

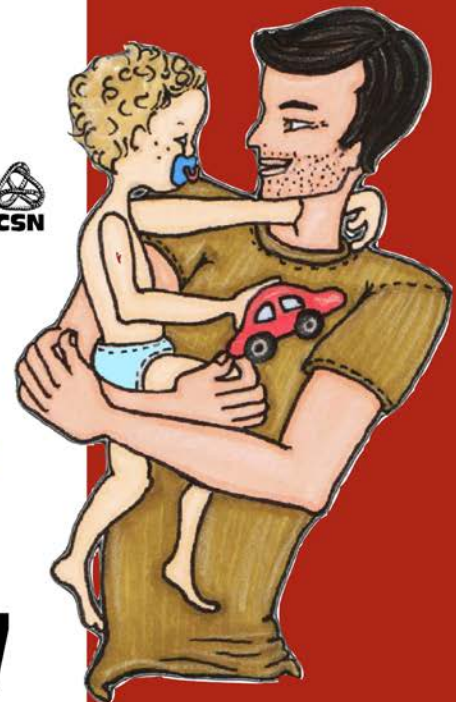
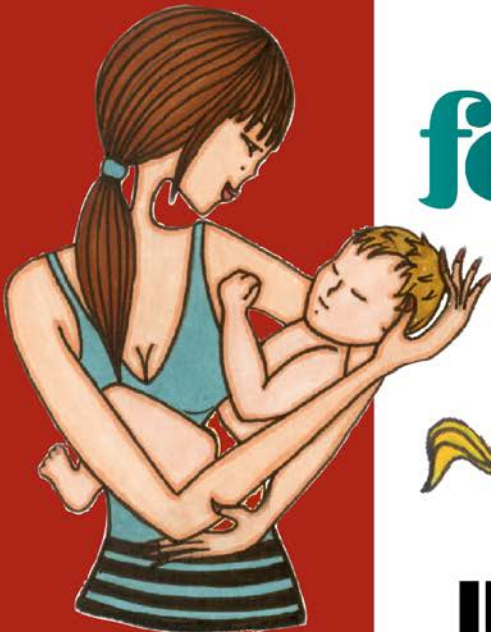
# PARENTAL RIGHTS GUIDE



## SCHOOL SECTOR

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**JUNE 2017**

# Contents

## Introduction..... 3

## Chapter 1 - Eligibility for Government Parental Insurance Plans ..... 4

- 1 - Quebec Parental Insurance Plan (QPIP)
  - Conditions for Eligibility
  - The Qualifying Period
  - Choice of Plan: Basic or Special
- 2 - Employment Insurance Plan (EIP) for people residing in a province other than Quebec
  - For any other questions you may have for the EIP
- 3 - QPIP and EIP

## Chapter 2 - Maternity Leave ..... 9

- 1 - The right to a leave
- 2 - During your pregnancy
  - The Special Leave covered by the CNESST (The Commission for Labour Standards, Pay Equity and Occupational Health and Safety): a temporary reassignment or a preventive leave (5-4.20)
  - Special leaves covered by salary insurance for medical examinations, complications, or a miscarriage (5-4.21 and 5-4.22)
  - Applying for a maternity leave (5-4.11)
- 3 - Maternity Leave (with pay)
  - Calculation of benefits provided by the School Board
  - Other benefits accorded during the leave (5-4.16)
  - The suspension of a maternity leave for a return to work
- 4 - Maternity leave (without pay)
  - Splitting up a leave
  - Extension of a leave
- 5 - Your Return to Work
  - Preventive Leave or Temporary Reassignment while Breastfeeding (5-4.20)
- 6 - During a self-financed leave (Appendix 3 of the Collective Agreement)

## Chapter 3 - Paternity Leave ..... 14

- 1 - The right to a leave
  - Applying for a paternity leave
- 2 - Paternity leave (with pay)
  - Five-day leave
  - Five-week leave
  - Calculation for benefits from the School Board
  - Other advantages accorded during the paid leave (5-4.31 and 5-4.16)
  - Suspension of a paternity leave (5-4.27)
- 3 - Paternity Leave (without pay)
  - Splitting up an extension of a leave
- 4 - Your return to work
- 5 - During a self-financed leave (Appendix 3 of the Collective Agreement)

## Chapter 4 - Adoption Leave ..... 17

- 1 - The right to an adoption leave when adopting a child other than the child of one's spouse
- 2 - The adoption leave when adopting a child other than the child of one's spouse (with pay)
  - Five-day leave
  - Five-week leave
  - Calculation for benefits from the School Board
  - Other advantages accorded during the paid leave (5-4.40 and 5-4.16)
  - Suspension of an adoption leave (5-4.36)

- 3 - The adoption leave when adopting a child other than the child of one's spouse (without pay)
  - Splitting up and extension of a leave
  - A leave without pay for adoption purposes
- 4 - Adopting a spouse's child (5-4.41)
- 5 - A return to work
- 6 - During a self-financed leave (Appendix 3 of the Collective Agreement)

## Chapter 5 - Extension of a Maternity, Paternity or Adoption Leave ..... 20

- 1 - Leave without pay following a maternity, paternity or adoption leave (5-4.44)
  - The length of an unpaid leave and how to apply for it
  - QPIP or EIP Benefits
  - Other advantages (5-4.46)
- 2 - A return to work

## Chapter 6 - Other Parental Leaves ..... 22

- Leaves for parental or family responsibilities
- Leaves for parental responsibilities (5-4.49)
  - Family responsibilities and the Quebec Labour Standards Act
  - Compassionate care leaves (not included in the Collective Agreement)
  - Appendix 14 of the Collective Agreement

## Appendix 1 - Table of Leaves in the Collective Agreement ..... 24

## Appendix 2 - Harmonization Table: Collective Agreement & QPIP ..... 25

## Appendix 3 - List of employers recognized for their method of calculating 20 weeks of service ..... 26

## Appendix 4 - Memory Aid Reference Table 27

## Appendix 5 - Model Letters ..... 29



### List of Acronyms Used:

<b>SB:</b>	School Board
<b>CNESST :</b>	Commission for Labour Standards, Pay Equity and Occupational Health and Safety
<b>FEESP :</b>	CSN Public Service Sector Federation
<b>LAP :</b>	Parental Insurance Law
<b>EIP:</b>	Employment Insurance Plan
<b>RALAP :</b>	Regulation under the Act respecting Parental Insurance
<b>QPIP:</b>	Québec Parental Insurance
<b>RREGOP :</b>	Act Respecting the Government and Public Employees Retirement Plan
<b>SSQ :</b>	Collective Health Insurance Plan

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# Introduction

This guide was created in order to facilitate the comprehension of Article 5-4.00 of the 2015-2020 Collective Agreement which concerns parental rights.

Since you are an employee covered by the Collective Agreement, regardless of your employee status you are eligible for certain parental rights. Eligibility for a parental leave, the length of your leave and the total amount of revenue to which you are entitled, are based upon specific conditions that are set out in the Collective Agreement and in the Quebec Parental Insurance Plan (QPIP) or the Employment Insurance Plan (EIP) as they apply to your particular situation.

The six chapters in this guide cover the following subjects: eligibility for a government parental leave plan; maternity leave; paternity leave; adoption leave; extension of a maternity, paternity or adoption leave (without pay); and all other parental leaves. Each chapter is presented in chronological order so as to follow a time-line of events. For example, a maternity leave will be presented as follows: during the pregnancy; during the maternity leave; and finally during a return to work or an extended unpaid leave. Once you have identified the government parental leave plan that applies to you, you will be able to consult the chapter that concerns you and find all the pertinent information you will need. **TAKE NOTE** that it is VERY IMPORTANT to differentiate between references in this guide that refer to QPIP benefits, EIP benefits or School Board benefits. Read the text carefully because these three plans are not the same.



In the Appendices of this guide you will find a Memory Aid Reference Table and some model letters that have been provided in order to make it easier for employees to request various types of parental leaves. You will also find a list of employers who have been recognized for the purpose of calculating 20 weeks of service.

Finally, although this Parental Rights Guide addresses general situations, under no circumstances should it be regarded as a substitute for the Collective Agreement. If you require any additional information, please do not hesitate to contact your local union.

Useful links may be found at the following website:

<http://www.feesp.csn.qc.ca/secteur/links-english>

This document is available on the website of the Fédération des employées et employés de services publics, under the Secteur scolaire tab at: [www.feesp.csn.qc.ca](http://www.feesp.csn.qc.ca)



# Chapter 1 – Eligibility for Government Parental Insurance Plans

## 1 – Quebec Parental Insurance Plan (QPIP) (information taken from the website of QPIP 2016)

The Quebec *Act Respecting Parental Insurance* went into effect in January 2006 following a long series of political actions by the CSN, other Union Centrals and a coalition of women's rights groups all of whom, for a number of years, had been putting pressure on the government to create a Parental Rights Plan. This plan is a cornerstone in our battle against discrimination and a victory with regard to recognition of workers' rights.

The QPIP establishes 4 different categories of parental leave benefits for all eligible employees: maternity, paternity, parental and adoption.

### Conditions for Eligibility

The conditions for eligibility for an employee are as follows:

- Must be a resident of Quebec on the start date of his or her benefits period;
- Must have contributed to QPIP;
- Must have an income that exceeds \$2,000;
- Must have stopped working or have had a reduction of at least 40% in his or her usual weekly salary.

### The Qualifying Period

The QPIP is a salary replacement plan so, in order to be eligible, a person must have received a salary. The minimum amount of earnings required for eligibility is \$2,000 which must have been earned during the qualifying period, the length of which is usually 52 weeks. The benefits are calculated using the average weekly earnings you received during your last 26 weeks of work. However, this earnings period can be extended to as many as 104 weeks if for some reason you were unable to work and receive insurable earnings (the average earnings calculated to set your benefit amount). This could apply for the following reasons: you received Employment Insurance benefits, QPIP benefits, salary insurance or indemnities from the CNESST or the SAAQ etc. The purpose of this measure is to exclude the weeks in which you earned less than you normally would have from the earnings calculation so that the average salary used to calculate your parental benefits will be as large as possible.

You will find all of the conditions that apply to this measure in articles 31.2 and 32 of the *Regulation under the Act respecting parental insurance (Loi sur l'assurance parentale)* (RALAP). If you believe one of these conditions applies to you, contact the QPIP to verify whether or not it does, since every case is different. Please NOTE, however, that if the weeks included in the qualifying period were covered by salary insurance, the QPIP may ask you to provide a letter from your doctor confirming that the weeks

making up the qualifying period are ones that do comply with the rule of exception and actually do apply to you.

### Choice of Plan: Basic or Special

Parents must make a choice between the Basic plan and the Special plan of the QPIP. The Basic plan provides lower weekly benefits for a longer period of time while the Special plan provides higher weekly benefits for a shorter period of time. It is important that the parents agree upon which option is best for them from the start since the choice of the parent who begins the leave, whether it be for a birth or an adoption, will automatically affect the choice of the person's spouse. This also applies to parents with shared guardianship. Once made, the choice is irrevocable for the birth or adoption concerned. Be sure to verify which plan is more beneficial to both you and your partner before completing the QPIP request form. As an aid, the QPIP website provides a program that simulates the calculation for the paid benefits ([www.rqap.gouv.qc.ca/index\\_en.asp](http://www.rqap.gouv.qc.ca/index_en.asp)).

Moreover, when choosing the benefits you wish to receive and the length of time you wish to take for a maternity, paternity or adoption leave, be aware that this choice will affect all the parental benefits received throughout the period of time covered by the parental rights act including an eventual extension of a parental leave (refer to Chapter 5 of this guide in order to learn more.) Parental benefits are taxable and it is possible that the amounts deducted at the source for provincial and federal income tax may not be sufficient. In order to avoid owing money to both governments at the end of the year, it is advisable to ask the QPIP to deduct an additional amount for each deposit you are going to receive (See the parental benefits form).

Maternity and paternity leaves cannot be shared by spouses, whereas other parental leaves including adoption leaves allow parents to split the leave between them if they agree to do so. Once the spouses have come to an agreement concerning their parental leaves, each parent must make a separate request to the QPIP. The QPIP provides an additional amount of benefits for families whose revenue is inferior to \$25,921 but this requires a written request.

A request to the QPIP may be done in one of two ways:

- By using QPIP online services at: [www.rqap.gouv.qc.ca/index\\_en.asp](http://www.rqap.gouv.qc.ca/index_en.asp)
- By telephone with the help of an agent at the Client Service Centre at: 1 888 610-7727.

A request for Parental Leave Benefits cannot be made in advance. It can only be made during the week (Sunday to Saturday) in which you wish to start your leave. You should make your request even if you have not received your employment record. Do not wait, since eligibility for benefits begins on the actual date of your request.







The QPIP Parental Benefits Table: Reproduced here for informative purposes:

Type Of Benefit	Basic Plan		Special Plan		Benefit Payment	
	Number of weeks	Income replacement	Number of Weeks	Income Replacement	Begins no earlier than:	Ends no later than (without extension of benefit period) :
<b>Maternity</b> (exclusively for the woman who gave birth)	18	70 %	15	75 %	<ul style="list-style-type: none"> <li>the 16th week before the expected week of delivery.</li> <li>when there is an interruption of pregnancy: the week the pregnancy is interrupted, if it occurs after the 19th week of pregnancy.</li> </ul>	<ul style="list-style-type: none"> <li>18 weeks after the week of birth</li> <li>18 weeks after the pregnancy is interrupted.</li> </ul>
<b>Paternity</b> (exclusively for the father)	5	70 %	3	75 %	<ul style="list-style-type: none"> <li>the week the child is born.</li> </ul>	<ul style="list-style-type: none"> <li>52 weeks after the week of birth</li> </ul>
<b>Parental</b> (may be shared by the parents)	$\frac{7}{25}$ (7+25=32)	70 % 55 %	25	75 %	<ul style="list-style-type: none"> <li>the week the child is born.</li> </ul>	<ul style="list-style-type: none"> <li>52 weeks after the week of birth.</li> </ul>
<b>Adoption</b> (may be shared between the adoptive parents)	$\frac{12}{25}$ (12+25=37)	70 % 55 %	28	75 %	<p><b>Adoption in Québec:</b> the week the child comes into the care of one of the parents for adoption. The child's arrival date for adoption depends on the type of adoption.</p> <ul style="list-style-type: none"> <li><b>For special (intrafamily) adoption, it is:</b> the date on which the application for a placement order was filed with the court for the purposes of adoption.</li> <li><b>For "Banque mixte" (foster-to-adopt) adoption, it is:</b> the date on which the child is physically placed in the family.</li> <li><b>For regular adoption, it is:</b> the date on which the child is physically placed in the family.</li> <li><b>For adoption of a child already placed in your home as a foster child, it is:</b> the date on which the application for a placement order was filed with the court for the purposes of adoption.</li> <li><b>For customary Inuit adoption, it is:</b> the date on which the child is physically placed in the family.</li> </ul> <p><b>Adoption outside Québec:</b> two weeks before the week the child comes into the care of one of the parents for adoption.</p> <p>The child's arrival date for adoption is the date on which the child, who has been physically entrusted by the competent authority to the care of the adoptive parents, arrives in Québec; or (upon request) the date the child is entrusted to the adoptive parents by the competent authority in the child's province or country of origin.</p>	<ul style="list-style-type: none"> <li>52 weeks after the week the child comes into the care of one of the parents.</li> <li>52 weeks after the week the child arrives.</li> </ul>



## 2 – Employment Insurance Plan for people residing in a province other than Quebec (EIP)

**N.B:** All that follows is taken from the EIP website 2017. The information in the website is very dense (more than 50 tabs and chapters) and contains no memory aid information tables. If you are eligible for EIP benefits you should contact Service Canada for clarification as is suggested on the EIP website.

The Canadian Employment Insurance Plan (EIP) provides maternity benefits and parental benefits. If you work for a Quebec school board while residing in another province, you are eligible for these benefits.

**EIP Maternity benefits** are offered to biological mothers, including surrogate mothers, who cannot work because they are pregnant or have recently given birth.

You must have accumulated at least 600 hours of insurable employment during the qualifying period. EIP benefits can be paid for a maximum period of **15 weeks**. The period in which you may choose to receive these benefits starts the eighth week before your projected due date and extends up to 17 weeks following the date of birth.

You cannot receive EIP maternity benefits later than 17 weeks **after** the projected due date or the actual birth date of your baby whichever comes last. When the actual date of birth is different from the expected date of birth you must inform Service Canada as soon as possible at the following number: 1 800 808-6352 (TTY: 1 800 529-3742) or by going to a Canada Service EI Centre in person.

The date that you put on your application form is very important because it will affect the number of weeks in which you are entitled to receive your maternity benefits. If you have difficulty determining which period is the most advantageous for you, call Service Canada at 1 800 808-6352 (TTY: 1 800 529-3742).

**EIP Parental paid benefits** are provided to parents caring for a new-born baby or a newly adopted child for a maximum of **35 weeks**. This applies to biological parents, adoptive parents or parents designated for legal guardianship. The parental leave benefits may be shared between both parents. They may decide to have one parent take the full 35 weeks or split it up so that they can share it.

### Examples

- If the biological mother chooses to return to work after her initial maternity leave the other parent may take the 35 weeks parental leave.
- If one spouse decides to take only ten weeks of the 35 weeks parental leave, the other may take the remaining 25 weeks.
- If a parent decides to return to work after having taken just a few weeks for a parental leave, and several weeks later discovers that he or she would prefer to be at home with the baby or adopted child, the parent may resume the parental leave but without exceeding the maximum 52-week period allotted for parental leaves following the birth or actual adoption of a child.

The **qualifying period** is the shorter of the two:

- the 52 week period immediately before the start date of your EI benefits;
- the period since the start of a previous EI benefit period, if that period started within the previous 52 weeks.

You must fill out a request for Employment Insurance benefits so that Service Canada can determine whether or not you are eligible. Acceptance for benefits is not automatic even if your employer has provided a record of employment. Also, it is essential that you fill out your request as rapidly as possible as soon as you have stopped working, even if your employer has not yet provided you with your record of employment. If you wait longer than 4 weeks after your last day of work to make your request, you risk losing benefits.

If your new-born baby is hospitalized, the 17-week timeframe can be extended by the number of weeks your child is in the hospital, up to 52 weeks after the date of birth. You could receive 15 weeks of benefits, but the payments may be suspended until your child leaves the hospital. If you received maternity benefits before your child's birth and you want to receive the remaining benefits after the child comes home, contact Service Canada.

Parental benefits are payable for **biological parents and for those accorded legal guardianship** starting with the date of birth. For **adoptive parents**, payment of benefits begins on the date in which the child was placed in their home for adoption. In cases where the child is not legally adoptable, parental benefits may be paid out starting with the date on which you attest to the fact that you consider this to be a permanent placement and intend to adopt the child concerned as soon as you are able.

If you work for more than one employer, please refer to the paragraph concerning this situation in the QPIP section of this guide.



## For any other questions you may have for the EIP

### By Internet

In order to obtain more information on-line you must first register at My Service Canada Account which you will find at the following Service Canada website:

<https://www.canada.ca/en/employment-social-development/programs/ei/ei-list/reports/maternity-parental.html>

### By telephone:

You may also obtain information you seek concerning your request for EIP benefits by phoning: 1 800 808-6352 (ATS: 1 800 529-3742) and pressing « 1 ». Be sure to have your Social Insurance number and Employment Insurance access code on hand.

## 3 – QPIP AND EIP

As soon as you receive your first payment of benefits from the QPIP or the EIP, you must send proof of payment to your School Board. Within 15 days of receiving this proof, the School Board should then provide you with your first payment of the benefits covered by the Collective Agreement [5-4.15 b)] *MODEL LETTER 2*



## Notes

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# Chapter 2 – Maternity Leave

## 1 – The right to a leave

Having read Chapter 1 of this guide, you now know which government parental plan to apply for, be it the QPIP or the EIP. But it is also possible that you are not eligible for either one.

As stated in the Introduction, you have the right to take a maternity leave, whatever your job status: as a regular employee, a probationary employee, an employee under Chapter 10 of the collective agreement, or a temporary employee. In Article 5-4.00 you will find the conditions that apply to regular employees for parental rights. For Chapter 10 employees the parental rights concerning them can be found in Chapter 10 of the collective agreement at 10-1.07 or 10-2.04. And those concerning temporary employees can be found in Chapter 2 at 2-1.01 B) 1), 2) and 3).

Unless otherwise stated, all the rights and privileges accorded for a maternity leave, will apply to you whether or not you have the right to a payment of benefits by the School Board or by another governmental parental plan.

A person whose pregnancy is interrupted after the beginning of the 20th week prior to her due date, is also entitled to a maternity leave of 21 weeks [5-4.05 D)]. However you do not have the right to take an extended maternity leave.

En the case of pregnancies which follow one another closely, please refer to Chapter 5 of this guide and Clause 5-4.05 B) of the collective agreement.

## 2 – During your pregnancy

### The Special Leave covered by the CNESST (The Commission for Labour Standards, Pay Equity and Occupational Health and Safety): a temporary reassignment or a preventive leave (5-4.20).

This Special Leave has been written into law. The CNESST program “Pour une maternité sans danger” specifies that the special leave is designed to keep the pregnant employee in the workplace, whenever possible, without danger to herself or her unborn child. **Please NOTE:** Even if you do not reside in the province of Quebec, you are entitled to a CNESST Special Leave because your employer is situated in Quebec.

To begin with, this request is for a temporary reassignment. However your employer has the choice of giving you a preventive leave or offering you a reassignment to a position free from danger during your pregnancy and the time you will be breastfeeding.

From your very first medical appointment, you and your doctor should evaluate whether or not if you or your baby would be at risk in your present workplace. For example:

- Must you lift heavy objects?
- Do you work in a stationary position for long periods of time?
- Are you exposed to any potential dangers from the clientele you work with: hostility, contagious illnesses, parvovirus (5th disease), risk of violence or aggressive behaviours that could affect you?
- Do you work with a cathode-ray screen?
- Does your workplace environment or workplace equipment pose any risk?
- Are you in contact with solvents, glue or other chemical products, or are you exposed to any biological hazards?
- Does your work involve repetitive gestures; what postures must you take in order to accomplish your work?

If your doctor comes to the conclusion that this is the case, you will most likely have the right to be temporarily reassigned to another position or to be accorded a preventive leave. In this case you must contact the school board **immediately** and provide them with the form entitled “Certificat visant le retrait préventif et l’affectation de la travailleuse enceinte ou qui allaite”

[http://www.cnesst.gouv.qc.ca/publications/200/Documents/DC200\\_1024\\_1web.pdf](http://www.cnesst.gouv.qc.ca/publications/200/Documents/DC200_1024_1web.pdf) in which your doctor will attest to the fact that your present workplace is not safe for you or your unborn child, providing the precise reasons why he believes this to be true. Your doctor must consult with the DSP (“direction de la santé publique”) and send them a copy of the CNESST certificate that he has filled out. The DSP will then render a decision concerning your eligibility. **MODEL LETTER 3.**

It is possible that your working conditions might change during your pregnancy. If that were to happen you would need to get a medical certificate as described in the preceding paragraph. If it happens during your temporary reassignment you will have to obtain another medical certificate.

You must be available to accept a **temporary reassignment** offered to you by the School Board. The position that is offered should be in your present class of employment. The School Board may also ask you to accept a position in a different class of employment but you have the right to refuse. You may even exchange your position with another employee if the School Board agrees with the exchange. Whatever the task you are expected to accomplish it must not put you or your unborn child at risk and it must be a task that is relatively easy for you to do. If you believe that you are unable to accomplish the tasks required of you by the School Board in your reassignment post, whether it be for physical reasons or because you do not have the necessary training or aptitudes for the tasks required, you can register a complaint with the CNESST or file a grievance. Because there may be various delays, it is important that you contact your union as soon as possible.



If your position entails regular work on a cathode-ray screen, the School Board must study the possibility of reducing the time usually taken for this task to two hours per half-day of work. If this is possible the School Board may also assign you other tasks which you are reasonably capable of performing.

If a reassignment of tasks is not possible, you are entitled to take a special leave (also known as a **preventive leave**) that will start immediately. If so, you must obtain the medical certificate described in the preceding paragraphs as quickly as possible. For the first 5 working days of your preventive leave the School Board will pay you 100% of your salary and for the next 14 days they will pay you 90% of your net salary. After that the CNESST will provide you with salary replacement benefits equalling 90% of your net salary. [Article 45. of the Act respecting Occupational Health and Safety (AOHS)] This indemnity will be provided up until the fourth week preceding your due date (excluding vacation time) if you are eligible for QPIP maternity benefits. If not, the preventive leave shall end on the day you give birth (5-4.20, 7th paragraph).

It is possible that you might need to leave your post while waiting for a CNESST decision or, should your request be refused, be obliged to wait for a response to your letter of contestation. In this case, during the waiting period, you have the right to request an advance for the paid benefits that you have not yet begun receiving from the CNESST. To do so, you must make a request to your School Board. Because the process for contestation and revision is complex, you should contact your local union so that it can help you with all the necessary steps. Please note that, should the CNESST refuse your application in the end, you will have to reimburse the advance benefits that you have already received in their entirety. *MODEL LETTER 4*

The CNESST can reduce or interrupt payment of benefits if you accept remunerated work of any kind during your preventive leave, or if the risks that led to a preventive leave from your original post cease to exist. An example of this is the fact that the CNESST often considers the three pedagogical days at the start of a new school year to be risk-free which means that they are not obliged to pay for them. However, in such a case, the unpaid period concerned is excluded from the calculation of the employee's average basic weekly salary [5-4.15 d)]. The School Board also has the right to reintegrate you in your own position if the risks it presented have been eliminated.

### **Special leaves covered by salary insurance for medical examinations, complications, or a miscarriage. (5-4.21 and 5-4.22)**

For **medical examinations** related to your pregnancy, you have the right to a maximum of four days without loss of salary, which you may choose to take in half-days.

In the case of a **complication** in your pregnancy or a **risk of miscarriage** due to **your own state of health**, you have the right to take a special leave upon presentation of a medical certificate. If you are under the QPIP, from the beginning of the leave and up until the fourth week before your due date you will be covered by salary insurance for

85% of your basic salary. However, this payment will only begin once the five-day delay which is taken from your bank of sick days has passed (**N.B.** this only applies to employees with salary insurance). But it should be noted that any weeks covered by salary insurance are only paid at 85% of your regular salary. In this case, please refer to Chapter 1 of this guide concerning the possibility of extending your qualifying period so that your benefits won't be reduced because of your having used your salary insurance. See article 32. of the RALAP: [http://www.rqap-lois.gouv.qc.ca/Article/RALAP\\_32.aspx](http://www.rqap-lois.gouv.qc.ca/Article/RALAP_32.aspx)

If a natural or induced **termination of pregnancy** were to occur before the twentieth week prior to your due date, you would be entitled to take a special leave upon presentation of a medical certificate from your doctor stating the duration of the leave. This leave would also be covered by salary-insurance under the same conditions mentioned above [5-4.21 b), 5-4.22].

A temporary employee who has not worked for 6 months since being hired by the Board, or an employee covered by Chapter 10 of the Agreement, is entitled to these leaves but without pay. However temporary employees are entitled to the 4 days of special leave with pay that are stipulated for pregnancy-related medical check-ups which are mentioned above [See 5-4.22 and 2-1.01 B) 3) e), 10-1.07 f) and 10-2.04 f)].



## Applying for a maternity leave

### (5-4.11). MODEL LETTER 1

To obtain your maternity leave, you must inform the School Board with a written notice transmitted at least two weeks prior to the date your leave begins. This written notice must be accompanied by a doctor's medical certificate or a report signed by a midwife certifying your pregnancy and your due date. Under any of the government parental plans for which you may be eligible (see Chapter 1 of this guide), the weeks of your leave must be taken consecutively [5-4.05 A)], the only exception being a decision to suspend or split up your leave. Splitting up your leave before and after the delivery, may be done at your discretion and must include the day of the birth (5-4.06) except when you need a preventive leave in which case the maternity leave will start, at the earliest, the 16th week before your due date or at the latest, the 4th week before the due date.

The two-week period mentioned above may be reduced if your medical certificate states that you must leave your job sooner than expected. You may be exempted from this formality altogether if your medical certificate states that you must cease work immediately.

### Not eligible for any government plan (5-4.14)

If you are not eligible for any government plan (See Chapter 1 of this guide), you still have the right to take a maternity leave accorded by the School Board but you must make a request as described above.

If you could not work for an insurable revenue due to the fact that you are receiving benefits from the CNESST, the SAQ or the QPIP (while still on a previous maternity leave) or are receiving salary insurance, the necessary qualifying period can be extended but without exceeding the 104th week (See Chapter 5 of this guide concerning pregnancies that closely follow one another).

Please note that it is possible you are not eligible for QPIP benefits on the first day of your maternity leave because you have not earned the minimum amount of revenue required which is a total of \$2,000 during the previous 52 weeks (for example when 2 pregnancies closely follow one another). In this case you will only have the right to twelve weeks of benefits that are paid by the School Board at 100% of your net salary. Refer to the method of calculation below in order to discover the exact percentage that applies to you.

It is, however, quite possible that these twelve weeks of benefits will provide you with enough revenue to meet the minimum requirements of the QPIP, thus making you eligible for QPIP benefits. We suggest you contact the QPIP and consult with your local union if you believe this situation applies to you. The EIP also takes into account a situation in which pregnancies closely follow one another. Contact Service Canada for more information.

## 3 – Maternity Leave

(with pay)

The Collective Agreement and the government plan which applies to you, be it the QPIP or the EIP (depending on the province where you reside) are closely linked since,

together, they determine the length of your leave as well as the amount of revenue that you are entitled to receive. In Appendix 2 you will note that the QPIP accords either eighteen (18) weeks or fifteen (15) weeks of maternity benefits (Basic Plan or Special Plan), while the EIP allows for fifteen (15) weeks of paid benefits. The Collective Agreement is more generous than either of the government plans since it provides three extra weeks of maternity benefits for a total of 21 weeks. Moreover, it supplements the amounts paid by the government plans with added revenue. So, in order to complete the 21 weeks of paid maternity leave, you must use 3 weeks of parental leave benefits from the QPIP Basic plan or 6 weeks from the QPIP Special plan. It is also possible for you to choose to take these 3 extra weeks without pay in which case the weeks allotted by the QPIP for paid parental leave will not be diminished

All information related **to eligibility, the length of time accorded and the benefits** you are entitled to receive are listed in a table in Appendix 1 of this guide. The harmonization table for the two government programs (QPIP and EIP) along with benefits accorded by the Collective agreement can be found in Appendix 2.

## Calculation of benefits provided by the School Board

Clause 5-4.01 of the collective agreement stipulates that the benefits paid by the School Board are to be treated as a supplement to the QPIP or the EIP parental leave benefits. The calculation of the maternity benefits that are paid by the School Board are based upon your basic weekly salary or your average weekly salary, whichever case applies to you. This calculation also includes responsibility premiums and regional disparity premiums, but excludes overtime:

- the full-time employee who holds position of 100% shall receive the average amount of his or her total revenue. The full-time employee who holds a position of 75% to 99% shall receive benefits based on the average amount of revenue received in the position he or she holds plus any work done outside of his or her regular position in either a replacement post or assigned as an increase in working hours. (5-4.03 footnote);
- If you are a part-time employee or a day care employee, the calculation for your **basic weekly salary** is based upon the last 20 weeks that you worked prior to your maternity leave [footnote at 5-4.03 or 5-4.15 d)];
- If you are covered by Chapter 10 of the collective agreement or are a temporary employee, the calculation is based upon your **average weekly salary over the last five months that you worked** [10-1.07 g) or 10-2.04 g) or 2-1.01 B) 3) f)].

The calculation is as follows:

- a) 100% of your basic weekly salary (up to a maximum of \$225).
- +
- b) the amount that represents 88% of the difference between your basic weekly salary and the amount established at a)
- = 100% of your usual net revenue





Examples :

- if you earn \$200 gross salary/per week, you will receive a benefit of \$200/per week
  - if you earn \$500 gross salary /per week:
    - a)  $\$500 - \$225 \text{ (a)} = \$275$
    - b)  $\$275 \times 88\% = \$242 \text{ (b)}$
- Total : (a) \$225 + (b) \$242 = **benefit of \$467**

If you are subject to a **temporary layoff** [5-4.15 d) and e)]:

- maternity benefits from the School Board are stopped during the layoff period and are re-established when the layoff period ends. During this time you will only receive the benefits accorded by the QPIP or the EIP;
- this period will not count for the average salary calculation;
- Nevertheless, the weeks of your temporary lay-off will be deducted from the number of weeks of benefits you are entitled to receive (21 or 12, as the case may be).

### Other benefits accorded during the leave (5-4.16)

During your maternity leave all the benefits to which you are entitled are maintained as if you were still at work:

- life insurance;
- health insurance, by paying your share;
- accumulation of vacation days;
- accumulation of sick-leave days;
- accumulation of seniority;
- accumulation of experience;
- accumulation of active service for job security;
- the right to apply for positions that are posted.

### Vacation

You have no right to receive paid maternity benefits from the School Board when you are on vacation [5-4.15 a)]. If your vacation leave occurs during your maternity leave, you can defer part or all of it (maximum 4 weeks), after having duly notified the Commission at least two weeks before the end of your maternity leave (5-4.16). You may take your deferred annual vacation immediately before your unpaid parental leave, provided that there is no discontinuity with your maternity leave (5-4.47). *MODEL LETTER 11*

### Collective Health Insurance

If you are covered by the collective insurance plan, there are a number of things that must be done regarding your new-born baby:

- If you are covered for health insurance under the single-parent or family plan, your baby will be covered automatically twenty-four hours after the birth, as your dependant. When you make a claim for medication for the first time for your baby, you must have your baby registered in your file by the pharmacist.
- If you have individual coverage you will have to communicate with the School Board to change your coverage into either single-parent or family coverage and add your new-born baby to the policy as a dependant, and this, no later than thirty days after the birth of your baby. *MODEL LETTER 5*

- If your spouse and your dependents are covered by the basic life insurance policy in the Health Insurance Plan, your new-born baby will automatically be covered as one of your dependents without needing any proof of insurability. *MODEL LETTER 5*
- If you are not covered by the life insurance plan for yourself and your family but would like to have it, you may make your request to the School Board in the thirty days following the birth of your baby, without any proof of insurability. However, there is no obligation on your part to do so since life insurance is optional. Nevertheless, it is important to note that, after the thirty-day period has passed, the SSQ has the right to ask for proof of insurability. *MODEL LETTER 5*

For additional information please contact: the SSQ Client Service Dept. at (1 888 651-8080); your School Board; or your local union.

### The pension plan

Maternity leaves, special leaves for complications in your pregnancy or for a risk of miscarriage, a preventive leave, or a period of disability are credited to you for the pension plan without the need for you to make contributions. This is done automatically by way of the employer's annual declaration, but we still suggest you verify the state of your participation in RREGOP, with regard to your weeks of maternity leave, the next time you receive a statement concerning your pension contributions from Retraite Quebec in order to be sure this period has been taken into account.

### The suspension of a maternity leave for a return to work

Once the baby is born and you have recovered from the delivery, if your baby should need to stay in the hospital for a period of time or must be hospitalized soon thereafter, you have the right to make a request to the School Board to suspend your maternity leave in order to return to work until your baby comes home. During the period you are at work you will be paid your regular salary (5-4.07). However, you must inform the QPIP of this decision.

Upon resumption of your maternity leave, the Board will again start paying you the maternity benefits to which you are entitled for the unused weeks that remain of your leave (5-4.09).

## 4 – Maternity leave (without pay)

### Splitting up a leave

The possibility of splitting up your leave (5-4.08) is foreseen in our collective agreement and in both government plans whether it be the QPIP or the EIP. It is simply a question of deferring the weeks of your leave for the period that your child is hospitalized or for any other exceptional circumstance that is covered by Quebec Labour Standards. However to have this right you must have acquired three months of continuous service with the School Board (see Chapter 6 of this guide).



Unlike the suspension of a maternity leave described earlier in this chapter, in this case you would not return to work and the School Board and the QPIP or EIP would consider the suspension period to be a leave without pay. Moreover you would not be entitled to receive salary insurance during this leave. If you intend to take an unpaid leave you must inform the School Board and the QPIP or EIP of your decision. *MODEL LETTER 9*

The maximum number of weeks during which the leave may be suspended, corresponds to the number of weeks of hospitalization. You must transmit a medical certificate to this effect.

When the suspension period is over and you resume your maternity leave, the School Board, and the QPIP or EIP will once again begin paying the benefits you are entitled to and will do so for the number of weeks that remain of your leave (5-4.09).

The conditions related to eligibility for this unpaid leave can be found on the QPIP website [*Laws and Regulations / Act respecting parental insurance (art. 7. and 23.)*] or on the EIP website under *Maternity and parental benefits*. *MODEL LETTER 9*

### Advantages

During the suspension of your unpaid leave you shall continue to accumulate seniority and experience and you must continue to participate in your basic collective health insurance plan by paying your share of the premiums. You may also continue to participate in the complementary insurance plans but must pay the entire amount of the premiums due (5-4.46). In this case you must make a written request to the School Board. *MODEL LETTER 14*

### Extension of a leave

You are entitled to take an extension of your maternity leave (5-4.10) *MODEL LETTER 14*:

- if the birth takes place more than two weeks after your due date, and this, for a period equal to the overdue period;
- if it is a requirement for the health of your baby or yourself, and this, for the duration stipulated by a medical certificate which you must transmit to the School Board.

During this period you are considered to be on a leave without pay and you are not entitled to salary insurance.

### Advantages

The benefits to which you are entitled vary depending upon the length of this extension. During the first six weeks, you are entitled to all the benefits (5-4.16).

Thereafter, you are entitled to some benefits such as the accumulation of seniority and experience. You must continue to participate in your basic collective health insurance plan by paying your share of the premiums. You may also continue to participate in the complementary insurance plans but must pay the entire amount of the premiums due (5-4.46). In this case you must make a written request to the School Board. *MODEL LETTER 14*

## 5 – Your Return to Work

If you so choose, you may terminate your maternity leave before it ends. You have the right to return to work as early as two weeks after the birth of your baby, as long as you are able to provide the board with a medical certificate stating that you have recovered sufficiently to return to work (5-4.17).

Four weeks before the end of your maternity leave, the School Board will send you a notice indicating the end of your leave. Unless you are taking an additional leave (5-4.44 and chapter 5 of this guide) or have deferred your vacation leave (5-4.16) *MODEL LETTER 11*, you are required to return to work. If you have not returned to work within four weeks following the end of your leave (during which you will be considered as being on leave without pay), you will then be considered as having resigned from your School Board position (5-4.18).

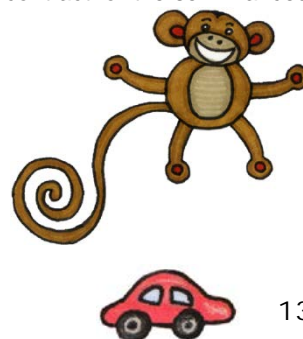
You shall return to your original post unless it has been abolished or you were displaced during the movement of personnel. If you are a regular employee who was laid off, or a temporary employee, you will resume the assignment you had at the time of your departure but only if the duration foreseen for this assignment continues after the end of your maternity leave [5-4.19 or 2-1.01 B) 3) g)].

### Preventive Leave or Temporary Reassignment while Breastfeeding (5-4.20)

If your working environment contains health risks for your baby while you are breastfeeding, you have the right to take a special leave from your workplace, be it a temporary reassignment to another post or a preventive leave. The leave shall be for the duration of the period you are breastfeeding. The steps to follow in this case are identical to those listed in Chapter 2, article 2 of this guide. *MODEL LETTER 3*

## 6 – During a self-financed leave (Appendix 3 of the Collective Agreement)

If your maternity leave begins while you are on a self-financed leave, it is possible to interrupt the leave for a period of time or terminate the contract for the self-financed leave.





# Chapitre 3 – Paternity Leave

## 1 – The right to a leave

Having read Chapter 1 of this guide, you have already identified the government parental plan for which you are eligible whether it is the QPIP or the EIP. However, it is possible that you are not eligible for either one of these plans.

As stated in the introduction, you are eligible for a paternity leave regardless of your employee status: whether you are a regular employee, a probationary employee, an employee covered by Chapter 10 of the Collective Agreement, or a temporary employee. Article 5-4.00 of the collective agreement lists the conditions for parental rights while conditions for employees under Chapter 10 can be found at 10-1.07 or 10-2.04, and temporary employees are covered by clauses 2-1.01 B) 1), 2) and 3).

Unless otherwise stated, all the rights and privileges accorded for a leave will apply to you whether you are eligible or not eligible to receive benefits from the School Board or from one of the government plans.

If both parents are female, the 2 paternity leaves described below shall be granted to the mother who did not give birth (5-4.02).

Any employee whose spouse has died is entitled to the remainder of the maternity leave [5-4.05 C)].

### Not eligible for any government plan (5-4.25)

If you are not eligible for a government plan, you still have the right to take a paternity leave as foreseen by the Collective Agreement. During your leave you shall receive benefits from the School Board equal to your basic weekly salary but in order to be eligible you must have completed 20 weeks of service.

## Applying for a paternity leave

The 5-day leave must be preceded by a written notice to the School Board as soon as possible (5-4.23 and 5-4.50).  
*MODEL LETTER 6*

The 5-week leave must be preceded by a written notice sent to the School Board at least three weeks in advance. The delay may be shorter if the birth of the baby arrives before the due date. The written notice must indicate the date on which the leave will end (5-4.24 and 5-4.50).  
*MODEL LETTER 7*

## 2 – Paternity leave (with pay)

All information pertaining to **eligibility, the length of your leave and the revenue which you are entitled to receive**, can be found in the table in Appendix 1 of the present guide.

## Five-day leave

Once your child is born, you are entitled to a paternity leave for a maximum of 5 working days that shall be paid for at 100% by the School Board (5-4.23). The leave may be broken up but must be taken between the date of birth and the first fifteen days after the return home of the mother or the baby. One of the five days may be used for the purposes of baptism or birth registration. The leave may also be accorded for an interruption in the pregnancy of your spouse that takes place after the beginning of the twentieth week of pregnancy preceding the due date.

## Five-week leave

You are also entitled to a paternity leave of a maximum length of five weeks on the condition that you have already 20 weeks of service with the School Board (5-4.24). This leave is covered by either the QPIP or the EIP, depending on your eligibility (Chapter 1 of the present guide). The leave shall start when either one of these plans is scheduled to begin providing you with paid benefits, and shall end no later than the end of the 52nd week following the birth. The weeks of the leave shall be taken consecutively except in the case where the leave is split up or suspended (5-4.27 or 5-4.28).

**Please Note:** If you have chosen the QPIP Special Plan, you only have the right to a 3-week paid paternity leave.

If you wish to take the 5-week paternity leave accorded by the collective agreement and thus receive benefits from the School Board for the last two weeks of your leave, you must be receiving QPIP benefits in order to receive those given by the school board. Clause 5-401 of the collective agreement stipulates that the amount of paid benefits provided by the School Board is, in fact, a supplement to the benefits provided by the QPIP. As for the EIP you must also receive 5 weeks of parental benefits in order to be eligible for the supplementary benefits provided by the School Board.

## Calculation for benefits from the School Board

Calculation for benefits from the School Board is done based on your basic weekly salary or your average weekly salary, as the case may be, and shall include responsibility premiums or regional disparity premiums, but shall exclude overtime:

- the full-time employee who holds position of 100% shall receive the average amount of his or her total revenue. The full-time employee who holds a position of 75% to 99% shall receive benefits based on the average amount of revenue received in the position he or she holds plus any work done outside of his or her regular position in either a replacement post or assigned as an increase in working hours (5-4.03 footnote);
- For a part-time employee or a day care employee the calculation for **his or her basic weekly salary** is based



on the last 20 weeks that he or she worked prior to a paternity leave [footnote at 5-4.03, 5-4.26 and 5-4.15 d)].

- For an employee covered by Chapter 10 of the Collective Agreement and for a temporary employee, the calculation is based upon **his or her average weekly salary over the previous five months** [10-1.07g) or 10-2.04 g) or 2-1.01 B) 3) f)].

If you are subject to a **temporary layoff** [5-4.26 and 5-4.15 d) and e)]:

- the paternity benefits from the School Board are stopped at the start of the layoff period and are re-established when you return to work. During this time you will only receive the benefits accorded by the QPIP or the EIP;
- Nevertheless, the layoff period will be excluded from the calculation of your average salary;
- However the weeks included in the temporary layoff will be deducted from the total number of weeks of benefits you are entitled to receive from the Board. Since you only have the right to take 6 weeks with benefits it would be more advantageous for you to take your paternity leave before or after your temporary layoff.

### **Other advantages accorded during the paid leave (5-4.31 and 5-4.16)**

During your paternity leave all the benefits to which you are entitled are maintained as if you were still at work:

- life insurance;
- health insurance (by paying your share);
- accumulation of sick-leave days;
- accumulation of vacation days;
- accumulation of seniority;
- accumulation of experience;
- accumulation of active service for job security;
- the right to apply for positions that are posted.

### **Vacation**

While on vacation you have no right to receive paternity benefits from the School Board [5-4.26 and 5-4.15 a)]. If your vacation occurs during your paternity leave, you can defer part or all of it (maximum 4 weeks) after having notified the School Board. You may take your deferred vacation immediately prior to the unpaid leave described in Chapter 5 of this guide, provided that there is no discontinuity with your paternity leave (5-4.47).

*MODEL LETTER 11*

### **Collective Health Insurance**

If you are covered by the collective insurance plan, there are a number of things that must be done regarding your new-born baby:

- If you are covered for health insurance under the single-parent or family plan, your baby will be covered automatically twenty-four hours after the birth, as your

dependant. When you make a claim for medication for the first time for your baby, you must have your baby registered in your file by the pharmacist.

- If you have individual coverage you will have to communicate with the School Board to change your coverage into either single-parent or family coverage and add your new-born baby to the policy as a dependant, and this, no later than 30 days after the birth of your baby. *MODEL LETTER 5*
- If your spouse and your dependents are covered by the basic life insurance policy in the Health Insurance Plan your new-born baby will automatically be covered as one of your dependents without needing any proof of insurability.
- If you are not covered by life insurance in your plan but would like to be covered, you may make your request to the School Board in the thirty days following the birth of your baby, without any proof of insurability. However, there is no obligation on your part to do so since life insurance is optional. Nevertheless, it is important to note that after the thirty-day period has passed the SSQ has the right to ask for proof of insurability. *MODEL LETTER 5*

For additional information, we invite you to contact the Client Service Department of the SSQ (1 888 651-8080), your School Board or your union.

### **Pension Plan**

Contributions to RREGOP are maintained during your paternity leave.

### **Suspension of a paternity leave (5-4.27)**

If your baby is hospitalized, you are entitled to suspend your paternity leave and return to work during the hospitalization period, after coming to an agreement with the School Board. During your return to work, you will receive your regular salary. You must inform the QPIP about this situation.

Upon resumption of your leave, the Board will again start paying you the paternity benefits to which you are entitled for the unused weeks that remain of your leave (5-4.29).

## **3 – Paternity Leave (without pay)**

### **Splitting up an extension of a leave**

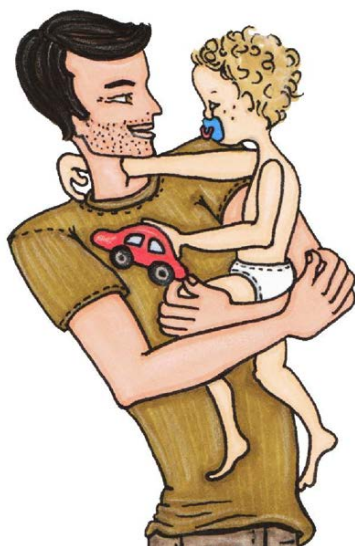
**Splitting up** the weeks of a paternity leave (5-4.28) is provided for by our Collective Agreement as well as by the regulations of the QPIP and the EIP. It is simply a question of deferring your leave for the period of time that your child is hospitalized or for any other exceptional circumstance covered by Quebec Labour Standards (see chapter 6 of this guide).

Contrary to the suspension of the paternity leave described above, in this case you would not return to work, and the School Board and the QPIP or EIP would consider the suspension period to be a leave without pay. However, you would not be entitled to receive salary insurance during the



leave. If you choose this option you must make a request to the School Board and another to the QPIP or EIP as the case may be.

The conditions that apply to this type of unpaid leave can be found on the QPIP website [*Laws and Regulations / Act respecting parental insurance (art. 7. and 23.)*] or on the EIP website under *Maternity and parental benefits*.  
**MODEL LETTER 9**



The maximum number of weeks during which the leave may be suspended, corresponds to the number of weeks of hospitalization of the child. For this option you must provide a medical certificate.

When you resume your paternity leave, the School Board, and the QPIP or EIP will once again begin paying the benefits you are entitled to and will do so for the number of weeks that remain of your leave (5-4.29).

If your baby's health requires it, you are entitled to an **extension** of your paternity leave (5-4.30). In this case, you must send a written notice to the School Board accompanied by a medical certificate that indicates the length of the time that is required. You are then considered

to be on a leave without pay and, during this time, you are not eligible for salary insurance. **MODEL LETTER 10**

### Advantages

The benefits accorded during the period in which a leave is split up or extended are accumulation of seniority and experience. You must continue to participate in the basic health insurance plan and may choose to continue to participate in the complementary plans (5-4.28 and 5-4.46)  
**MODEL LETTER 14.**

## 4 – Your return to work

Unless you are taking a leave without pay (5-4.44) or a deferred vacation leave (5-4.47), you must return to work. If you have not returned to work within four weeks following the end of your paternity leave (during which time you will be considered as being on leave without pay), you will then be considered as having resigned [5-4.50 b)].

When your paternity leave has ended, you shall return to the post you held before the leave unless it has been abolished or you were displaced during the movement of personnel. If you are a regular employee who was laid off, or a temporary employee, you will resume the assignment you had at the time of your departure if the duration foreseen for this assignment is still in effect following your paternity leave [2-1.01 B) 3 g)]. If the assignment no longer exists you are entitled to the dispositions of the Collective Agreement (5-4.31 and 5-4.19).

If you decide to extend your paternity leave with an unpaid leave from the School Board, you may be eligible for a leave under QPIP or EIP. For more information you may consult Chapter 5 of this guide: *Leave without pay, following a maternity, paternity or adoption leave.*

## 5 – During a self-financed leave (Appendix 3 of the Collective Agreement)

If your paternity leave begins while you are on a self-financed leave it is possible to suspend the self-financed leave or terminate your contract for the self-financed leave.

## Notes

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# Chapter 4 – Adoption Leave

## 1 – The right to an adoption leave when adopting a child other than the child of one’s spouse

Having read Chapter 1 of this guide, you have already identified the government parental plan for which you are eligible whether it is the QPIP or the EIP. However, it is possible that you are not eligible for either one of these plans.

As stated in the introduction, you are eligible for an adoption leave regardless of your employee status: whether you are a regular employee, a probationary employee, an employee covered by Chapter 10 of the Collective Agreement, or a temporary employee. Article 5-4.00 of the collective agreement lists the conditions for parental rights while conditions for employees under Chapter 10 can be found at 10-1.07 or 10-2.04, and temporary employees are covered by clauses 2-1.01 B) 1), 2) and 3).

Unless otherwise stated, all the rights and privileges accorded for a leave will apply to you whether you are eligible, or not eligible, to receive benefits from the School Board or from one of the government plans.

### Not eligible for any government plan (5-4.35)

If you are not eligible for a government plan, you still have the right to take an adoption leave as foreseen by the Collective Agreement. During your leave you shall receive benefits from the School Board equal to your basic weekly salary but in order to be eligible you must have completed 20 weeks of service.

## 2 – The adoption leave when adopting a child other than the child of one’s spouse (with pay)

All information pertaining to **eligibility for a plan, the length of your leave and the revenue you are entitled to receive** can be found in the table in Appendix 1 of the present guide.

### Five-day leave

When adopting your child you are eligible for an adoption leave for a maximum of five working days paid at 100% by the School Board (5-4.32). The five-day leave may be split up but must be taken within the first 15 days following the arrival of the child in your home. One of the five days may be taken for a baptism or birth registration. A written request to the School Board should be made in advance, if this is possible. *MODEL LETTER 6*

### Five-week leave

You are also eligible for an adoption leave with a maximum length of five weeks on the condition that you have completed 20 weeks of service (5-4.33). However you must

make a written request to the School Board at least 3 weeks in advance. The request must also include the date that the leave will finish. *MODEL LETTER 7*

The paid leave is covered by either the QPIP or the EIP, depending on your eligibility (Chapter 1 of this guide). The leave shall start when either one of these plans begins providing you with paid benefits, and shall end no later than the end of the 52nd week following the arrival of your child. For the QPIP the date will vary with the type of adoption. The weeks of the leave shall be taken consecutively (5-4.33) except in the case where the leave is split up or suspended (5-4.36 or 5-4.37).

**Please Note:** If you have chosen the QPIP Special Plan, you only have the right to a 3-week paid adoption leave.

If you wish to take the 5-week adoption leave accorded by the collective agreement and thus receive benefits from the School Board for the last two weeks of your leave, you must be receiving QPIP parental benefits in order to receive those given by the School Board. Clause 5-4.01 of the collective agreement stipulates that the amount of paid benefits provided by the School Board is, in fact, a supplement to the benefits provided by the QPIP. As for the EIP you must also receive 5 weeks of parental benefits in order to be eligible for the supplementary benefits provided by the School Board.

## Calculation for benefits from the School Board

Calculation for benefits from the School Board is done based on your basic weekly salary or your average weekly salary, as the case may be, and shall include responsibility premiums or regional disparity premiums, but shall exclude overtime:

- the full-time employee who holds position of 100% shall receive the average amount of his or her total revenue. The full-time employee who holds a position of 75% to 99% shall receive benefits based on the average amount of revenue received in the position he or she holds plus any work done outside of his or her regular position in either a replacement post or assigned as an increase in working hours (5-4.03 footnote);
- For a part-time employee or a day care employee the calculation for **his or her basic weekly salary** is based on the last 20 weeks that he or she worked prior to the adoption leave [footnote at 5-4.03 or 5-4.42 and 5-4.15 d)];
- For an employee covered by Chapter 10 of the Collective Agreement and for a temporary employee, the calculation is based upon **his or her average weekly salary over the previous five months** [10-1.07 g) or 10-2.04 g) or 2-1.01 B) 3) f)]





If you are subject to a **temporary layoff** [(5-4.42 and 5-4.15 d) and e]):

- the adoption benefits are stopped during the layoff period and are re-established when the layoff period ends. During this period you will only receive benefits accorded by the QPIP or the EIP;
- however, the layoff period will be excluded from the calculation of your average salary;
- the weeks making up your temporary layoff will be deducted from the total number of weeks of benefits you are entitled to receive from the Board. Since you only are eligible for 6 weeks of benefits it would be to your advantage to take your adoption leave before or after the temporary layoff period.

### **Other advantages accorded during the paid leave (5-4.40 and 5-4.16)**

During your adoption leave all the benefits to which you are entitled are maintained as if you were still at work:

- life insurance;
- health insurance (by paying your share);
- accumulation of sick-leave days;
- accumulation of vacation days;
- accumulation of seniority;
- accumulation of experience;
- accumulation of active service for job security;
- the right to apply for positions that are posted.

#### **Vacation**

While on vacation you have no right to receive benefits from the School Board [(5-4.42 and 5-4.15 a)]. If your vacation occurs during your adoption leave, you can defer part or all of it (maximum 4 weeks) after having notified the School Board (5-4.40 and 5-4.16). You may take the deferred vacation days immediately prior to your unpaid leave provided that there is no discontinuity with your adoption leave (5-4.47). *MODEL LETTER 11*

#### **Collective Health Insurance**

If you are covered by the collective insurance plan, there are a number of things that must be done regarding your adopted child:

- If you are covered for health insurance under the single-parent or family plan, your adopted child will be covered automatically twenty-four hours after the adoption, as your dependant. When you make a claim for medication for the first time for this child, you must have him or her registered in your file by your pharmacist;
- If you have individual coverage you will have to communicate with the School Board to change your coverage into either single-parent or family coverage and add your adopted child to the policy as a dependant, and this, no later than thirty days after the adoption of a first child. *MODEL LETTER 5*
- If your spouse and your dependents are covered by the basic life insurance policy in the Health Insurance Plan your adopted child will automatically be covered as one

of your dependents without needing any proof of insurability.

- If you are not covered by life insurance in your plan but would like to be covered, you may make your request to the School Board in the 30 days following the adoption of your child without any proof of insurability. However, there is no obligation on your part to do so since life insurance is optional. Nevertheless, it is important to note that after the thirty-day period has passed the SSQ has the right to ask for proof of insurability.

*MODEL LETTER 5*

For additional information, we invite you to contact the Client Service Department of the SSQ (1 888 651-8080), your School Board or your union.

#### **Pension Plan**

Contributions to RREGOP are maintained during your adoption leave.

### **Suspension of an adoption leave (5-4.36)**

If your adopted child is hospitalized, you are entitled to suspend your adoption leave and return to work during the hospitalization period, after coming to an agreement with the School Board. During this period you will receive your regular salary but you must inform the QPIP.

Upon resumption of your leave, the School Board will again start paying you the adoption benefits to which you are entitled for the unused weeks that remain of your leave.

## **3 – The adoption leave when adopting a child other than the child of one’s spouse (without pay)**

### **Splitting up and extension of a leave**

**Splitting up** the weeks of an adoption leave (5-4.37) is provided for by our Collective Agreement as well as by the regulations of the QPIP and the EIP. It is simply a question of deferring your leave for the period of time that your child is hospitalized or for any other exceptional circumstance covered by Quebec Labour Standards (see Chapter 6 of this guide).

Contrary to the suspension of the adoption leave described previously in this chapter, in this case you would not return to work, and the School Board and the QPIP or EIP would consider the suspension period to be a leave without pay. Moreover, you would not be entitled to receive the salary insurance normally provided by the School Board in accordance with the Collective Agreement. Should you choose this option all the same, you must make your request to the School Board and another to either the QPIP or the EIP.

The conditions that apply to this leave can be found on the QPIP website [*Laws and Regulations / Act respecting parental insurance (art. 7. and 23.)*] or on the EIP website under *Maternity and parental benefits*. *MODEL LETTER 9*





The maximum number of weeks for this unpaid leave corresponds to the number of weeks of hospitalization of your adopted child. However, in order to be eligible, you must provide a medical certificate.

When you resume your paid adoption leave, the School Board, and the QPIP or EIP will once again begin providing the benefits you are entitled to and will do so for the number of weeks that remain of your paid leave (5-4.38).

If your adopted child's health requires it, you are entitled to an **extension** of your adoption leave (5-4.39). You must send a written notice to the School Board accompanied by a medical certificate that indicates the length of the time that is required. You are then considered to be on a leave without pay and, during this time, you are not eligible for salary insurance. *MODEL LETTER 10*

## A leave without pay for adoption purposes *MODEL LETTER 8*

You are entitled to a leave of absence to cover the travel time needed for adopting a child who is situated outside of Quebec. You are also eligible for an unpaid leave, for a maximum of ten (10) weeks, starting on the date that you assume full legal responsibility for the child. This leave shall end, at the latest, one week after you begin receiving adoption benefits from the QPIP (5-4.43). The QPIP leave may begin two weeks prior to the arrival of the child.

If your adoption leave is for less than thirty (30) days, you shall maintain your participation in RREGOP by paying your share of contributions. For an unpaid leave of more than thirty (30) days you must make a request to Retraite Québec to buy back the time for which you were not making contributions. In order to do this, you must complete a form provided by the Human Resources department of the School Board. If you make this request within six months following your return to work, you will not have to pay any interest on the amounts owing. Moreover, will only have to pay your share of the contributions and not that of your employer.

**N.B. Do not forget to verify in the next statement you receive from Retraite Québec the inclusion of the time you bought back for your unpaid adoption leave.**

### Advantages

During the period in which an adoption leave is split up or extended, the advantages that are maintained are accumulation of seniority and experience. You must continue to participate in the basic health insurance plan, and may also participate in the complementary plan if you choose to do so (5-4.37 and 5-4.46, 5-4.39 and 5-4.46, 5-4.43 and 5-4.46). *MODEL LETTER 14*

## 4 - Adopting a spouse's child (5-4.41)

If you are adopting your spouse's child, you are eligible for a maximum of five working days for an adoption leave, but

only the first two will be remunerated. They may be taken consecutively or separately but must all be taken within fifteen days of the deposition of the adoption request.

### Advantages

The advantages that are maintained are accumulation of seniority and experience. You must continue to participate in the basic health insurance plan, and may participate in the complementary plans if you choose to do so (5-4.40 and 5-4.19). *MODEL LETTER 14*

## 5 – A return to work

Unless you are taking a leave without pay (5-4.44) or a deferred vacation leave (5-4.47), you must return to work. If you have not returned to work within 4 weeks following the end of your adoption leave (during which time you will be considered as being on leave without pay), you will then be considered as having resigned [5-4.50 b)].

When your adoption leave has ended, you shall return to the post you held before the leave unless it has been abolished or you were displaced during the movement of personnel. If you are a regular employee who was laid off, or a temporary employee, you will resume the assignment you had at the time of your departure if the duration foreseen for this assignment is still in effect following your adoption leave [2-1.01 B) 3) g)]. If the assignment no longer exists you are entitled to the dispositions of the Collective Agreement (5-4.40 and 5-4.19)

If you decide to extend your adoption leave with an unpaid leave, you may do so under the parental leave provisions of the QPIP or EIP. For more information you may consult Chapter 5 of this guide: *Leave without pay, following a maternity, paternity or adoption leave.*

## 6 – During a self-financed leave (Appendix 3 of the Collective Agreement)

If your adoption leave begins while you are on a self-financed leave, it is possible to suspend the self-financed leave or put an end to the contract you have with the Board.



# Chapter 5 – Extension of a Maternity, Paternity or Adoption Leave

## 1 – Leave without pay following a maternity, paternity or adoption leave (5-4.44)

It is possible to extend your maternity, paternity or adoption leave by requesting an unpaid leave from the School Board as described in the Collective Agreement. The QPIP and the EIP provide paid benefits for this extended leave. But even if you are not eligible to receive benefits from either government plan, you still have the right to take the leave without pay.

### The length of an unpaid leave and how to apply for it

#### Two year extended leave [5-4.44 a)]

If you are a full-time or part-time regular employee, you are eligible for an unpaid leave for a maximum of two years immediately following your maternity, paternity or adoption leave. Nevertheless, the length of time for this unpaid leave cannot exceed the 125th week following the birth of your baby or the arrival of the child at your home, as the case may be.

This leave may be full-time or part-time. In order to be eligible, you must send a written request to the School Board at least three (3) weeks in advance for a full-time unpaid leave and at least thirty (30) days in advance for a part-time unpaid leave. In your letter you must include your projected date of return as well as precisions concerning the schedule of the leave you are requesting (5-4.51).

*MODEL LETTER 12*

During your extended leave you are permitted to make a modification to your original choice, but only once, and in order to do so, you must send a letter to the School Board 30 days in advance of the modification you are requesting (5-4.44). This modification can be one of the following: going from a full-time leave to a part-time leave, a part-time leave to a full-time leave, or a part-time leave to another part-time leave. *MODEL LETTER 13*

It is always preferable to request the maximum time allowed, that being 2 full years, because the collective agreement gives you the option of ending your extended leave at a time of your choosing, before the two years are up (5-4.52). It is important to be aware of the fact that if you choose a shorter leave you will not have the right to extend it later on, even if you wish to.

If your spouse is also a Public-sector employee, you may take a full-time or part-time leave equal to the portion of the leave to which your spouse was entitled but did not take.

If your spouse is not a Public-sector employee, you are entitled to take this leave whenever you choose as long as it is within the two (2) year period following the birth or adoption of your child.

Employees covered by Chapter 10 of the Collective Agreement and temporary employees are not eligible for this extended leave. [10-1.07 e), 10-2.04 e), 2-1.01 B) 3) d)].

#### One-year leave without pay (5-4.44 b)

The employee who did not take advantage of the two-year leave mentioned above, may however benefit from an unpaid leave for a maximum of 52 consecutive weeks in order to take advantage of the benefits provided by the QPIP directly follow a maternity, paternity or adoption leave. You may choose the time that the leave begins on condition that the leave does not end any later than seventy (70) weeks after the birth of your baby or the adoption of your child (who must be a child other than the child of your spouse). This leave, unlike the two-year extended leave mentioned above, cannot be modified.

Full-time or part-time regular employees, employees under Chapter 10 of the Collective Agreement and temporary employees have the right to take this extended one-year leave [10-1.07 e), 10-2.04 e), 2-1.01 B) 3) d)].

#### When one pregnancy follows another

If you become pregnant while you are on an unpaid leave, you have the right to take another maternity leave with the benefits provided for in the Collective Agreement [5-4.05 B)].

The QPIP regulations have provisions specific to each case whether it be one pregnancy closely following another or two otherwise related parental events (ex. a birth followed by an adoption; an adoption followed by a second adoption etc.). Each case is different and you must contact the QPIP in order to find out how the rules apply to your particular situation.

The regulations of the EIP require that you acquire 600 additional hours of work in order to be deemed qualified for paid benefits. **Please note** that the weeks of paid preventive leave are not considered to be a qualification for resumption of EI parental benefits. For more information contact Service Canada.



## QPIP or EIP Benefits

During the leave without pay accorded by the School Board following a maternity, paternity or adoption leave, you may apply for QPIP or EIP benefits (see chapter 1 of this guide).

However, if you choose to take the full number of weeks of leave to which you are entitled, it is important to note that part of your leave will not be remunerated since it surpasses the number of weeks of benefits you are allowed to receive from the School Board and the QPIP or the EIP. (Depending upon your choice of QPIP plan or EIP plan, some benefits could have already been used for 3 weeks or 6 weeks so as to give you 21 full weeks of paid maternity leave.)

### Other advantages (5-4.46)

You will accumulate seniority during the complete leave. However, you shall only accumulate experience for the first fifty-two weeks of your leave. The experience granted will be conserved until your return to work. If you return to work on a part-time basis, your benefits will be provided in accordance with clauses in the Collective Agreement concerning part-time employees.

### Collective Health Insurance

For the first 52 weeks of your leave, you shall continue to participate in the collective Health Insurance Plan by paying your share of the premium. For the following weeks you must pay both your share and that of your employer. You may choose to participate in the complementary plans for which you are eligible on condition that you make a request to the School Board **at the very beginning of your parental leave**. For the complementary plans you must pay the full amount of the premiums (5-4.46). *MODEL LETTER 14*

## Pension plan

It is possible for the leave without pay to be recognized as active service for your pension plan. But in order to have this option, you must make a request to Retraite Québec, upon your return to work to buy back the time you spent on an unpaid parental leave, by completing a form and returning it to the Human Resources Department of your School Board. Please note that, if you make your request within the first **six months** following your return to work, you will not have to pay any interest on the amounts owing and you will only have to pay the employee's share of your buy-back contributions.

**N.B. Do not forget to verify the official state of your participation in the pension plan as soon as you receive a statement from Retraite Québec, in order to make sure that the time you bought back has been included.**

## 2 – A return to work

If you terminate your leave without pay before the date you had originally indicated, you must send the School Board a written notice to this effect at least 21 days in advance of your return. If you are on a leave of more than one year you must send the written notice at least 30 days in advance (5-4.52). *MODEL LETTER 16*

Four weeks before your leave has finished, the School Board will contact you in order to advise you that your leave is about to end. You must confirm your return to work at least two weeks in advance, otherwise you will be considered as having resigned from the School Board (5-4.50 and 5-4.52). *MODEL LETTER 15*

## Notes

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# Chapter 6 – Other Parental Leaves

## Leaves for parental or family responsibilities

### Leaves for parental responsibilities (5-4.49)

You are entitled to take up to a maximum of one year's leave of absence, on a full-time or part-time\* basis, in order to be with a child who is a minor and who is diagnosed with socio-emotional problems or is handicapped or is suffering from a prolonged illness, and for whom your care is required. A written request for such a leave must be made three weeks in advance for a full-time leave and 30 days in advance for a part-time leave (5-4.51). *MODEL LETTER 17*

\* The voluntary Working time Reduction Program in Appendix 5 of the Collective Agreement may prove to be more advantageous.



### Family responsibilities and the Quebec Labour Standards Act

Although it is not specified in the parental rights section of the Collective Agreement, you will find in clause 5-1.06 of the Collective Agreement, and in Article 79.7. of the Labour Standards Act, a stipulation that foresees the right of an employee to be absent from work for a maximum period of 10 days per year in order to attend to family obligations concerning care, health problems, or educational needs for a child or a close relative. These are unpaid leaves but you may use up to six (6) days in your bank of sick-leave days after making a written request to the School Board. Your immediate superior may ask you to provide an attestation or some other proof of the validity of your request if, in fact, obtaining a proof is possible.

*79.7. An employee may be absent from work, without pay, for 10 days per year to fulfil obligations related to the care, health or education of the employee's child or the child of the employee's spouse or because of the state of the health of the employee's spouse, father, mother, brother, sister or one of the employee's grandparents.*

*The leave may be divided into days. A day may also be divided if the employer consents thereto.*

*The employee must advise his employer of his or her absence as soon as possible and take the reasonable steps within his or her power to limit the leave and the duration of the leave.*

Furthermore, in the Collective Agreement in Articles 5-1.10 to 5-1.13 and 5-4.08, 5-4.28, 5-4.37 and 5-4.45, as well as in the Quebec Labour Standards Act in Articles 79.8. to 79.12., it is foreseen that some other leaves are permitted for various motives. We have included below, in bold type, some particularities for each one.

*79.1. An employee may be absent from work for a period of not more than **26 weeks over a period of 12 months**, owing to sickness, or an organ or tissue donation for transplant, or for an accident.*

*However, an employee may be absent from work for a period of not more than **104 weeks** if the employee suffers serious bodily injury during or resulting directly from a criminal offence that renders the employee unable to hold his regular position. In that case, the period of absence shall not begin before the date on which the criminal offence was committed, or before the expiry of the period provided for in the first paragraph, where applicable, and shall not end later than 104 weeks after the commission of the criminal offence.*

*However, this section does not apply in the case of an employment injury within the meaning of the Act respecting industrial accidents and occupational diseases.*

*79.8. An employee may be absent from work for a period of not more than **12 weeks over a period of 12 months** where he must stay with his **child, spouse, the child of his spouse, his father, his mother, the spouse of his father or mother, his brother, his sister or one of his grandparents because of a serious illness or a serious accident.***

*However, if a **minor child** of the employee has a **serious and potentially mortal illness**, attested by a medical certificate, the employee is entitled to an extension of the absence, which shall end at the latest **104 weeks** after the beginning thereof.*





**79.9.** An employee is entitled to an extension of the period of absence under the first paragraph of section 79.8., which shall end not later than **104 weeks** after the beginning of that period, if the employee must stay with his minor child who suffered **serious bodily injury** during or resulting directly from **a criminal offence** that renders the child unable to carry on regular activities.

**79.10.** An employee may be absent from work for a period of not more than **52 weeks** if the employee's minor child has disappeared. If the child is found before the expiry of the period of absence, that period shall end on the eleventh day that follows the day on which the child is found.

**79.11.** An employee may be absent from work for a period of not more than **52 weeks** if the employee's spouse or child commits suicide.

**79.12.** An employee may be absent from work for a period of not more than **104 weeks** if the death of the employee's spouse or child occurs during or results directly from a criminal offence.

### Compassionate care leaves (not included in the Collective Agreement)

A maximum of 26 weeks of benefits may be accorded if you must be absent from work in order to provide compassionate care or support for a family member suffering from a serious illness.

In order to verify if you re entitled to compassionate care benefits, you may consult the following EIP website: <http://www.servicecanada.gc.ca/eng/sc/ei/benefits/compassionate.shtml>

### Pension Plan

For any one of the leaves listed in this section, you may make a request to Retraite Québec to buy back the time for which you were not making contributions. If you make this request within six months following your return to work, you will not have to pay any interest on the amounts owing. However, contrary to the Retraite Québec buy-back of time for parental rights, you must pay your own share of contributions as well as that of your employer.

### Appendix 14 of the Collective Agreement

In this appendix the National Negotiating Committees recognize the interdependence between a person's work and a person's family, by stating that work organization should take into account the balance between family and work-related responsibilities. Similarly, the negotiating parties on a local level, are invited to reconcile family responsibilities and work-related responsibilities when determining the working conditions and their application.



### Notes

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## Appendix 1 – Table of Leaves in the Collective Agreement

MATERNITY						
WEEKS OF SERVICE at the School Board (SB) over the Last 12 Months for <u>eligibility</u> for SB benefits		ELIGIBILITY for a Government Plan 5-4.12, 5-4.13, 5-4.14			LENGTH of Leave (5-4.05)	% of total INCOME
		QPIP* (Basic Plan)	EIP			
20	+	✓		=	21 weeks	QPIP + SB = regular net salary (5-4.12)
20	+		✓	=	20 weeks	SB only during the two-week waiting period followed by : EIP + SB for 18 weeks = regular net salary (5-4.13)
20	+	no	no	=	20 weeks of leave but 12 weeks of paid benefits	SB only = regular net salary (5-4.14)
Less than 20 weeks	+	✓		=	21 weeks	No paid benefits from the SB 18 weeks of benefits paid by the QPIP only at 70 %* (5-4.05 A)
Less than 20 weeks	+		✓	=	20 weeks	No paid benefits from the SB 15 weeks of EIP benefits only at 55 %
Less than 20 weeks	+	no	no	=	20 weeks	No revenue (5-4.14)

PATERNITY			
ELIGIBILITY for SB and Government Plan	LENGTH (5-4.23 and 5-4.24)		% of total INCOME
20 weeks QPIP* (basic plan)	5 days	5 weeks	In each case, you are entitled to benefits equal to 100% of your salary to be paid conjointly or not by the School Board and the QPIP* or the EIP as the case may be. (5-4.24)
20 weeks EIP	5 days	5 weeks	
20 weeks No parental plan	5 days	5 weeks	100% of your basic weekly salary (5-4.25)

ADOPTION			
ELIGIBILITY for SB and Government Plan	LENGTH (5-4.32 and 5-4.33)		% OF TOTAL INCOME
20 weeks QPIP* (basic plan)	5 days	5 weeks	In each case, you are entitled to benefits equal to 100% of your salary to be paid conjointly, or not, by the School Board and the QPIP* or the EIP, as the case may be. (5-4.34)
20 weeks EIP	5 days	5 weeks	
20 weeks No parental plan	5 days	5 weeks	100% of your basic weekly salary (5-4.35)

\* Please Note: Adjustment of the percentage is necessary if you choose the QPIP Special Plan. For clarification see the QPIP table in Chapter 1 of this guide.



## Appendix 2 – Harmonization Table: Collective Agreement & QPIP

MATERNITY LEAVE WITH PAY	
QPIP BASIC PLAN	QPIP SPECIAL PLAN
18 weeks: QPIP benefits at 70 % + SB benefits = 100% of your regular net salary	15 weeks: QPIP benefits at 75 % + SB benefits = 100% of your regular net salary
3 weeks: QPIP at 70 % (taken as shared parental benefits) + SB benefits = 100% of your regular net salary	6 weeks: QIP benefits at 75 % (taken as shared parental benefits) + SB benefits = 100% of your regular net salary
Total benefits = 21 weeks <u>exclusively</u> for the mother	Total benefits = 21 weeks <u>exclusively</u> for the mother
AN EXTENDED LEAVE WITHOUT PAY AS STIPULATED IN THE COLLECTIVE AGREEMENT (5-4.49) taken solely by the mother under the option: shared parental leave benefits	
QPIP BASIC PLAN	QPIP SPECIAL PLAN
4 remaining weeks OF QPIP AT 70 %	19 remaining weeks of QPIP at 75 %
25 weeks of QPIP à 55 %	
Total weeks of parental benefits = 29 weeks	
Total weeks of leave: <ul style="list-style-type: none"> <li>• 21 weeks of Maternity leave</li> <li style="text-align: center;">+</li> <li>• 29 weeks of extended leave with parental benefits (if not shared with the father)</li> </ul> = 50 weeks	Total weeks of leave: <ul style="list-style-type: none"> <li>• 21 weeks of Maternity leave</li> <li style="text-align: center;">+</li> <li>• 19 weeks of extended leave with parental benefits (if not shared with the father)</li> </ul> = 40 weeks

PATERNITY LEAVE (not shared by parents)	
BASIC PLAN	SPECIAL PLAN
5 weeks: QPIP benefits at 70 % + SB benefits at 30 % = 100 % Total paternity leave benefits: 5 weeks* * 5 additional paternity leave days are also provided by the Collective Agreement (See 5-4.23)	3 weeks: QPIP benefits at 75 % + SB benefits at 25 % =100 % Total paternity leave benefits: 4 weeks* * 5 additional paternity leave days are also provided by the Collective Agreement (See 5-4.23)
ADOPTION LEAVE (can be shared by parents)	
BASIC PLAN	SPECIAL PLAN
5 weeks: QPIP benefits at 70% + SB benefits at 30% = 100% 7 weeks: QPIP benefits at 70% 25 weeks: QPIP benefits at 55% Total weeks of parental benefits: 37 weeks	3 weeks: QPIP benefits à 70% + SB benefits à 30% = 100%  25 weeks : QPIP benefits at 75% Total weeks of benefits: 28 weeks
PARENTAL LEAVE (can be shared by parents)	
BASIC PLAN	SPECIAL PLAN
7 weeks of QPIP benefits at 70 % 25 weeks of QPIP benefits at 55 % Total week of parental benefits: 32 weeks* *NB: Since the mother of the child usually uses 3 weeks of this leave to complete her maternity leave there may only be 29 weeks left that can be shared.	25 weeks* at 75%  *NB: since the mother of the child usually uses 6 weeks of this leave to complete her maternity leave, there may only be 19 weeks left that can be shared.



## Appendix 3 – List of employers recognized for their method of calculating 20 weeks of service

A list of bodies whose employees are subject to conditions of employment, salary scales and standards as determined by law on September 1, 2011 or to conditions that were defined by the government (Appendix 16 of the Collective Agreement)

### LIST OF GOVERNMENT BODIES

For information purposes only.

- Agence du revenu du Québec
- Agence métropolitaine de transport
- Autorité des marchés financiers
- Bibliothèque et Archives nationales du Québec
- Caisse de dépôt et placement du Québec
- Centre de la francophonie des Amériques
- Centre de recherche industrielle du Québec
- Centres régionaux d'aide juridique
- Commission de la capitale nationale du Québec
- Commission de la construction du Québec
- Commission des droits de la personne et des droits de la jeunesse
- Commission des services juridiques
- Conseil des arts et des lettres du Québec
- Conservatoire de musique et d'art dramatique du Québec
- Corporation d'urgence-santé de la région de Montréal Métropolitain
- École nationale de police du Québec
- École nationale des pompiers du Québec
- Financement-Québec
- Fondation de la faune du Québec
- Fonds de recherche du Québec – Nature et technologies
- Fonds de recherche du Québec – Santé
- Fonds de recherche du Québec – Société et culture
- Héma-Québec
- Hydro-Québec
- Institut national d'excellence en santé et en services sociaux
- Institut national de santé publique du Québec
- Institut national des mines
- Investissement Québec
- Musée d'art contemporain de Montréal
- Musée de la civilisation
- Musée national des beaux-arts du Québec
- Office de la sécurité du revenu des chasseurs et piégeurs criss
- Office Québec-Amériques pour la jeunesse
- Office Québec-Monde pour la jeunesse
- Protecteur du citoyen
- Régie de l'énergie
- Régie des installations olympiques
- Société de développement de la Baie James
- Société de développement des entreprises culturelles
- Société de financement des infrastructures locales du Québec
- Société de la Place des Arts de Montréal
- Société de télédiffusion du Québec
- Personnel de soutien 265 FEESP - CSN (S6)
- Société des alcools du Québec
- Société des établissements de plein air du Québec
- Société des loteries du Québec
- Société des traversiers du Québec
- Société du Centre des congrès de Québec
- Société du Grand théâtre de Québec
- Société du Palais des congrès de Montréal
- Société du parc industriel et portuaire de Bécancour
- Société du Plan Nord
- Société québécoise d'information juridique
- Société québécoise de récupération et de recyclage
- Société québécoise des infrastructures
- Sûreté du Québec



## APPENDIX 4 – Memory Aid Reference Table

	EVENT	NOTICE REQUIRED	
MATERNITY	A notice to the SB for a leave for a medical check-up	Absence form	
MATERNITY	A notice to the SB giving your projected departure date and your request for a maternity leave	15 days before your maternity leave begins	1
MATERNITY	Request for a temporary reassignment or a Preventive Leave covered by the CNESST		3
MATERNITY	Request to begin receiving advance benefits from the CNESST		4
MATERNITY	Request to QPIP for maternity benefits	Upon receiving your record of employment from the Board and your online application	
MATERNITY	Request for maternity benefits under the Employment Insurance Plan	Request on-line or in person at the Service Canada Centre	
MATERNITY	Proof of QPIP (EIP) eligibility to be sent to the School Board	Upon receiving your first QPIP benefits payment	2
MATERNITY PATERNITY ADOPTION	Request for a modification of your status in the Health Insurance Plan	In the 30 days following the birth or adoption of your baby	5
PATERNITY ADOPTION	Request for a 5-day paternity or adoption leave	As soon as possible	6
PATERNITY ADOPTION	Request for a 5-week paternity or adoption leave	3 weeks in advance	7
ADOPTION	Request for an unpaid adoption leave	If possible, 2 weeks before the date on which you wish to take the leave	8
MATERNITY PATERNITY ADOPTION	Request to split a leave	as soon as possible	9
MATERNITY PATERNITY ADOPTION	Request for an extension to your leave	Before the expiry date of your leave	10
	Reception of the return to work notice sent by the Board	30 days before the leave ends	
MATERNITY PATERNITY ADOPTION	Request for a deferred vacation leave	15 days before the leave ends	11
MATERNITY PATERNITY ADOPTION	Request for an unpaid leave so as to extend a maternity, paternity or adoption leave	21 days before the end of a full-time leave or 30 days before the end of a part-time leave	12
	Request for a modification to your leave without pay following your maternity, paternity or adoption leave	30 days in advance	13
MATERNITY PATERNITY ADOPTION	Request for participation in Health Insurance complementary plans during your extended unpaid leave		14
MATERNITY PATERNITY ADOPTION	Notice for a return to work from an unpaid leave	2 weeks in advance	15
MATERNITY PATERNITY ADOPTION	Notice for a return to work from and unpaid leave earlier than the date originally stated	21 days or 30 days if the leave of absence was for more than one year.	16
	Request for a leave for parental responsibilities	3 weeks for a full-time leave or 30 days for a part-time leave	17
MATERNITY PATERNITY ADOPTION	Request to buy back service from Retraite Québec	Following your return to work or in the 6 months following your return to work	







# Appendix V

# LETTER

# TEMPLATES



## FOR YOUR

## CORRESPONDENCE

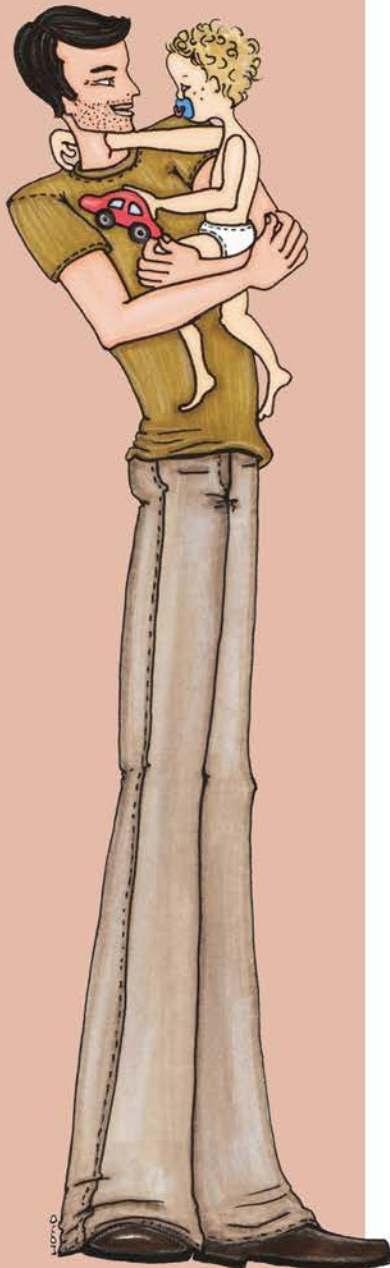
## TO THE

# SCHOOL

# BOARD

Seventeen letter templates are proposed in the following pages for the various notice or request to your school board during your parental leave.

The letters are in Word format. You can write your informations directly in the provided spaces.





(Place and date).....

Ms. / Mr.  
Human Resources Department  
(Name of) ..... School Board  
(Address).....

Reference #: (Employee Number or SIN) .....

**Re: Request for a Maternity Leave**

Dear Ms. / Mr. ,

In accordance with Article 5-4.11 of the Collective Agreement, I wish to inform you that my maternity leave will begin on ..... and end on .....

Attached, you will find a medical certificate confirming my pregnancy and the projected due date for the birth of my baby.

Please send me my record of employment which will allow me to apply for the benefits I am entitled to under the Quebec Parental Insurance Plan (or the Service Canada Employment Insurance Plan, as the case may be).

I thank you in advance for your attention to this matter.

Sincerely yours,

(name and signature)

encl.: Medical Certificate  
c.c.: Support staff union



(Place and date).....

Ms. / Mr.  
Human Resources Department  
(Name of) ..... School Board  
(Address).....

Reference #: (Employee Number or SIN) .....

**Re: Proof of QPIP or EIP Eligibility**

Dear Ms. / Mr. ,

In accordance with Article 5-4.15 b) of the Collective Agreement, please find enclosed the proof that I am receiving maternity benefits from the .....(QPIP or EIP).

Sincerely yours,

(name and signature)

encl.: Proof of QPIP (or EIP) eligibility  
c. c.: Support staff union

(Place and date).....

Ms. / Mr.  
Human Resources Department  
(Name of) ..... School Board  
(Address).....

Reference #: (Employee Number or SIN) .....

**Re: Request for a Temporary Reassignment or a Preventive Special Leave Covered by the CNESST**

Dear Ms. / Mr. ,

In accordance with Article 5-4.20 of the Collective Agreement, I wish to be temporarily reassigned to another position or, if this is not possible, to be granted a preventive special leave.

Thank you for your attention to this matter.

Sincerely yours,

(name and signature)

encl.: CNESST form  
c. c.: Support staff union

(Place and date).....

Ms. / Mr.  
Human Resources Department  
(Name of) ..... School Board  
(Address).....

Reference #: (Employee Number or SIN) .....

**RE: Request for an Advance Payment of CNESST Benefits**

Dear Ms. / Mr. ,

I hereby contest the decision made by the CNESST to refuse my request for the special leave described in clause 5-4.20 of the Collective Agreement.

In consequence, I am requesting an advance payment based on the amount of benefits I am expected to receive.

Should the CNESST maintain its original decision, I will reimburse the amounts received in accordance with the modalities foreseen in clause 5-4.20 of the Collective Agreement.

Sincerely yours,

(nom et signature)

c. c. : Support staff Union

(Place and date).....

Ms. / Mr.  
Human Resources Department  
(Name of) ..... School Board  
(Address).....

Reference #: (Employee Number or SIN) .....

**Re: Request for a Modification to my Collective Health Insurance Plan**

Dear Ms. / Mr.,

Following the birth (or the adoption) of my child on ....., I wish to receive an application form that will allow me to modify my status in my health insurance plan.

*\*For a person who is covered by the SSQ life-insurance plan, but does not have coverage for a spouse or a child:*

Moreover, I would like my spouse and my child to be added to my life insurance plan. It is my understanding that, in order to do so, I must send the completed form to the insurer before the 30<sup>th</sup> day following the birth (or the adoption) of my child.

Thank you for your attention to this matter.

Sincerely yours,

(name and signature)

c.c. Support staff union



(Place and date).....

Ms. / Mr.  
Human Resources Department  
(Name of) ..... School Board  
(Address).....

Reference #: (Employee Number or SIN) .....

**Re: Request for a Paternity or Adoption Leave**

Dear Ms./Mr. ,

I wish to take a 5-day ..... (paternity or adoption) leave in accordance with Article 5-4.23 or 5-4.32 of the Collective Agreement.

I will be taking my leave from ..... to .....

Yours sincerely,

(name and signature)

c. c.: Support staff union

(Place and date).....

Ms. / Mr.  
Human Resources Department  
(Name of) ..... School Board  
(Address).....

Reference #: (Employee Number or SIN) .....

**Re: Request for a Paternity or Adoption Leave**

Dear Ms. / Mr. ,

As the father of a child who was born (or adopted) on ..... I wish to exercise my right to take a paternity (or adoption) leave that is covered by the QPIP (or Employment Insurance) for .....weeks.

In accordance with Article 5-4.24 or 5-4.33 of the Collective Agreement, I intend to take my leave from ..... to .....

Sincerely yours,

(name and signature)

c. c.: Support staff union

(Place and date).....

Ms. / Mr.  
Human Resources Department  
(Name of) ..... School Board  
(Address).....

Reference #: (Employee Number or SIN) .....

**Re: Request for an unpaid Adoption Leave**

Dear Ms. / Mr. ,

In accordance with Article 5-4.43 of the Collective Agreement, I wish to take a leave without pay in order to travel outside the province of Quebec for the purpose of adopting a child, I shall be taking this leave from ..... until ..... inclusively.

Thank you for your attention to this matter.

Yours sincerely,

(name and signature)

c. c.: Support staff union

(Place and date).....

Ms. / Mr.  
Human Resources Department  
(Name of) ..... School Board  
(Address).....

Reference #: (Employee Number or SIN) .....

**Re: Request to Split my Leave**

Dear Ms. / Mr. ,

Since my child is presently hospitalized, I want to temporarily suspend my .....  
(maternity, paternity or adoption) leave in accordance with 5-4.08, 5-4.28 or 5-4.37 of the  
Collective Agreement. When my child returns home from the hospital I wish to continue my  
leave and will advise you of my child's release from the hospital as soon as it occurs.

Thank you for your attention to this matter.

Sincerely yours,

(name and signature)

c.c.: Support staff union



(Place and date).....

Ms. / Mr.  
Human Resources Department  
(Name of) ..... School Board  
(Address).....

Reference #: (Employee Number or SIN) .....

**Re: Request for an Extended Leave**

Dear Ms./Mr. ,

In accordance with Article 5-4.10, 5-4.30 or 5-4.39 of the Collective Agreement, I wish to request an extension of my ..... (maternity, paternity or adoption) leave for the care of my child. Please find attached, a medical certificate attesting to my child's state of health.

Thank you for your consideration in this matter.

(name and signature)

encl.: Medical Certificate  
c. c.: Support staff union

(Place and date).....

Ms. / Mr.  
Human Resources Department  
(Name of) ..... School Board  
(Address).....

Reference #: (Employee Number or SIN) .....

**Re: Request for a Vacation Leave Deferral**

Dear Ms./Mr.,

In accordance with Articles 5-4.16 and 5-4.47 of the Collective Agreement, I wish to take my deferred annual vacation following my ..... (maternity, paternity or adoption leave) and immediately preceding my extended leave without pay.

Sincerely yours,

(name and signature)

c. c.: Support staff union

(Place and date).....

Ms. / Mr.  
Human Resources Department  
(Name of) ..... School Board  
(Address).....

Reference #: (Employee Number or SIN) .....

**Re: Request for a leave without pay in order to extend a maternity, paternity or adoption leave**

Dear Ms./Mr.,

In accordance with Article 5-4.44 of the Collective Agreement, I am requesting a leave without pay in order to extend my..... (maternity, paternity or adoption leave). For this purpose I am choosing the following option:

**5-4.44 a)**

- a full-time leave without pay for 2 years
- a part-time leave without pay for 2 years at .....% of my normal work-week. The part-time work-schedule I wish to have is as follows .....

**5-4.44 b)**

- a full-time leave without pay for one year
- a part-time leave without pay for one year

Dates for the leave:

- from.....to the end of the present school year.

AND

- for the next complete school year from July 1<sup>st</sup> to June 30<sup>th</sup>.

AND

- for the second year: from July 1<sup>st</sup> until .....

(When combined, these three options make up a maximum of two full years.)

Sincerely yours,

(name and signature) .....

c. c.: Support staff union

(Place and date).....

Ms. / Mr.  
Human Resources Department  
(Name of) ..... School Board  
(Address).....

Reference #: (Employee Number or SIN) .....

**Re: Request for a modification to my leave without pay following my maternity paternity or adoption leave.**

Dear Ms/Mr.,

In accordance with Article 5-4.44 a) of the Collective Agreement, I would like to request a modification to the leave without pay that I am taking following my ..... (maternity paternity or adoption leave). In order to do this, I wish to choose the following option:

Modification to my unpaid leave:

- from a full-time leave without pay to a part-time leave without pay at ..... % of my regular work-week, starting .....
- from a part-time leave without pay to a full-time leave without pay, starting .....
- from a part-time leave without pay at ..... % of my regular work-week to another part-time leave without pay at ..... % of my regular work-week, starting on.....

Thank you for your attention to this matter.

Sincerely yours,

(name and signature)

c. c.: Support staff union

(Place and date).....

Ms. / Mr.  
Human Resources Department  
(Name of) ..... School Board  
(Address).....

Reference #: (Employee Number or SIN) .....

**Re: Participation in the Complementary Health Insurance Plans**

Dear Ms./Mr.,

During my leave without pay, in accordance with Article 5-4.46 of the Collective Agreement, I wish to continue participating in the Complementary Health Insurance plans that apply to me.

Thank you for your attention to this matter.

Sincerely yours,

(name and signature)

c. c.: Support staff union



(Place and date).....

Ms. / Mr.  
Human Resources Department  
(Name of) ..... School Board  
(Address).....

Reference #: (Employee Number or SIN) .....

**Re: Notice of my return to work**

Dear Ms./Mr.,

In accordance with Article 5-4.52 of the Collective Agreement, I wish to inform you of my intention to return to work on .....

Thank you for your attention to this matter.

Yours sincerely,

(name and signature)

c. c.: Support staff union

(Place and date).....

Ms. / Mr.  
Human Resources Department  
(Name of) ..... School Board  
(Address).....

Reference #: (Employee Number or SIN) .....

**Re: Notice of a return to work before the planned date, thus ending the unpaid leave that followed my maternity, paternity, or adoption leave.**

Dear Ms./Mr.,

In accordance with Article 5-4.52 of the Collective Agreement, I wish to terminate my leave without pay prior to the planned date. Therefore, I would like to inform you that I shall be returning to work on.....

Thank you for your attention to this matter.

Sincerely yours,

(name and signature)

c. c.: Support staff union

(Place and date).....

Ms. / Mr.  
Human Resources Department  
(Name of) ..... School Board  
(Address).....

Reference #: (Employee Number or SIN) .....

**Re: Request for a leave without pay for parental responsibilities**

Dear Ms. / Mr.

In accordance with Article 5-4.49 of the Collective Agreement, I am requesting a leave without pay for parental responsibilities.

- a full-time leave without pay for ..... weeks
- a part-time leave without pay for ..... weeks at .....% of my normal work-week.

The schedule I would like to have is the following .....

This leave will end on .....

Thank you for your attention to this matter.

Sincerely yours,

(name and signature)

c. c.: Support staff union