

**MATERNITY LEAVE PROVISIONS UNDER  
SELECTED PROVINCIAL LEGISLATION**

<b>Jurisdiction</b>	<b>Min. Period of Employment to Qualify for Leave</b>	<b>Length of Leave*</b>	<b>Required Notice</b>	<b>Employee Benefits Coverage to Continue During Leave</b>	<b>Reinstatement and Seniority</b>
Alberta	52 weeks	15 weeks	6 weeks	not required	same/comparable position; same wages and benefits
British Columbia	no requirements	17 weeks (additional 6 weeks if child needs additional care)	4 weeks	required – unless employee suspends own contributions, if any	same/comparable position; all increments to wages/benefits as if leave not taken; employment deemed continuous
Manitoba	7 months	17 weeks	4 weeks	not required	same/comparable position; same wages and benefits; employment deemed continuous
Ontario	13 weeks	17 weeks	2 weeks	required – unless employee suspends own contributions, if any	same position, if it exists, or comparable position if it does not; all increments to wages as if leave not taken; seniority continues to accrue during leave <sup>1</sup>
Prince Edward Island (current)	20 weeks	17 weeks	4 weeks	not required	same position if it exists, or comparable position if it does not; all increments to wages/ benefits as if leave not taken; no loss of seniority
Prince Edward Island (Bill 2, effective 1 October 2010)	20 weeks in the 52 weeks preceding the commencement of the leave	17 weeks (additional 5 weeks if child needs additional care)	4 weeks	required if employee elects; employee must pay both employee and employer share	same position if it exists, or comparable position if it does not; all increments to wages/ benefits as if leave not taken; no loss of seniority or pension benefits accrued to commencement of leave
Saskatchewan	20 weeks in the 52 weeks preceding the commencement of the leave	18 weeks (additional 6 weeks if there are complications)	4 weeks	required if employee pays contributions required by plan, if any	same/comparable position; same wages and benefits; no loss of seniority

**MATERNITY LEAVE PROVISIONS UNDER  
SELECTED PROVINCIAL LEGISLATION (Continued)****Notes**

<sup>1</sup> Ontario Under the *Employment Standards Act, 2000* (the "ESA"), an employee's pregnancy leave and parental leave are included when determining his or her seniority. Under the ESA, periods of pregnancy leave and parental leave are also included when determining the employee's length of employment and length of service to determine rights earned by virtue of employment, including accrued vacation leave.

An employee's right to vacation time is based upon 12 months of employment, which period of employment includes periods of pregnancy and parental leave.

Periods of pregnancy and parental leave are not included when determining whether an employee has fulfilled a probationary period of employment.

\* Under the legislation in Alberta, Prince Edward Island and Saskatchewan, an employer may require a pregnant employee to commence her maternity leave earlier than intended if the pregnancy interferes with the employee's performance. However, the employer's right to require commencement of a maternity leave is limited to the following periods:

Alberta	- 12 weeks before the estimated date of delivery.
P.E.I.	- 3 months before the estimated date of delivery.
Saskatchewan	- 13 weeks before estimated date of delivery.

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**PARENTAL LEAVE PROVISIONS UNDER  
SELECTED PROVINCIAL LEGISLATION**

<b>Jurisdiction</b>	<b>Min. Period of Employment to Qualify for Leave</b>	<b>Length of Leave</b>	<b>Required Notice</b>	<b>Employee Benefits Coverage to Continue During Leave*</b>	<b>Reinstatement and Seniority</b>
Alberta	52 weeks	37 weeks	6 weeks	not required	same/comparable position; same wages and benefits
British Columbia	no requirements	35 weeks (with maternity leave); 37 weeks (if no maternity leave) (additional 5 weeks if child needs additional care)	4 weeks	required – unless employee suspends own contributions, if any	same/comparable position; all increments to wages/benefits as if leave not taken; employment deemed continuous
Manitoba	7 months	37 weeks	4 weeks	not required	same/comparable position; same wages and benefits; employment deemed continuous
Ontario	13 weeks	35 weeks (with maternity leave); 37 weeks (if no maternity leave)	2 weeks	required – unless employee suspends own contributions, if any	same position, if it exists, or comparable position if it does not; all increments to wages as if leave not taken; seniority continues to accrue during leave <sup>1</sup>
Prince Edward Island (current)	20 weeks	35 weeks	4 weeks	not required	same position, if it exists, or comparable position if it does not; all increments to wages/benefits as if leave not taken; no loss of seniority
Prince Edward Island (Bill 2, effective 1 October 2010)	20 weeks in the 52 weeks preceding the commencement of the leave	35 weeks (additional 5 weeks if child needs additional care)	4 weeks	required if employee elects; employee must pay both employee and employer share	same position if it exists, or comparable position if it does not; all increments to wages/benefits as if leave not taken; no loss of seniority or pension benefits accrued to commencement of leave
Saskatchewan	20 weeks in the 52 weeks preceding the commencement of the leave	34 (with maternity leave); 37 weeks (without maternity or adoption)	4 weeks	required if employee pays contributions required, if any	same/comparable position; same wages and benefits; no loss of seniority

PARENTAL LEAVE PROVISIONS UNDER  
SELECTED PROVINCIAL LEGISLATION (Continued)

**Notes:**

- <sup>1</sup> Ontario      Under the *Employment Standards Act, 2000* (the “ESA”), an employee's pregnancy leave and parental leave are included when determining his or her seniority. Under the ESA, periods of pregnancy leave and parental leave are also included when determining the employee's length of employment and length of service to determine rights earned by virtue of employment, including accrued vacation leave.
- An employee's right to vacation time is based upon 12 months of employment, which period of employment includes periods of pregnancy and parental leave.
- Periods of pregnancy and parental leave are not included when determining whether an employee has fulfilled a probationary period of employment.
- \*                See Schedule 2 for the types of benefits that are covered.

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**BENEFITS DURING MATERNITY AND PARENTAL LEAVE  
STATUTORY MINIMUM REQUIREMENTS UNDER  
SELECTED PROVINCIAL LEGISLATION**

<b>Jurisdiction</b>	<b>Benefits</b>	<b>Restrictions</b>
<b>Alberta</b>	none	n/a
<b>British Columbia</b>	"pension, medical or other plan beneficial to an employee"	Employer must continue to pay benefits if the employer pays total cost of plan. Where employee contributions are required under the terms of the benefit arrangement, employee must continue to pay employee contributions.
<b>Manitoba</b>	none	n/a
<b>Ontario*</b>	"pension plans, life insurance plans, accidental death plans, extended health plans, dental plans and any prescribed type of benefit plan"	Where benefits are 100% employer paid, the employer must continue to provide coverage at employer's expense. Where employee contributions are required under the terms of the benefit arrangement, employee must continue to pay employee contributions. If benefit plan entitles employees on other types of leaves of absence to participate then employer must allow employees on maternity and parental leave to participate.
<b>Prince Edward Island (current)</b>	none	n/a
<b>Prince Edward Island (Bill 2, effective 1 October 2010)</b>	"life insurance plans, accidental death plans, extended health plans, dental plans and any specific benefit plans or class of benefit plans prescribed by the regulations"	Where the employee chooses to maintain any benefit plan, the employee must pay the cost required to maintain the benefit plan, including the employer's share.
<b>Saskatchewan</b>	"(a) a medical plan, (b) a dental plan, (c) a disability or life insurance plan, (d) a registered retirement savings plan, (e) a pension plan, (f) an accidental death or dismemberment plan, (g) any plan similar to one described in clauses (a) to (f)"	An employee is entitled to continue participating in a plan if the employee pays contributions required by the plan.

**Notes**

- \* Ontario      The *Employment Standards Act, 2000* does not require employers to continue long-term disability coverage during periods of maternity and parental leave. However, an employer must continue, during pregnancy or parental leave, all benefits and coverages that are continued for employees on other types of approved leaves. A birth mother may be entitled to disability benefits during that period of the leave that she would otherwise have been absent from work for health reasons related to the pregnancy or birth.

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