

MATERNITY LEAVE

ACCORDING TO THE COLLECTIVE AGREEMENT 2006-10

GOING ON MATERNITY LEAVE,

1. At least fifteen (15) days before the leave is to start, the teacher will give written notice to the Board requesting a maternity leave of 21 weeks. (5-13.17).

FORM A

2. This notice will include a medical certificate attesting to the pregnancy and the due date (5-13.17)
3. The distribution of the maternity leave before and after the birth shall be the teacher's decision and shall include the day of the birth. (5-13.10) *(A teacher on a preventative leave paid by CSST or on sick leave because of complications in the pregnancy must start their maternity leave 4 weeks before the expected date of delivery.)*

When the teacher starts her maternity leave she must decide which QPIP she will use: the Basic Plan, or the Special Plan.

After completing the 18 week QPIP Maternity Leave the teacher must apply for the QPIP Parental Benefits plan for the final 3 weeks of her 21 week Maternity Leave.

CONDITIONS RELATED TO THE RETURN FROM MATERNITY LEAVE **(21 weeks)**

4. During the fourth week before the end of the leave the Board will send a written notice to the teacher. The notice will include the anticipated date of the expiration of the leave. (5-13.18, paragraph 1).
5. The teacher must report to work at the end of the maternity leave (5-13.18, paragraph 2).
6. The teacher who does not return to work at the end of this leave is considered to be on leave without pay for a maximum of 4 weeks. At the end of this period the teacher is considered to have resigned. (5-13.18, paragraph 3).

7. When she returns from maternity leave the teacher will return to her position. (5-13.24).

EXTENSIONS OF MATERNITY LEAVES – to be taken in conjunction with the Quebec Parental Leave Plan

The choice of option will be influenced by the choice of Basic Plan or Special Plan with the QPIP

There are five (5) possible options:

First option: (clause 5-13.60b)

FORM B-1

8. The teacher may extend her maternity leave with a full time leave of absence without pay:
- a) to the end of the current school year if she makes the request;
 - b) for the next complete school year if she has extended the leave as in option a) and if she makes the request;
 - c) for a second complete school year if she has extended the leave as in option b) and if she makes the request.

- N.B.:
- A) The teacher who uses form B-1 must notify the Board three (3) weeks before the end of her maternity leave of her choice for block 1 (5-13.65).
 - B) The teacher can return to work before the expected end of the leave only for exceptional reasons and with the consent of the school board (5-13.67, 2nd paragraph).
 - C) The requests for b) and c) above, for each year extension to the maternity leave, must be made before June 16 in the school year preceding the leave. (5-13.65).
 - D) The teacher may change the option chosen by submitting a written request before June 1 each year. (5-13.62).

Second option: (clause 5-13.60c)

FORM B-2

9. The teacher may extend her maternity leave with a full time leave of absence without salary for a maximum of 52 continuous weeks.

This leave begins at the time the teacher chooses and ends no later than seventy (70) weeks following the birth of the child.

In the case of an adoption the leave must end no later than seventy (70) weeks from the time the teacher assumes full legal responsibility for the child.

- N.B.:
- A) If you use form B-2 you must advise the Board of your choice three (3) weeks before the end of your maternity leave (5-13.65).
 - B) If you use form B-2 you may terminate your leave of absence before the anticipated date by giving the Board 21 days notice of your intention to return early. (5-13.67). **FORM H**

Third option: (clause 5-13.60d)

FORMS C-1 and C-2

10. The teacher may extend her maternity leave with a leave of absence without pay for a part of a year for a maximum of 2 years.

This maternity leave will be taken from:

- a) The first day of work in August to the last day of work in December;
- b) The first day of work in January to the last day of work in June;
- c) From the beginning of the extension after the first day of work in August to the last day of work in December;
- d) From the beginning of the extension after the first day of work in January to the last day of work in June;.

The teacher may choose to work or not each block.

- N.B.:
- A) The teacher using Form C-1 must inform the Board three (3) weeks before the end of their maternity leave of their choice to work or not for the first block (5-13.65).
 - B) The teacher who uses Form C-1 must advise the Board before June 1 of their choice for each of the blocks of the second year.
 - C) The teacher using Form C-2 must inform the Board three (3) weeks before the end of their maternity leave of their choice to work or not for the first block (5-13.65).
 - D) The teacher using Form C-2 must inform the Board before June 1 of their choice to work or not for each of the periods in the second block and also before June 1 of the next year of their decision for the third block. (5-13.65).
 - E) The teacher may change the option by requesting the change before June 1. (5-13.62).
 - F) The teacher using Form C-1 or C-2 may terminate the leave of absence before the anticipated date by giving a written notice to the Board at least 30 days before their return. (5-13.67) **FORM H.**

Fourth option: (clause 5-13.60e)

11.A teacher may extend their maternity leave with a leave of absence without pay:

A) if the leave begins between December 31 and July 1:

FORM D

- until the end of the current year choosing to work or take a leave of absence without pay
- for the following year the right to a leave of absence without pay for part of the week -
 - 1) for the secondary level teacher, preschool or elementary specialist: a fixed period of time in their timetable equal to 50% of their workload.
 - 2) preschool teacher: the morning or the afternoon.
 - 3) all other teachers: 5 half days per week.
- for a second complete year: the same conditions as above.

- N.B.:
- A) The teacher using Form D must advise the Board 3 weeks before the end of their maternity leave, of their choice for the first block (5-13.65).
 - B) The teacher must advise the Board of their choice for the second and third blocks before June 1 of the preceding years. (5-13.65)
 - C) The teacher may change the option by requesting the change before June 1. (5-13.62).

Fourth option: (clause 5-13.60e) (continued...)

B) if the leave of absence without pay begins between June 30 and the first day of work of the next year.

FORM E

- for the next complete school year the teacher may choose a leave of absence without pay for part of the week -
 - 1) for the secondary level teacher, preschool or elementary specialist: a fixed period of time in their timetable equal to 50% of their workload.
 - 2) preschool teacher: the morning or the afternoon.
 - 3) all other teachers: 5 half days per week.
- for a second complete year: the same conditions as the first year.

- N.B.:
- A) The teacher must notify the Board 3 weeks before the end of their maternity leave of their choice to work or not in the first block. (5-13.65).
 - B) The teacher must notify the Board before June 1 of their choice for the second year. (5-13.65).
 - c) The teacher may change the option by requesting the change before June 1. (5-13.62).

Fourth option: (clause 5-13.60e) (continued...)

- C) if the leave starts between the first day of work and January 1:

FORM F

- the teacher may choose to work full time or take a full time leave without pay to the end of the current school year.
- for the next complete school year the teacher may choose a leave without pay for part of the week as follows:
 - 1) for the secondary level teacher, preschool or elementary specialist: a fixed period of time in their timetable equal to 50% of their workload.
 - 2) preschool teacher: the morning or the afternoon.
 - 3) all other teachers: 5 half days per week.
- for a second complete school year the teacher may choose a leave without pay for the complete year.

- N.B.:
- A) The teacher must advise the Board 3 weeks before the end of her maternity leave of her choice to work or not for the first block (5-13.65).
 - B) The teacher must advise the Board before June 1 of each year of her choice for the second block as well as for the third block (5-13.65).
 - C) The teacher may change the option by requesting the change before June 1. (5-13.62).

Fifth option: (clause 5-13.60a)

12.The teacher who has a bank of sick leave days may use these to extend a maternity leave foreseen in clause 5-13.00 according to the terms of clause 5-10.31 d).

CHANGE OF OPTION (clause 5-13.62)

13.A change from one of the maternity leave options #1, #3 or #4 to another option is possible once only under the following conditions:

- the change is effective the start of the school year and must be requested in advance
- the change cannot have the effect of prolonging the leave.

CONDITIONS RELATED TO THE RETURN FROM A MATERNITY LEAVE

(clause 5-13.67)

14. Four weeks before the end of the maternity leave, the Board will send a notice to the teacher indicating the expected date of return. (5-13.67)

15. The teacher must give a notice that they are returning at least 2 weeks before the end of the leave.

FORM G

16. A teacher who does not follow these terms is presumed to have resigned.

17. The teacher will return to work at the end of the extensions of her leave.

USERS OF FORMS B-1, D, E AND F:

18. Teachers who wish to return before the end of any extension granted according to paragraphs a), b), or e) of clause 5-13.60 may only do so for exceptional reasons and with the approval of the Board. (5-13.67 para 2)

USERS OF FORMS C-1 and C-2:

19. The teacher who wishes to end an extension of a maternity leave for a part of a year before the date foreseen must give a notice in writing at least 30 days before their return. (5-13.67, paragraph 3).

FORM H

PARTICIPATION IN DIFFERENT BENEFIT PLANS (5-13.22)

20. The teacher shall continue to participate in the health insurance plan and may request to continue to participate in the long term disability plan and life insurance plan by paying their share of the cost of these plans.

RIGHT TO THE 6 MONEYABLE DAYS

21. On the first day of the work year, the Board shall credit every full-time teacher in its employ with 6 moneyable sick leave days. (5-10.26, 5-13.22).

EXPERIENCE

22. The teacher will accumulate seniority during any extension, and accumulate experience up to 34 weeks during an unpaid extension either full or part-time. This 34 weeks must fall within 52 weeks of the birth. (5-13.22).

SPECIAL CASES

1. The teacher who gives birth to a stillborn child after the beginning of the 20th week preceding the due date is entitled to maternity leave (5-13.08).
2. The teacher who has sufficiently recovered from delivery but whose newborn is hospitalized may interrupt her maternity leave once by returning to work until the child is no longer hospitalized. (5-13.13).

SPECIAL LEAVES (clause 5-13.26)

A) Pregnancy complications: requires a medical certificate and is paid by salary insurance at 75% (5-13.26a).

If the complication is foreseen as extending to the due date this must be written on the medical certificate. The special leave cannot be extended beyond the beginning of the eighth week preceding the due date.

B) For natural or induced miscarriages that occur before the twentieth week before the due date: requires a medical certificate and is paid as salary insurance at 75% (5-13.26b).

C) For prenatal visits to a doctor and attested to by a medical certificate: a maximum of 4 days that may be taken as half days. (5-13.26c). **Code 42**

PATERNITY LEAVES (5-13.30 – 5-13.44)

1. The teacher whose spouse has a baby is entitled to 5 days of paid paternity leave. The 5 days need not be consecutive but must be taken between the beginning of the delivery and the fifteenth day following the mother's or the child's return home. (5-13.30).

One of these 5 days may be used for the child's baptism or registration.

2. The teacher whose spouse has a baby is entitled to 5 days of paid paternity leave which, with the exception of clauses 5-13.34 et 5-13.35, must be consecutive. This leave must end no later than the 52nd week following the birth of the child. (5-13.31)

For the teacher eligible for the Quebec Parental Insurance Plan, or the Employment Insurance Plan, this Paternity Leave is taken at the same time as the benefits paid under these plans and must begin no later than the week following the beginning of the benefits being paid by QPIP.

The female teacher whose spouse gives birth is also entitled to this leave if she is considered to be one of the mothers of the child.

3. If the teacher's spouse is not an employee in the public or parapublic sectors, the teacher may benefit from a leave of absence without pay for a maximum of 2 years. If the teacher's spouse does not use the extensions provided for, the teacher may use the unused leave without pay. The leave must be used over 2 consecutive periods. (5-13.60).
4. The teacher may extend their maternity leave by leave without pay if the health of the child requires it. (5-13.16, paragraph 2).
5. The teacher may defer a maximum of 4 weeks annual vacation if it falls within the maternity leave. (5-13.22).

The teacher must advise the Board in writing of the date of the deferral 3 weeks before the end of the maternity leave .

Unless there is an agreement to the contrary with the Board, the deferred weeks must be taken immediately after the maternity leave. If the Christmas Holidays fall during this 4 week period they shall not be included within the 4 week period.

The Riverside School Board will allow this extension to be taken at the end of the extension taken for the Parental Leave.

ADOPTION LEAVES (5-13.45 – 5-13.49)

1. The teacher who legally adopts a child other than the child of his spouse is entitled to 5 weeks of paid leave if the spouse does not also benefit from this leave. The leave must be taken following the placement order or at another date agreed to by the Board. (5-13.46).
2. The teacher who legally adopts a child and who does not benefit from the leave in 1, has a right to a leave of 5 working days paid leave. (5-13.45).
3. The teacher is entitled to a leave without pay of 10 weeks with a view to adopt a child from the date they take legal responsibility for the child. If an adoption results, the leave without pay may be converted into leave with pay of 5 weeks. (5-13.47)
4. The teacher who must travel outside Québec for an adoption is entitled to a leave without pay for the time necessary for this travel. (5-13.24).
5. The teacher may extend a leave of absence for adoption with a leave of absence without pay for a maximum of 2 years. This leave may be divided between the teacher and the teacher's spouse. (5-13.60).

The conditions are the same as extensions of maternity leaves.

6. The return from the extension of a leave of absence for adoption is the same as for the extension of a maternity leave. (5-13.65) .

MATERNITY LEAVE - vs - SALARY

A) Cases eligible for Quebec Parental Insurance: (5-13.19A)

1° If you have accumulated twenty (20) weeks of service with the school board or in the public service

and

if you are eligible for Quebec Parental Insurance,

YOU ARE ENTITLED TO 93% OF YOUR SALARY:

- . 100% salary
- . less amount received from QPIP
- . less RREGOP stoppages for twenty-one (21) weeks.

2° If you are eligible for Quebec Parental Insurance

and

if you have not accumulated twenty (20) weeks service with the school board or in the public sector,

YOU MAY receive the maternity leave benefits according to the Quebec parental Insurance Program for the 18 weeks.

B) Cases not eligible for Quebec Parental Insurance: (5-13.20)

1° If you have 20 weeks of service either full or part-time

and if

- a) you have not accumulated \$ 2000.00 during your reference period (52 weeks),

YOU ARE ENTITLED TO 12 WEEKS at 93% salary

Contact Frank White at the RTU in this case.

2° If you are not eligible for Quebec Parental Insurance benefits for reasons other than those previously mentioned (see 1a),

YOU RECEIVE NOTHING

and

if you do not have 20 weeks service with the Board or in the public sector,

YOU HAVE NO SALARY OR ALLOWANCE during the 21 weeks maternity leave.

C) OTHER CONDITIONS

1. No allowance is paid for the vacation period (5-13.12).

Certain money received does not qualify as insurable earnings:

“Salary” received during the sabbatical year of a deferred salary sabbatical

CSST received while on a preventative leave

Parental Benefits from the QPIP

Being on Salary Insurance before going on Maternity Leave will impact on your Earnings

These are special cases and should be discussed with Frank White at the RTU.

The minimum number of weeks to establish the average weekly salary is **16 weeks**. Even though you may have accumulated \$2000 to qualify, your average weekly salary will be established by dividing your total earnings over the qualifying period by the number of weeks in that qualifying period or 16, whichever is the greatest.

Useful site: www.rqap.gouv.qc.ca

FORM B-1
EXTENSION TO MATERNITY
LEAVE (first option)
Clause 5-13.60b

NOTE: The School Board must receive this notice at least three weeks before the end of the 21 weeks leave.

(date)

Ms Wendy Bernier
Human Resources Department
Riverside School Board
7525 Chemin de Chambly
Saint-Hubert (Québec) J3Y 0N7

Dear Ms Bernier,

This is my request for an extension to my maternity leave according to clause 5-13.60b.

- 1st block: to the end of the current school year.
- 2nd block: for the following complete school year.
- 3rd block: for a second complete school year following the
previous year.

I wish to continue to participate in the health insurance plan as well as the other insurance plans by paying my share according to clause 5-13.22.

Sincerely,

(signature)

(Name & Address - please print)

c.c. Frank White
Riverside Teachers' Union

FORM B-2
EXTENSION TO MATERNITY
LEAVE (2nd option)
Clause 5-13.60c

NOTE: The School Board must receive this notice at least three weeks before the end of the 21 weeks leave.

(date)

Ms Wendy Bernier
Human Resources Department
Riverside School Board
7525 Chemin de Chambly
Saint-Hubert (Québec) J3Y 0N7

Dear Ms Bernier,

My child was born on _____. This is my request for an unpaid extension to my maternity leave for a maximum of 52 weeks as outlined in clause 5-13.60c.

I wish to continue to participate in the health insurance plan as well as the other insurance plans by paying my share according to clause 5-13.22.

Sincerely,

(signature)

(Name & Address - please print)

c.c. Frank White
Riverside Teachers' Union

FORM C-2
EXTENSION TO MATERNITY
LEAVE (3rd option)
Clause 5-13.60d

NOTE: The School Board must receive this notice at least three weeks before the end of the 21 weeks leave.

(date)

Ms Wendy Bernier
Human Resources Department
Riverside School Board
7525 Chemin de Chambly
Saint-Hubert (Québec) J3Y 0N7

Dear Ms Bernier,

This is my request for an extension of my maternity leave according to clause 5-13.60d, a leave of absence without pay for a part of a year for a maximum of two years.

I will work: YES NO

1st block: the end of my maternity leave to the end of June.

2nd block: 1st day of the school year to the end of December.

1st day of the following January to the end of June

.

3rd block: 1st day of the following school year to the end of December.

I wish to continue to participate in the health insurance plan as well as the other insurance plans by paying my share according to clause 5-13.22.

Sincerely,

(signature)

(Name & Address - please print)

c.c. Frank White
Riverside Teachers' Union

FORM E
MATERNITY LEAVE EXTENSION
(4th option)
Clause 5-13.60e

Leave starting between June 30 and the first
day of work for the following school year

NOTE: The School Board must receive
this notice at least three weeks before
the end of the 21 weeks.

(date)

Ms Wendy Bernier
Human Resources Department
Riverside School Board
7525 Chemin de Chambly
Saint-Hubert (Québec) J3Y 0N7

Dear Ms Bernier,

This is my request for an extension to my maternity leave as a part-time unpaid leave according to clause 5-13.60e.

I wish:

1st block: an unpaid leave for 50% of the week for the
following school year

2nd block: an unpaid leave for 50% of the week for a second
school year.

I wish to continue to participate in the health insurance plan as well as the other insurance plans by paying my share according to clause 5-13.22.

Sincerely,

(signature)

(Name & Address - please print)

c.c. Frank White
Riverside Teachers' Union

FORM F
MATERNITY LEAVE EXTENSION
(4th option)
Clause 5-13.60e

Leave beginning between the first day of work for the school year and January 1.

NOTE: The School Board must receive this notice at least three weeks before the end of the 21 weeks.

(date)

Ms Wendy Bernier
Human Resources Department
Riverside School Board
7525 Chemin de Chambly
Saint-Hubert (Québec) J3Y 0N7

Dear Ms Bernier,

I hereby request an extension to my maternity leave on a part-time basis as foreseen in clause 5-13.60e.

I wish:

- 1st block: 1) to work full time to the end of the school year.
- 2) a full-time leave of absence without pay to the end of the school year.
- 2nd block: 3) a leave of absence without pay of 50% per week for the following school year.
- 3rd block: 4) a full-time leave of absence without pay for a second school year.

I wish to continue to participate in the health insurance plan as well as the other insurance plans by paying my share according to clause 5-13.22.

Sincerely,

(signature)

(Name & Address - please print)

c.c. Frank White
 Riverside Teachers' Union

FORM G
NOTICE OF RETURN FROM AN
EXTENSION OF A MATERNITY
LEAVE
Clause 5-13.67

NOTE: The School Board must receive
this notice at least fifteen (15) days
before your return to work.

(date)

Ms Wendy Bernier
Human Resources Department
Riverside School Board
7525 Chemin de Chambly
Saint-Hubert (Québec) J3Y 0N7

Dear Ms Bernier,

In accordance with clause 5-13.67, I will be returning to my post at the end of my current maternity leave extension.

Sincerely,

(signature)

(Name & Address - please print)

c.c. Frank White
Riverside Teachers' Union

FORM H
NOTICE OF TERMINATION OF
AN UNPAID MATERNITY LEAVE
EXTENSION BEFORE THE DATE
FORESEEN

Clause 5-13.60c or d

NOTE: The School Board must receive this notice at least thirty (30) days before your return.

(date)

Ms Wendy Bernier
Human Resources Department
Riverside School Board
7525 Chemin de Chambly
Saint-Hubert (Québec) J3Y 0N7

Dear Ms Bernier,

Please consider this my notice of my intention to end my unpaid maternity leave before the date foreseen according to clause 5-13.67.

I will be returning to my post on _____.

Sincerely,

(signature)

(Name & Address - please print)

c.c. Frank White
Riverside Teachers' Union

FORM I
DEFERRAL OF VACATION
Clause 5-13.22

NOTE: The School Board must receive this notice at least three weeks before the end of your maternity leave.

_____,
(date)

Ms Wendy Bernier
Human Resources Department
Riverside School Board
7525 Chemin de Chambly
Saint-Hubert (Québec) J3Y 0N7

Dear Ms Bernier,

I wish to defer my annual vacation according to clause 5-13.22.

I wish to defer _____ weeks of vacation:

from _____	to _____
from _____	to _____
from _____	to _____
from _____	to _____

Sincerely,

(signature)

(Name & Address - please print)

c.c. Frank White
Riverside Teachers' Union

ANNEX A

PENSION PLAN

A) MATERNITY LEAVE (21 weeks)

R.R.E.G.O.P.

Paid maternity leave is credited to your pension plan by the School Board.

B) MATERNITY LEAVE EXTENSIONS (2 years)

Credit for the maternity leave extensions can be bought back by paying your assessment to R.R.E.G.O.P. If you buy them back the years will be included in your number of years of pensionable service.

If you do not buy them back they will not count towards your pension plan.

N.B.: In **R.R.E.G.O.P.**, your request must be made during the first six (6) months of your unpaid extension to your maternity leave.

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