligible for the "top up" benefit.
14. The Employer is not responsible for any consequences of an employment benefit overpayment, nor is it responsible for providing any additional payments in respect of parental leave should the employee's benefits be affected by tax, employment insurance, or legislative provisions.
15. Custom Adoptions can be verified by a court order, statutory declaration from the birth mother, certification from the Adoption Commission or a signed and dated letter from an authority within the community (e.g., Police Officer, Social Service Worker, Nurse).

	
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16. The employee requesting parental leave shall make every effort to provide reasonable notice. In the case of an adoption, the employee shall notify their supervisor as soon as the application for adoption has been approved by the adoption agency or legal guardianship and custody papers have been drawn.
17. The employee completes an application for leave, provides proof of the birth of the child or the adoption order or other authorizing document, and submits it to their supervisor for approval.
18. The employee consults with Compensation and Benefits and their departmental human resources section in Headquarters about parental leave and how it affects other benefits (Attachment A).
19. If the employee wants to participate, the Deputy Head and the employee sign an Agreement (Attachment B). The employee agrees to return to work on a specific date for a period of at least six months. If the employee does not fulfil their commitment, their benefits will be recovered on a pro-rated basis.
20. The department approves the leave application for up to 26 consecutive weeks for NEU, Excluded and Management employees, and up to 37 consecutive weeks for NTA employees. The department forwards the approved leave form and the agreement to Compensation and Benefits.
21. Compensation and Benefits starts pay action reflecting the approved dates in the agreement. Employees receive 93% of their weekly rate of pay for the two-week Employment Insurance waiting period. For the remaining 12 weeks for NEU, Excluded and Management employees and the remaining 11 weeks for NTA employees, payment will be for the difference between the employment insurance benefit received and 93% of the weekly rate of pay.
22. Where an employee takes parental leave in conjunction with maternity leave, payment will be for the difference between the employment insurance benefit received and 93% of the weekly rate of pay for 14 weeks for NEU, Excluded and Management employees and 13 weeks for NTA employees.

	
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23. Compensation and Benefits issues a record of employment to the employee on the last working day before his/her parental leave.
24. At the employee's request, Compensation and Benefits sends the record of employment directly to the local Human Resource Development Canada (HRDC) office.
25. The employee applies to HRDC for EI benefits.
26. The employee signs a release of information document (Attachment C) authorizing HRDC to provide EI information to Compensation and Benefits.
27. No employee shall be laid off, transferred or relocated while on, or within six months of his/her return from maternity/parental leave without the consent of the employee and the employer.

AUTHORITIES AND REFERENCES

28. Senior Managers' Handbook
Parental Leave
29. Excluded Employees' Handbook
Parental Leave
30. Main collective agreement with the NEU
Parental Leave – Article 21.06
31. Collective Agreement with the NTA
Article 15.06
32. Employment Insurance Act
Section 22

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CONTACTS

33. For further information or clarification, please contact:

**Director Compensation and Benefits
Department of Finance
Iqaluit, Nunavut
975-5881**

or

**Director Employee Relations
Department of Human Resources
Iqaluit, Nunavut
975-6211**

	
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ATTACHMENT A

General Information Questions Commonly Asked

In addition to the guidelines and procedures, we have prepared the following information:

What happens if I change my mind and decide not to return to work for the full six months?

You will have to repay a percentage of the money that you received from the GN. The amount that has to be repaid will depend on how long you work after your leave. For example, if you return for three months and then resign, you will have to pay back 50%.

How can I make sure that I receive my benefits without lengthy delays?

Start the process as soon as possible. Our payroll system requires up to four weeks lead-time to make changes to an employee's cheque. Try and get all of the necessary forms completed and give them to your department as soon as possible.


Advise Compensation and Benefits that you want your Record of Employment sent directly to Human Resource Development Canada (HRDC). Ensure you send your Employment Insurance application and Release of Information form into HRDC as early as possible as well.

Are the benefits taxable?

Yes. The benefits are taxable and payroll will make tax deductions as usual.

Are there any other tax implications?

There could be depending on your annual income. You may be subject to an adjustment when you file your income tax return if your income during the year in which you received HRDC benefits exceeds a predetermined limit. If you think that your income will be greater than \$39,000, you should contact your local HRDC office for further details.

	
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What deductions will come off my pay cheque during the period?

1. Federal Tax
2. Payroll Tax
3. Canada Pension Plan
4. Insurance Deductions
5. Receivables owing to the employer

* Canada Savings Bonds deductions will stop, and restart on your return to work or continue to be deducted from the SUB Plan at the employee's option*

What happens to my other benefits during my Maternity Leave?

Public Service Health Care Plan (PSHCP) - when you go on unpaid leave, you MUST prepay the premiums you are responsible for to cover the period you will be off work.


Superannuation/Supplementary Death Benefit (SDB) - Contributions not paid while you were off will be recovered once you return to work. These recoveries will be made over a period that is double the amount of time you were off work (example: leave period = 6 months. Recoveries taken over 12 months). You are only required (mandatory) to pay back (buy back) three months of this period. For the rest of the time you were off work you can make an option not to count the time as pensionable service.

Public Service Management Insurance Plan (PSMIP) - when you go on unpaid leave, you MUST prepay the premiums for the period you will be off work.

Long Term Disability / Disability (LTD/DI) - Premiums not paid while you were off will be recovered once you return to work.

Dental – Coverage is all employer paid (less an annual deductible). As long as you remain an employee with the GN your dental coverage will continue.

Medical Transportation Assistance will also continue, provided that you remain in your community of employment.

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**ATTACHMENT B
Parental Leave Agreement**

1. This is an Agreement between

_____ and
(employee's name)

(DM Employing Department)


in accordance with the Excluded Employees Handbook/Senior Managers' Handbook/Collective Agreements between the Nunavut Employees Union and Nunavut Teachers Association.

2. The employee undertakes to return to work on

_____ (date) and remain in the employ of the Government of Nunavut for at least six **continuous** months of full-time employment from that date. If the employee is also receiving maternity leave benefits, the six months parental leave return service requirement begins at the end of the six months maternity leave return service requirement.

3. The return date specified in paragraph 2 can be amended only with the consent of the employing Department. The Employee understands that in the event of an amended date, the six-month period of employment undertaken in paragraph 2 will commence on the new return date.

4. The Employee understands that if he/she fails to return to work or fails to remain employed with the Government of Nunavut for at least six months, as specified in paragraphs 2 and 3, he/she will be indebted to the Employer for the amounts received as Benefits and will repay such amounts as prescribed in the applicable Collective Agreement or employee handbook.

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5. In the case of excluded and management employees, the Employer is not responsible for any consequences of an employment benefit overpayment, nor is it responsible for providing any additional payments in respect of maternity leave should the employee’s benefits be affected by tax, employment insurance, or legislative provisions.


6. The employee shall not be laid off, transferred or relocated while on, or within six months of his/her return from maternity/adoption leave without the consent of the employee and the employer.

Dated at _____ this _____ day of _____.

(place) (day) (month)(year)

 (Deputy Minister Signature)

 (Employee Signature)

	
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ATTACHMENT C

**GOVERNMENT OF NUNAVUT
PARENTAL LEAVE**

Complete and sign Part A and forward it to Human Resource Development Canada (HRDC) in Iqaluit. Once completed by the HRDC Agent, the form is returned to payroll at the address shown below:

A. EMPLOYEE:

Name:

Social Insurance No.: _____ T.O.S. Date (mm/dd/yy):

Date Maternity Leave Commenced:

Address:

I authorize the HRDC Agent to release information as requested in Part B to the Government of Nunavut.

B. HRDC AGENT:

Employee has qualified for Employment Insurance benefits: yes _____ or
no _____

Weekly rate of benefit: \$ _____

No. of benefit weeks: _____



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Waiting period commences (dd/mm/yy):

Benefits commence (dd/mm/yy):

Date

Signature of HRDC Agent

Return to:



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ATTACHMENT D
PARENTAL LEAVE
SYSTEM INFORMATION

NAME:

SIN:

PAYROLL

NUMBER:

Maternity Leave _____ **Parental Leave** _____

Status: NEU _____
Excluded/Management _____

Pay this employee his/her entitlement under Article + _____ of the
_____ Collective Agreement/Handbook.

Effective (date) _____, pay this employee _____% of his/her
weekly rate of pay (\$ _____) for 2 weeks followed by _____% of
his/her weekly rate of pay less the benefit received from HRDC
(\$ _____) for the following _____ weeks (maximum **15**) ending on
(date) _____.

Date

Completed By

Date

Completed By