

## LETTER OF UNDERSTANDING # 13

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RE: Article 16.08 Maternity Leave

BY AND BETWEEN:       THE CITY OF WHITEHORSE  
                                  THE INTERNATIONAL ASSOCIATION OF FIRE-  
                                  FIGHTERS, LOCAL 2217

The parties agree as a result of discussions that the current language in Article 16.08 of the 2014-2021 Collective Agreement will be replaced with the language below until the expiry of this agreement:

16.08 The following provisions shall apply only to permanent employees:

- (a) After completion of one (1) year continuous employment, an employee who:
  - (i) Agrees to return to work for a period of at least six (6) months after the expiry of maternity leave, and
  - (ii) Provides the Employer with proof that she has applied for, is entitled to and in receipt of unemployment insurance benefits pursuant to the *Employment Insurance Act*,

Shall be paid a maternity leave allowance in accordance with this article.

- (b) The employee shall notify the Employer of her pregnancy and provide confirmation from a medical practitioner at least 15 weeks prior to the expected date of termination of the pregnancy.
- (c) An employee under paragraph (a) above shall sign an agreement with the Employer, providing that:
  - (i) she will return to work after the expiry of her maternity leave and provide the Employer with a minimum six weeks' notice in writing of the date upon which she will return to work, unless this date is modified with the Employer's consent; and
  - (ii) she will work for a period of at least six (6) months after her return to work; and
  - (iii) should the employee fail to return to work as per the provisions of subparagraphs (i) and (ii) above for reasons other than death, lay-off or disability, the employee agrees that she is indebted to the Employer for the full amount received as maternity leave allowance.

- (d) In respect of the period of maternity leave, maternity leave allowance payments made according to this will consist of the following:
- (i) where the employee is subject to a waiting period of two (2) weeks before receiving employment insurance maternity benefits, an allowance of ninety-three percent (93%) of her weekly rate of pay for each week of the two week waiting period, less any other monies earned during this period; and
  - (ii) for up to a maximum of fifteen (15) weeks, payments equivalent to the difference between the Employment Insurance benefits that the employee received at the actual time of the maternity leave and ninety-three percent (93%) of her weekly rate of pay, less any other monies earned during this period.
  - (iii) The duration of the allowance will be reduced by any time spent on short-term disability.
- (e) The weekly rate of pay referred to in paragraph (d) above shall be:
- (i) for a full-time employee, the weekly rate of pay for the classification prescribed in her certificate of appointment to her position to which she is entitled on the day immediately preceding the commencement of her maternity leave;
  - (ii) for a part-time employee, the weekly rate of pay for the classification prescribed in her certificate of appointment to her position to which she is entitled on the day immediately preceding the commencement of her maternity leave, multiplied by the fraction obtained by dividing the part-time employee's assigned regular weekly hours of work averaged over the preceding six (6) month period of continuous employment by the regularly scheduled full-time weekly hours of work for the employee's classification;
  - (iii) where an employee becomes eligible for a pay increase or an economic adjustment during the maternity leave period set out in paragraph (d) above, the employee's weekly rate of pay in sub-paragraphs (i) and (ii) above shall be adjusted accordingly.
- (f) A regular employee who is on lay-off status shall not be entitled to receive any allowance payment under this article pursuant to paragraph (d) above.
- (g) For the purpose of payments received this article:
- (i) the employees have no vested right to payment under the plan except to payments during a period of unemployment specified in this article.
- (h) An employee's continuous service date will not be advanced by the amount of the maternity leave taken under this section up to a maximum of 17 weeks.

In Witness Whereof the parties hereto affixed their signatures by the officer designated in that behalf on the 7th day of March, 2017.

CITY OF WHITEHORSE

IAFF, LOCAL 2217



~~Christine Smith~~ Linda Rapp  
City Manager

Barry Blisner  
President, Local 2217

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