1.0 Purpose

1.1 A pregnant employee shall be granted maternity leave without pay consistent in timing and duration with the Employment Standards Act of New Brunswick upon written application to the appropriate Dean, Director or Head of Administrative Unit.

2.0 Applicability

2.1 University-wide

2.2 This policy applies to eligible employees who are not covered by a Collective Agreement.

3.0 Definitions

3.1 None applicable

4.0 Implementation

4.1 ELIGIBILITY FOR MATERNITY LEAVE: The employee will provide the Dean, Director or Head of Administrative Unit with a medical certificate specifying the expected date of delivery. This information will be provided as early as possible.

4.2 APPLICATION: The employee will make a written application to the Dean, Director, or Head of Administrative Unit no later than six (6) weeks prior to the intended start of the leave. The written application will specify the length of the leave and the date the leave will begin.

4.3 PERIOD OF LEAVE: The maximum period of maternity leave is a period of seventeen (17) weeks and shall be treated as a leave of absence in accordance with the Policy and Procedure Concerning Leaves of Absence. An employee who is eligible for and who receives the Maternity Leave Allowance shall be considered as being on leave with partial pay. An employee who is not eligible for the Maternity Leave Allowance shall be considered as being on leave without pay.

4.4 HEALTH OF EMPLOYEE: A pregnant employee may wish to continue working up to the expected date of delivery and may do so if, in the opinion of her physician, she is able to fulfill her normal job responsibilities. No pregnant employee will be allowed to work in an area that may be hazardous to her health or to that of her child. The employee may be transferred by the Employer if appropriate alternative employment is available.

4.5 RETURN TO FORMER POSITION: Following the period of maternity leave, the employee will normally return to her former position. If this is not possible, she will be placed in an equivalent level of position.

4.6 EARLY RETURN TO WORK: An early return to work, following delivery, will require a medical certificate indicating that the employee is medically fit for work.

4.7 EXTENSION OF MATERNITY LEAVE: A period of maternity leave may be extended by applying for an unpaid leave of absence, parental leave, or by taking vacation time if approved by the appropriate Dean, Director or Head of Administrative Unit.

4.8 ELIGIBILITY FOR MATERNITY LEAVE ALLOWANCE: After six (6) months of employment and following successful completion of the initial probationary period, a Continuing (female) employee whose position is funded from the University operating budget who provides the Employer with proof that she has applied for and is eligible to receive Employment Insurance Benefits, shall be paid a maternity leave allowance in accordance with a plan registered with the Canada Employment and Immigration Commission as a Supplementary Unemployment Benefit Plan (S.U.B.).

4.9 ALLOWANCE

4.9.1 Under the provisions of the S.U.B. plan, the Employee's salary will be maintained at 95% of her regular weekly earnings for a maximum of 17 weeks of maternity leave. This plan allows the Employer to make up the difference between the E.I. maternity leave benefits up to 95% of the Employee's regular weekly earnings. The Employee is required to apply for the E.I. maternity leave benefit and must be eligible for the benefit for this plan to apply (as specified in the appropriate sections of the Employment Insurance Regulations). Contributions to the pension and benefit plans shall continue on the part of the Employee and the University on the basis of 100% of salary.

4.9.2 In any week for which S.U.B. is payable, the total amount of S.U.B. employment insurance gross benefits and any other earnings received by the employee will not exceed 95 per cent of the employee's normal weekly earnings.

4.9.3 The Employee will be asked to submit her benefit stub to verify her receipt of E.I. benefits and other earnings.

4.10 NO VESTED RIGHT: Employees have no vested right to payments under the plan except to payments during a period of unemployment specified in the plan (57 (13(h) of the E.I. Regulations).

4.11 ADDITIONAL PAYMENTS: Payments in respect of guaranteed annual remuneration or in respect of deferred remuneration or severance pay benefits are not reduced or increased by payments received under the plan.

4.12 EMPLOYMENT INSURANCE BENEFITS: Employees must apply for and must be in receipt of employment insurance benefits to receive payments under the plan.

4.13 REQUIREMENT TO RETURN TO WORK: An employee who receives a Maternity Leave Allowance is required to return to work at the University for at least one (1) year following expiry of the Maternity Leave (or any approved extension). In the event that the employee terminates employment prior to completion of this one (1) year they shall be required to reimburse the University the amount of the Maternity Leave Allowance on a pro-rated basis.

5.0 Interpretation and Questions

5.1 The Department of Human Resources & Organizational Development is located in Room 102 of the Physics and Administration Building in the Integrated University Complex on the Fredericton Campus. Questions concerning this policy may be directed to the Human Resources Consultant (Systems) at 453-4648.