

UPDATED FOR 2010

# QUICK GUIDE TO CANADIAN MATERNITY LEAVE

quick guide



From Amber Strocel  
[STROCEL.COM](http://STROCEL.COM)

# why WHY A QUICK GUIDE?



## DID YOU KNOW...

*You can collect maternity and parental benefits through EI even if you don't plan on returning to work.*

NOTE: If you live in Quebec you are covered under the Quebec Parental Insurance Plan (QPIP). The good news is this is a great plan and the rest of us are all very jealous. The bad news is I'm not going to discuss it here. You can read all about QPIP online: [HTTP://WWW.RQAP.GOUV.QC.CA/INDEX\\_EN.ASP](http://www.rqap.gouv.qc.ca/index_en.asp)

When I decided to start a family maternity leave was at the top of my mind. How long could I take? How much money would I get? What did I have to do to get it?

After spending the better part of a year reading, writing and answering questions about maternity leave on [STROCEL.COM](http://STROCEL.COM) I knew I wasn't the only one. So I decided to create a quick, completely non-authoritative guide to maternity leave. But you know that already, since you're reading it. I hope that it answers some of your questions about maternity and parental leave in Canada.

# types TYPES OF LEAVE



## DID YOU KNOW...

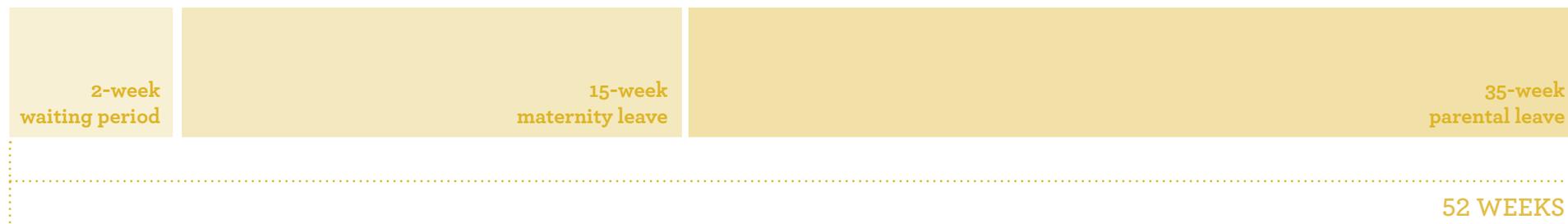
Canada's first maternity leave law was introduced in BC in 1921. The Maternity Protection Act of 1921 prohibited employers from employing women in the 6 weeks following childbirth.

There are two types of leave offered to new parents in Canada: maternity leave and parental leave. Maternity leave is offered to biological mothers only, and may begin anytime from 8 weeks before your due date up until the day you give birth.

Surrogate mothers, as well as those who give their babies up for adoption, qualify for maternity leave. It lasts for 15 weeks, although you must serve a 2 week waiting period before you receive benefits.

Parental leave is offered to all parents, and may be shared between partners. It lasts for 35 weeks in total and may begin anytime during the baby's first year, starting from the date of birth. No waiting period is served if it's taken in conjunction with a maternity leave. If it's shared parents can take leave at the same time or one after the other. However, the total number of weeks taken by both parents may not add up to more than 35.

*The first thing you should do when you're planning maternity or parental leave is decide when you would like your leave to start and let your employer know.*



# insurance

## EMPLOYMENT INSURANCE



### DID YOU KNOW...

*You can travel while you're collecting maternity and parental benefits, just be sure to let Service Canada know if you're leaving the country.*

Each province in Canada has its own laws outlining the qualifications for maternity leave, what sort of job protections apply, and how benefits such as extended health care are handled while you're away from work.

Outside of Quebec, however, maternity and parental payments are administered for the whole country through the Employment Insurance (EI) system. From coast to coast to coast the requirements for receiving pay while you are on leave are the same.

### WHO QUALIFIES?

To qualify for maternity or parental pay through EI you must meet the following criteria:

- Have 600 hours of insurable income in the last year, or since your last EI claim, whichever is shorter.
- Your regular weekly earnings must have decreased by at least 40% - that is, you can't still be working.
- You must have adopted, given birth to, or be expecting a baby.

### WHO DOESN'T QUALIFY?

Not everyone qualifies for maternity or parental benefits. Here are some of the things that can disqualify you:

- You are self-employed.
- You work for a family member and are an owner or shareholder in the business.

*THE FAIRNESS FOR THE SELF-EMPLOYED ACT will allow self-employed Canadians to collect maternity and parental benefits beginning in January of 2011, provided they have paid EI premiums for a full year.*

## if you aren't sure

You can always contact the good people at Service Canada and they can help you to determine your entitlement. If you really need to know you can request a ruling before you even get pregnant.

# money

## SHOW ME THE MONEY



### DID YOU KNOW...

*Non-employment income does not affect your EI benefits. You can receive gifts, tax refunds, or lottery winnings and still collect your maternity and parental benefits.*

*During parental leave you are permitted to earn \$75 a week or 40% of weekly benefits, whichever is higher, before your EI is affected.*

EI pays out at 55% of your average weekly earnings to a maximum of \$457 per week. This is because you only pay EI premiums on the first \$43,200 you earn. So if you make more than \$43,200 per year you will receive \$457 per week, which may be considerably less than 55% of your normal salary.

Some employers offer supplemental benefits plans approved by EI. These top-ups will not affect your EI. However, any other money you make might affect your payments. During maternity leave employment earnings are deducted directly from your EI. During parental leave you are permitted to earn \$75 a week or 40% of weekly benefits, whichever is higher, before your EI is affected. If you make any money your best bet is to get in touch with the friendly folks at Service Canada by calling **1-800-206-7218** or visiting your local centre.

# how HOW IT WORKS



*In order to apply you will need your Social Insurance Number, your mother's Maiden Name, your complete address, and your banking information.*

A full year of paid leave sounds great! So how do you actually apply for it?

The first thing you should do when you're planning maternity or parental leave is decide when you would like your leave to start and let your employer know. Some employers may require proof of your pregnancy in the form of a medical note, and they may require you to fill out paperwork associated with your leave. It's best to check with your employer, HR representative, or union representative to learn about any workplace policies that affect you.

In order to apply for EI, you need a record of employment (ROE) from your employer, which is issued when you stop working. Your employer may send the ROE directly to you, or may submit an electronic ROE directly to

Service Canada. You can apply for EI as soon as you stop working, but your claim will not be finalized until Service Canada receives the ROE. It's still important to apply for EI as soon as possible after you stop work, because delaying can result in a loss of pay.

If you plan on sharing all or part of your parental leave, it is a good idea to work out the details before you apply for EI. It will save you the trouble of having to get in touch with Service Canada and re-work your plan at a later date.

To apply visit a local Service Canada centre or fill out the online application from the comfort of your own home. You can find that here: [HTTP://WWW100.HRDC-DRHC.GC.CA/AE-EI/DEM-APP/ENGLISH/HOME2.HTML](http://www100.hrdc-drhc.gc.ca/ae-ei/dem-app/english/home2.html)

# chart HANDY DANDY FLOW CHART

*Here is my handy-dandy graphical representation of how to apply for maternity and parental benefits. Enjoy!*



# info FOR MORE INFO



## CONTACT ME

*You can always find me blogging about maternity leave and more at [STROCEL.COM](http://STROCEL.COM). Or if you prefer the social media, I am totally addicted to Twitter and I would love it if you would tweet along with me at [TWITTER.COM/AMBERSTROCEL](https://twitter.com/AMBERSTROCEL). And of course I am always available by email at [AMBER@STROCEL.COM](mailto:AMBER@STROCEL.COM). I'd love to hear from you.*

I am not a maternity leave expert, and I do not speak for the Canadian government or your employer. (Although it would be totally awesome if I were the supreme maternity leave authority, wouldn't it?) So you might want to run anything you hear from me by your boss and the good folks at Service Canada:

- EI and maternity, parental and sickness benefits:  
[HTTP://WWW.SERVICECANADA.GC.CA/ENG/EI/TYPES/SPECIAL.SHTML](http://www.servicecanada.gc.ca/eng/ei/types/special.shtml)
- EI and maternity, parental and sickness benefits frequently asked questions:  
[HTTP://WWW.SERVICECANADA.GC.CA/ENG/EI/FAQ/FAQ\\_SPECIAL.SHTML](http://www.servicecanada.gc.ca/eng/ei/faq/faq_special.shtml)
- Maximum insurable earnings for 2010:  
[HTTP://WWW.SERVICECANADA.GC.CA/ENG/EI/INFORMATION/MAXIMUM2010.SHTML](http://www.servicecanada.gc.ca/eng/ei/information/maximum2010.shtml)

Or, if you're willing to take my completely unqualified word for it you can read more on [STROCEL.COM](http://STROCEL.COM):

- Canadian Maternity Leave:  
[HTTP://WWW.STROCEL.COM/CANADIAN-MATERNITY-LEAVE/](http://www.strocel.com/canadian-maternity-leave/)
- Maternity Leave FAQ:  
[HTTP://WWW.STROCEL.COM/MATERNITY-LEAVE-FAQ/](http://www.strocel.com/maternity-leave-faq/)
- More Maternity Leave FAQ:  
[HTTP://WWW.STROCEL.COM/MORE-MATERNITY-LEAVE-FAQ/](http://www.strocel.com/more-maternity-leave-faq/)
- Planning Your Maternity Leave:  
[HTTP://WWW.STROCEL.COM/ARRANGING-YOUR-MATERNITY-LEAVE/](http://www.strocel.com/arranging-your-maternity-leave/)
- Adoption, Surrogacy, and Maternity Leave:  
[HTTP://WWW.STROCEL.COM/ADOPTION-SURROGACY-AND-MATERNITY-LEAVE/](http://www.strocel.com/adoption-surrogacy-and-maternity-leave/)
- Maternity Leave and the Self-Employed Announced:  
[HTTP://WWW.STROCEL.COM/MATERNITY-LEAVE-FOR-THE-SELF-EMPLOYED-ANNOUNCED/](http://www.strocel.com/maternity-leave-for-the-self-employed-announced/)