

# POLICY

## MATERNITY AND PARENTAL LEAVE

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It is the intent of this policy of the Diocese of Calgary to provide clergy with Maternity and Parental Leave benefits that are equal to or better than those set out by applicable government legislation (including codes and regulations). In all cases of disagreement or conflict between this policy and applicable legislation, or in cases where this policy is silent, the legislation shall govern unless this policy is more favourable to the employee, in which case, the policy shall govern.

### Definitions

For the purposes of this policy, the following terms shall have the meanings indicated:

- “maternity leave” is a leave period granted to a woman to allow her to be absent from her job because of her pregnancy (i.e. the “first” leave period of up to 17 weeks);
- “parental leave” is a leave period granted to either parent to allow an absence from work after the birth of a child or after the placement of an adopted child (i.e. the “second” leave period of up to 35 weeks);
- “employer” shall mean the clergyperson’s parish (or the Diocese if the clergyperson is employed directly by the Diocese);
- “date of delivery” is the date the child is born or when the pregnancy otherwise terminates;
- “medical certificate” is a written statement containing the signature of a physician.

### Leave of Absence

As a Leave of Absence, Maternity and Parental Leave must be confirmed by the parish wardens and the Bishop, as outlined in this policy.

A clergyperson who has been employed in the diocese for a continuous period of at least 52 weeks is entitled to Maternity and Parental Leave under this Policy. A clergyperson employed for less than 52 weeks may be entitled to a leave period but the provisions of this Policy (especially regarding compensation) may not apply.

A Maternity and/or Parental Leave is included as a credit for service for purposes of pension and vacation entitlement.

### Return to Work

During a Maternity and Parental Leave, the employer guarantees employment to the clergyperson at the end of the leave period in the same position and with at least the same compensation that the clergyperson held at the beginning of the leave.

It is expected that the employee will return to work following the leave period. An employee not wishing to return to the pre-leave position will be deemed to have resigned as of the date of the scheduled return to work.

Any employee who resigns within six months of the return to work date will be required to re-pay to the Diocese any salary top-up payments that the employee received (see “Compensation during Leave”, below) within six months of the date of resignation.

## **Maternity Leave**

In a Maternity Leave situation, the employer shall grant leave to be absent from work for a period of 17 weeks (in addition to up to 35 weeks of Parental Leave, if applicable). The Maternity Leave Period may begin at any time during the twelve-week period immediately preceding the estimated date of delivery and end not less than six weeks after the actual date of delivery.

At the end of a Maternity Leave, the employer shall grant an additional Parental Leave period of up to 35 weeks that immediately follows the end of the Maternity Leave period. Either parent may take a Parental Leave period provided that the combined total leave period is not greater than 35 weeks. Only one leave period may be taken in respect of one child.

## **Parental Leave**

In a Parental Leave situation, the employer shall grant leave to a clergyperson who is the natural or adoptive parent of a child provided that the leave period is completed within 52 weeks of the date of birth or the date that an adopted child is placed with the parents. The clergyperson is permitted to be absent from work on Parental Leave for up to 35 weeks leave. Either parent may take a Parental Leave period provided that the combined total leave period is not greater than 35 weeks. Only one leave period may be taken in respect of one child.

## **Compensation during Leave**

The employee's compensation package (salary, statutory benefits, and travel reimbursement) is not paid during the maternity or parental leave period.

If applicable, the clergyperson shall continue to live in the parish-supplied housing provided that the clergyperson continues to pay rent during the leave period.

All group benefits (including pension, continuing education, etc) may be maintained during the leave period provided that the clergyperson pays their own share of premiums and contributions for the benefits. If benefits are maintained, the employer shall pay the employer's share of premiums and contributions. If benefits are continued during the leave period, they must be continued for the entire duration of the leave at the contribution and premium rates at the time the leave begins.

Employment Insurance (EI) benefits are available according to the applicable government regulations. If the employee applies for and receives EI benefits during a maternity or parental leave period, and if the employee and the parish agree to pay their shares of the group benefit premiums and contributions, then:

- The Parish (employer) will pay 100% salary top-up (salary continuance) during the two-week elimination period for EI coverage (weeks 1 and 2 of the leave period).
- The Diocese will pay 100% salary top-up during the first two weeks that EI maternity or parental leave benefits are paid (weeks 3 and 4 of the leave period).
- The Diocese will pay 80% salary top-up during the remainder of the maternity leave period and for up to a maximum of 10 weeks of a parental leave. The salary top-up amounts will be set at the beginning of the leave period based upon the pre-leave salary amount. The combined compensation rate (EI plus top-up) must not be greater than the appropriate percentage (100% or 80%) for the relevant time period. Once set, the top-up payment amounts will not change for the duration of the leave period.

Travel reimbursement and/or travel allowance is not paid during a leave period.

Parish interim ministry is the responsibility of the parish with appropriate assistance from (and the approval of) the Bishop's office.

## **Procedures**

### **MATERNITY LEAVE PROCEDURE**

The clergyperson shall inform the employer in writing as to the expected delivery date.

Incumbents must give at least four weeks written notice to the Bishop and the parish wardens indicating the expected beginning and end dates of the leave period (i.e. the maternity leave and, if applicable, the parental leave). Assistant clergy provide this information to the Incumbent.

The clergyperson shall give at least two weeks written notice of the actual day the leave will begin.

The clergyperson shall give at least two weeks written notice of the actual day that the leave period will end and the parish will then reinstate the clergyperson to the position held at the beginning of the leave.

If the clergyperson wishes to resign at the end of the leave period, a letter of resignation is to be sent to the Bishop and to the parish wardens at least four weeks before the expected end of the leave period. The effective date of resignation will be the first day that the clergyperson would have returned to work.

### **PARENTAL LEAVE PROCEDURE**

If there has not been a maternity leave period, the clergyperson shall provide written notice to the parish wardens and the Bishop that a Parental Leave is required at least two weeks prior to the expected start of the leave period. Where this is not possible, notice shall be given as soon as possible.

The clergyperson shall give at least two weeks written notice of the actual day that the leave period will end and the parish will then reinstate the clergyperson to the position held at the beginning of the leave.

If the clergyperson wishes to resign at the end of the leave period, a letter of resignation is to be sent to the Bishop and to the parish wardens at least four weeks before the expected end of the leave period. The effective date of resignation will be the first day that the clergyperson would have returned to work.

## **Policy Changes**

This policy dealing with Parental Leave in the Diocese of Calgary may be subject to change from time to time to:

- Make the policy comply with any applicable government legislation, if the policy is in conflict with the legislation, and
- Address such special circumstances of a particular clergy or parish situation as the Bishop deems appropriate.

Approved: Executive Committee  
June 3, 2008

## Responsibility for Compensation during Maternity/Parental Leave

The following table summarizes the responsibility for compensation during a maternity/parental leave assuming that the employee opts to pay for his/her share of group benefits and applies for and receives Employment Insurance (EI) benefits.

Weeks	Employee	Parish	Diocese	EI
1-2	Employee group benefit premiums and contributions based on pre-leave salary	Employer group benefit premiums and contributions based on pre-leave salary  "Wage loss replacement" to 100% of pre-leave salary	Nil	Nil
3-4	Employee group benefit premiums and contributions based on pre-leave salary	Employer group benefit premiums and contributions based on pre-leave salary	"Wage loss replacement" to 100% of pre-leave salary after EI benefit	EI weekly benefit
5-17	Employee group benefit premiums and contributions based on pre-leave salary	Employer group benefit premiums and contributions based on pre-leave salary	"Wage loss replacement" to 80% of pre-leave salary after EI benefit	EI weekly benefit
18-27	Employee group benefit premiums and contributions based on pre-leave salary	Employer group benefit premiums and contributions based on pre-leave salary	"Wage loss replacement" to 80% of pre-leave salary after EI benefit	EI weekly benefit
28-52	Employee group benefit premiums and contributions based on pre-leave salary	Employer group benefit premiums and contributions based on pre-leave salary	Nil	EI weekly benefit