 <p style="text-align: center;"><b>LEAVE</b></p>	<p style="text-align: center;"><b>Human Resource Manual</b></p>
<p style="text-align: center;"><b>Maternity leave</b></p>	<p style="text-align: center;"><b>Section 1308</b></p>

## MATERNITY LEAVE

### PURPOSE

1. The Government provides maternity leave to female employees who become pregnant.

### APPLICATION


2. These guidelines and procedures apply to all employees.

### DEFINITIONS


3. **SUB Plan** is the Supplementary Unemployment Benefit Plan administered by the Government of Nunavut.

### PROVISIONS

4. All pregnant employees are eligible for maternity leave without pay. The leave may begin 11 weeks before the due date with a completion date of up to 26 weeks after the date of birth.
5. If a pregnant employee becomes ill during the 11 weeks of maternity leave prior to the expected date of birth, the employee has the option of using accrued sick leave credits for the period of illness.
6. Maternity leave may be granted whether or not the employee is eligible for or elects to participate in the SUB Plan.
7. To be eligible for the SUB Plan, an employee must:
  - have at least six months of continuous service;
  - have applied for and been granted maternity leave;
  - apply for and receive Employment Insurance (EI) benefits; and
  - sign an agreement with the Government, to return to work for a minimum of six months after the maternity leave.
8. An employee who does not return to work after maternity leave must reimburse the employer the amount received as maternity leave allowance. An employee who returns to work for less than six months will have the amount which must be reimbursed prorated, according to the number of months for which pay was received. An exception is made for the employee's death, disability or lay-off.

 <p style="text-align: center;"><b>LEAVE</b></p>	<p style="text-align: center;"><b>Human Resource Manual</b></p>
<p style="text-align: center;"><b>Maternity leave</b></p>	<p style="text-align: center;"><b>Section 1308</b></p>


9. SUB Plan benefits are available for a maximum of 17 weeks, including the two-week waiting period required by EI.
10. SUB Plan benefits "top up" regular EI benefits so the employee receives 93% of regular salary during the SUB Plan period. Term employees are not eligible for this benefit.
11. The Employer is not responsible for any consequences of an unemployment benefit overpayment nor is it responsible for providing any additional payments in respect of maternity leave should the employee's benefits be affected by tax, unemployment insurance, or legislative provisions for excluded employees, management employees or employees in the NTA bargaining unit.
12. Parental leave without pay is available through the Government. Please see Section 1309 for further details.
13. The employee informs her supervisor in writing of her pregnancy at least 15 weeks before the expected date of birth.
14. The employee applies to the department for maternity leave using an application for leave form. A certificate from her doctor must be attached to the leave form. The certificate must include the expected date of birth and show how long she can work before starting her leave.
15. The employee consults with the Compensation and Benefits Division about maternity leave benefits (Attachment A).
16. If the employee wants to participate in the SUB Plan, the Deputy Head and employee sign a SUB Plan Agreement (Attachment B). The employee agrees to return to work on a specific date for a period of at least six months.
17. The department approves the leave application for up to 37 weeks and forwards the approved leave form and the SUB Plan agreement to Compensation and Benefits for processing.
18. Pay action commences reflecting the approved dates and SUB Plan agreement.
19. Compensation and Benefits issues a record of employment to the employee on the last working day before her maternity leave.

 <p style="text-align: center;"><b>LEAVE</b></p>	<p style="text-align: center;"><b>Human Resource Manual</b></p>
<p style="text-align: center;"><b>Maternity leave</b></p>	<p style="text-align: center;"><b>Section 1308</b></p>

20. At the employee's request, Compensation and Benefits sends the record of employment directly to Human Resource Development Canada (HRDC).
21. The employee applies to the HRDC for EI benefits.
22. The employee signs a release of information document (Attachment C) authorizing HRDC to provide EI information to the Compensation and Benefits office.
23. The employee, upon receipt of HRDC benefits, provides a copy of the cheque to Compensation and Benefits as proof of benefits received.
24. An employee in the NEU shall not be laid off, transferred or relocated while on maternity leave, or within six months of her return, without the consent of the employee and the employer.

#### **AUTHORITIES AND REFERENCES**

25. Main Collective Agreement with the NEU  
Article 21.04, Maternity Leave
26. Collective Agreement with the NTA  
Article 15.05, Maternity Leave
27. Employment Insurance Act  
Article 22
28. Senior Managers' Handbook  
Maternity Leave
29. Excluded Employees' Handbook  
Maternity Leave

 <b>LEAVE</b>	<b>Human Resource Manual</b>
<b>Maternity leave</b>	<b>Section 1308</b>


## CONTACTS

30. For further information or clarification, please contact:

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

or

**Director Compensation and Benefits  
Department of Finance  
Iqaluit, Nunavut  
975-5811**

 <p style="text-align: center;"><b>LEAVE</b></p>	<p style="text-align: center;"><b>Human Resource Manual</b></p>
<p style="text-align: center;"><b>Maternity leave</b></p>	<p style="text-align: center;"><b>Section 1308</b></p>

## ATTACHMENT A

### General Information Questions Commonly Asked

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

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

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

If you are a teacher and do not return to work for the agreed period, then all money received from the GN under the SUB Plan will have to be repaid.

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

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


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

#### **Are my SUB Plan benefits taxable?**

Yes. SUB Plan benefits are taxable and Compensation and Benefits will make tax deductions as usual.

#### **Are there any other tax implications?**

There could be depending on your annual income. You may be subject to an adjustment when you file your income tax return if your income during the year in which you received HRDC benefits exceeds a predetermined limit. If you think that your income will be greater than \$35,000, you should contact your local HRDC office for further details.

 <p style="text-align: center;"><b>LEAVE</b></p>	<p style="text-align: center;"><b>Human Resource Manual</b></p>
<p style="text-align: center;"><b>Maternity leave</b></p>	<p style="text-align: center;"><b>Section 1308</b></p>

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

1. Federal Tax
2. Canada Savings Bond deductions if your cheque is still large enough \*
3. Insurance Deductions
4. Receivables owing to the employer

\* If your cheque is not big enough to make the regular payment for your Canada Savings Bond it will be cancelled by Compensation and Benefits and you will receive a refund for money paid to date. If this happens you have the option to make arrangements with the Bank to pay the outstanding amount.

**If I live in GN Housing, will my rent be deducted?**

Rent will continue to be deducted if your cheques are large enough. If your cheques are not large enough to pay the rent amount you must discuss this with Compensation and Benefits and Housing and make other arrangements to pay your rent.

**What happens to my other benefits during my Maternity or Adoption Leave?**


Public Service Health Care Plan (PSHCP) - You MUST prepay the premiums you are responsible for to cover the period you will be off work.

Superannuation/Supplementary Death Benefit (SDB) - Contributions not paid while you were off will be recovered once you return to work. These recoveries will be made over period that is double the amount of time you were off work (example: leave period = 6 months:recoveries taken over 12 months). You are only required (mandatory) to pay back (buy back) three months of this period. The rest of the time you were off work is optional as to whether you wish to pay the superannuation and “buy back” that service.

Public Service Management Insurance Plan (PSMIP) - You MUST prepay the premiums for the period you will be off work.

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

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

 <p style="text-align: center;"><b>LEAVE</b></p>	<p style="text-align: center;"><b>Human Resource Manual</b></p>
<p style="text-align: center;"><b>Maternity leave</b></p>	<p style="text-align: center;"><b>Section 1308</b></p>

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

**If I am a teacher, do I receive SUB Plan benefits during the summer break or other non-teaching periods?**

No. You will only receive SUB Plan benefits from the GN for those days that are considered sessional days.

**If I am a teacher, how does my summer payout work?**

If you go on Maternity/Adoption Leave after teaching 100 sessional days your summer payout will be based on 100/195 days. This proportion changes depending on the number of sessional days you worked before you maternity leave begins.



**LEAVE**  
**Maternity leave**

**Human Resource Manual**  
**Section 1308**

**ATTACHMENT B**  
**Maternity/Adoption Leave Agreement**

1. This is an Agreement between  
\_\_\_\_\_ and  
(employee name)  
\_\_\_\_\_  
(DM Employing Department)

2. Pursuant to Article \_\_\_\_\_ of the  
\_\_\_\_\_ Collective Agreement, where applicable, or in  
the case of Excluded/Management persons in accordance with the  
excluded or management employee's handbooks. (Maternity/Adoption SUB Plan  
clauses)

3. The employee undertakes to return to work on  
\_\_\_\_\_(date) and remain in the employ of the  
Government of Nunavut for at least six months of full-time employment  
from that date.


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

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

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

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of  
\_\_\_\_\_, \_\_\_\_\_  
(Place) (Day) (Month) (Year)  
\_\_\_\_\_  
(Deputy Minister Signature) (Employee Signature)



	<b>LEAVE</b>	<b>Human Resource Manual</b>
	<b>Maternity leave</b>	<b>Section 1308</b>

**ATTACHMENT C**

**GOVERNMENT OF Nunavut  
MATERNITY LEAVE  
SUPPLEMENTARY UNEMPLOYMENT BENEFIT PLAN**

Complete and sign Part A and forward it to the Human Resources Development Canada (HRDC). Once completed by the HRDC Agent, the form is returned to the Compensation and Benefits Division at the address shown below:

**A. EMPLOYEE:**

Name: \_\_\_\_\_  
 Social Insurance No.: \_\_\_\_\_ T.O.S. Date (mm/dd/yy): \_\_\_\_\_  
 Date Maternity Leave Commenced: \_\_\_\_\_  
 Address: \_\_\_\_\_

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

\_\_\_\_\_  
 Date Signature of Employee

**B. HRDC AGENT:**

Employee has qualified for Employment Insurance benefits: yes \_\_\_\_\_ or no \_\_\_\_\_  
 Weekly rate of benefit: \$ \_\_\_\_\_ No. of benefit weeks: \_\_\_\_\_  
 Waiting period commence (dd/mm/yy): \_\_\_\_\_  
 Benefits commence (dd/mm/yy): \_\_\_\_\_

\_\_\_\_\_  
 Date Signature of HRDC Agent

Return to:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



**LEAVE**  
**Maternity leave**

**Human Resource Manual**  
**Section 1308**

**ATTACHMENT D**

**SUPPLEMENTARY EMPLOYMENT BENEFIT PLAN  
SYSTEM INFORMATION**

**NAME:**

\_\_\_\_\_

**SIN:**

\_\_\_\_\_

**PAYROLL**

**NUMBER:**

\_\_\_\_\_

Maternity Leave \_\_\_\_\_ Adoption Leave \_\_\_\_\_

Status: NEU \_\_\_\_\_  
NTA \_\_\_\_\_  
Excluded/Management \_\_\_\_\_

Pay this employee his/her entitlement under Article \_\_\_\_\_ of the  
\_\_\_\_\_ Collective Agreement/Handbook.

Maternity Leave SUB Plan is considered to be a benefit. Therefore, employees using this benefit have already taken in excess of five days of leave without pay.

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

Please ensure this information is all entered into the payroll system.

\_\_\_\_\_

Date

\_\_\_\_\_

Completed By

\_\_\_\_\_

Date

\_\_\_\_\_

Completed By