

## Policy 2.1.6: Family Leaves

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### 1. PURPOSE

### Clergy, Diocesan Office Staff (Clergy and Lay)

This policy outlines information pertaining to **Parental, Adoption, and Surrogacy Leave** (Parental Leave) as it may be available to permanent part-time and full-time Clergy, and to permanent part-time and full-time Diocesan Office Staff of the Anglican Diocese of Nova Scotia and Prince Edward Island. This policy does NOT apply to parish employees other than Clergy paid through the Diocesan, centralized payroll.

### 2. OVERVIEW

Assisting Clergy and Synod Office Staff, this policy addresses guidelines, procedures, and an overview of benefits and allowances normally available at the time a Parental Leave may be required. In cases where these guidelines may not provide specific, required information, employees should reach out to the [Executive Director](#) and/or the [Payroll and Benefits Administrator](#) of the diocese for consultation.

### 3. SCOPE

**Maternity Leave** applies only to those individuals who have been employees of the Diocese (Diocesan Staff or Clergy) for a minimum of six months before becoming pregnant and who are pregnant or have recently given birth.

**Parental Leave** applies to the birth mother or partner or for either or both parents in an adoption or surrogacy arrangement. Those who have worked for the Diocese or Parish (Clergy) for six months prior to the birth or adoption are eligible to take parental leave.

A pregnant person is entitled to 16 weeks of maternity leave and this leave shall commence no earlier than 20 weeks before the expected due date and must commence on the birth date if not started before the birth. This leave must stop no later than 16 weeks after the birth. An employee that suffers a still-birth or miscarriage within 20 weeks of the expected due date is also eligible for maternity leave. Maternity leave must be taken in a consecutive period, i.e. a person on maternity leave cannot return to work during this leave and then recommence the leave.

Parental leave is a period of unpaid leave for up to 35 weeks for the standard benefit or 61 weeks for the extended benefit. This leave can be taken any time within 52 weeks of the birth or adoption. This leave can be combined with maternity leave but cannot exceed 52 weeks for the standard benefit and 78 weeks for the extended benefit.

Parents can split this leave between the two parents but the total time on parental leave cannot exceed 35 weeks for the standard benefit or 61 weeks for the extended benefit.

Parental leave must be taken in a consecutive period, i.e. a person on parental leave cannot return to work during this leave and then recommence the leave.

### 4. SPECIAL CONSIDERATIONS

If an employee's pregnancy ends before completing week 19 of pregnancy, they are entitled to an unpaid leave of absence of up to 5 consecutive working days. This five day leave applies to people whose pregnancy ends, a current or former partner or spouse of someone whose pregnancy ends, people who would have become parents under a surrogacy agreement, or people who would have become a parent through intended adoption.

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If an employee's pregnancy ends after completing week 19 of pregnancy, they are entitled to an unpaid leave of absence of up to 16 consecutive weeks.

If an employee's pregnancy ends while they are on pregnancy leave, and they have taken more than 10 weeks of pregnancy leave when their pregnancy ends, they are entitled to up to 6 additional weeks of unpaid leave from the day their pregnancy ended.

An employee whose pregnancy ends after week 19 of pregnancy and who initially chooses to take the 5-day leave can then decide to take the longer leave entitlement (minus whatever portion of the 5 days they already took). The leave periods must be taken consecutively (the employee cannot return to work between the leave periods). The total leave time for end of pregnancy cannot be more than 16 weeks, and it cannot be more than 6 weeks if the employee was on pregnancy leave for more than 10 weeks when their pregnancy ended.

### 5. PROCEDURES

Those employees wishing to take maternity or parental leave will be required to give the Diocese or the Parish and Diocese (Bishop), in the case of clergy, at least four weeks' notice of the intended start date. This will permit the Parish or Diocese the opportunity to find a replacement worker, if required, and for the employee to start an orderly transition to the leave. This notice period is waived in the case of pregnancy complications, premature birth, to the sudden arrival of an adoptive child, or a short notice requirement to make arrangements to receive an adoptive child.

Those employees on maternity and or parental leave are also required to give the Parish or Diocese at least four weeks' notice of the intended return to work date. Those employees not intending to return to work are encouraged to provide as much notice as possible to the Parish or Diocese of that decision.

### 6. BENEFITS and ALLOWANCES

#### 6.1 General

Those employees proceeding on maternity and or parental leave will keep all benefits earned up to the start date of the leave. During the leave period, years of service will continue to accrue. Anniversary dates for those on maternity or parental leave do not change. If a salary increase, economic adjustment, or anniversary review is due during the leave period it will take effect on the date the employee returns to work.

#### 6.2 Medical and Group Benefits

To maintain coverage in the medical plan during the leave(s), the employee will be required to pay their share of the premiums. Similarly, continuation in the group insurance and the pension plan will require that the employee pay their share of the premiums for the leave period.

#### 6.3 Salary and Top-Ups

For those employees (Clergy and Synod Office Staff) on maternity leave (*see 3. Scope above*), the Parish or Diocese, respectfully, will pay 90% of the weekly salary/stipend during the first week of leave — the Employment Insurance waiting period — less any other earnings received by the employee during the waiting period. This benefit is NOT payable to a partner taking parental leave after the birth partner has taken maternity leave.

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During the remaining 15 weeks of maternity leave, the Parish or Diocese, respectfully, will top-up the employee's income to 90% of the weekly salary/stipend less the employment insurance benefits that the employee receives or any other earnings received. *The employee must report the Employment Insurance benefits and all other earnings received to the Payroll and Benefits office so that accurate top-up payments may be calculated.* This benefit is NOT payable to a partner on parental leave after the birth partner has taken maternity leave.

**6.4 Rectory and Housing Allowance**

For those employees on parental leave, only the Employment Insurance benefits will be received by the employee. Employees on maternity or parental leave and living in church accommodations will be entitled to remain in these accommodations for the duration of the leave. Those employees in receipt of a housing allowance will continue to receive this allowance for the duration of the leave taken. Parishes may request assistance from the Diocese in cases where undue financial hardship might be placed on the Parish due to the continuation of these benefits.

**6.5 Top-Up Reimbursement**

Employees with more than three years' service in the Diocese, and who will not return to work after maternity leave, are not required to reimburse the Parish or Diocese for the top-up payments received. Those with less than three years' service will be required to reimburse the Parish or Diocese for one half of the top-up payments received.

**7. DIOCESAN OFFICE RESPONSIBILITIES**

- advise Diocesan Clergy and Synod Office Staff on Parental Leave policy and procedures as required and in considering special circumstances;
- provide prompt and clear directions to Diocesan Clergy and Synod Office Staff throughout Parental Leave;
- provide the Employee's Record of Employment, and any other required documentation, to fulfill leave requirements; and
- advise employee if any additional deductions are required (in some situations, earnings may not cover the full amount of the deduction, therefore additional deductions will be required from the employee's account to cover this difference).