PREGNANCY / PARENTAL LEAVE INFORMATION BOOK



ETFO Thames Valley Teacher Local

2911 Bateman Trail
London, Ontario N6L 0A6
Telephone: Local 519-474-3150 or Long Distance 1-888-874-7873

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Q. DOES HAVING A BABY MEAN LOTS OF PAPERWORK?

- A. Yes, but you are not responsible for completing all of it. Most of the paperwork is completed by TVDSB Human Resource Services. Your responsibility is to complete the following application forms:
 - TVDSB Application for Pregnancy/Parental Leave Form (including a medical certificate indicating your due date or certificate of adoption) - submit via e-mail or fax to 519-452-2478;
 - El (Employment Insurance) on-line application;
 - Long Term Disability (LTD) Form for payment of your premiums to OTIP.

Under the ETFO ELHT Benefit Plan, your benefits continue on your statutory leave based on your current status. Optional coverage can still be purchased at full cost.

Q. I'M SO WORRIED I'M GOING TO LOSE MY BABY, I DON'T WANT TO TELL ANYONE. HOW MUCH NOTICE DO I HAVE TO GIVE?

A. Two weeks. The Employment Standards Act (Ontario Law) requires two weeks notice for the start of your leave, but no doubt your secret will be evident long before then. Many Teachers give greater notice than this requirement because they wish to be prepared in the event of an early delivery. Advance notice is requested from the Board to assist with completion of paperwork and payroll adjustments.

Reference: Collective Agreement

Article L11.02

Requests for Pregnancy Leave shall be made in writing on the Application for Pregnancy Leave/Parental Leave Form and submitted to the Associate Director, Organizational Support Services or designate as far in advance as possible but in no case any later than two (2) weeks before the expected date of birth.

Article L11.03

The written request for a Pregnancy Leave shall contain:

- a) the start date of the Pregnancy Leave, and
- b) the end date of the Pregnancy Leave.

Article L11.04

The Board may request a completed Medical Certificate from a legally qualified medical practitioner indicating the expected date of delivery.

Article L12.04

Requests for Parental Leave shall be made in writing on the Application for Pregnancy Leave/Parental Leave Form and submitted to the Associate Director, Organizational Support Services or designate as far in advance as possible, but in no case any later than two (2) weeks before the requested start date of the leave.

Article L12.05

The written request for a Parental Leave shall contain:

- a) the commencement date of the Parental Leave,
- b) the termination date of the Parental Leave; and
- c) the date or expected date of birth of the child.

Article L13.02

Requests for Adoption Leave shall be made in writing on the Application for Adoption Leave Form and submitted to the Associate Director, Organizational Support Services or designate as far in advance as possible, but in no case later than two (2) weeks before the requested start date of the leave.

Article L13.03

The written request for an Adoption Leave shall contain:

- a) the commencement date of the Adoption Leave;
- *b) the termination date of the Adoption Leave;*
- c) the date or expected date of the child coming into the custody, care and control of the parent for the first time

Q. I'M A PROBATIONARY TEACHER AND I JUST FOUND OUT I'M PREGNANT. CAN I LOSE MY JOB?

A. No. We continue to see gains in the area of working women having babies. You cannot lose your job because of pregnancy.

EMPLOYMENT STANDARDS ACT

Under the Employment Standards Act, a pregnant employee is entitled to Pregnancy Leave whether she is full-time or part-time if she was hired at least 13 weeks before the baby's expected birth date (the "due date"). Further, an employee who is entitled to take a Pregnancy or Parental Leave cannot be terminated or laid off, disciplined, or suspended just because they have applied for this leave.

The <u>Employment Standards Act</u> provides rights and protections for all workers in Ontario. In addition to the right to take Pregnancy and Parental Leave, the ESA provides for seniority protection, continuation of employers' portion of benefit premiums during your leave and reinstatement to your same or comparable position following your leave.

For more details on these provisions, you can visit the Ontario Ministry of Labour's website and look under *Employment Standards - Publications* for the pdf brochure called *Leaves of Absence: An Introduction to Pregnancy, Parental, Emergency and Family Medical Leaves* or the Fact Sheets on Pregnancy and Parental Leave. The web address is: www.labour.gov.on.ca/english/es/.

An employee who has been penalized for taking a Pregnancy or Parental Leave has recourse under the Pregnancy and Parental Leave provisions of the <u>Employment Standards Act</u>. However, his or her rights under the <u>Human Rights Code</u> may also have been violated, in that he or she may have been discriminated against because of sex, pregnancy, or family status. Therefore, a complaint could also be registered with the Ontario Human Rights Commission.

PROBATIONARY TEACHERS

Time on Pregnancy and Parental Leave does not count towards your ten (10) month probationary period. Therefore, if you have not yet completed your probationary period by the time of your leave, this period will be extended a month for every twenty (20) teaching days you are absent.

Reference: Employment Standards Act, 2000

Part XVIII Reprisal

Prohibition 74 (1)

No employer or person acting on behalf of an employer shall intimidate, dismiss or otherwise penalize an employee or threaten to do so,

a) because the employee,

viii) is or will become eligible to take a leave, intends to take a leave or takes a leave under Part XIV;

Part XIV Leaves of Absence

Exception 52 (2)

The period of an employee's leave shall not be included when determining whether he or she has completed a probationary period under an employment contract.

Reference: Collective Agreement

Article L6.00 - PROBATIONARY PERIOD

Article L6.01

A newly hired Teacher shall serve a probationary period of ten (10) months with an extension of the period to a length of time in month(s) for absences exceeding twenty (20) teaching days in that ten (10) month period.

- e.g. The probationary period for a Teacher absent thirty-five (35) days in a ten (10) month probationary period will be extended to the end of the eleventh (11^{th}) teaching month provided said Teacher is in regular attendance during that eleventh (11^{th}) month.
- Q. I WASN'T PLANNING TO START MY LEAVE UNTIL NOVEMBER WHEN MY BABY IS DUE, BUT I HAVE TAKEN ILL AND THE DOCTOR HAS ORDERED ME OFF WORK FOR THE 10 WEEKS BEFORE THE BABY IS DUE. DO I HAVE TO START MY PREGNANCY LEAVE EARLY?
- A. No. Pregnancy Leave is designed, most importantly, to give you time with your new baby. You cannot be required to start your leave prior to your due date. You can, however, *choose* to start your Pregnancy Leave up to **seventeen (17) weeks** before your baby is due and you can start collecting El Pregnancy Leave Benefits up to **eight (8) weeks** before your baby is due. There are four other options for you to consider:

SICK LEAVE FOR PREGNANCY RELATED ILLNESS

You have the right to use your sick days. Your sick days are for illness, even illness generated by your pregnancy. You can choose not to start your EI for Pregnancy Leave until your baby is due. You can check how many Sick Days and STDLP (Short Term Disability Leave Plan) days you have available by going to the **TVDSB Employee Portal.** A Teacher absent for more than ten (10) consecutive days will be required to submit a Medical Certificate of Disability to Abilities and Wellness. If you are charged a fee for this Medical Certificate, the Board will reimburse you for this expense.

WAGE LOSS REPLACEMENT

If your sick leave credits expire and you are still unable to return to work, you may be eligible for the Board's Wage Loss Replacement Plan. Under this plan, the Board will provide income equal to Employment Insurance Benefits for the period of time between the expiration of your sick leave credits and day 75 of continuous absence. You are not eligible to claim El Benefits during your Wage Loss Replacement period.

LONG TERM DISABILITY (LTD)

If you are facing an extended illness prior to giving birth, and you have insufficient sick days to cover your entire absence, you may be eligible to access your Long Term Disability coverage with OTIP. If you feel you may be eligible to receive LTD benefits for a long term illness, please call ETFO Thames Valley Teacher Local for assistance with this process.

EMPLOYMENT INSURANCE FOR SPECIAL BENEFITS - ILLNESS

Employees who have *no coverage available*, may apply to **Employment Insurance for Special Benefits** for **Illness**. Fifteen (15) weeks of Illness Benefits are available. A **MAXIMUM OF SIXTY-FIVE (65) WEEKS** of El Benefits **combined** for Sickness and Pregnancy / Parental Leave is allowed. This extended time for Special Benefits can only be accessed if you have used all your sick days. To qualify to apply, you must have worked a minimum of 600 hours in the previous 52 weeks or since your last El claim. Again, if you face this situation, please call ETFO Thames Valley Teacher Local for assistance.

- Q. HOW MUCH TIME CAN I HAVE OFF WORK TO STAY HOME WITH MY BABY?
- A. Years. Not all of this time is paid time however. There are essentially four types of leaves: **Pregnancy, Parental, Extended Parental / Extended Leave, and Part-Time Leave**. Each leave has its own rules and provisions.

PREGNANCY LEAVE

This type of leave is only available to birth mothers. The <u>Employment Standards Act</u> allows for a **seventeen (17) week Pregnancy Leave**. (Federal law with El pays for fifteen (15) of these weeks.)

Reference: Collective Agreement

Article L11.00 - PREGNANCY LEAVE

Article L11.01

The Board shall grant to a pregnant Teacher, who has been in its employ at least thirteen (13) weeks immediately prior to the requested start date of the leave, a Pregnancy Leave of seventeen (17) weeks or such shorter leave as the Teacher requests. The leave may commence anytime within the seventeen (17) weeks prior to the expected date of birth but in no case later than the expected date of birth. (For mutually agreed to extensions of related leaves see Article L12.16.)

PARENTAL LEAVE

This type of leave is available to a parent as defined by the <u>Employment Standards Act</u>. "Parent" means a natural parent, adoptive parent or a person, in a relationship of some permanence with the natural or adoptive parent, who intends to treat the child as his or her own.

There are two options available for receiving parental benefits: standard or extended.

• Standard parental benefits can be paid for a maximum of 35 weeks and must be claimed within a 52 week period (12 months) after the week the child was born or placed for the purpose of adoption. The weekly benefit rate is 55% of the claimant's average weekly insurable earnings up to a maximum amount. The two parents can share these 35 weeks of standard parental benefits.

- With the EI parental sharing benefit, parents selecting the standard duration of parental benefits could receive up to 40 weeks of parental benefits, an increase from the current 35 weeks. Neither parent could access more than 35 weeks in total, requiring both parents to take some time off in order to access some or all of the additional weeks.
- The sharing benefit would be available to eligible birth parents and adoptive parents, including both opposite-sex and same-sex parents.
- Parents who qualify for EI would be eligible to access the sharing benefit based on:
 - the date of birth of their newborn child; or
 - the date that the child is placed with them for the purpose of adoption.
- Extended parental benefits can be paid for a maximum of 61 weeks and must be claimed within a 78 week period (18 months) after the week the child was born or placed for the purpose of adoption. The benefit rate is 33% of the claimant's average weekly insurable earnings up to a maximum amount. The two parents can share these 61 weeks of extended parental benefits.

NOTE: The Collective Agreement allows your entire leave time from the school year to go towards your years experience needed for **increments on the salary grid**.

Reference: Collective Agreement

Article L12.00 - PARENTAL LEAVE

Article L12.01

The Board shall grant to a Teacher who becomes a parent, provided said Teacher has been in its employ at least thirteen (13) weeks immediately prior to the requested start date of the leave, a Parental Leave.

Article L12.02

A mother who requests a Parental Leave of up to thirty-five (35) weeks must commence that leave on the date following the conclusion of her Pregnancy Leave.

Article L12.03

The other parent requesting a Parental Leave may commence that leave anytime within the fifty-two (52) week period following the actual date of birth. The request may be for up to thirty-five (35) weeks if a pregnancy leave has been taken and for up to thirty-seven (37) weeks if a pregnancy leave has not been taken. The term "other parent" includes the natural father and a person who is in a relationship of some permanence with the mother of the child who intends to treat the child as his or her own.

NOTE: This same provision applies to Adoption Leave. See Article L13.00 of the Collective Agreement.

Article L8.04 - CREDIT FOR TEACHING EXPERIENCE

(f) (iii) Teachers on a Pregnancy Leave, Parental Leave or Adoption Leave shall accumulate experience for salary purposes as if they had continued to work during that period of the school year.

EXTENDED PARENTAL LEAVE / EXTENDED LEAVE

The provision for Extended Leave is available to Teachers (after the Pregnancy or Parental Leave) giving them greater options in the care of their children. This leave is available to any Teacher.

If your Parental Leave is due to end at an awkward time during the school year, you may wish to request an **Extended Parental Leave**. This leave follows your Parental Leave so that you can continue being on leave until the end of the next school term.

If you wish to also have the next school year on leave, you can request **Extended Leave**. Of special note to Teachers considering either Extended Parental Leave or an additional Extended Leave, is that their **seniority and eligibility to continue in the ETFO ELHT Benefit Plan (you pay 100% of the premium)** is maintained during this approved leave.

You need not apply for these leaves with your initial application prior to your child's birth or arrival. Part way into your Parental Leave, if you decide you wish to extend your return date, you may then request an Extended Leave. You make this request in writing, to Human Resource Services, at least four (4) weeks notice prior to your original return date.

Reference: Collective Agreement

Article L12.15

Extended Leaves may be requested in writing by parents who are on or will be on a Parental Leave. These are leaves that continue beyond the statutory Parental Leave period and may be granted by the Associate Director, Organizational Support Services or designate on the basis of the mutual consent of the employee and employer, but shall not exceed one (1) year unless such extensions would allow the leave to conclude on the day prior to the start of the next term or semester.

Article L12.16

Teachers who extend a leave under Article L12.14 beyond the statutory limits for Pregnancy/Parental leaves may maintain the level of benefit coverage that was established during the statutory leave period (subject to Article C5.00) at their own expense for the duration of the Extended Leave. The Teacher may opt not to continue benefits during the Extended Leave period by providing written notice to the Associate Director, Organizational Support Services or designate that the Teacher does not intend to pay her/his share of contributions. Upon returning to work the Teacher's benefits will be reinstated.

NEW - Under the ETFO ELHT Benefit Plan, OTIP will be notified of an Extended Leave by the Board and an e-mail will be sent to members to notify them of the option to continue benefit coverage while on the Extended Leave.

NOTE: This provision is identical for Adoption Leave. See Articles L13.13 and L13.14 of the Collective Agreement.

Article L14.16

A leave of absence for one (1) year to commence September 01 may be granted by the Associate Director, Organizational Support Services or designate, upon written request of a Teacher subject to the following provisions:

(a) The request must be received by March 15 of the year in which the leave is to begin.

- (b) The leave shall be without pay or sick leave and time spent on leave shall not count as teaching experience.
- (c) The Teacher on leave under this Article may request an extension of the leave by March 15 of the first year of leave for a maximum of one (1) additional year.
- (d) Subject to continuing eligibility under the master contract, the Teacher may continue benefit participation during the leave of absence by paying one hundred percent (100%) of the premium costs.

 The Teacher may opt not to continue benefits during the leave period by providing written notice to the Associate Director, Organizational Support Services or designate that the Teacher does not intend to pay her/his share of contributions. Upon returning to work the Teacher's benefits will be reinstated.
- (e) On return from leave of one (1) school year, a Teacher will be assigned to a position for which she/he is qualified in the school where the Teacher last taught or, if due to declining or changing enrolment patterns said position no longer exists, the Teacher will be governed by the appropriate terms of the current Agreement.

Article L21.00 - SENIORITY

Article L21.04

Teachers covered by Article L21.03 shall have their seniority continue unchanged regardless of whether the Teacher teaches full or part-time, provided the Teacher:

- (a) performs duties as an elementary Teacher with the Board; or
- (b) is on a Board approved leave of absence (including sick leave and long term disability), secondment, loan or exchange; or
- (c) is laid off and is placed on the elementary Teacher recall list.

NEW - Under the ETFO ELHT Benefit Plan OTIP will be notified of a Leave of Absence by the Board and an e-mail will be sent to members to notify them of the option to continue benefit coverage while on a Leave of Absence.

PART-TIME LEAVE (DECREASE IN FULL-TIME EQUIVALENCY)

A part-time leave is often seen as the best of both worlds. You can have some steady income for your family, but still have that precious time with your child. The part-time leave is available to any Teacher. This part-time leave can be for more than one year and provides security for you to remain on the staff of your current school. The **MARCH 15 DEADLINE** is there to assist administration in the spring staffing plans for your school for the following year. Your seniority continues to accrue as if you were teaching full-time.

Before requesting your part-time leave, you will need to discuss with your Principal how your part-time assignment would be accommodated within your current school. Although your request for a reduced teaching assignment through a part-time leave cannot be unreasonably denied, a very specific scheduling request (e.g., teach only Tuesdays - Thursdays) may not be possible depending on the overall timetable needs of the school.

Reference: Collective Agreement

Article L28.00 - PART-TIME FTE (Full-time Equivalency)

Decrease in FTE (Full-time Equivalency) By A Leave of Absence

Article L28.02 (a) A Teacher who, prior to March 15, requests a part-time leave commencing the following school year shall have the request granted provided that the program needs of the school can be met.

- (b) A Teacher who requests and is granted a part-time leave for a school year will return to their previous FTE at the end of the leave period.
- (c) A Teacher may apply prior to March 15 for an extension of the Teacher's part-time leave for a maximum of two (2) one-year extensions. Such extensions shall be granted provided the program needs of the school can be met.
- (d) On return to their previous FTE, the Teacher shall be staffed in their current school in accordance with the staffing provisions of the Agreement.
- (e) Should a Teacher opt to continue beyond three (3) years at a reduced FTE, the Teacher would resign that portion of their FTE in writing by March 15 of the current school year and be considered a part-time Teacher for the following school year.

Q. WHAT PAY DO I RECEIVE DURING MY LEAVE?

A. Your regular entitlement to salary from the Board stops when your leave begins.

One exception to this is if you are entitled to collect a **SEB Plan payment** from the Board. The other exception is if you are in the rare circumstance where you don't qualify for EI and you are **using sick days** from the Board after giving birth. Other than these provisions, you will receive no further pay from the Board.

Your financial support during your leave will come from **El (Employment Insurance - Special Benefits)** if you have applied for and qualify to collect this benefit from the Federal Government.

SEB PLAN (SUPPLEMENTARY EMPLOYMENT BENEFIT)

Our Collective Agreement provides a SEB Plan to complement your El Benefits.

C10.20 Pregnancy Leave

- a) The Employer shall provide for permanent and long-term occasional teachers a SEB plan to top up their E.I. Benefits. The teacher who is eligible for such leave shall receive 100% of salary for not less than (8) weeks of pregnancy leave less any amount received under the Employment Standards Act during such period. There shall be no deduction from sick leave or the Short Term Leave Disability Program (STLDP).
- b) Teachers not eligible for employment insurance benefits or the SEB plan will receive 100% of salary from the employer for a total of not less than eight (8) weeks with no deduction from sick leave or STLDP.
- c) Teachers filling a long-term assignment shall be entitled to the benefits outlined in a) above, with the length of the SEB benefit limited by the term of the assignment.
- d) Teachers on daily casual assignments are not entitled to pregnancy leave benefits unless they were previously entitled under the provisions of the 2008-12 collective agreement or the last collective agreement concluded between the parties.
- e) The teacher must provide the Board with proof that she has applied for and is in receipt of employment insurance benefits in accordance with the Employment Insurance Act, as amended, before SEB is payable.
- f) Eligible teachers shall receive the pregnancy leave benefits herein for the entire eight (8) week period throughout the course of the entire calendar year regardless of whether the teacher would otherwise be required to work during the eight (8) week period (i.e. during summer, March and Christmas breaks etc.). Payment shall be made to the teacher in accordance with the Board's payroll procedure.

- g) Teachers who require a longer than eight (8) week recuperation period shall have access to sick leave and the STDLP.
- h) If a teacher begins pregnancy leave while on an approved leave from the employer, the above pregnancy leave benefits provisions apply.

(See also Local Article L11.00 for Pregnancy Leave)

The amount of SEB is 100% of your regular salary minus the amount that you are receiving weekly from El. The current maximum El payment is \$695.00 per week (12 month El Benefits) or \$417.00 per week (18 month El Benefits).

Receiving SEB Payment

You can submit a claim to the Board to receive the SEB payment. When you apply for your EI Benefits, you will receive a statement (either paper copy or electronic copy depending on how you filed) showing an unpaid waiting period. This is proof that you have served the waiting period. A copy of this statement is what you submit to the Board to receive your SEB payment. As well, you must submit a copy of one of your El payments to Human Resource Services to prove what your weekly El payment is. If you do not qualify for El, you are entitled to 8 weeks SEB payment at 100%.

Once this information has been received you will be paid by automatic deposit at the **next regularly** scheduled pay period. If you qualify for both the two week waiting period SEB and the Post-Partum SEB, you will receive them both in one lump sum.

Please note:

It is not unusual for a SEB payment from the Board to have a large amount of tax deducted as the payroll system deducts tax based on your annual salary.

You must inform EI when you receive a SEB payment. The Board will forward a second Record of Employment to EI to declare your SEB earnings. These earnings **DO NOT** interfere with your right to collect El Benefits for the rest of your leave.

Sick Leave

A Teacher going on Pregnancy Leave that does NOT qualify to receive El Benefits, may request to use their sick leave days for any school days that occur during the six week period immediately following giving birth. Additional time may also be available for exceptional medical reasons.

Reference: Collective Agreement

Article L11.05

A Pregnancy Leave shall be without salary or allowances.

- Article L11.06 a) The Employer shall provide for permanent and long-term occasional teachers a SEB plan to top up their EI Benefits. The teacher who is eligible for such leave shall receive 100% of salary for not less than eight (8) weeks of pregnancy leave less any amount received under the Employment Standards Act during such period. There shall be no deduction from sick leave or the Short Term Leave Disability Program (STLDP).
 - b) Teachers not eligible for Employment Insurance benefits or the SEB plan will receive 100% of salary from the employer for a total of not less than eight (8) weeks with no deduction from sick leave or STLDP. [Proof of declined EI Benefits will need to be submitted to Human Resources |
 - c) The teacher must provide the Board with proof that she has applied for and is in receipt of Employment Insurance Benefits in accordance with the Employment Insurance Act, as

amended, before SEB is payable.

- d) Eligible teachers shall receive the pregnancy leave benefits herein for the entire eight (8) week period throughout the course of the entire calendar year regardless of whether the teacher would otherwise be required to work during the eight (8) week period (i.e. during summer, March and Christmas breaks, etc.). Payment shall be made to the teacher in accordance with the Board's payroll procedure.
- e) Teachers who require a longer than eight (8) week recuperation period shall have access to sick leave and the STDLP.
- f) If a teacher begins pregnancy leave while on an approved leave from the employer, the above pregnancy leave benefits provisions apply.

Article L11.07

The duration of the plan referred to in Article L11.06 shall coincide with the term of the Agreement. For the purpose of Article L11.06, a Teacher's weekly earnings are 5/194 of the Teacher's annual salary.

Article L12.07

Notwithstanding Article L12.06, the Board shall provide for a Teacher on Parental Leave a Supplementary Employment Benefit (SEB) Plan approved by Human Resources Development Canada. The plan will pay an amount equal to one hundred (100) percent of the Teacher's salary for the two (2) week waiting period prior or post to the commencement of the Employment Insurance Parental Leave Benefits. The supplementary payment from the Board will be payable to the Teacher only for those days during the two (2) week waiting period which fall on regular school days (maximum ten (10) days). The Teacher must provide proof from EI that an unpaid waiting period has been served.

No sick leave credits shall be deducted as a result of payments made in L12.07.

Article L13.05

Notwithstanding Article L13.04, the Board shall provide for a Teacher on Adoption Leave a Supplementary Employment Benefit (SEB) Plan approved by Human Resources Development Canada. The plan will pay an amount equal to one hundred (100) percent of the Teacher's salary for the two (2) week waiting period prior or post to the commencement of the Employment Insurance Adoption Leave Benefits. The supplementary payment from the Board will be payable to the Teacher only for those days during the two week waiting period which fall on regular school days (maximum ten (10) days). The Teacher must provide proof from EI that an unpaid waiting period has been served.

No sick leave credits shall be deducted as a result of payments made in Article L13.05.

EMPLOYMENT INSURANCE (EI) BENEFITS

The majority of your financial support during your leave will come from EI. The Federal Government provides EI Benefits under the following provisions:

- a new maximum of **sixty-five (65)** weeks combined Sickness, Maternity and Parental Benefits,
- when both parents claim for Parental Benefits, only one (1) waiting period is required,
- six hundred (600) hours of insurable earnings are required to qualify for EI Benefits (75 days),
- there is a Working While on Claim (WWC) pilot project regarding earning money while receiving benefits. Please see the Service Canada website for details.

El maternity benefits are offered to biological mothers, including surrogate mothers, who cannot work because they are pregnant or have recently given birth. A maximum of 15 weeks of El maternity benefits is available. Effective December 3, 2017, the 15 weeks can start as early as 12 weeks before the expected date of birth, and can end as late as 17 weeks after the actual date of birth.

EI MATERNITY AND PARENTAL BENEFITS

If your newborn or newly adopted child is hospitalized during your leave, special provisions are available. You can choose to claim Parental Benefits immediately following the child's birth or placement with you **OR** when your child comes home from the hospital. Each week your child is hospitalized extends the time frame in which you can claim your 35 weeks of Parental Benefits. Your claim can be delayed up to two years from the date of birth or placement for the purpose of adoption. You must provide proof of your child's hospitalization.

YOU QUALIFY FOR EI BY:

- having **six hundred (600) hours** of insurable earnings in the last fifty-two (52) weeks or since your last El claim, if you have claimed El in the last fifty-two (52) weeks.
- having your regular weekly earnings decrease by more than 40%,
- your Record of Employment(s) being sent electronically from the Board to EI,
- completing the application on-line for Employment Insurance.

NOTE: To determine your hours of insurable earnings calculate eight (8) hours for each work day (194 days in the school year) if you are full-time. This is pro-rated for part-time teaching. It is possible for a part-time Teacher under .5 FTE to not have sufficient hours to qualify to receive EI unless they also have insurable hours from another job. Or if you take a long leave after your first child, you may not have worked sufficient hours upon return before having your second child to qualify to collect again.

RECORD(S) OF EMPLOYMENT

The Board will forward electronically your Record of Employment (ROE) to EI within five (5) days of the start of your leave. If EI receives your application for benefits and has not received a ROE from the Board, they will contact the Board directly for this information.

It is essential that you report to EI any changes in your circumstances while on leave (e.g. change in dates of your leave, receiving a SEB payment).

EI PAYMENTS

The basic benefit rate is **55% of your average weekly insured earnings** for most applicants to a maximum of **\$695.00 per week**. This is not 55% of your annual salary, but 55% of an *averaged* weekly earnings, where your earnings are averaged over 365 days! Approximately, a Teacher needs to have an annual salary over \$65,700 to receive the full \$695.00. Federal Tax is deducted from your El. You can usually expect payment to begin **twenty-eight (28) days** after the start of your claim, so budget for this delay.

You apply for EI on-line. Go to: www.canada.gc.ca

With your application, you can complete a request to waive *completion of the weekly claimant reports* and a request for *direct deposit* of your El payments into your bank account.

If your net income is less than \$25,921.00 you could receive a higher benefit rate. For more details see the Employment Insurance booklet for Maternity, Parental and Sickness Benefits, call 1-800-206-7218 or visit the Service Canada website and "Check My El Information On-line" at www.canada.gc.ca.

Q. MY PARTNER DOESN'T HAVE BENEFITS THROUGH THEIR WORK. WILL I BE WITHOUT BENEFITS WHEN I'M ON LEAVE?

A. Not unless you choose to be. The Employment Standards Act requires all employers to continue paying their share of your benefit premiums for up to fifty-two (52) weeks of your statutory leaves (seventeen (17) weeks Pregnancy and thirty-five (35) weeks Parental **OR** thirty-seven (37) weeks Parental only).

BENEFIT PREMIUMS

Effective November 1, 2016 the ETFO ELHT Benefit Plan covers 100% of the premiums for **Dental**, **Extended Health and Basic Group Life Insurance (including Accidental Death and Dismemberment - ADD)**. This premium share is pro-rated for part-time Teachers. Any required premiums are itemized in the OTIP on-line member portal: member.otip.com.

During your Pregnancy or Parental Leave your benefit coverage will continue to be provided through the ETFO ELHT Benefit Plan as if you were working. You will be responsible for paying any optional premium costs. Your share of the premium costs can be deducted from your bank account monthly using automatic withdrawal when you are on leave. This will be set up through the OTIP on-line member portal.

Pregnancy and Parental Leaves

Amendments to the ESA have expanded the length of pregnancy and parental leaves. For the purposes of benefits, this means that ETFO Employee Life and Health Trust (ELHT) benefits funding has expanded to a longer period of time, to a maximum period of 18 months. The ETFO ELHT will fund health, dental, and basic life (1 x salary) benefits premiums for eligible ETFO members who elect to continue benefits during this period. This benefit premium coverage will be pro-rated for part-time members, where applicable.

For leaves beyond the statutory leave, you may continue to participate in Benefit Plans, but you would be responsible for 100% of the premium cost for any benefit you wish to maintain during the extended leave.

Our Benefits Provider:

Don't forget that our benefits are administered through OTIP. You can go on-line to check for benefits information: https://member.otip.com/mymemberaccount/login or call them at 1-866-783-6847.

Go To:

https://member.otip.com/mymemberaccount/login:

- Login
- Click on 'View Plan' under 'My Group Benefits'
- From there you can:
 - Check claims and update banking information
 - View your coverage details and available balances
 - Manage you plan and make changes to beneficiaries and dependents

LONG TERM DISABILITY (LTD)

You are required to continue LTD coverage while you are on leave. Our Provincial LTD plan came into effect November 1, 2013. The waiting period is 110 teaching days, and it provides a 50% benefit level. The current premium rate is 1.64% of gross salary. You are responsible for 100% of these premium costs; this deduction is itemized on your pay statement. Our LTD carrier, the Ontario Teachers' Insurance Plan (OTIP), will contact you to arrange monthly payments of your premiums by post dated cheques or pre-authorized payment plan. You will not be contacted for this until after your leave has begun, so it is likely you will have some catch up payments to be made by the time the paperwork gets processed. In particular, summer leaves can have a billing lag of several months. If you receive a large bill, you can request to make payments over time. If you have problems with your LTD payments, you can contact the ETFO Thames Valley Teacher Local's LTD Administrator at 519-474-3150 or the OTIP LTD Administrator, Aimee Badali at 1-800-267-6847 Ext. 1115.

Waiting Period	Premium Rate as a % of Gross Salary
110 Teaching Days	1.64% (calculate using paystub)

WAIVING BENEFITS

If you have no benefit coverage through a partner, you are required to maintain your Dental and Extended Health benefit coverage while on your leave. If you have benefits through your partner, you should consider the financial benefit of coordinating benefits through two benefit plans. After considering your personal needs, and by providing proof of alternate coverage, you may choose to waive your benefits for the duration of your leave. If you waive these benefits, they are reinstated without penalty when you return to work. Please remember that you CANNOT waive your LTD payments.

Questions about benefits can be directed to Employee Life Health Trust (ELHT).

- Email inquiries@etfo-elht.ca
- Call 1-888- 838-3836 extension 3830

If you are enrolled in optional coverage at your own expense you will need to visit the OTIP on-line member portal to arrange optional premium payments while on leave.

Reference: Employment Standards Act, 2000

Part XIV

Leaves of Absence 51

- 1) During any leave under this Part, an employee continues to participate in each type of benefit plan described in subsection (2) that is related to his or her employment unless he or she elects in writing not to do so.
- 2) Subsection (1) applies with respect to pension plans, life insurance plans, accidental death plans, extended health plans, dental plans and any prescribed type of benefit plan.
- 3) During an employee's leave under this Part, the employer shall continue to make the employer's contributions for any plan described in subsection (2) unless the employee gives the employer a written notice that the employee does not intend to pay the employee's contributions, if any.

Reference: Collective Agreement C5.00 Benefits

Article L11.08

The Board shall continue to pay its normal share of premiums for such benefits under Article 10 as the Teacher is currently enrolled in, for that part of the statutory seventeen (17) week Pregnancy Leave taken by the Teacher.

Article L11.09

Except for the Long Term Disability Plan specified in Article L10, the Teacher may opt not to continue benefits during the leave period by providing written notice to the Associate Director, Organizational Support Services or designate that the Teacher does not intend to pay her share of contributions. Upon returning to work the Teacher's benefits will be reinstated.

Article L12.09

The Board shall continue to pay its normal share of the premiums for such benefits under Article C5.00 as the Teacher is currently enrolled in, for that part of the statutory Parental Leave taken by the Teacher.

Article L12.10

Except for the Long Term Disability Plan specified in Article C5.00, Teachers may opt not to continue benefits during the leave period by providing written notice to the Associate Director, Organizational Support Services or designate that they do not intend to pay their share of contributions. Upon returning to work the Teacher's benefits will be reinstated. (This provision is the same for Adoption Leave. See Articles L13.07 and L13.08)

Article L12.16

Teachers who extend a leave under Article 12.14 beyond the statutory limit for Pregnancy / Parental leaves may maintain the level of benefit coverage that was established during the statutory leave period (subject to Article 10) at their own expense for the duration of the Extended Leave. The Teacher may opt not to continue benefits during the Extended Leave period by providing written notice to the Associate Director, Organizational Support Services or designate that the Teacher does not intend to pay her/his share of contributions. Upon returning to work the Teacher's benefits will be reinstated. (This provision is the same for Adoption Leave. See Article L13.14)

- Q. I HAVE HEARD OF WOMEN WHO RETIRE WITH REDUCED PENSIONS OR HAVE TO WORK YEARS LONGER TO GET A FULL PENSION BECAUSE THEY HAD CHILDREN. I KNOW MY RETIREMENT IS A LONG WAY OFF, BUT WILL THE SAME THING HAPPEN TO ME BECAUSE I'M OFF WORK TO CARE FOR MY CHILD?
- A. You are right in that being off work to care for a child can affect your pension, just as any break in service can. The result is a reduced pension due to less years of service or a delayed retirement date as you work longer to achieve an unreduced pension. To avoid this lifetime effect on your pension, consider maintaining your pension participation with the Ontario Teachers' Pension Plan (OTPP). Consult your financial advisor as to which one of the following four choices is best for your circumstances:

PAY AS YOU GO

There are a few options available to purchase Pension credit. You can "pay as you go" and continue making your regular pension contributions during your Pregnancy/Parental and Extended Leaves. For Pregnancy / Parental and Extended Leaves you pay your contributions directly to the Pension Plan. Teachers need to make arrangements. Your contributions are a **percentage of the salary** that you would have earned if you worked during your leave period.

* CPP Limit changes annually. See the OTPP website for more details: www.otpp.com

PURCHASING CREDIT

If you are unable to afford making pension payments during your leave, you can purchase credit for that leave time at a later date. You have up to five (5) years from the original start of leave date to complete your payments to buy back this time. However, you will not only pay the original pension money owing for the period of the leave, but also the accrued interest calculated from the date of the start of your leave. When considering your options, you may wish to consult a financial planner. For more information, see the OTPP website for a downloadable brochure called "Buybacks for Absences": http://www.otpp.com. You can contact the OTPP directly to make this type of arrangement for purchasing credit.

Babysteps can be downloaded at www.otpp.com/babysteps. This can be used to track your payments, buyback deadlines, and balances on your device.

TRANSFERRING RRSPs

Again, if making pension payments during your leave would create too much financial hardship, you could consider using your existing RRSPs to pay your pension credit. RRSPs can be transferred to the Pension Plan without tax penalties. You would not receive any income tax benefit from these pension contributions as you already had that benefit when the RRSPs were originally purchased. You would call the OTPP directly to make arrangements to transfer RRSPs.

GETTING PENSION INFORMATION

You can call the **Ontario Teachers' Pension Plan** for information or assistance at 1-800-668-0105. You can also make e-mail inquiries at **inquiry@otpp.com** or get details on-line at **www.otpp.com**.

- Q. I LOVE THE SCHOOL WHERE I WORK, BUT I'M WORRIED THAT IF I GO OFF ON PREGNANCY LEAVE THAT I WILL LOSE MY JOB AT MY SCHOOL AND END UP BEING TRANSFERRED.
- A. Pregnancy is not how Teachers transfer schools and change jobs. You have rights both with the Employment Standards Act and under the Collective Agreement.

REINSTATEMENT TO SAME OR COMPARABLE POSITION

The <u>Employment Standards Act</u> requires that on return from your leave you must be reinstated to the same position, if it still exists, or to a comparable position if it does not. This protection is in place for anyone who is on a statutory leave.

TRANSFERS

Usually Teachers returning from a leave of more than one (1) year are subject to the provisions of Teacher Initiated Transfers and they must seek a new position from the Vacancy List (See Article L25.00 of the Collective Agreement). A special provision is made for Teachers on Pregnancy / Parental Leave. Your time on statutory leave **does not count** for the Transfer Provisions. Only if your extended leave was more than one (1) year would you be subject to the Teacher Initiated Transfer Provisions.

Reference: Collective Agreement

Article L41.00 - DEFINITIONS

Except where otherwise stated, the terms employed herein shall have the same meaning as defined by or used in The Education Act and Regulations and amendments thereto and The Education Quality Improvement Act, 1997 and its regulations and amendments thereto and any successor statutes.

- (a) Administration member(s) of the senior administration (Associate Directors, Superintendents of Student Achievement or designates) of the Thames Valley District School Board.
- (b) Bargaining Agent Provincial: Elementary Teachers' Federation of Ontario.
- (c) Board shall be defined as the Thames Valley District School Board.
- (d) Day a school day unless otherwise stipulated in the Agreement.
- (e) Learning Coordinator / Special Assignment Teacher a Teacher appointed by the Board to work with Teachers, Principals, Vice-Principals and Administrators to carry out the responsibilities assigned in a special area.
- (f) Leave of Absence For the purposes of Articles L25.43, L25.51, and L25.53, time spent on a leave of absence of more than one (1) year shall not include time spent on the statutory portion of a pregnancy, parental, or adoption leave or a part-time leave under Article L28.02 or Federation leave as specified in

Article L29.01. Time spent on an Extended Leave under the provisions of Articles L12.14 and L13.15 and all other leaves of absence not listed above shall count as time spent on a leave of absence for the purposes of Articles L25.43, L25.51, and L25.53.

- (g) Local the Elementary Teachers' Federation of Ontario Thames Valley Teacher Local.
- (h) Part-Time Teacher a Teacher employed by the Board on a regular basis for other than full-time duty.
- (i) Principal an administrator appointed by the Board to carry out the role prescribed by the Acts and Regulations of the Ministry of Education and Policies and Procedures of the Board.
- (j) Program Needs educational programs approved by the Ministry of Education and Training under The Education Act and Regulations.
- (k) Qualified means qualified in accordance with The Education Act and Regulations made thereunder and "qualifications" has a corresponding meaning.
- (1) Seniority List a list of all permanent and probationary elementary Teachers employed by the Board listed by order of seniority from greatest to least as defined in Article L21.
- (m) Spouse has the same meaning as in the Family Law Act (2000 December 21).
- (n) Teacher means a member of the Elementary Teachers' Federation of Ontario employed as a permanent or probationary Teacher by the Board.
- (o) Union provincial organization of the Elementary Teachers' Federation of Ontario.
- (p) Vice-Principal an administrator appointed by the Board to assist the Principal in carrying out administrative duties described and assigned by the Principal.
- (q) ETFO Membership

The Teacher will be a Member of ETFO:

- i) If they are teaching in an elementary school (with the exception of Teachers on a cross panel transfer), or
- ii) If a majority of their teaching assignment is with elementary students (JK to Grade 8) in an alternate setting or a school with both elementary and secondary students.

(See also Central Article C2.00 for Definitions)

BEING DECLARED SURPLUS

Each year some schools find they have more Teachers currently on staff than they require for the next school year. This is usually caused by a drop in that school's enrolment or changes in staffing levels. If this occurs in your school, it will be necessary for some Teachers to be declared "surplus". These surplus Teachers would seek a new teaching position through the transfer process. It is important to note that simply being on Pregnancy / Parental Leave is not cause to be declared surplus. Declaration of surplus is based on **seniority**. The Teacher in your school with the largest number on the Board's Seniority List, is the Teacher with the lowest seniority and the first to be declared surplus. In other words, you would maintain your assignment to that school unless you were declared surplus based on your seniority. You can check your seniority by going through the My TVDSB Employee Portal and clicking "View My Seniority List".

Reference: Collective Agreement

Article L12.14

A Teacher returning from a Parental Leave shall return to the position most recently held unless the Teacher would otherwise have been declared surplus or redundant to the system in which case the provisions of Articles L14, L23, L24, and L25 - Leaves of Absence, Surplus Declaration, Layoff and Recall, and Transfer (Placement L25.34 - L25.56) - shall apply.

Article L23.02

Should the number of Teachers on the staff of a school be greater than the number assigned to the school, the Principal will declare the requisite number of Teachers surplus to meet the assigned complement.

Article L23.03

Should there be a need for the Principal to make a surplus declaration, the least senior Teacher(s) from the Seniority List (see Article L21) will normally be declared surplus providing the program needs of the school can be met. (see Definitions) A Teacher will not be declared surplus if to do so would mean that the program needs of the school cannot be met. Teachers who are declared surplus will be notified in writing by the Principal.

Article L41.00 - DEFINITIONS

(j) Program Needs - educational programs approved by the Ministry of Education and Training under The Education Act and Regulations.

Article L25.35

- (a) Teachers who, as of the first posting date, wish to transfer to another elementary school for the following September 01, or who have been declared surplus in accordance with Article L23 or who are returning from a leave of absence of more than one (1) year shall apply to the Principal(s) of the School(s) or the Supervisor(s) of the Workplace(s) for the desired position(s) on the Vacancy List.
- (b) Part-time Teachers, whether actively at work or scheduled to return from a leave of absence, may only apply for a transfer to or placement in a position that is of no greater time allotment than that which they currently hold or to which they are entitled, as the case may be, until the third posting date specified in Article L25.47.
- Q. MY HUSBAND JUST GOT A PROMOTION AND WE CAN NOW AFFORD TO HAVE ME STAY HOME LONGER. CAN I EXTEND MY DATE FOR THE END OF MY LEAVE?
- A. Yes. If you have not yet used all of the statutory leave available for Pregnancy / Parental Leave and the year available for Extended Leave, this time is still available to you. Make a written request to Human Resource Services to **extend** the end date of your leave. Submit this request at least **four** (4) weeks prior to your original end of leave date.
- Q. I HAVE REQUESTED A YEAR'S LEAVE FOR MY PREGNANCY. I WANT TO THINK POSITIVE, BUT WHAT HAPPENS IF MY PARTNER LOSES HIS JOB? DO I STILL STAY OFF WORK FOR THE YEAR OR CAN I RETURN EARLY?
- A. You can request an **Early Return** from your leave. As much as we try to plan and organize, the unexpected does happen. Articles L11.11, L12.12, and L13.11 of the Collective Agreement deal with Early Return from Pregnancy / Parental and Adoption Leaves, respectively. Each gives the provision of requesting an earlier return date by providing the Associate Director, Organizational Support Services or designate at least four (4) weeks written notice before the original termination of leave date. Please note that the Early Return provisions are for the statutory leave **only**. This is not available for Extended Leaves.

- Q. I HAVE BEEN TOLD MY LAST PAY WILL BE ADJUSTED WHEN I LEAVE FOR MY PREGNANCY LEAVE. IS THIS TRUE?
- A. Yes.

SALARY VERSUS DAILY RATE OF PAY

Under the Collective Agreement, Teachers are paid based on a percentage pay structure over the whole calendar year (running September to August). You *receive* 1/26 of your salary every two weeks throughout the school year and summer. However, Teachers *earn* their salary by working 194 days of the school year. With this type of percentage structure, the amount of pay you have received does not match the amount of time you have worked. This has no real bearing on the employee who works a full school year, but for you going on Pregnancy or Parental Leave, it will affect your last pay when you go on leave and can affect your pay again when you return from leave.

For your final pay from the Board before your leave begins, the Payroll Department will make a comparison of the amount you have been paid to the amount of the 194 day school year you have worked. An "Earnings Adjustment" is made based on this comparison.

All money that would normally be "held back" to come to you over the summer months will be paid in full to you, so it will not in any way affect your eligibility to collect El in the summer months.

Our bi-weekly pay schedule starts in September and you are paid 1/26 of your salary every two weeks throughout the year for the 26 pay periods over September to August.

Reference: Collective Agreement

Article L8.06 (b)

Annual salaries for Teachers teaching an entire school year shall be paid in twenty-six (26) instalments, which is the norm, all of which shall be one twenty-sixth (1/26th) of the annual salary. Teachers teaching less than an entire school year will have adjustments made to their salary instalments such that they receive pro rata salary based on the percent of the school year for which salary is earned. There may be years where a Teacher's salary will be in twenty-seven (27) instalments, all of which will be one twenty-seventh (1/27th) of the annual salary according to the schedule in L8.06 (a).

Article L8.06 (d)

Notwithstanding the provisions of Article L8.06 (b) any Teacher who retires, resigns or commences a Pregnancy Leave during the period June 30 to August 31 shall have the annual salary to which she/he is entitled for the previous school year paid in full on the pay date following the date of retirement, resignation or commencement of the leave, as the case may be, provided sufficient notice is received by the Payroll Department to effect such a payment.

- Q. THERE HAVE BEEN SEVERAL CASES OF FIFTH DISEASE IN MY SCHOOL. I AM CONCERNED THAT I WILL BE IN CONTACT WITH THIS DISEASE AND IT WILL HURT MY BABY. SHOULD I STAY HOME SICK?
- A. Let your doctor be your guide. Parvovirus, also known as *Slapped-Face Disease* or *Fifth Disease* is caused by a virus and is most commonly found in children. This disease is spread through secretions of the nose and mouth in the early stages of illness (i.e. before the red rash appears on the child's face). Once the rash appears, it is no longer contagious. Approximately 50% of adults have already developed immunity to this disease. A blood test can be done to see if you are immune. Pregnant Teachers who are **NOT immune** could pose a risk to their developing baby if they contract Fifth Disease. Fifth Disease in pregnant women can lead to miscarriage or aplastic anaemia in the fetus.

The ETFO Thames Valley Teacher Local recommends that Teachers planning to become pregnant request a blood test (covered by OHIP) from their doctors to see if they are immune BEFORE this disease appears in their school. Members can also call the Communicable Disease Division at their local Health Unit for more information or go on-line at www.healthunit.com. You can also receive information on this and other conditions, from the new ETFO publication, *Infection in Pregnancy: Minimizing the Risks in Schools*.

The Board's *Fifth's Disease Procedure - Employees* addresses this issue. When a case is reported in a Board school, a high risk employee is responsible for being tested at the earliest possible time. Employees, who are pregnant and have had exposure, should consult with their health care provider. The employee may use sick leave entitlement or personal leave in order to visit their health care provider and obtain the required test.

 Obtain a medical note stating how long the employee must be away from work. This will depend upon the medical condition present and / or the stage of the pregnancy.

Employees who are absent from work for the following reasons:

- with the symptoms, or
- pregnant employees in the first half of pregnancy awaiting results of the blood test, or
- pregnant employees off work with a doctor's note, or
- have a chronic blood disorder or depressed immune system and are susceptible to FIFTH DISEASE;

are to be coded on TVARRIS as absent due to illness.

Please contact ETFO Thames Valley Teacher Local for assistance.

BIOLOGICAL HAZARDS IN THE WORKPLACE

The onset of SARS, H1N1 and COVID-19 have reminded us all that it is difficult to predict what biological condition could become the next hazard in the workplace. All Teachers, especially those who are pregnant, should routinely practice the best protection against these hazards: **hand washing** and the use of **universal precautions**.

If you are trying to become pregnant, you might first want to insure that all your immunizations for communicable diseases are up to date. Immunizations exist for: Hepatitis B, Tetanus, Diphtheria, Measles, Mumps and Rubella, and Chicken Pox.

If you are placed under **quarantine** by the Medial Officer of Health, you would continue to receive your Board pay without loss of sick days.

Reference: TVDSB Communicable Disease Procedure - Employees

2.3 Pregnancy Recommendations

Pregnant classroom employees in their first half of pregnancy, who are not immune to Fifth Disease, should not have direct contact with students who have Fifth Disease (during the active stages). A blood test will confirm immunity or susceptibility. Alternate work may be provided through consultation among the Disability Management Officer, the employee, and the Principal on an individual case basis for employees who are susceptible. A return to the classroom will occur when there are no further cases of Fifth Disease (in the previous 20 days) in their work place or documentation of immunity is provided. Pregnant employees who are in contact with students are encouraged to have the blood test early in pregnancy.

Pregnant classroom employees who are not immune to Chickenpox should not have direct contact with students who have Chickenpox. A blood test will confirm susceptibility or immunity if history of the disease is unsure.

Reference: Collective Agreement

Article L14.08

Leave shall be granted when a Teacher is absent from duty in any case where because of exposure to a communicable disease, the Teacher is quarantined or otherwise prevented by the order of the medical health authorities from attending upon the Teacher's duties.

HAZARDS IN THE WORKPLACE AND PREGNANCY

Some hazards can be removed from the workplace (e.g. oil-based painting can be ceased during the school year). Other hazards cannot be removed or controlled as easily. In some cases a request for reassignment is appropriate.

Although schools are generally thought of as being safe places, sometimes hazards exist that are a danger to the health and safety of workers. Pregnant Teachers obviously have the added concern for the safety of their unborn child. If you believe a hazard exists in your workplace, you should identify that hazard to your Principal immediately. If you are not satisfied with the actions taken by your Principal, in a reasonable time following your reporting the hazard, it is then your right to contact your ETFO Local office for assistance. In cases of immediate, dangerous circumstances, you may enact your **right to refuse work**.

WORK REFUSAL

Workers have the right to refuse work they believe is dangerous, to either their own health and safety or that of another worker, without management reprisal. The Occupational Health and Safety Act describes the exact process for refusing dangerous work and the responsibilities of the employer in responding to such a refusal. Teachers do have the right to refuse work under the Act, but only after first seeing to the safety of the students in their care.

If a violent student is the hazard, and no supports or provisions have been put in place to address this hazardous child, then you can contact ETFO Thames Valley Teacher Local for assistance with enacting your right to work refusal.

Reference: Collective Agreement

Article L18.00 - OCCUPATIONAL HEALTH AND SAFETY

Article L18.01

The Board and ETFO recognize the importance of promoting a safe and healthy environment for employees and of fulfilling their respective duties and obligations under the Occupational Health and Safety Act and its accompanying Regulations. The Board, the Union and its members shall comply with the provisions of the Occupational Health and Safety Act and Regulations, as it may be amended from time to time.

Reference: Occupational Health and Safety Act

Section 28 (1)

A worker shall,

a) report to his or her employer or supervisor any contravention of this Act or the Regulations or the existence of any hazard of which he or she knows.

Section 43 (3)

A worker may refuse to work or do particular work where he or she has reason to believe that,

- a) any equipment, machine, device or thing the worker is to use or operate is likely to endanger himself, herself or another worker;
- b) the physical condition of the workplace or the part thereof in which he or she works or is to work is likely to endanger himself or herself;
- Q. I AM IN A NON-TRADITIONAL RELATIONSHIP. MY PARTNER AND I ARE HAVING A CHILD TOGETHER. I AM CARRYING THE CHILD AND MY PARTNER WISHES TO ADOPT THIS CHILD. CAN I LOSE MY JOB OVER THIS?
- A. No. Any action taken against you that you feel is based on a prohibited ground in the Ontario Human Rights Code (OHRC): race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, disability, and receipt of public assistance (in housing) would be defined as **discrimination or harassment**. The Collective Agreement sets the standard of no discrimination based on sexual orientation and the right to work in an environment free from harassment.

THAMES VALLEY DISTRICT SCHOOL BOARD HARASSMENT POLICY

If you encounter difficulty it is in your best interest to follow the **Complaint Resolution Procedures** outlined in the Board's Harassment Policy and to seek assistance from ETFO Thames Valley Teacher Local. You can take the following steps:

- make your objection known to the offending person and request that it stop,
- keep a personal record of incidents in as much detail as possible,
- if the harassment continues, contact your Principal,
- if the offending person is your Principal, then contact the Superintendent assigned to your school.

For full details of the Harassment Policy, please refer to the Thames Valley District School Board's website under Policies / Procedures: **www.tvdsb.on.ca**.

NOTE: At any time during this process you can call ETFO Provincial at 1-888-838-3836 and request confidential counseling from Professional Relations Services (PRS).

Reference: Collective Agreement

Article L5.04

The Board and Teachers agree that there shall be equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offenses, marital status, family status or disability as those terms are defined in the Ontario Human Rights Code.

Article L5.02

The Board agrees that none of its rights or functions will be exercised contrary to the provisions of the Agreement. The Board agrees that no Teacher shall be disciplined, or demoted or discharged without just cause. It is recognized that a lesser standard of just cause (basic procedural fairness) applies to termination of probationary Teachers.

Q. I AM INTERESTED IN ADOPTION. WHAT PROVISIONS ARE AVAILABLE?

A. If you are interested in adoption you can contact your local Children's Aid Society. The required training courses on fostering and adoption are offered on a regular basis to assist you with the application process. A Home Study with a Social Worker is required involving interviews, financial information, references, a medical exam and a police record check.

Children's Aid Society of London and Middlesex

www.caslondon.on.ca

Children's Aid Society of Oxford County

www.casoxford.on.ca

Family and Children's Services of St. Thomas and Elgin County

www.caselgin.on.ca

If you are interested in Private or International Adoption see the **Ministry of Children and Youth Services** website: www.children.gov.on.ca/htdocs/English/topics/adoption/index.aspx

If you have been approved and an adoption could come up at any time, you should notify Human Resource Services that you are endeavouring to adopt a child. Give specific dates as soon as they are available.

The Collective Agreement specifies that you can use the **five care days** (full salary) for adoption (See Article L10.04 (a)). Under the <u>Employment Standards Act</u> you are entitled to receive Parental Leave of **thirty-seven (37)** weeks once the child is in your custody and care. You can also apply for Extended Parental Leave, and a year's Extended Leave, with all the rights as outlined previously. Once the child is in your care, you can apply for the thirty-five (35) weeks of El Benefits (after an unpaid waiting period). The Board will pay 100% of your salary for your **waiting period** before your El Benefits start as part of our new **SEB Plan**.

- Q. I AM RETURNING TO WORK NEXT MONTH. I HAVE MY CHILD CARE ARRANGEMENTS MADE. THE ONLY PROBLEM IS THAT MY CARE GIVER WON'T TAKE MY BABY IF SHE IS SICK. I AM A SINGLE PARENT AND HAVE NO HELP DURING TIMES OF ILLNESS. WHAT DO I DO?
- A. We have a provision for this circumstance in the Collective Agreement. You are entitled to use up to **5 days to care for your sick child**. This is at no loss of salary.

You should also be aware of a new provision put into effect January 2004 from the Federal Government called "Compassionate Care Benefits". If you have a partner or parent who becomes seriously ill and is at risk of dying, up to six (6) weeks of leave with EI Benefits is available. A combined maximum of Pregnancy, Parental, Sickness and Compassionate benefits of 71 weeks is available. You may be eligible for SEB payments if you qualify for a Family Medical Leave or Critically III Child Care Leave.

- Q. MY HUSBAND AND I HAVE BEEN TRYING TO CONCEIVE FOR OVER A YEAR. WE ARE NOW LOOKING INTO ASSISTED FERTILITY TECHNIQUES. DOES OUR BENEFIT PLAN COVER THE COSTS?
- A. Not all of the costs are covered. OHIP continues to cover the full cost of investigative procedures such as a hysterosalpingogram or laparoscopy surgery, as recommended by your specialist. Our medical plan with OTIP covers fertility drugs to a **lifetime maximum of \$12,000.** A member can submit a pre-determination of coverage to Manulife for drugs that have DIN numbers.

Lab and procedural fees not covered by OHIP are also not covered by our Benefit Plans.

For more information, visit the London Health Sciences Centre website: www.lhsc.on.ca/About_Us/Fertility_Clinic/.

EMOTIONAL ISSUES OF INFERTILITY

While focusing so heavily on the biological side of infertility, be sure not to neglect the heavy emotional costs. Our **Employee Assistance Program (EAP)**, or a referral through your doctor, can offer you confidential, professional counseling as an individual or couple.

Telus Health Employee Assistance Program (EAP): tvdsb.lifeworks.com **1-844-958-5105**

Q. WHAT HAPPENS IF I HAVE A MISCARRIAGE OR MY BABY IS STILLBORN?

A. Under the Employment Standards Act, if an employee suffers a miscarriage or stillbirth after the seventeen (17) weeks before her due date, she is still eligible for Pregnancy Leave. The Pregnancy Leave would end seventeen (17) weeks after it started or six (6) weeks after the stillbirth or miscarriage, whichever is later. This is a provision for **time** off from work.

If you do not have sick days, money is available through EI (55% of average weekly earnings to a maximum of \$695.00). Fifteen (15) weeks of EI Benefits from the date of stillbirth/miscarriage can be claimed if your pregnancy was greater than nineteen (19) weeks at the time of the stillbirth/miscarriage. If your stillbirth/miscarriage was earlier than nineteen (19) weeks and you do not have sick day credits, you could apply to EI for Sickness Benefits.

Q. Do I have to do anything for the Ontario College of Teachers?

A. Membership fees are due January 1 of each year. The annual fee is \$200.00. If you are teaching, the fee for the Ontario College of Teachers is automatically deducted from your pay and submitted on your behalf. If you are on leave, however, at that time of year, and the College does not receive fees from you by February 15, they will send an invoice to your home. It is very important that both Human Resource Services at the Board and the College have your current address. Please notify them immediately of any changes. Members who do not pay their \$200.00 annual fee to the College by April 15 will be suspended for non-payment of fees. If this occurs you may not be able to purchase credit from the Ontario Teachers' Pension Plan for the time that your membership in the College has lapsed and you will not be able to return to your teaching assignment if you are not in good standing with the Ontario College of Teachers. When you are on leave, you can contact the College at 1-888-534-2222 or pay the fee by credit card on-line at www.oct.ca.

Q. I DON'T HAVE A PARTNER IN MY LIFE, BUT I WANT TO BE A PARENT. WHAT OPTIONS ARE THERE FOR ME?

A. The desire to be a parent is a powerful force that can affect all aspects of your life and your feelings about your future. Once you have made the decision that you wish to be a single parent, you can then consider how to fulfil that role.

FOSTER / ADOPTION (DOMESTIC)

Our local Children's Aid Societies are very eager for Foster Parents for the many children in our area that need temporary care. Single parents are welcome to participate in Foster Parenting. Single parents can also apply to adopt children who have been designated Crown Wards with no access from CAS. This process involves courses, a home study, interviews, medical, criminal background checks and completion of forms.

PRIVATE AND INTERNATIONAL ADOPTION

The Ontario Ministry of Children and Youth Services provides adoption services information on private and international adoption:

www.children.gov.on.ca/htdocs/English/topics/adoption/how/index.aspx

DONOR INSEMINATION (DI) TREATMENT

Connect with the OMEGA Fertility Center in London at https://omegafertility.ca/ or by calling 519-685-5559 for support with Fertility Services.

Q. I CAN'T HANDLE THIS! HOW CAN I COPE?

A. BABY BLUES: When They Won't Go Away - By: Mitzi Pohanka, Middlesex-London Health Unit

Most new mothers find their lives are very different than what they imagined when they were pregnant. Approximately 50 - 80% of mothers experience "the blues" during the first few days or weeks after birth. They may be teary and cry very easily; feel exhausted from lack of sleep; have little or no appetite; and feel anxious and irritable. The "blues" usually go away after a few weeks.

Over 20% of mothers find that things get worse rather than better as time goes on. **POST-PARTUM DEPRESSION (PPD)** may occur 2 - 3 weeks after birth, or many months or even a year later. It can happen to mothers who adopt babies as well.

Some common symptoms of PPD are:

- unhappiness most of the time
- irritability
- · fatigue that does not go away with rest
- sleeplessness
- appetite changes
- loss of interest in relationships and sex
- not coping with baby and self-care
- anxiety and panic attacks

These symptoms can significantly affect the mother - baby relationship. **PPD REQUIRES TREATMENT**.

The exact cause of PPD is not known, but it seems to occur more often if there has been a history of depression. Other risk factors may include: depression during pregnancy, changing hormones after pregnancy, lack of support from partner, past or present experiences of emotional, physical or sexual abuse, financial worries, and medical problems with the baby.

IT IS IMPORTANT TO GET HELP. An accurate assessment will help you get the care you need which may include counseling, support groups, and medication. If you experience PPD, it is important to realize that this is not your fault and you will get better.

A rare but dangerous complication of PPD is **POST- PARTUM PSYCHOSIS**. This occurs in 1 or 2 women out of 1,000. Signs may include: hallucinations, delusions, paranoia, disorientation, confusion, agitation and severe anxiety. Hospitalization and medication are required as a woman with psychosis may unknowingly harm herself or her baby.

With the right treatment, a full recovery from PPD is expected. Getting help as soon as possible reduces suffering and promotes health and healing.

For further assistance contact your **Public Health Nurse**:

Middlesex - London Health Unit 519-663-5317 Elgin - St. Thomas Health Unit 519-631-9900 Oxford County Health Unit 519-539-9800

Telus Health Employee Assistance Program (EAP):

You can also contact the Employee Assistance Program provided to Board employees through Telus Health.

EAP provides you with confidential access to counseling. You can choose to receive counseling in person, by phone or through a secure on-line chat room. Requests for assistance can be made 24 hours a day, 7 days a week: 1-844-958-5105.

Q.	How no I	GET BENEFIT	COVERAGE FOR	MV CHII D?
w.		GEI DENEFII	COVERAGE FOR	INIT CHILD!

A. You **must apply** to add your new child(ren) to your benefits plan within 31 days of their birth or coming into your care and custody. If you take more than 31 days, the insurance company considers the addition a **late application** and coverage penalties will apply. You may also apply for the **optional dependent life insurance** coverage for your child(ren). To add your child(ren), go to the OTIP on-line member portal at member.otip.com/mymemberaccount.

For assistance with your individual situation, please call the ETFO Thames Valley Teacher Local at 519-474-3150 or 1-888-874-7873.

Checklist
Pre-Planning
FINANCES IN ORDER
HEALTH STABLE, FULL PHYSICAL
NESTING, SPACE IN YOUR HOME, DECLUTTER
ARE YOUR IMMUNIZATIONS UP TO DATE? (HEP B, HEP A, CHICKEN POX, MEASLES / MUMPS / RUBELLA, TETANUS, DIPTHERIA)
ARE YOU IMMUNE TO FIFTH DISEASE?
HOW MANY SICK DAYS DO YOU HAVE?
WHAT IS YOUR ANNUAL SALARY?
WHAT BENEFIT PLAN ARE YOU ON?
WHAT DEDUCTIONS ARE YOU CURRENTLY PAYING?
CAN YOU USE THE PORTAL TO FIND INFORMATION?
DO YOU HAVE / NEED A FINANCIAL PLANNER?
APPLY FOR ADDITIONAL LIFE INSURANCE?
READ THE QUESTIONS AND ANSWERS BOOKLET
CREATE / UPDATE YOUR WILL
THINK ABOUT GUARDIANS / GODPARENTS
UP-TO-DATE PASSPORT IF INTERNATIONAL ADOPTION
COUNSELING / SUPPORT GROUP IF DEALING WITH INFERTILITY GRIEF
ADOPTION APPLICATION AND HOME STUDY
THINK ABOUT DIFFERENT LEAVE SITUATIONS
What is your seniority?
KNOW YOUR SOCIAL INSURANCE NUMBER (SIN)

BEFORE BIRTH / CUSTODY
DETERMINE DUE DATE / CUSTODY DATE
TVDSB APPLICATION TO BOARD FOR LEAVE WITH MEDICAL NOTE / ADOPTION CERTIFICATE
SHARING PARENTAL LEAVE?
CALENDAR OUT SOME POSSIBLE LEAVE PLANS
How long of a leave do you want? What can you afford?
NEED SICK LEAVE PRIOR TO BIRTH? MEDICAL NOTE REQUIRED FOR MORE THAN 10 DAYS.
Can start pregnancy leave up to 17 weeks prior to birth and start collecting EI up to 8 weeks prior
Make sure TVDSB, OTIP, TPP, ETFO Provincial, ETFO Thames Valley Teacher Local, OCT all have your current address / telephone number / email
Work a minimum of 600 hours in the previous 52 weeks to qualify for EI
MID-YEAR LEAVE? EXPECT EARNINGS ADJUSTMENT TO FINAL PAY
PACK UP PERSONAL CLASSROOM MATERIALS. STORAGE?
WHAT IS YOUR EARLY / LATE PLAN?

SOON AFTER BIRTH / CUSTODY
APPLY ON-LINE FOR EI WITHIN 14 DAYS
REGISTER CHILD(REN) FOR BENEFITS PLAN WITHIN 31 DAYS
GET COPY OF EI STATEMENT SHOWING DATES OF WAITING PERIOD SERVED
SEND EI WAITING PERIOD STATEMENT AND COPY OF EI DEPOSIT AMOUNT TO BOARD TO APPLY FOR SEB IF YOU QUALIFY
PAY LIVE BIRTH TAX IF APPLICABLE
NO TVDSB PAY, ETFO DUES VACATION
BUDGET FOR PENSION, BENEFIT AND LTD PREMIUMS
MONITOR FOR POST- PARTUM
PREPARE FOR 28 DAY WAIT FOR EI PAYMENTS TO START

DURING LEAVE
WAIT FOR LTD INVOICE FROM OTIP BUDGET TO PAY THIS MONTHLY EXPENSE
4 WEEKS NOTICE TO CHANGE END OF LEAVE DATE TO EITHER EARLIER OR LATER DATE
IF LEAVE COVERS FEBRUARY, PAY ONTARIO COLLEGE OF TEACHERS FEE ON-LINE
WATCH FOR MARCH 15 DEADLINE TO APPLY FOR PART-TIME LEAVE FOR THE FOLLOWING SEPTEMBER
APPLY FOR SIN FOR CHILD(REN), NEEDED FOR REGISTERED EDUCATION FUNDS
GET ON WAITING LIST FOR CHILD CARE FACILITIES

LONG AFTER		
UP TO 5 YEARS FROM START OF LEAVE DATE TO BUY BACK PENSION CREDIT		
USE OF UP TO 5 CARE DAYS PER YEAR FOR CARE OF YOUR CHILD(REN) WHEN YOU ARE BACK TO WORK		
ACCUMULATE ANOTHER 600 HOURS OF WORK TO QUALIFY TO COLLECT EI AGAIN FOR ANOTHER CHILD		
MARCH 15 NOTICE TO REDUCE TO A PART-TIME ASSIGNMENT IN YOUR SCHOOL OR CONTINUE AS PART-TIME FOR SUBSEQUENT YEAR(S)		
RETURNING FROM LEAVE MID YEAR? RETURNING PAY IS AFFECTED		



PREGNANCY / PARENTAL LEAVE WORKSHOP PREPARATION SHEET

(For your personal use only.)

To complete this form, please go to the Thames Valley District School Board's website (www.tvdsb.on.ca). Under the heading Employees, find the Employee Portal and login.

1. Under the section called Personal Information, click on "View My Vacation/Sick Leave Days"

How much sick leave do you have?

	Туре	Days Allocated	Days l	Jsed	Days Available	
	Sick Leave Current Year					
	Short Term Disability					
	Sick Leave Top Up					
2.	Return to Personal Information, o	click on "View My Seniorit	y List" and then	click on "Sorted	I by Name"	
	What is your seniority rank?					
3.	Return to Personal Information,	click on "View My Pay Hi	story"			
	Use the down arrow to choose your most recent pay period. Click "submit" and then print out a copy of your paycheck note the column for "This Pay". These figures represent your bi-weekly deductions.				of your paycheck. I	Please
	What do you pay in a bi-weekly pay for the following:					
	\$ Long	Term Disability				
	\$ TPP (Teachers' Pension Plan)				
	What is your gross bi-weekly pay?	\$				
	What is your annual salary?	\$				
	What is your grid placement?					
	Go to otip.com Member Login to	determine what benefits	you have.			
4.	What benefits coverage do you ha	ave?				
	Health Insurance	☐ None	Single	Family		
	Dental Insurance	None	Single	Family		
	Dependents					
	Do you have coordination of benefi	ts with a partner's plan?	Yes	☐ No		
	What coverage do you want to hav	e during your leave?	None	☐ Single	☐ Family	
	What coverage do you want to hav	e after your leave?	None	Single	☐ Family	
	Do you have voluntary payments for (additional coverage for you, your s	or Optional Group Life spouse or child)?	Yes	☐ No		
	What is the amount you pay for this	s coverage? \$				
5.	If pregnant, when is your baby due	?				

If adopting, when will the child(ren) come into your care and custody?



CONTACT	TELEPHONE #
ETFO Thames Valley Teacher Local www.etfothamesvalley.com	519-474-3150 Fax: 519-474-3664
ETFO Provincial - Professional Relations Services (PRS) www.etfo.ca	1-888-838-3836 Fax: 416-642-2424
Human Resources and Skills Development Canada • Employment Insurance (EI) www.canada.gc.ca/	1-800-206-7218
Ontario Ministry of Labour - Employment Standards Act www.labour.gov.on.ca/english/es/	
Ontario Teachers' Pension Plan Board (OTTP) www.otpp.com	1-800-668-0105 Fax: 1-800-949-8208
Ontario College of Teachers (OCT) www.oct.ca	1-888-534-2222
Ontario Teachers' Insurance Plan (OTIP) - Long Term Disability • www.otip.com • Local LTD Administrator, Dale Napier • OTIP Administrator, Leslie Milhausen	1-800-267-6847 Fax: 1-800-396-8231 519-474-3150 1-800-267-6847
OMEGA Fertility Center • https://omegafertility.ca/	519-625-5559
Ministry of Children and Youth Services - Adoption www.children.gov.on.ca/htdocs/English/topics/adoption/how/index.aspx Children's Aid Societies Children's Aid Society of London and Middlesex www.caslondon.on.ca Children's Aid Society of Oxford County www.casoxford.on.ca Family and Children's Services of St. Thomas and Elgin County www.caselgin.on.ca	
London Multiple Birth Association www.multiplebirthscanada.org/~london/	
Manulife • Dental and Extended Health Benefits www.manulife.ca/groupbenefits (Code 13129) Telus Health (EAP)	1-800-268-6195 1-844-958-5105
Thames Valley District School Board (TVDSB)	519-452-2000
www.tvdsb.on.ca • Benefits Administrator (Health & Dental) • Payroll (Billing) • Human Resource Services Manager	ext. 20257 ext. 20351 ext. 20274
Health Units - Public Health Nurse • Middlesex-London • Elgin-St. Thomas • Oxford County	519-663-5317 519-631-9900 519-539-9800

BABY WELCOME PACKAGE

ETFO Thames Valley Teacher Local would like to congratulate our Members on their baby's arrival.

After baby's arrival please e-mail the ETFO Thames Valley Teacher Local (etfotvtl@etfothamesvalley.com) with your mailing address and the date of your baby's birth to receive your baby welcome package.



