PARENTAL LEAVE TOP UP POLICY

<Organization Name> recognizes the importance of Parental Leave and is excited for employees who are welcoming a new member to their family. We will fully adhere to the guidelines established by the [Insert employment standards legislation], and would like to offer additional top-up benefits to those embarking on parental leave.   
  
POLICY

New parents are entitled to take parental leave of up to [Insert # of weeks, e.g. 61 or 63 weeks] of unpaid time free from work. Parents may refer to a birth parent, an adoptive parent, or a person in a relationship with a parent of a child who plans on treating the child as their own. To be eligible, employees must have been hired by <Organization Name> at least [Insert # of weeks, e.g. 13 weeks] prior to the start of their parental leave.

Birth mothers who have taken pregnancy leave are entitled to up to [Insert # of weeks, e.g. 61 weeks] of leave. In the case of a birth mother who did not take pregnancy leave and any other new parents, they are entitled to up to [Insert # of weeks, e.g. 63 weeks] of parental leave.

Parental leave for a pregnant employee may begin as soon as the pregnancy leave ends, unless the baby has not come into their care. In this event, an employee may return to work between the pregnancy and parental leaves and then start parental leave within [Insert # of weeks, e.g. 78 weeks] of the birth (or the date the baby first left the hospital to come home). For any other employees, parental leave must be started no later than [Insert # of weeks, e.g. 78 weeks] after the date of the baby’s birth or the date the child came into their care, custody, and/or control. Note: the parental leave must be started in the [Insert # of weeks, e.g. 78 weeks], but is not required to be completed then. Employees may return early from leave but may not re-embark on the leave to use up any remaining time.  
  
Paid Portion of Leave

<Organization Name> is pleased to offer our employees paid top-up during parental leave. This means that eligible employees will be paid the EI premium from the government plus a top up from <Organization Name> for the remaining amount of [Insert %] of the employee’s gross wages.

Top up payments will be made by [Insert Method of Payment e.g., direct deposit] to the account on file [Insert When e.g., every two weeks according to the regular pay cycle]. Please note that paid leave during parental leave may affect your Employment Insurance benefits.  
  
Claw Back [Remove if Not Applicable]

It is also important to note that employees must return to <Organization Name> after their leave for at least [Insert # of Time e.g., six (6) months] in order to keep the full top-up benefit provided to them during their maternity or parental leave. If the employee voluntarily terminates their employment relationship during their first [Insert # of Time e.g., six (6) months] of employment upon their return from leave, a prorated portion of the benefit may need to be paid back to <Organization Name>.

It must be paid back using the following formula: [Insert formula if applicable.]

Leave Procedure

Employees must provide at least two weeks’ written notice before the start of a parental leave and four weeks’ written notice if they desire to return to work before their leave entitlement has been used up. If an emergency situation occurs and the parental leave needs to begin immediately, employees are required to provide their notice of the leave at least two weeks after starting the leave.

Employee Rights During a Leave

Employees have the right to continue to participate in the company benefits plans during their job-protected leave of absence. This includes programs such as: pension plan, life insurance, extended health care, and dental. If an employee wishes to opt out of their participation in these company-provided benefits, they must provide their request via written notice.

<Organization Name> will continue to pay the organization’s portion of the employee benefits contribution to an employee’s benefit plan, unless the employee has provided written notice they’d like to opt out during the leave period.

Employees will continue to accrue length of service while on a job-protected leave.

<Organization Name> will not penalize any employee, in any way, because the employee is or will be taking either pregnancy or parental leave. Employees who take a pregnancy or parental leave are entitled to return to either their same position or a comparable one, if <Organization Name> has eliminated their previous one.