

Pregnancy and Parental Leave

Original Implementation Date:	April 1, 1996	Approved by:
Date of Last Revision:	June 10, 2025	Approved by: Cathie O'Toole, CAO
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1 – Policy Name

Pregnancy and Parental Leave

2 – Purpose

Halifax Regional Municipality (the Municipality) will grant Pregnancy and Parental Leave in accordance with the Nova Scotia Labour Standards Code. Should there be discrepancy between this policy and the Nova Scotia Labour Standards Code, the legislation will take precedence, except that the employee shall receive the more generous benefit provided for.

3 – Objectives

To clarify employee leave and top-up entitlements for Pregnancy and Parental Leave.

4 – Scope

This Policy applies to all permanent, non-union Halifax Regional Municipality employees. For the terms and conditions of employment for temporary non-union employees, refer to the policy Temporary Non-union Employees.

5 – Definitions

In the context of this document:

Employer means Halifax Regional Municipality, also referred to as the Municipality.

End of Pregnancy means a pregnancy that concludes without resulting in a live birth.

6 – Roles and Responsibilities

Chiefs/Executive Directors

Chiefs/Executive Directors are responsible for:

- Ensuring proper administration of this Policy and delegating approval authority to directors/managers/supervisors as appropriate.

Directors/Managers/Supervisors

Directors/Managers/Supervisors with delegated authority from the Chief/Executive Director, are responsible for:

- Considering leave requests in accordance with the requirements of the Policy.
- Assessing operational requirements, in light of all leave requests.

- Approving/denying leave requests.
- Supporting the employee in addressing situations that require leave while balancing operational requirements.
- Administering the Policy in a fair and equitable manner.
- Adhering to legislated requirements and ensuring leaves are accurately recorded.

Employees

Employees are responsible for:

- Giving the Employer at least four weeks' notice of both the date on which leave will start and the planned date of return to work. If the employee cannot give four weeks' notice of leave for unforeseen reasons, then the Employee must give as much notice as possible.

Human Resources

Human Resources is responsible for:

- Providing support to business units and employees regarding the fair and equitable administration of this Policy and any relevant legislation

7 – Policy Regulations

A. Leave Entitlements

Pregnancy Leave

Pregnancy Leave is available to Employees who are pregnant or have recently given birth. Provincial legislation sets out the eligibility and conditions for an entitlement of up to 16 weeks of Pregnancy Leave.

Parental Leave

Parental Leave is available to Employees who become a parent through

- i. the birth of their child; or
- ii. the placement of the child or children in the care of the employee for the purpose of adoption of the child or children pursuant to the law of the Province; or
- iii. a surrogacy agreement,

An Employee is entitled to up to 77 weeks of Parental Leave if they do not take Pregnancy Leave; or up to 61 weeks of Parental Leave if they also take Pregnancy Leave, for a maximum total of 77 weeks of leave. All leave must be taken consecutively.

For clarity, Parental Leave includes **Adoption Leave** which is a leave for an employee who becomes a parent through adoption or any other means as defined by Section 59 of the Labour Standards Code of Nova Scotia.

Day of Birth Leave

In addition to any applicable Parental Leave entitlements, an employee becoming a parent through the birth of a child (e.g. birth by partner, adoption at birth, surrogacy, or any other legal

or intended parenting arrangement) shall be granted one day of paid leave. This leave can be taken at any time from the date of hospitalization or delivery up to the sixth day after the child arrives home. This entitlement does not apply to an employee receiving pregnancy leave related to the birth of the child.

End of Pregnancy/ Pregnancy Loss Leave

- Employees whose pregnancy ends before their 19th week of pregnancy are entitled to Bereavement Leave- please see Bereavement Leave Policy for more details.
- Employees whose pregnancy ends on or after their 19th week of pregnancy are entitled to an unpaid leave of absence of up to 16 consecutive weeks, which will be considered to be Pregnancy Leave for the purpose of this Policy.

B. Timing of Leaves

To take Pregnancy and Parental Leave, an Employee must give the Employer at least four weeks' notice of the date on which leave will start and the planned date of return to work. If the employee cannot give four weeks' notice of leave for unforeseen reasons, then the Employee must give as much notice as possible.

If an Employee takes Pregnancy Leave and the employee's new-born child or children arrive in the employee's home during the Pregnancy Leave, Parental Leave begins immediately upon completion of the pregnancy leave and without the employee returning to work.

In the case of the adoption of a child or guardianship, the employee may begin Parental leave, at the employee's option, at any time required by the adoption agency or upon arrival of the child in the employee's home, provided that the leave shall end at the end of the time required by the adoption agency eighteen months after the leave began.

Parental Leave begins on such date, coinciding with or after the birth of the child(ren) or the child(ren) first arriving in the employee's home; and ends not later than eighteen months after the child or children first arrive in the employee's home, as determined by the employee.

If a newly arrived child must be hospitalized for more than one week, the Employee can return to work and use the rest of the Parental Leave after the child is released from the hospital.

C. Accruals During Leave

Sick leave and vacation credits will continue to accrue for up to 12 months of Pregnancy and Parental Leave.

To avoid forfeiting accumulated vacation leave, employees planning to take Pregnancy or Parental Leave have the following options:

- i. Draw on the accumulated vacation leave to pay their share of group benefits or pension contributions; or

- ii. Take their accumulated vacation leave prior to beginning Pregnancy and Parental leave. (See the Vacation policy for additional information).

D. Group Benefits and Pension

The Employer will continue to cost-share group insurance premiums, provided that the Employee on leave contributes the employee share of the required premiums. Such premiums may be deducted in advance of the leave or paid during the leave by pre-authorized payment. Payment arrangements must be made in advance through Human Resources to ensure there is no interruption to employee benefits coverage.

Prior to commencing leave, the Employee must confirm to Human Resources in writing their choice for pension options during their leave. Employees should consider consulting with the HRM Pension Plan office before making decisions related to their pension.

The Employee may opt to continue credited service during the leave, in which case the Employer will pay contributions to the HRM Pension Plan for the period of the leave and the Employee will pay their share of the contributions through one, or a combination of, the following options:

- i. Payments made by the Employee prior to or during their leave;
- ii. Additional deductions from any top-up, if available;
- iii. Cashing out vacation accumulated, if available;
- iv. Deductions from the Employee's pay following returning to work

An Employee must repay the employee portion of the contributions. This repayment will correspond with the length of the leave taken, with the maximum allowable leave of 18 months.

The Employee may opt out of credited service for the duration of their Pregnancy and Parental Leave period. Doing so will not impact the date the Employee is eligible to retire. However, it will reduce the amount of the pension benefit the Employee is eligible to receive at retirement.

Under the HRM Pension Plan's credited service purchase terms, Employees may buy back credited service for the period of their Pregnancy and Parental Leave at a future date. The Employee would be responsible to pay both the Employee and Employer portion of pension contribution.

E. Pay During Leave

Employment Insurance Benefits:

Employees who take Pregnancy and/or Parental Leave may qualify for Maternity and/or Parental (including Standard Parental or Extended Parental) benefits under the federal government's Employment Insurance program. For more detail on these benefits, contact Service Canada. (<https://www.canada.ca/en/services/benefits/ei.html>).

Additional Payments During Leave:

Permanent full-time or permanent part-time Employees entitled to Pregnancy and/or Parental Leave under this policy are entitled to additional payments from the Employer during their leave. In order to qualify, the Employee must provide the Employer with proof that they have applied for and are entitled to receive Employment Insurance (EI) benefits pursuant to the *Employment Insurance Act*.

Additional payments are as follows:

Waiting Period Payment:

Where the Employee is subject to an unpaid waiting period of one (1) week before receiving EI benefits, the Employee will receive a payment equivalent to 97% of their weekly rate of pay for the one (1) week waiting period.

This will be calculated as outlined in the section on Calculation of Waiting Period and Top-Up Benefit.

Pregnancy Leave Top-Up:

Employees on Pregnancy Leave will receive a top-up payment of their Pregnancy Leave EI benefits for a period of up to five (5) additional weeks to 97% of their weekly rate of pay.

This will be calculated as outlined in the section on Calculation of Waiting Period and Top-Up Benefit.

Parental Leave Top-Up:

Employees on Parental Leave will receive a top-up payment of their Parental Leave EI benefits for a period of up to ten (10) additional weeks to 97% of their weekly rate of pay.

Employees who take Pregnancy Leave may, at their discretion, apply their Parental Leave top-up payment to weeks during which the Employee is in receipt of EI benefits for Pregnancy Leave thus allowing the Employee to receive a maximum of 16 consecutive weeks of payments.

If both parents work for HRM the total number of weeks entitlement to payments for Parental Leave is 11 (1 week waiting period payments and 10 weeks additional payments). However, the parents may, at their discretion, divide the 11 weeks between them in any manner they so choose.

This will be calculated as outlined in the section on Calculation of Waiting Period and Top-Up Benefit.

Calculation of Waiting Period and Top-Up Benefit:

The waiting period payment will be equivalent to ninety-seven percent (97%) of the Employee's weekly rate of pay. The payment will be reduced by any applicable deductions and any other earnings received by the Employee during the waiting period.

The top-up payment will be equivalent to the difference between the weekly EI Standard Parental Benefit the Employee is eligible to receive (regardless if the Employee has chosen to access the EI Extended Parental Benefits) and ninety-seven percent (97%) of their weekly rate of pay.

Top-up payments will be reduced by applicable deductions and any other earnings received by the Employee during the benefit period which may result in a decrease in the EI benefits to which the Employee would have been eligible if no other earnings had been received during the period.

The Employee's weekly rate of pay will be one-half ($\frac{1}{2}$) of the bi-weekly rate of pay to which the Employee is entitled for their classification on the date immediately preceding the commencement of their Pregnancy or Parental Leave. In the case of a part-time Employee, such weekly rate of pay will be multiplied by the fraction obtained from dividing the Employee's actual time worked (designated hours plus additional shifts but not including overtime) averaged over the preceding twenty-six (26) weeks, by the regular full-time hours of work for the Employee's classification.

The Employer will not reimburse the Employee for any amount employees are required to remit to Employment and Social Development Canada or any other government agency, where such remittance is required under the provisions of the Employment Insurance Act due to the Employee's annual income.

8 – Repeal

N/A

9 – Effective Date

June 10, 2025

10 – Related Policies and Practices

Internal:

- Vacation
- Bereavement Leave

External:

- [Pregnancy Leave, Leave for End of Pregnancy and Parental Leave](#)
- [Guide to the Nova Scotia Labour Standards Code](#)

- [Employment Insurance \(EI\) maternity and parental benefits](#)

11 – Policy Review

This Policy will be reviewed annually.

12 – Contact

MyHR@halifax.ca or 902-490-6145.

13 – Attachments

Application form for Supplementary Unemployment Benefit (Top Up):

[ApplicationforSupplementaryUnemploymentBenefit_fillableforReader.pdf](#)