

PDAD&C #33, 2003-04

MEMORANDUM

To: Principals, Deans, Academic Directors and Chairs

From: Vivek Goel, Interim Vice-President & Provost
Angela Hildyard, Vice-President Human Resources and Equity

Date: March 8, 2004

Re: Maternity, Parental and Adoption Leave Procedures for Faculty Members & Librarians

One of the key elements in the University's November 15th, 2003 settlement with the University of Toronto Faculty Association (UTFA) is the enhancement of maternity and parental leave benefits for faculty members and librarians. The provisions apply to faculty, including those with tenure stream appointments, contractually limited term appointments, lecturers and senior lecturers, and librarians.

We are taking this opportunity to outline the guiding principles and the procedures concerning maternity, parental and adoption leaves. We need to ensure that those faculty and librarians who choose to have children do not suffer professional disadvantage. There should be no expectation of scholarly productivity during these leaves. Since there are limitations imposed by legislation, those taking a leave should consult with Human Resources and the Family Care Office (<http://www.library.utoronto.ca/equity/familycare/fmcmmain.htm>) for the specific provisions that apply in individual circumstances.

1. Maternity Leave:
A pregnant faculty member is entitled to a maximum of 52 weeks of leave, consisting of 20 weeks of paid maternity leave, 10 weeks of paid parental leave and 22 additional unpaid weeks. Normally, the leave is taken without interruption. The policy has to be implemented with some flexibility, taking into account individual circumstances. While the overall elements will be very similar across leaves, the specific details are likely to vary. The new policy significantly expands the period of paid maternity/parental leave. It supercedes and improves upon the practice of altering the timing of teaching relief as described in the previous memorandum on maternity leave (PDAD&C #27, 2001-2002). If the faculty member is pre-tenure, she may request a one-year delay on her "tenure clock". The delay is one year regardless of the length of the leave. This delay may be requested at any time prior to the formation of the tenure committee. This

provision is governed by paragraph 10 of the Policy and Procedures on Academic Appointments and requires provostial approval.

2. Parental Leave:

The settlement provides for 10 weeks of paid parental leave for biological and adoptive parents, including same sex partners. Faculty and librarians may qualify for an additional unpaid leave of 27 weeks for a maximum leave of 37 weeks. Both parents may take parental leave if they meet the eligibility criteria. Faculty and their chairs/deans are to consult on the timing of the leave to ensure both that the principle behind the leave prevails and that the impact on the academic unit is minimized.

3. Adoption Leave:

Faculty and librarians may now qualify for a maximum of 37 weeks of adoption leave, consisting of 17 weeks of paid adoption leave, 10 weeks of paid parental leave and 10 additional unpaid weeks. If both parents are employed by the University, the adoption leave portion may be divided between the two. Each parent would be entitled to paid parental leave.

4. PTR:

The principle of no professional disadvantage should prevail with respect to PTR. PTR should be calculated in terms of the faculty member's work prior to and after the leave, with allowances for a longer term review to ensure that anomalies do not occur. The faculty member's performance prior to the leave may be a good indication of the level of PTR for the leave period. In cases where the faculty member was ill or unable to function at full capacity prior to the leave, it may be necessary to extrapolate over a longer period of time.

5. Sabbatical Leaves:

A maternity, parental or adoption leave is considered to be "accrued service" for the purposes of determining sabbatical leave entitlement. If a maternity, parental or adoption leave falls within a scheduled sabbatical, adjustments should be made when appropriate to permit the faculty member to recoup this research time at a later date.

6. Vacations:

The vacation entitlement of a full time member of the academic staff is one month for the previous twelve months of employment. In accordance with the Employment Standards Act, the continued accrual of this vacation entitlement is not interrupted by a leave under the policy. Faculty members are asked to consult with their department head in the usual manner to arrange a mutually agreeable time.

7. Eligibility, Administration and Funding of Leaves:

To be eligible for the University-paid portion of the leaves, faculty members and librarians must:

- provide three months' written notice
- meet provincial and federal eligibility requirements
- receive appropriate benefits through employment insurance
- have worked for the University of Toronto for at least 17 weeks immediately prior to the estimated birth or start of the leave.

In some cases, these requirements may affect the timing of a parental leave. Those pursuing adoption should notify their academic units at the earliest possible stage in the process. Same sex partners are eligible for parental and adoption leave, as applicable. Currently, due to federal government guidelines, they are ineligible for Employment Insurance Parental Benefits. The University will provide a salary top-up equivalent to that which the employee would have received had the employee been eligible for Employment Insurance. Maternity and adoption leaves are funded centrally. Parental leaves are funded by the academic unit and by Employment Insurance. The business officer in your department or division will look after the details. You are encouraged to use salary funds that become available as a result of a leave to cover teaching stipends or other expenses that will assist the faculty member and the academic unit in the context of the leave.

Several valuable resources are available to you in administering maternity, parental and adoption leaves. For concerns related to the impact on your academic unit or on a faculty member's career, contact Carol Robb (978-6662) in the Office of the Provost. For concerns around benefits and entitlements, contact Rosie Parnass (978-4419) in Human Resources. The Family Care Office (<http://www.library.utoronto.ca/equity/familycare/fmcmmain.htm>; 416-978-0951) provides support, advice and workshops for parents and prospective parents. Faculty and librarians must contact the Family Care Office directly to receive a kit that includes all necessary forms.