

# Report of the Special Joint Committee on Pregnancy and Parental Leave

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## **Objective**

Adhering to Appendix K of the FASBU 2012-2015 Collective Agreement, this report addresses Article 35.9, Pregnancy Leave/Parental Leave/Adoption Leave. Appendix K states that “The purpose of the SJC will be to write a report which contains recommendations to the parties [the Employer and the Nipissing University Faculty Association] on improvements to pregnancy and parental leave.”

## **Methodology**

The SJC has endeavored to compare Nipissing’s provisions for Pregnancy and Parental Leave to the provisions existing at other Ontario Universities<sup>1</sup> using data provided by Faculty Bargaining Services (“Maternity, Parental, Adoption and Compassionate Leaves (Ontario),” 2010) and by CAUT. We have supplemented and updated the data through the examination of newly-ratified Collective Agreements.

NUFA consulted widely with FASBU faculty, addressing the issue at a special forum on pregnancy and parental leave on Wednesday, October 30, 2013 and raising the issue at both our December 2013 General membership Meeting and our May 2014 Annual General Membership Meeting.

## **General Background**

The first two weeks of maternity leave are not covered by Employment Insurance benefits; maternity and parental EI benefits (55% of regular income up to a maximum amount of \$514 per week) last for 50 weeks.<sup>2</sup> Benefits (or “top-ups”) after the first two weeks of EI payments are equivalent to the difference between the sum of weekly EI benefits and the actual salary for the member.

Nipissing University's pregnancy and parental leave currently is: 17 weeks at 95%.

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<sup>1</sup> Data collection has been limited to the following universities: Algoma, Brock, Guelph, Lakehead, Laurentian, Nipissing, Ottawa, Queens, Ryerson, Trent, Waterloo, Wilfred Laurier, Western, Windsor, U of T, and York. McMaster was not included in the study as discrepancies exist between the data provided by Faculty Bargaining Services and CAUT, and because the data is not readily available in McMaster's Collective Agreement.

<sup>2</sup> Birth mothers are eligible for maternity leave (also called pregnancy leave). Parental leave refers to leave for either parent.

## **Comparative Data (See Table 1 and Chart 1)**

### (a) Paid benefits for the first two weeks of Leave:

Benefits for the first two weeks of Leave (the “qualifying” period for EI benefits) are standard at all Ontario Universities. Waterloo (95%), Trent (95%), Ryerson (93%), Ottawa (95%), Lakehead (95%), U of T (95%), Algoma (95%) and Nipissing (95%) do not top-up to 100% of income. The rest of Ontario’s Universities top-up to 100% of lost income for the first two weeks of maternity leave.

### (b) Number of weeks of paid maternity leave:

All Ontario Universities examined in this study allow for 15 additional weeks of paid maternity leave (pregnancy or maternity top-up after the initial two week benefit) except for Ottawa, Queen’s, and U of T (all at 18 weeks) and Guelph (28 weeks). Queen’s, York, Laurentian, and Windsor top-up to 100%; all other institutions top-up to 95% except Ryerson (93%).

### (c) Number of weeks of paid parental leave:

Paid weeks of parental leave ranges from 5 at 100% (York) to 18 at 95% (Brock) to 22 weeks at 25% of weekly EI earnings (Guelph). Nipissing’s 12 weeks at 95% is the same as Wilfred Laurier and roughly the same as Laurentian and Windsor, both of which allow nine weeks at 100%). The average number of weeks (including Nipissing) of paid parental leave is 15.5 weeks.

### (d) Right of birth mother to claim paid parental leave (in addition to maternity leave):

Only Nipissing and Algoma deny the birth mother the right to claim parental leave or increase the length of maternity/pregnancy leave beyond 17 weeks. Queen’s denies the right to the birth mother to claim parental leave but extends maternity/pregnancy leave to 20 weeks.

### (e) Total number of weeks the biological mother can receive paid leave (See Chart 1):

The total number of weeks the biological mother can receive paid leave (a top-up) ranges from 52 (Guelph) to 17 (Nipissing and Algoma). The average (not including Nipissing) is 28.8 with four institutions topping-up at 100%, 10 at 95%, and one at 93%. Guelph has 28 weeks of

paid leave at 95% and 22 additional weeks at 25%. Without Guelph's 22 weeks of added benefit, the average (again not including Nipissing) would be 27.3 weeks where the birth mother can receive a benefit.

### Costs (See Table 2)

- Approximate cost of Nipissing University allowing the biological mother to receive 12 weeks of top-up (to 95%) of parental leave: **\$19,382** based on the average number of leaves in the last six years and what the cost would have been in those years.

2009 = \$20,173 (2 leaves)

2010 = \$12,775 (1 leave)

2011 = \$41,120 (3 leaves)

2012 = \$0 (0 leaves)

2013 = \$0 (0 leaves)

2014 = \$42,225 (3 leaves)

- Approximate cost of Nipissing University allowing the biological mother to receive 15 weeks of top-up (to 95%) of parental leave: **\$24,288** based on the number of leaves in the last six years and what the cost would have been in those years.

2009 = \$25,217 (2 leaves)

2010 = \$15,969 (1 leave)

2011 = \$51,400 (3 leaves)

2012 = \$0 (0 leaves)

2013 = \$0 (0 leaves)

2014 = \$52,782 (3 leaves)

- Approximate cost of increasing parental and adoption leave from 12 weeks to 15 weeks at 95%: **\$3,000-\$4,000** per Member going on parental leave (note: this would not be an additional cost to the approximate cost of allowing the biological mother to receive 15 weeks of top-up [to 95%] of parental leave)
- Approximate cost of establishing a Parental Partner Leave Benefit at 100% for 5 days: **\$0** as Members are not replaced if they are absent for 5 days

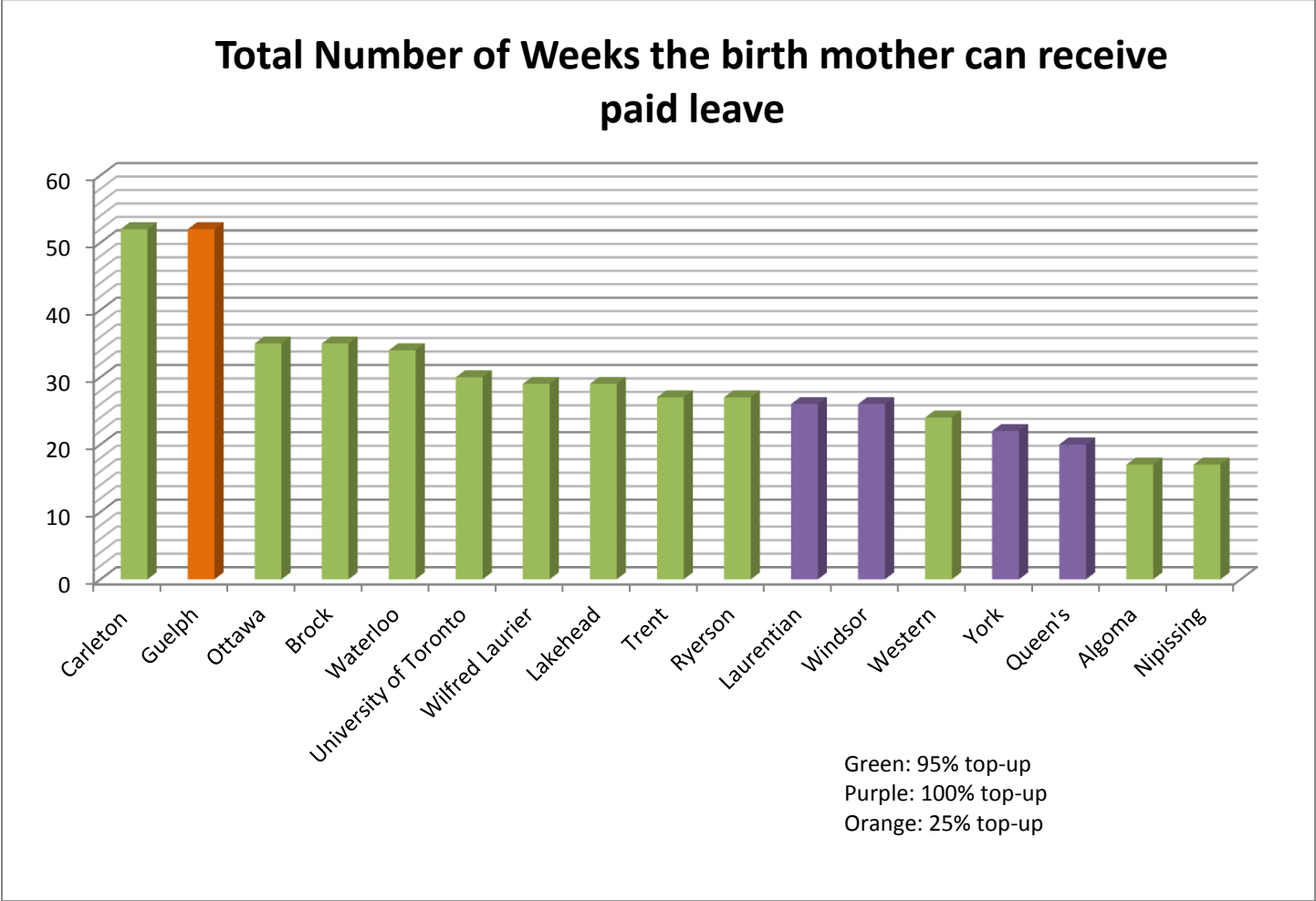
## **Recommendations**

1. Recognize the right of the biological mother to claim parental leave in addition to pregnancy/maternity leave.
2. Increase parental leave from 12 weeks to 15 weeks.
3. Establish a Parental Leave Benefit at 100% for 5 days.
4. Make adoption leave correspond to new parental leave.
5. Change the language of “Supplementary Employment Insurance” in 35.9 (b) to “Supplementary Benefits.”
6. Change the language of “pregnancy leave” to “maternity leave” in order to match the language of Employment Insurance.





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August 2014






Chart 1:



**Table 1: Comparing Maternity or Pregnancy/Parental Leaves at Ontario Universities**

University	Top-up for first 2 weeks of Leave	Number of Additional weeks of Maternity Leave and %	Right of birth mother to claim additional paid parental leave	Parental leave and %	Total number of weeks birth mother can receive paid leave	Additional Notes
<b>Waterloo</b> (not in Collective Agreement)	95%	15:95%		17:95%	34	Members can continue regular pension and benefits plans; 10 days of parental partner Paid Leave Benefit
<b>Wilfred Laurier</b> (32)	100%	15:95%		12:95%	29	Members can continue regular pension and benefits plans; 5 days of parental partner Paid Leave Benefit
<b>Carleton</b>  (Not in Collective Agreement; see <a href="http://www.cuasa.ca/career/matpatleave.php">http://www.cuasa.ca/career/matpatleave.php</a> )	95%  or 100%	15:95%  or 10: 100%		35:95%  or 35: 95%	52 weeks  or 47 weeks	Two options.
<b>Trent</b> (4.5.4.2 – 4.5.4.4.5)	95%	15:95%		10:95%	27	Members can continue regular pension and benefits plans
<b>York</b> (19.08)	100%	15: 100%		5:100%	22	Members can continue regular pension and benefits plans; 4 weeks of parental partner Paid Leave Benefit
<b>Ryerson</b> (6.6-6.8)	93%	15:93%		10:93%	27	Members can continue regular pension and benefits plans

University	Top-up for first 2 weeks of Leave	Number of Additional weeks of Maternity Leave and %	Right of birth mother to claim additional paid parental leave	Parental leave and %	Total number of weeks birth mother can receive paid leave	Additional Notes
<b>Ottawa (29.2)</b>	95%	18:95%		15:95%	35	Members can continue regular pension and benefits plans; at the conclusion of maternity leave, a member is eligible for reduced workload arrangements; 2 days of parental partner Paid Leave Benefit
<b>Guelph (44)</b>	100%	28: 95%		22: 25% of weekly EI earnings	52	Members can continue regular pension and benefits plans
<b>Brock (34.09)</b>	100%	15:95%		18:95%	35	Members continue regular pension and benefits plans; 5 days of parental partner Paid Leave Benefit
<b>Laurentian (7.60)</b>	100%	15:100%		9:100%	26	Members continue regular pension and benefits plans; 5 days of parental partner Paid Leave Benefit
<b>Lakehead (37.04.01)</b>	95%	15:95%		12:95%	29	Members can continue regular pension and benefits plans; 5 days of parental partner Paid Leave Benefit
<b>Windsor (21)</b>	100%	15:100%		9:100%	26	Members can continue regular pension and benefits plans; 7 days of parental partner Paid Leave Benefit

<b>University</b>	Top-up for first 2 weeks of Leave	Number of Additional weeks of Maternity Leave and %	Right of birth mother to claim additional paid parental leave	Parental leave and %	Total number of weeks birth mother can receive paid leave	Additional Notes
<b>Western (43)</b>	100%	15:95%		7:95%	24	The University does not pay into pension and benefit plans during parental leave
<b>University of Toronto</b> (not in a Collective Agreement)	95%	18:95%		10:95% (for birth parent, 30 weeks at 95% for adoptive parent)	30	Members can continue regular pension and benefits plans; 1 week of parental partner Paid Leave Benefit
<b>Queen's (33.3)</b>	100%	18:100%		2:100%	20	Members can continue regular pension and benefits plans
<b>Algoma (18.8-18.9)</b>	95%	15:95%		17:95%	17	Members can continue regular pension and benefits plans
<b>Nipissing (35.9)</b>	95%	15:95%		12:95%	17	Members can continue regular pension and benefits plans



**Table 2**

<b>SPECIAL JOINT COMMITTEE ON PREGNANCY &amp; PARENTAL LEAVE</b>						
<b>YEAR</b>	<b>NUMBER OF LEAVES</b>	<b>TITLE</b>	<b>ACTUAL SALARY</b>	<b>95% OF SALARY (WEEKLY)</b>	<b>12 WEEKS OF TOP UP</b>	<b>15 WEEKS OF TOP UP</b>
2009	2	Assistant Professor	\$79,018	\$1,444	\$11,155	\$13,944
		Assistant Professor	\$69,270	\$1,266	\$9,018	\$11,273
2010	1	Assistant Professor	\$86,408	\$1,579	\$12,775	\$15,969
		Assistant Professor	\$86,413	\$1,579	\$12,776	\$15,970
2011	3	Assistant Professor	\$88,998	\$1,626	\$13,343	\$16,679
		Associate Professor	\$96,560	\$1,764	\$15,001	\$18,751
		Assistant Professor	\$81,838	\$1,495	\$11,773	\$14,717
2014	3	Associate Professor	\$100,462	\$1,835	\$15,856	\$19,820
		Associate Professor	\$94,712	\$1,730	\$14,596	\$18,245

Table 3

**SPECIAL JOINT COMMITTEE ON PREGNANCY & PARENTAL LEAVE  
COSTING AS OF MAY 1, 2014**

TITLE	STEP	SALARY	95% OF SALARY (WEEKLY)	12 WEEKS OF TOP UP	15 WEEKS OF TOP UP	COST DIFFERENCE	PARTNER PAID LEAVE 100% FOR 5 DAYS
PROFESSOR	BASE	\$112,511	\$2,055	\$18,498	\$23,122	\$4,624	\$2,164
	1	\$116,056	\$2,120	\$19,275	\$24,094	\$4,819	\$2,232
	2	\$119,601	\$2,185	\$20,052	\$25,065	\$5,013	\$2,300
	3	\$123,146	\$2,250	\$20,829	\$26,037	\$5,207	\$2,368
	4	\$126,691	\$2,315	\$21,606	\$27,008	\$5,402	\$2,436
	5	\$130,236	\$2,379	\$22,384	\$27,980	\$5,596	\$2,505
	6	\$133,781	\$2,444	\$23,161	\$28,951	\$5,790	\$2,573
	7	\$137,326	\$2,509	\$23,938	\$29,923	\$5,985	\$2,641
	8	\$140,871	\$2,574	\$24,715	\$30,894	\$6,179	\$2,709
	9	\$144,416	\$2,638	\$25,492	\$31,865	\$6,373	\$2,777
	10	\$147,961	\$2,703	\$26,270	\$32,837	\$6,567	\$2,845
	11	\$151,506	\$2,768	\$27,047	\$33,808	\$6,762	\$2,914
	12	\$155,051	\$2,833	\$27,824	\$34,780	\$6,956	\$2,982
	Jl	\$155,551	\$2,842	\$27,933	\$34,917	\$6,983	\$2,991
ASSOCIATE	BASE	\$92,756	\$1,695	\$14,167	\$17,709	\$3,542	\$1,784
	1	\$95,660	\$1,748	\$14,804	\$18,504	\$3,701	\$1,840
	2	\$98,564	\$1,801	\$15,440	\$19,300	\$3,860	\$1,895
	3	\$101,468	\$1,854	\$16,077	\$20,096	\$4,019	\$1,951
	4	\$104,372	\$1,907	\$16,713	\$20,892	\$4,178	\$2,007
	5	\$107,276	\$1,960	\$17,350	\$21,688	\$4,338	\$2,063
	6	\$110,180	\$2,013	\$17,987	\$22,483	\$4,497	\$2,119
	7	\$113,084	\$2,066	\$18,623	\$23,279	\$4,656	\$2,175
	8	\$115,988	\$2,119	\$19,260	\$24,075	\$4,815	\$2,231
	9	\$118,892	\$2,172	\$19,897	\$24,871	\$4,974	\$2,286
	10	\$121,796	\$2,225	\$20,533	\$25,667	\$5,133	\$2,342
	11	\$124,700	\$2,278	\$21,170	\$26,462	\$5,292	\$2,398
	12	\$127,604	\$2,331	\$21,807	\$27,258	\$5,452	\$2,454
	Jl	\$128,104	\$2,340	\$21,916	\$27,395	\$5,479	\$2,464

<b>ASSISTANT</b>	BASE	\$71,789	\$1,312	\$9,570	\$11,963	\$2,393	\$1,381
	1	\$74,506	\$1,361	\$10,166	\$12,707	\$2,541	\$1,433
	2	\$77,223	\$1,411	\$10,762	\$13,452	\$2,690	\$1,485
	3	\$79,940	\$1,460	\$11,357	\$14,197	\$2,839	\$1,537
	4	\$82,657	\$1,510	\$11,953	\$14,941	\$2,988	\$1,590
	5	\$85,374	\$1,560	\$12,549	\$15,686	\$3,137	\$1,642
	6	\$88,091	\$1,609	\$13,144	\$16,430	\$3,286	\$1,694
	7	\$90,808	\$1,659	\$13,740	\$17,175	\$3,435	\$1,746
	8	\$93,525	\$1,709	\$14,336	\$17,919	\$3,584	\$1,799
	9	\$96,242	\$1,758	\$14,931	\$18,664	\$3,733	\$1,851
	10	\$98,959	\$1,808	\$15,527	\$19,409	\$3,882	\$1,903
	11	\$101,676	\$1,858	\$16,122	\$20,153	\$4,031	\$1,955
	Jl	\$102,176	\$1,867	\$16,232	\$20,290	\$4,058	\$1,965
<b>LECTURER</b>	BASE	\$55,304	\$1,010	\$5,956	\$7,445	\$1,489	\$1,064
	1	\$57,638	\$1,053	\$6,468	\$8,085	\$1,617	\$1,108
	2	\$59,972	\$1,096	\$6,980	\$8,725	\$1,745	\$1,153
	3	\$62,306	\$1,138	\$7,491	\$9,364	\$1,873	\$1,198
	4	\$64,640	\$1,181	\$8,003	\$10,004	\$2,001	\$1,243
	5	\$66,974	\$1,224	\$8,515	\$10,643	\$2,129	\$1,288
	6	\$69,308	\$1,266	\$9,026	\$11,283	\$2,257	\$1,333
	7	\$71,642	\$1,309	\$9,538	\$11,923	\$2,385	\$1,378
	8	\$73,976	\$1,351	\$10,050	\$12,562	\$2,512	\$1,423
	9	\$76,310	\$1,394	\$10,561	\$13,202	\$2,640	\$1,467
		Jl	\$76,810	\$1,403	\$10,671	\$13,339	\$2,668