OSSTF Toronto's

Pregnancy, Parental, Adoption and Surrogacy

Leave Guide

(PPASL)

Revised Fall 2026

Introduction

Federal and Provincial legislation, the terms of individual bargaining unit Collective Agreements (OTBU, PSSP, TBU) and TDSB policies, procedures and protocols may have changed since this document was printed. Members are advised to verify the information prior to making any decisions. It is a Member's responsibility to inquire with their respective OSSTF Executive and TDSB Staffing Officers to ensure that they have the information they require. The most up-to-date legislation is available through government websites.

It is strongly advised that Members keep a complete record of all documents submitted to the TDSB, including proof of the date this documentation was submitted. OSSTF Toronto advises written confirmation when communicating with the TDSB and other organizations where possible.

The information provided in this document is subject to errors, omissions and change.

Service Canada is the authority on statutory leaves and benefits.

Note to Occasional Teacher and Professional Student Services Personnel (PSSP) members

OSSTF Toronto members are advised that the Collective Agreement clauses referred to in this guide are specific to TBU members. If you are a Member of OTBU or PSSP please contact your bargaining unit to obtain your specific Collective Agreement language.

Occasional Teachers Bargaining Unit (OTBU)	www.otbud12.com	416-423-3600
Professional Student Services Personnel Bargaining Unit (PSSP)	www.pssp.on.ca	647-348-3351
Teacher Bargaining Unit (TBU)	www.osstftoronto.ca	416-393-8900

Important Contact Information

The most up-to-date TDSB Staffing, Records and Payroll Officer's contact information can be found through the TDSB's website.

Service Canada	www.servicecanada.ca	1-800-622 6232
Ontario Teachers' Pension Plan	www.otpp.on.ca	416-226-2700
OMERS	omers.com	416-369-2444
Ontario Teachers' Insurance Plan(OTIP)	www.otip.com	1-866-783-6847
Teachers' Life (LTDI)	www.teacherslife.com	416-620-1140

Ontario College of Teachers	www.oct.on.ca	416-961 8822
College of Social Work	www.ocswssw.org	416-972-9882
College of Psychology	www.cpo.on.ca	416-961-8817
College of OTPT	www.coto.org	1-800-890-6570
College of SLP	www.caslpo.com	416-975-5347
College of Psychotherapy	www.crpo.ca	416-479-4330

Additional resources and support are available through a Member's benefit plan. Please contact your Executive Officer for more information

Please note: The federal government refers to the leave dedicated to the birth giving parent as maternity leave while the province of Ontario refers to this leave as pregnancy leave. Unless specific to federal Employment Insurance maternity benefits this guide will use the term pregnancy leave

Maternity/pregnancy and parental leaves are statutory leaves

❧ Section I - Before You Begin Your Leave ❧

Before Leaving the Worksite

- Remove personal belongings and store them at home or another safe location.
- Members may need to leave work earlier than planned. The employer will expect responsibilities to be up-to-date upon the start of a Leave.

TDSB Leave Information

Sick Leave

- Members may need to access sick leave prior to the beginning of their Pregnancy Leave. A completed Functional Abilities Form (FAF) will be required by the Board for any absence of over 5 consecutive days.
- If a Member is ill during their pregnancy and runs out of sick days, they may be eligible for up to 15 weeks Employment Insurance Sickness Benefits. Please check the Service Canada website or contact Service Canada for more information.

Pregnancy Leave (Statutory Leave)

- In order to qualify for a Pregnancy Leave a Member must have at least 13 weeks of employment with the TDSB before the expected date of birth.
- Applications for Pregnancy Leave must be made in writing to the TDSB using the Leave of Absence Request form (complete section C - PREGNANCY). The request must include:
    - The date the leave will begin
    - The date the leave will end (up to 17 weeks)
    - A doctor's certificate stating the expected date of delivery.
- A pregnant member is required to give at least two weeks' notice in advance of the Pregnancy Leave
- The start of Pregnancy Leave may be changed if the TDSB is provided with at least two weeks' notice, two weeks prior to the date of the leave
- If a baby arrives earlier than the planned start date of the leave, the pregnant member has two weeks to inform the TDSB of the birth and the leave will commence on the date of birth.
- A member is not obligated to apply for leaves any sooner than is required.
- A pregnant member is entitled to up to 17 weeks pregnancy leave, to begin no earlier than 17 weeks before the expected birth date

- A pregnant member who experiences a miscarriage or stillbirth is still eligible for Pregnancy Leave if the miscarriage or stillbirth took place no more than 17 weeks before the expected due date.
- Members are encouraged to consult with their Executive Officer before initiating pregnancy leave in advance of their due date

Parental Leave (Statutory Leave)

- Applications for Parental Leave must be made in writing to the TDSB by using the Leave of Absence Request form (complete section C - PARENTAL).
- Proof of baby's birth date, or a statement from an adoption agency, is required for the non-birth parent to receive Employment Insurance benefits.
- Application for Parental Leave must be submitted to the employer no later than two weeks before the leave is to begin.
- The pregnant member must begin Parental Leave immediately after Pregnancy Leave unless the baby has not come into their care by the time the Pregnancy Leave ends (e.g. baby has been hospitalized since birth).
- Individuals covered by the definition of parent under ESA legislation, are entitled to up to 35 or 61 weeks of Parental Leave.
- For parents, other than the pregnant member, the leave must begin no later than 78 weeks after the birth of the child, or the date when the child first came into the parent's care.
- This leave may be claimed by one or both parents and may be taken at the same time or consecutively.

Modifying TDSB Statutory Leaves (up to 77 weeks)

Returning from Pregnancy/Parental Leave Early

- The *Employment Standards Act* requires a teacher to advise the TDSB in writing with at least four weeks' notice that they intend to return to work early from a Pregnancy or Parental Leave.
- If a Member is considering returning from Pregnancy/Parental Leave early they should consult directly with Service Canada to understand how this will affect Employment Insurance payments

Extending Pregnancy/Parental Leave

- Similarly, a Member may return later than originally specified from Pregnancy/Parental Leave if at least four weeks' notice is given before the original return date.

- Please note that the length of a Pregnancy/Parental Leave may not extend beyond statutory limits. (17 weeks Pregnancy Leave and up to 61 weeks Parental Leave)
- If a Member elects to extend their Pregnancy/Parental Leave with the TDSB after having selected Standard Employment Insurance benefits they will not be entitled to additional Employment Insurance benefits.

Parental Leave Retroactive Notice

Sometimes, a Member may stop working earlier than expected because a child is born or comes into their custody, care and control for the first time earlier than expected.

In this case, the Member must provide an updated leave of absence form to the TDSB, adjusting their parental leave dates, within two weeks.

It is advised that the TDSB is notified of this change as soon as possible.

The parental leave begins on the day a Member stops working and the TDSB will require updated proof of birth to be submitted.

Members must still follow regular procedures to notify their supervisor of their absence.

Service Canada Benefit Application Information

General Information

- The conditions applying to maternity/parental Employment Insurance benefits are set out in Federal Employment Insurance legislation.
- To be eligible for maternity/parental Employment Insurance benefits, an individual must have worked 600 hours in the last 52 weeks or since the start of their last claim, whichever is shorter. This is called the qualifying period.
- Please note that leaves of absence may affect eligibility for Employment Insurance benefits.
- The maximum weekly benefit is currently $729.

Applying for Employment Insurance benefits

- Complete and submit an application for Employment Insurance Benefits to Service Canada immediately after the child is born and no later than 4 weeks after the birth of a child. Members will also need:
  - ❑ A medical certificate from their doctor.
  - ❑ A Record of Employment (ROE) from the TDSB. The TDSB sends this electronically to Service Canada shortly after the documented due date or when the baby is born, whichever happens first.
- A member may risk losing benefits if they delay their application beyond four weeks.
- If baby arrives earlier than the estimated due date the TDSB must be notified to ensure accurate information is submitted to Service Canada

Maternity Benefits

- A pregnant member may begin the pregnancy leave 17 weeks prior to delivery; however, under federal Employment Insurance legislation, they are not eligible for Maternity benefits until 12 weeks before the birth.
- Maternity benefits will also not be paid later than 17 weeks after birth.
- Only the member who is away from work because they're pregnant, or have recently given birth, is eligible for Pregnancy Leave and Maternity benefits.

Standard vs Extended Employment Insurance Benefits

- When applying for Maternity benefits with Service Canada, the parent will have to select either Standard or Extended Benefits

- Both parents can apply for Parental Employment Insurance Benefits, but they have to share them. Furthermore, both parents are required to choose the same parental benefit option; either Standard or Extended.
- The option chosen by the first claimant who completes the Employment Insurance application will be considered as the option chosen by the second claimant.
- The choice is final once parental benefits have been paid on a claim and cannot be changed from Standard to Extended once parental benefits have been paid.

Both Pregnancy and Parental Leaves are Statutory Leaves. As such, members may opt to shorten or extend the length of their statutory leave by giving the TDSB at least four weeks' notice.

Note that this is for leave time from the TDSB only. Members are advised to contact their Executive Officer to understand what impact shortening or lengthening their leave from work with the TDSB may could have

The paperwork a Member submits to the TDSB regarding the length of their leave is separate from their application to the Government of Canada for Employment Insurance benefits. For example, a Member may opt to receive Employment Insurance benefits for 12 months but choose to be on Parental Leave from the TDSB for up to 18 months.

(Subject to change as per Service Canada)

Benefit overview			
Benefit name	**Maximum weeks**	**Benefit rate**	**Weekly max**
Maternity (for the person giving birth)	up to 15 weeks	55%	up to $729
Maternity benefits can be followed by parental benefits. Members may apply for both at once.			
Benefit name	**Maximum weeks**	**Benefit rate**	**Weekly max**
Standard Parental	up to 40 weeks, but one parent cannot receive more than 35 weeks of standard benefits	55%	up to $729
	must be claimed within a 52-week period (12 months) after the week the child was born or placed for the purpose of adoption.		
Extended Parental	up to 69 weeks, but one	33%	up to $437

	parent cannot receive more than 61 weeks of extended benefits		
	must be claimed within a 78-week period (18 months) after the week the child was born or placed for the purpose of adoption		

Examples:

Maternity plus standard parental benefits

- Miriam is taking time off work to recover from childbirth. They are sharing parental benefits with their partner to care for their newborn. Miriam takes the maximum:

15 weeks of maternity
+35 weeks of standard parental
=50 weeks total for Miriam

- Miriam's partner can apply for up to 5 weeks of standard parental benefits to care for the baby.

- If Miriam chooses to take fewer weeks of parental benefits, their partner can apply for more.

Maternity plus extended parental benefits

- Inez is taking time off work to recover from childbirth. They are sharing extended parental benefits with their partner to care for their newborn. They take the maximum

15 weeks of maternity
+61 weeks of extended parental
=76 weeks total for Inez

- Their partner can apply for up to 8 weeks of extended parental benefits to care for the baby

- If Inez chooses to take fewer weeks of parental benefits, their partner can apply for more.

Note:

This change will not have an impact on the TDSB form – this is a Service Canada change to increase the amount of shared parental leave. As such, the TDSB Leave

of Absence form is still able to be used as no one parent may elect to take more than 61 weeks.

Adoption

Many of the same rules for Parental Leave and benefits apply to adoption. Please check the above sections for more information on the length and timing of leaves, as well as access to Employment Insurance. Complete details can be found in the *Employment Standards Act*, the *Employment Insurance Act* and the Collective Agreement.

Step-parenting

Under the *Ontario Employment Standards Act*, a person who becomes a step-parent, or is in a relationship of some permanence with a parent of a child and who plans on treating the child as their own, can take Parental Leave. They are entitled to all the protections provided under the legislation.

Surrogacy

If a Member has taken the role of a surrogate, they are eligible for the Pregnancy Leave and benefits, including the maternity Supplemental Employee Benefit top-up, as outlined above.

For parents who are working with a surrogate, the Parental Leave options are available to them, as outlined above, similar to the process of adoption.

Additional Unpaid TDSB Leave of Absence (Non-Statutory Leaves)

TDSB Unpaid Expanded Parental Leave

- Members are advised to contact their Executive Officer before applying for a TDSB unpaid Expanded Parental Leave
- The TDSB unpaid Expanded Parental Leave is not a statutory leave
- Members are advised to contact their benefit and pension providers before applying for a TDSB unpaid Expanded Parental Leave
- Applications for Expanded Parental Leave must be made in writing to the TDSB using the Leave of Absence Request form (complete section C – EXPANDED PARENTAL).
- Applications must be made at least 30 days before the Expanded Parental Leave is to begin.
- If plans change and the teacher wishes to return early from a TDSB unpaid Expanded Parental Leave, they are subject to leave rescind provisions outlined in the Collective Agreement and Secondary Staffing Manual. An early return may be possible if a vacancy exists for which the Member is qualified. This vacancy would not be limited to a Member's home school

- The provisions for taking Expanded Parental Leave and Unpaid Leaves of Absence are established by the Collective Agreement, Secondary Staffing Manual and through TDSB policies.
- A teacher eligible for Parental Leave may apply for up to one year of TDSB unpaid Expanded Parental Leave.
- Normally, TDSB unpaid Expanded Parental Leaves will begin immediately after the end of that teacher's Parental Leave which may mean a Member will not be granted a full calendar year of TDSB unpaid Expanded Parental Leave in addition to their Pregnancy/Parental leave.

Additional Unpaid Leave of Absence

- Applications for an Unpaid Leave of Absence must be made in writing to the TDSB using the Leave of Absence Request form (complete section A).
- The terms of unpaid Leaves of Absence are outlined in the Collective Agreement and the Secondary Staffing Manual, and are available to all members. Please note the application deadlines for these leaves.
- Unpaid Leave of Absence must be applied for on an annual basis but normally cannot exceed two years in total. These two years are in addition to the statutory Pregnancy/Parental leaves. TDSB protocol that an TDSB Expanded Parental Leave is included as part of the two-year limit on unpaid leaves of absence.
- Since unpaid Leaves of Absence are timed to coincide with the end of the school year or the semester (December 31 in full-year schools), a teacher will need to work out the timing of the various leaves in order to ensure they are continuous. Please note that an unpaid leave of absence does not have to be taken immediately after Parental Leave ends.

❧ Section II – While on Leave ❧

Benefits

We strongly advise that teachers maintain their benefits during their leave period as there are limits placed on re-enrollment and on what is covered if benefits packages are allowed to lapse.
If a Member chooses to let their benefits lapse while on Leave, they will need to contact the TDSB and OTIP after their return to arrange to be reinstated.

Healthcare and Dental Benefits

- The employer will continue to pay its share of the benefits package during the statutory Pregnancy and Parental Leaves for up to 18 months. Members will continue to pay their share of the premium during the statutory Pregnancy or Parental leave. See the table below for premium costs.
- During TDSB unpaid Expanded Parental Leave or Unpaid Leave of Absence, the Member is responsible for the full cost of maintaining benefits and must make arrangements with OTIP regarding payment in order for benefits to continue.
- A Member considering not remaining enrolled in their benefit plan should contact OTIP to understand potential implications and penalties of this decision.

Eligible OSSTF Teachers & LTOs as of September 1, 2026*

Monthly Member Benefits Premium*		1.0 FTE	0.5 FTE	TDSB Expanded or Unpaid Leave
Health (including life insurance)	Single	$11.46	$101.20	$190.95
	Family	$28.65	$253.03	$477.42
Dental	Single	$5.24	$46.32	$87.40
	Family	$13.11	$115.82	$218.53

*subject to change

Long Term Disability Insurance (LTDI)

- The premium paid while on leave is based on the monthly salary applicable prior to the first day of leave. Members must make arrangements to pay their premiums directly to their long term disability insurance provider while on leave.
- If a teacher discontinues the long term disability insurance plan for the leave period, they will have to reapply upon returning to work. Members re-entering the plan will not be covered for any pre-existing condition until a period of 12 continuous months of active employment has elapsed

- A Member considering not remaining enrolled in their long term disability insurance should contact their provider to understand potential implications and penalties of this decision

Supplemental Employment Benefit (SEB)

Maternity Benefits

- As of May 1, 2013, all pregnant members are to receive 8 weeks of 100% salary following the birth of the child, no matter when the baby was born. If eligible for Employment Insurance, the TDSB is required to top up the difference between Employment Insurance and the members' regular salary. If the member is not eligible for Employment Insurance, the TDSB is responsible for 8 weeks' salary at 100%.
- A member cannot apply for Supplemental Employee Benefit until they provide proof of receipt of Employment Insurance Benefits to the TDSB, as well as proof of having served a waiting period.
- The Supplemental Employee Benefit form can be found on the TDSB website

Adoption and Parental Leave Benefits

- A teacher who has been granted Parental Leave and who is in receipt of Employment Insurance parental leave benefits can apply for Supplemental Employment Benefits in accordance with their Collective Agreement
    - A member cannot apply for Supplemental Employee Benefit until they can provide proof of receipt of Employment Insurance Benefits to the TDSB as well as proof of having served a waiting period.
    - The Supplemental Employee Benefit form can be found on the TDSB website

Pension Contributions

The rules concerning teachers' pensions have important retirement implications for members taking leave from the TDSB. It is the Members' responsibility to secure information directly from their pension provider regarding obtaining credit for pension experience and how to make payments when on leave for any reason. The pension provider determines the cost of buying back pension credits. Members are advised to contact their pension provider directly.

Professional Associations

Members are reminded that they are responsible for paying their professional association (i.e. Ontario College of Teachers, Ontario College of Psychologists, etc.) fee while not receiving salary from the TDSB. Members are advised to contact the appropriate organization directly to make the payment and remain in good standing while on Leave.

Calculation of Seniority and Salary

- Upon return from Pregnancy/Parental Leave, Teachers shall be granted credit both for teaching experience and for seniority.
- Teachers on a TDSB unpaid Expanded Parental Leave gain experience for salary purposes and for seniority purposes, subject to Collective Agreement conditions.
- Teachers on a leave of absence without pay gain experience only for seniority purposes.

Return to Work

- Teachers will return to the worksite to which they were assigned prior to their leave, subject to TDSB Staffing Rules and Procedures

Sick Leave and Miscellaneous Leave

- Upon return from Pregnancy/Parental Leave, Members are entitled to a full sick leave allotment as per their FTE for the remainder of that school year, unless they worked before their leave in the same school year. In this case, a Member will return to their existing sick bank
- If a Member cannot return to work upon their return to work, due to illness, they should contact their Executive Officer for assistance.

- Collective Agreements may provide for use of miscellaneous leave at the time of birth for the non-birth parent and for the care of a member’s partner and/or child after the birth.

❧ Section III – Resources ❧

Pregnancy/Parental Leave Checklist

Before a Leave

- ❑ Sign up for an OSSTF Toronto Pregnancy, Parental, Adoption and Surrogacy leave workshop
- ❑ Obtain documentation to support Leave:
  - estimated due date (pregnancy leave)
  - date of birth (parental leave)
  - date child will be released into your care (adoption/parental leave)
- ❑ Complete the TDSB's Leave of Absence application form
- ❑ Make arrangements regarding the continuation of benefits and Long Term Disability (LTD) premium payments
- ❑ Begin application for Employment Insurance Benefits at www.servicecanada.gc.ca

After a Child Has Arrived

- ❑ Contact the TDSB to report the child's birthdate if baby arrives before the estimated due date
- ❑ Confirm with the TDBS that the Record of Employment has been sent to Service Canada.
- ❑ Complete the application for Employment Insurance Benefits with Service Canada within 4 weeks of the birth of the child.
- ❑ Notify OTIP a new dependent within 31 days of the baby's arrival to ensure benefit coverage. Remember to add the baby to each parent's plan if applicable
- ❑ Submit proof of receipt from the first Employment Insurance payment along with a Supplemental Employee Benefit application the TDSB to apply for the Supplemental Employee Benefit.
- ❑ Arrange with professional association(s) to pay the annual fee during the a Leave.
- ❑ Contact the pension provider to discuss buyback options
- ❑ Plan ahead if considering making changes to initial leave applications or applying for additional leaves
- ❑

Keep copies of all paperwork and communications

PREGNANCY, PARENTAL AND EXPANDED PARENTAL LEAVE AT A GLANCE

Pregnancy & Parental Leave = up to 77 wks

Pregnancy Leave = up to 16 wks

Shared Leave = up to 5 or 8 wks

1 wk Waiting Period	Up to 15 Weeks Pregnancy Leave	Up to 35 or 61 Weeks Parental Leave	Up to 5 or up to 8 Weeks	Up to 52 Week TDSB Expanded Parental Leave
No EI. Ensure EI application is completed and submitted. Record of Employment (ROE) from is sent by TDSB to Service Canada Complete and submit SEB application. You will receive employer top up for these this week. See Collective Agreement for details	You receive EI benefit You receive 8 weeks' maternity benefits plan Employer continues to pay its share of benefits should you choose to continue plan; you continue to pay your premium share Make arrangement for continuation of LTDI and OCT payments You must make pension contributions directly to the	Federal/Provincial law When applying for EI parental benefits, the parent will have to select under which option you choose to claim EI parental benefits: standard (35 wks) or extended (61 wks) Employer continues to pay its share of benefits; you continue to pay your premium share Leave length with the TDSB is not necessarily tied to EI benefits You are responsible for LTDI and OCT payments You must make pension contributions directly to the pension plan. Contact OTPP.	If you share Employment Insurance parental benefits with another parent, your partner may be eligible for: 5 extra weeks of standard parental benefits, or 8 extra weeks of extended parental benefits	A maximum of 12 months, but must end after a natural break in school program. You pay full cost of benefits if you choose to remain enrolled. Payment to be arranged with TDSB You are responsible for LTDI and OCT payments You must make pension contributions directly to the pension plan. Contact OTPP.