

PREGNANCY

PREGNANCY, PARENTING AND THE WORKPLACE

What Employers and Employees
Need to Know

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SASKATCHEWAN
HUMAN RIGHTS
COMMISSION

PREGNANCY, PARENTING & THE WORKPLACE

What Employees and Employers Need to Know

This handbook provides practical information for employees and employers about pregnancy, parenting and the workplace. The following organizations have worked together to produce this guide.

Saskatchewan Human Rights Commission

Employment Standards Branch – Saskatchewan
Ministry of Labour Relations and Workplace
Safety

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NOTE:

Though this handbook discusses certain aspects of the federal *Employment Insurance Act* as well as *The Saskatchewan Human Rights Code*, 2018 and *The Saskatchewan Employment Act*, it is not a legal document. The original *Acts* and *Regulations* should be consulted for all purposes of interpreting and applying the law. Since laws and regulations are constantly being updated, you may want to contact the appropriate agency for the latest information.

TABLE OF CONTENTS

INTRODUCTION	5
Part 1: Thinking about becoming a parent	7
Protection at the hiring stage and beyond	8
Part 2: Working through pregnancy	11
Pregnancy and human rights	12
A. Protection from discrimination	12
B. Protection from harassment	13
C. Duty to accommodate	14
Pregnancy and employment standards	16
Employer benefit plan	18
Maternity and breastfeeding: Looking ahead	19
Part 3: Becoming a parent	20
Maternity, adoption and parental (MAP) leaves	21
A. Time off work under employment standards	21
B. Time off work under human rights	25
Employment Insurance benefits	28
A. Qualifying for benefits	29
B. Receiving benefits.....	31

Part 4: Returning to the workplace	34
Ending maternity, adoption, or parental leave	35
Ending Employment Insurance payments	37
Human rights protections	38
Part 5: Parenting and the workplace	40
Caring for sick or injured children	41
Human rights protections	43
Part 6: Information and help	45
Saskatchewan	46

Did You Know?

Most businesses in Saskatchewan are covered by *The Saskatchewan Human Rights Code, 2018* and *The Saskatchewan Employment Act*. Some businesses and organizations, including banks, Canada Post and inter-provincial trucking, fall under the federal *Canada Labour Code* and the *Canadian Human Rights Act*. This handbook does not discuss these federal laws. Please see Part 6 for more information.

INTRODUCTION

- Can a pregnant employee be fired or forced to start maternity leave early?
- Can a father stay home from work when his child is ill?
- How much money will employees receive from the Employment Insurance Program (EI) when they are on maternity, adoption, or parental leave?
- Can an employee be passed over for promotion because they are soon to begin maternity/paternity leave?
- How can employers support employees who plan to continue breastfeeding when they return to work?

These questions and many others will be answered in the following pages. For the sake of simplicity, this handbook is organized around different phases of the parenting journey. Each part represents one step on that journey and discusses the main questions and issues employees and employers will have at that particular stage.

In reality, the work-family experience cannot be divided into such neat compartments. For this reason, we encourage readers to browse through the entire table of contents. An employee who is pregnant, for example, may already be a parent. She will find helpful information in Part 2 (*Working through pregnancy*) and also in the discussion in Part 5 of laws and policies allowing her to stay home when her children are ill.

Employees will find this book helpful if they are pregnant, planning to start a family, or already balancing work and family responsibilities.

Employers will find the book useful if their employees include current or future parents.

This handbook is general in nature. It does not discuss individual cases or confirm whether a specific individual is entitled to benefits or time away from work. If you want advice about your particular situation, there are people available to help you. See Part 6 (*Information and help*) for organizations that may be able to help you find answers to your questions.

Pregnancy, parenting, and the workplace

Today, most people who have embarked on the parenting journey are also members of the paid workforce. In Saskatchewan and across Canada, a large majority of children aged five and under have parents who are employed.

Parenthood, in all its diversity, is a fundamental part of life for many employees. They want to parent well and be effective employees. Their employers also wish to see working parents

integrate their earning and parenting roles successfully. This goal is often referred to as “balancing work and family.”

Employers and employees both benefit from knowing their rights and responsibilities under human rights and employment law. Family-friendly workplaces generally have less turnover and absenteeism than those in which employees must struggle to balance work and family responsibilities, and their employees experience less stress.

All parts of Canada have developed laws and government policies that help support employees with family responsibilities while maintaining productive workplaces. For example, in Saskatchewan:

- Human rights law protects employees from discrimination because of pregnancy, sex, or family status.
- Employment standards set out basic rights to job protection and time off work for pregnant and parenting workers.
- Employment Insurance (EI) benefits provide financial support to eligible employees who take time off work because of disability, maternity or parental leave.

Sometimes, employers and employees experience problems because they are unfamiliar with these laws. Discrimination because of pregnancy, for example, is still far too common. By understanding their rights and responsibilities, employers and employees can work cooperatively towards the common goal of a productive, supportive, and discrimination-free working environment.

PART

ONE

Thinking about becoming a parent

Part 1 is about the first step in the parenting journey, the stage at which employees are thinking about having or adopting children. This part gives an overview of human rights protections under *The Saskatchewan Human Rights Code, 2018* – a provincial law that protects employees from discrimination based on sex, pregnancy, or family status.

Discrimination can occur at the hiring stage or later. And it can occur even before people decide to have children.

PROTECTION AT THE HIRING STAGE AND BEYOND

Some Human Rights Definitions

What is discrimination?

Discrimination is the harmful treatment of an individual or group based on certain personal characteristics. *The Saskatchewan Human Rights Code, 2018* establishes which characteristics (or “prohibited grounds of discrimination”) are covered. They include sex, pregnancy, and family status. Discrimination does not need to be intentional to be illegal. For example, a rule or policy may be developed for good business reasons but have an unintended, negative effect on pregnant employees.

Discrimination can be built into systems or standard business practices. For instance, a company may require all employees to work full-time and meet the same physical demands. A pregnant employee may need lighter duties, shorter hours, or other changes in order to continue working. Often, indirect discrimination occurs when an employer does not meet the duty to accommodate discussed in Part 2 of this handbook.

What is discrimination based on sex?

Under *The Saskatchewan Human Rights Code, 2018*, discrimination because of sex includes discrimination because of pregnancy, pregnancy-related illness, childbirth, or any circumstances related to pregnancy or childbirth.

What is discrimination because of family status?

Under *The Saskatchewan Human Rights Code, 2018*, family status means the status of being in a parent-child relationship. “Parent” and “child” are interpreted broadly to include anyone acting in those roles. See Part 5 for more information about family status protections.

Can an employer ask job applicants about their plans to have children?

Most employers know they cannot refuse to hire someone for a discriminatory reason.

However, *The Saskatchewan Human Rights Code, 2018* also prohibits questions that might lead to employers eliminating job applicants simply because of their potential to become parents.

Employers cannot ask job applicants about sex, family status, or marital status on application forms or in interviews. For example, employers should be careful not to:

- advertise for childless employees or indicate they prefer them;
- ask applicants if they are pregnant or using birth control; or
- ask applicants about their plans to marry or to have or adopt children.

Asking questions in a job interview: Tips for employers

At an interview it is generally inappropriate for employers to ask questions about personal or family life. It is a good idea to ask everyone the same, standard questions to show applicants will be assessed only on their ability to do the work. For information on what questions can and cannot be asked, see the Human Rights Commission's information sheet [A Guide to Application Forms and Interviews for Employers and Job Applicants](#).



Can an employer deny an employee a promotion or training opportunities because they might become pregnant?

No. Employees who are pregnant or could become pregnant have the right to the same job opportunities as other employees.

Protecting the health of future parents

Employers have a duty to provide safe and healthy work environments for their employees. Workers must also protect their own health and safety. Health includes reproductive health.

Employers should protect male and female employees from harmful chemicals or other conditions that could harm their ability to have healthy children in the future.

If employees are concerned about hazards in their workplace, they should talk to their supervisor or employer first, then their workplace Occupational Health Committee (OHC) or Occupational Health and Safety Representative. If there is neither an OHC nor a representative in their workplace, they should contact the Occupational Health and Safety Branch of Saskatchewan's Ministry of Labour Relations and Workplace Safety.

PART

TWO

Working through pregnancy

Part 2 examines pregnancy within the context of human rights and employment standards. It also provides an overview about employer benefits plans and briefly touches on maternity and breastfeeding in the workplace.

PREGNANCY AND HUMAN RIGHTS

A. Protection from discrimination

Employees have the right to freedom from discrimination because of pregnancy, as well as the right to freedom from discrimination because of all other prohibited grounds of discrimination. Human rights protections apply to all pregnant employees, regardless of how long they have worked for an employer or whether they are still on probation.

How does human rights law protect pregnant women from discrimination?

Discrimination because of pregnancy is one form of discrimination based on sex. This kind of discrimination can occur at any time from conception to childbirth. It can also occur when a woman experiences miscarriage, stillbirth, or other complications of pregnancy.

Employers should make sure pregnant workers enjoy the same rights, benefits, and opportunities as employees who are not pregnant. In most cases, pregnant employees can only be treated differently if they ask for changes to their duties or work environment, particularly for health reasons.

What are some examples of discrimination based on pregnancy?

There are many ways discrimination can occur. For example, an employer should not:

- fire, lay off, or otherwise penalize a woman because she is pregnant;
- demote her, reduce her salary, or change her working conditions in a negative way;
- cut her hours of work or reduce her number of shifts;
- deny her benefits (such as disability benefits) that would normally be available to her; or
- fail to consider her for promotion or other work opportunities.

It is also discrimination for an employer to fail to accommodate the needs of pregnant employees. (See *Duty to accommodate* section on page 14.)

Can an employer require an employee to start maternity leave early?

An employee can keep working right up until her child is born, as long as her health allows it. It would be discriminatory to require her to stop work before she needs or wants to, unless she is unable to perform her work to the point where her limitations are causing the employer undue hardship.

Under *The Saskatchewan Employment Act*, an employer may require an employee to start their maternity no more than 13 weeks before the estimated date of birth if the pregnancy unreasonably interferes with the duties and no opportunity exists to modify or resign duties.

However, an employer must attempt to modify or reassign duties of a pregnant employee without a decrease in wages or benefits to accommodate a pregnancy if the duties or pregnancy are interfered with and it is reasonably practicable to do so.

Pregnant employees who experience a stillbirth or miscarriage within 13 weeks of the estimated date of birth may still take a maternity leave.

B. Protection from harassment

Harassment because of sex, pregnancy, or family status is considered a form of discrimination and a violation of *The Saskatchewan Human Rights Code*.

How are pregnant employees protected from harassment in the workplace?

Behaviour that makes an employee feel uncomfortable or unwelcome because of pregnancy could be considered harassment.

Harassment can be physical, such as touching the stomach of a pregnant woman, or it can involve negative comments or crude/demeaning jokes about pregnancy, childbirth, or breastfeeding.

Did you know?

The Saskatchewan Employment Act also requires employers to accommodate the needs of pregnant employees. Accommodation might include, among other things: moving a pregnant employee who works as a spray painter to other work outside of the paint room; shortening 12- hour shifts; or assigning an employee to work only day shifts rather than a number of different shifts. For more information or advice about your own situation, contact the Saskatchewan Ministry of Labour Relations and Workplace Safety or the Saskatchewan Human Rights Commission.

C. Duty to accommodate

Human rights law requires employers to accommodate needs related to sex, pregnancy, or family status unless doing so would create undue hardship for the employer.

What is accommodation?

Accommodation simply means changes or adjustments to working conditions or hours of work that make it possible for an employee to continue working. For example, a pregnant woman may temporarily need lighter duties or shorter hours. The duty to accommodate applies to family status as well as gender, and to all stages of the parenting journey.

What is undue hardship?

Undue hardship usually means high financial costs, serious health or safety hazards, or a serious impact on the rights and well-being of others. The employee's inability to do the job, even with accommodation, would also be an undue hardship for the employer. To prove undue hardship, employers must provide objective evidence that accommodation is impossible. They should document their efforts to explore all possible forms of accommodation. Even in cases where specific accommodations constitute undue hardship, employers are still required to provide other accommodations.

What if a woman needs time off work during pregnancy?

Pregnant employees may need short periods of time off work to see a doctor, or lengthier leaves because of pregnancy-related conditions like threatened miscarriage. In some cases, the time off work may be temporary, and a woman may then return to work until her maternity leave begins. In other cases, a woman may go directly from medical leave to maternity leave. If an employee needs time off work because of pregnancy, her employer has a duty to accommodate her. Pregnant employees, who have worked for their employer for more than 13 continuous weeks also have sickness and injury protection under Employment Standards in *The Saskatchewan Employment Act*.

How does accommodation work?

Employers and employees should work together to figure out the best way of accommodating a pregnant employee. Accommodation works best as a joint process.

What are some ways an employer might accommodate pregnancy?

There are many ways to accommodate pregnant employees. Some examples include:

- time off work for doctors' visits;
- chairs for employees who usually stand while working;
- flexibility with regard to washroom breaks, scheduling, and other working conditions;
- (where requested) reduced hours of work, lighter duties, or temporary reassignment to other duties or another work location;
- special measures or equipment to prevent health risks;
- modified uniforms or dress requirements;
- medical leave to recover from miscarriage or stillbirth.

The duty to accommodate will vary from one situation to another. For more information, contact the Saskatchewan Human Rights Commission or the Employment Standards Branch – Saskatchewan Ministry of Labour Relations and Workplace Safety.

How are pregnant women who work with harmful substances in the workplace protected?

Provincial law requires employers, upon the worker's request, to take steps to protect pregnant women who work with or around harmful chemical or biological substances or radiation. Such steps might involve minimizing the worker's exposure to a harmful substance or reassigning the worker to less hazardous work if it is available.

If workers are concerned about how the hazards in their workplace could affect a pregnant woman or her child, they should talk first to their supervisor, manager or employer, then their Occupational Health Committee (OHC) or Occupational Health and Safety Representative. Concerned employers should consult with their OHC or representative.

If there is neither an OHC nor a representative in their workplace, they should contact the Occupational Health and Safety Branch at Saskatchewan Labour.

PREGNANCY AND EMPLOYMENT STANDARDS

The Saskatchewan Employment Act protects employees who are pregnant or temporarily disabled because of their pregnancy, and those who apply for maternity, adoption and parental leave.

Can an employee be fired because of pregnancy or a pregnancy-related illness?

No. An employer cannot dismiss, lay off, suspend, or otherwise discriminate against an employee because she:

- is pregnant;
- is temporarily disabled because of pregnancy; or
- has applied for maternity leave.

If an employee who is pregnant, temporarily disabled because of pregnancy, or on leave because of a pregnancy-related illness is disciplined (dismissed, laid off, or suspended) the employer must show the action was taken for sufficient reason and not because of the employee's pregnancy, disability due to pregnancy, or asking for leave.

What happens if an employee gets sick because of her pregnancy and has to leave work before her maternity leave is scheduled to begin?

If a pregnant employee can provide a medical certificate saying she must stop work immediately for medical reasons, she may leave work without giving the employer prior notice. She is not required to start her maternity leave at this time and can delay the start of her 19-week maternity leave up to the estimated date of birth.

Do employees get their job back after a leave for a pregnancy-related illness?

Yes. When the employee returns to work, she should be placed in the same job or a comparable one with similar responsibility with no loss of seniority or benefits or reduction in wages. For purposes of seniority and the rights of recall, being on the prescribed leave does not break service. Seniority and the right of recall continue to accrue while the employee is on leave.

Provided the employee has worked for the employer for more than 13 consecutive weeks, the employee can take unpaid leave from work due to a sickness or injury. The employee is protected from discrimination when on an approved sick or injury leave. This leave cannot exceed 12 days in the calendar year for an illness or injury that is not considered serious, 12

weeks for a serious illness, or injury or 26 weeks if the employee is receiving compensation pursuant to the *Workers' Compensation Act*.

When the employee returns to work, she should be placed back in the same job if the medical leave was 60 days or less with no loss in seniority, pay, or benefits.

If the medical leave is longer than 60 days, the employee can be placed in a comparable job with the same pay, benefits and no loss of seniority.

How are annual holidays affected when an employee takes a leave for a pregnancy-related illness?

After returning from leave due to a pregnancy-related illness, an employee has the right to the same annual holidays she would have received if the leave had not been taken.

An employee continues to earn vacation days while on an approved sick leave. However, vacation pay would not be earned for the sick days taken since an employee on leave would not be earning wages.

The *Saskatchewan Employment Act* protects employees from harassment. This Act requires all Saskatchewan employers to ensure their workers are not exposed to harassment, and to implement a written policy to prevent harassment in the workplace.

Employers and employees should talk with their workplace Occupational Health Committee (OHC) or Occupational Health and Safety Representative.

If there is neither an OHC nor a representative in their workplace, they should contact the Occupational Health and Safety (OHS) Branch at Saskatchewan Labour. A sample policy is available from the Branch.

Did you know?

A pregnant employee who can provide a medical certificate saying they must stop work for medical reasons may leave work immediately.

The employee is not required to start their maternity leave at this time and can delay the start of the 19-month maternity leave up to the estimated date of birth.

EMPLOYER BENEFIT PLAN

Human rights and employment standards laws apply to most Saskatchewan employees. In some workplaces, employers may provide additional benefits which are contained in a company benefit plan or union contract.

What is an employer benefit plan?

An employer benefit plan may provide additional benefits such as paid sick time or disability payments, or a “top-up” to Employment Insurance (EI) benefits paid to employees on leave. Plans may help to pay for things such as prescription drugs, dental care, physiotherapy, or extra medical expenses.

Under human rights law, employers who provide additional benefits must do so in a way that does not discriminate against employees on the basis of sex, pregnancy, or family status.

Under employment standards, part-time employees may be eligible for additional health benefits, such as a health and dental plans that their employer makes available to full-time employees. Contact the Employment Standards Branch for more information.

leave = time off

benefits = money

Can a pregnant employee use earned, paid sick leave before or after childbirth?

If the employer provides sick pay or disability benefits, a pregnant employee should be able to use these benefits in the same way as other employees.

If she uses them after her child is born (during the period she is unable to work for medical reasons), this may reduce the number of weeks she is entitled to receive EI benefits. However, sick pay is generally higher than EI.

What if the employer does not have a sick leave or benefit plan?

Employees may be eligible for sickness benefits under the federal Employment Insurance Program. See Part 3 (*Becoming a parent*) for more information. Contact Service Canada at 1-800-206-7218 for more information or visit their website at www.servicecanada.gc.ca.

MATERNITY AND BREAST FEEDING: LOOKING AHEAD

For individual women, pregnancy and maternity are part of the same biological process. Pregnancy leads not only to childbirth but also to a close, ongoing bond that will include – for many mothers and children – the practice of breastfeeding.



When should a pregnant employee talk to her employer about her plans to breastfeed when she returns to work?

The process of accommodation begins long before an employee returns to the workplace. Many women decide early in their pregnancy to breastfeed their children after their return to work. It is advisable for them to discuss this with their employers before they go on maternity leave. This will give the employer time to identify and put in place workable and appropriate accommodations. See Part 4 (*Returning to the workplace*) for accommodation ideas.

PART

THREE

Becoming a parent

This part provides an overview of the maternity, adoption, and parental leaves (time away from work) available under employment standards and human rights laws. It also discusses the benefits (money) available through the federal government's Employment Insurance (EI) Program to employees while they are on leave.

leave = time off

benefits = money

MATERNITY, ADOPTION, AND PARENTAL (MAP) LEAVES



A. Time off work under employment standards

The Saskatchewan Employment Act gives employees the right to unpaid maternity, adoption, and parental leave, and the right to return to their jobs once their leave is over. Employees have an automatic right to this time off work, provided they have worked the number of weeks needed to qualify for leave. But even if employees have not met this requirement under employment standards, they may have a right to some unpaid leave under *The Saskatchewan Human Rights Code, 2018*. Refer to page 25 for more information.

Did you know?

Maternity, adoption, and parental leaves are provided by *The Saskatchewan Employment Act*. The benefits or money employees on these leaves may receive comes from the federal EI Program of Service Canada.*

* applies to all Canadian jurisdictions except Quebec. See Quebec information at www.cnt.gouv.qc.ca.

MAP LEAVE AT A GLANCE

TYPE OF LEAVE	MATERNITY LEAVE	ADOPTION LEAVE	PARENTAL LEAVE
Who is eligible?	Full-time or part-time employee who is currently working and has worked for the same employer for more than 13 consecutive weeks.	Full-time or part-time employee who is currently working and has worked for the same employer for more than 13 consecutive weeks in the 52-week period before the leave begins.	Full-time or part-time employee who is currently working and has worked for the same employer for 13 consecutive weeks in the 52-week period before the leave begins.
Which employee can take the leave?	Birth parent.	Parent who is designated as primary caregiver.	Either or both parents.
How long is the leave?	Up to 19 weeks of unpaid leave or 15 weeks if the employee has failed to give the employer four weeks notice and has not provided her employer with a medical note requiring the employee to cease work immediately.	Up to 19 weeks of unpaid leave.	Up to 59 weeks of unpaid leave for the employee who has taken maternity or adoption leave; up to 71 weeks for the employee who has not taken maternity or adoption leave.
When does the leave start?	Maternity leave can start any time during the 12 weeks prior to the estimated date of birth, but must start on date of birth at the latest.	Adoption leave starts on the day the child is available for adoption.	If parental leave is combined with maternity or adoption leave, the leaves must be taken consecutively and end within 78 weeks after the actual date of birth or adoption. If maternity or adoption leave is not taken, parental leave must be taken in the period that starts 12 weeks before the estimated date of birth or the estimated date of adoption. The other parent or caregiver's parental leave can begin within 13 weeks before the estimated date of birth or adoption and end within 86 weeks after the actual date of birth or adoption.
How much notice does the employee need to give the employer?	At least four weeks written notice before the leave is estimated to begin. Four weeks notice of the date to return to work. The employer may require a doctor's medical certificate.	Four weeks written notice if possible. Otherwise, notice must be whatever is given to the adoptive parents by the Department of Community Resources or the adoption agency or the birth parents.	If taken after maternity leave, four weeks written notice before the end of the maternity or adoption leave. If taken separately, notice should be given four weeks prior to the beginning of the leave.

TYPE OF LEAVE	MATERNITY LEAVE	ADOPTION LEAVE	PARENTAL LEAVE
What job protection does the employee on leave have?	Employer shall not dismiss, lay off, suspend or otherwise discriminate against an employee because she is pregnant, is temporarily disabled because of pregnancy, or has applied for maternity leave. Employment Standards does not regulate probationary periods. But this protection exists regardless of the length of employment.	Employers may not discharge or discipline an employee taking adoption leave.	Employers may not discharge or discipline an employee taking parental leave.
How long is the leave?	Employee has the right to return to the same job when returning to work within 60 days or a comparable job when returning after 60 days with no loss of seniority, benefits, or pay. For purposes of seniority and the rights of recall, being on the prescribed leave does not break service. Seniority, vacation leave and the right of recall continue to accrue while the employee is on leave.	Employee has the right to return to the same job when returning to work in 60 days or a comparable job when returning after 60 days with no loss of seniority, benefits, or pay. For purposes of seniority and the rights of recall, being on the prescribed leave does not break service.	Employee has the right to return to the same job when they return to work after 60 days or less and comparable job for leaves longer than 60 days. with no loss of pay, benefits of seniority For purposes of seniority and the rights of recall, being on the prescribed leave does not break service. Seniority, vacation leave, and the right of recall continue to accrue while the employee is on leave.

Can maternity leave exceed 19 weeks?

Maternity leave can be extended six weeks (for a total of 25 weeks) if there is a medical reason for not being able to return to work. A medical note is needed for this extension. Employers and employees can also agree to a longer leave. To prevent misunderstanding, such agreements should be in writing, if required by the employer. Employers may also have company benefit plans or there may be union contracts that provide for longer leaves.

What happens if the child is born after the estimated date of birth? Can the employee delay the start of the maternity leave?

The latest an employee can begin maternity leave is the day her child is born. Women have the right to six weeks of leave after childbirth, even if this causes the total maternity leave taken to be more than 19 weeks. If the actual date of birth is later than the estimated date of birth, the employee is entitled to not less than six weeks' leave after the actual date of birth.

What are the different ways of taking maternity, adoption and parental leave?

Employees may take 59 weeks of parental leave if they have taken a maternity leave or adoption leave, or 71 weeks in other cases.

Parental leave must be taken within 13 weeks before the estimated date of birth or when the adopted child comes into the employee's care, and either 78 weeks following the actual birth date or adoption date of care if one employee is taking leave, or within 86 weeks of the birth or adoption care date if two employees are taking leave regarding the same child. The leaves must be continuous. For example, an employee cannot take four weeks of maternity, adoption or parental leave, return to work for three weeks, and then take the remaining weeks of leave.

Employees can take maternity, adoption or parental leave only or combine them. For example, maternity or adoption leave can be combined with parental leave. When leaves are combined, they must be taken consecutively. Only the mother can take maternity leave and only the primary caregiver can take adoption leave. It is up to the parents to identify the primary caregiver.

Both parents may be eligible to take parental leaves. The parents could take parental leave simultaneously or at different times.

Leaves can be taken in a variety of ways

Some examples of how the leaves might be combined are given below.

- Kathryn takes 78 weeks of leave: 19 weeks of maternity leave and 59 weeks of parental leave. Although her partner would also be eligible to take parental leave, she or he decides not to.
- Elizabeth takes 19 weeks of maternity leave and, while she would be eligible to take parental leave also, decides instead to return to work. Her partner takes 71 weeks of parental leave.
- Robert takes 19 weeks of adoption leave and, although he is eligible for parental leave, decides to return to work. His partner takes 37 weeks of parental leave.
- Julia takes 78 weeks of leave: 19 weeks of maternity leave and 59 weeks of parental leave. Her partner also takes 71 weeks of parental leave at the same times as Julia is on leave.

What if an employee has some unused vacation time? Can she use it before she goes on maternity leave?

Under *The Saskatchewan Employment Act*, an employee is entitled to use their annual vacation leave within one year of earning it. The employee and employer should try to agree on the timing of the vacation leave. If they cannot agree, the employer can give the employee four weeks written notice of when the leave is to be taken. If there is no opportunity for the annual holiday leave to be taken, the employee still receives her annual holiday pay, which is calculated on top of salary. For more information, call the Employment Standards Branch – Saskatchewan Ministry of Labour Relations and Workplace Safety.

Can maternity leave be extended for medical reasons?

Yes. Maternity leave can be extended six weeks (for a total of 25 weeks) if there is a medical reason for not returning to work. A medical certificate is needed for this extension. Employers and employees can agree to a longer leave. To prevent misunderstanding, such agreements should be in writing.

B. Time off work under human rights**What if an employee has not worked long enough to qualify for leave under employment standards law?**

Employees are only eligible for maternity, adoption or parental leave under *The Saskatchewan Employment Act* if they have worked more than 13 consecutive weeks for the same employer. What if a pregnant employee changed employers recently, or worked only 19 weeks during the past year? She may still have a right to time off work under human rights law, because of the employer's duty to accommodate a pregnant employee up to the point of undue hardship. Here is how it might work:

Lisa starts work for Company A on February 1st, when she is four weeks pregnant. She expects her baby to be born on September 26th. After working for Company A for 11 weeks, Lisa changes jobs and starts working for Company B. She works another 8 weeks, but then starts to experience spotting and her doctor advises complete bed rest for the rest of her pregnancy. Unfortunately, Company B does not have a sick plan that gives Lisa the right to take time off work.

Lisa is not entitled to 19 weeks of maternity leave under employment standards law, which requires 13 weeks continuous work for the same employer. However, if Lisa's employer can accommodate her absence without undue hardship – for example, by reorganizing the work, postponing projects or finding a temporary replacement – the employer is required to accommodate Lisa by giving her the time off work she needs.

How long does leave last under human rights law, and how should employers and employees deal with issues like notice and the return to work?

There are no general rules that apply to everyone. In all situations, employers and employees must do whatever is reasonable in the circumstances. If you have questions about your own situation, please contact the Saskatchewan Human Rights Commission for advice.

When accommodation is needed as an EMPLOYEE ...

- Tell your employer you need time off work because of pregnancy or childbirth;
- Provide your employer with any necessary medical or other documents showing how much time you need; and
- Provide your employer with a reasonable amount of notice of when you will leave work and when you plan to return.

When accommodation is needed as an EMPLOYER ...

- Discuss the need for leave with your employee;
- Provide the required amount of leave, unless you can demonstrate that giving your employee time off work would cause you undue hardship; and
- Maintain the employee's right to the position and all related job opportunities.

Did you know?

The total of all maternity, adoption, and parental leaves under *The Saskatchewan Employment Act* is usually about a year and a half. However, some company benefit plans and union contracts may allow employees to take more time off work. Check with your employer or union representative to find out about your own situation.

Summary of entitlements for maternity, adoption, and parental leaves and employment insurance benefits

	MATERNITY	ADOPTION	PARENTAL	PROVIDED BY
Leave	19 unpaid weeks; or 15 unpaid weeks if the employee has failed to give the employer the required four weeks of notice and has not provided the employer with a medical certificate requiring her to cease work immediately	19 weeks of job protected unpaid leave for the primary caregiver.	Up to 59 weeks of job-protected leave for the employee who has taken maternity or adoption leave. Up to 71 weeks of job-protected leave for the other parent who did not take maternity or adoption leave.	Your employer, as required by <i>The Employment Act</i> .
Benefits – Standard	Up to 15 weeks of benefits.	Up to 40 weeks can be shared between parents, but one parent cannot receive more than 35 weeks of standard benefits. The standard benefit rate is 55%.		
Benefits – Extended	Up to 15 weeks of benefits.	Up to 69 weeks can be shared between parents, but one parent cannot receive more than 61 weeks of extended benefits. The extended benefit rate is 33%.		



EMPLOYMENT INSURANCE BENEFITS (MONEY)

This section summarizes the benefits available for eligible parents. For more information go to the Service Canada [website](#).

Employees who are on maternity, adoption, or parental leave may qualify to receive Employment Insurance (EI) maternity and/or parental benefits through Service Canada. EI benefits are a form of financial support available to eligible employees who have worked in insurable employment. Maternity benefits are payable to the birth mother only. Parental benefits are payable to biological and adoptive parents.

Key words relating to EI benefits

Claimant is the person applying for or making a claim for EI benefits.

Qualifying period is the time during which the employee must have worked in order to be eligible to receive EI benefits.

Waiting period is the time period (1 week) at the beginning of the claim for which a claimant will not receive benefits.

Regular EI is the Employment Insurance paid to individuals who lose their jobs through no fault of their own (for example, due to shortage of work, or seasonal or mass lay-offs) and are available for and able to work, but can't find a job.

Insurable employment includes most situations where an employee works for an employer.

Insured earnings are most of the money paid to an employee by the employer.

An **Exemption Declaration** makes it possible for a claimant not to have to file regular claimant reports.

Parental leave includes adoption leave, for the purposes of EI claims.

A. Qualifying for benefits

How do employees qualify for maternity and/or parental benefits?

To qualify for maternity and/or parental benefits, an employee must have worked in insurable employment, and must have worked the required number of hours in the qualifying period. A formal application is required.

How do employees apply for EI benefits?

To receive maternity or parental benefits, claimants must submit an EI application on-line at www.servicecanada.gc.ca or in person at their local Service Canada office.

When should employees apply for EI benefits?

Claimants should apply for EI maternity and/or parental benefits once they have stopped working and have obtained a Record of Employment (ROE) from their employer. If an ROE has not been received within two weeks of stopping work, the claimant should apply for benefits at that time and bring or mail the ROE to the nearest local office once it is received.

If you apply more than four weeks after your last day of work, you may lose benefits.

A claim for maternity benefits can be made as early as 10 weeks before the expected date of birth. In order to receive the full entitlement to maternity benefits, the application should be made no later than the week after the child is expected or the week after the actual date of birth, whichever is later. Birth mothers can apply for parental benefits at the same time as applying for maternity benefits.

For parental benefits, the application cannot be made any sooner than the week in which the child is born or, in the case of adoption, the week in which the child is placed in the adoptive home.

What needs to be included with the EI application?

Don't wait until you have the documents to apply. Complete and submit your online application right away. You can send the required documents after you apply.

The following information will be needed:

- Social insurance number (SIN), and the name and SIN of any other parent if you plan to share benefits.
- The last name of one of your parents.
- Your full mailing address and your home address (if they are different).

- If applying in person – personal identification such as a driver's license, birth certificate, or passport.
- The name, address, dates of employment, and reason for separation for all of your employers in the last 52 weeks.
- A detailed explanation of the facts if you quit or were dismissed from any job in the previous 52 weeks.
- The dates (Sunday to Saturday) and earnings for each of your highest paid weeks of insurable earnings in the last 52 weeks or since the start of your last EI claim, whichever is the shorter period. (This information will be used, along with your Record(s) of Employment, to calculate your weekly EI benefit rate.)
- Complete bank account information, as shown on your cheques or bank statement, so your payments can be deposited directly into your bank account.
- Your child's expected or actual birth date.
- The date your child was placed with you for the purpose of adoption, and the full name and address of the agency handling the adoption.

When applying for EI parental benefits, a statement declaring the newborn's date of birth must be signed. For an adoption, the claimant must sign a statement declaring the child's date of placement as well as the name and address of the adoption authority.

What if the employee becomes pregnant while unemployed?

If the claimant is receiving regular EI benefits and becomes pregnant, they can receive maternity and/or parental benefits. Contact Service Canada for more information.

What if the employee must stop work due to illness prior to her maternity period?

If employees are not covered by a paid sick leave or group insurance plan through their employer, they can apply for EI sickness benefits. Sickness benefits may be paid for up to 26 weeks to a person who is unable to work because of sickness, injury or quarantine. To receive sickness benefits, employees are required to have worked at least 600 hours in the last 52 weeks or since the last claim. A medical certificate showing how long the illness is expected to last must be provided.

Employees who make claims for sickness benefits are required to prove not only that they are unable to work, but also that they would be available for work otherwise.

Can the employee and his or her partner both receive parental benefits at the same time?

Yes. As long as both parents qualify for parental benefits and wish to share parental benefits, they can take the time together.

Under the standard benefit, one parent cannot receive more than 35 weeks. Under the extended benefit, one parent cannot receive more than 61 weeks.

This does not include maternity leave, which can also be taken in conjunction with the maximum parental benefits.

For example: *Jane is taking time off to recover from childbirth. She shares parental benefits with her partner. Jane takes 15 weeks of maternity leave and 35 weeks of standard parental benefits. As such, Jane's partner can apply for up to 5 weeks of standard parental benefits. Note – if Jane takes fewer weeks of parental benefits, her partner can apply for more.*

What happens if there is a multiple birth or the claimant is adopting more than one child?

The number of weeks of maternity or parental benefits for which employees are eligible does not increase if there is a multiple birth or if more than one child is adopted.

B. Receiving benefits

Is there a waiting period? Can it be deferred or waived?

There is a one-week waiting period at the start of the claim for which no benefits are paid. This waiting period is like the deductible you pay for other types of insurance.

If you apply for both Employment Insurance (EI) maternity and parental benefits, you only need to serve the waiting period once.

If you're sharing parental benefits for the same child, only one parent will serve the waiting period.

How long do employees receive maternity benefits?

A maximum of 15 weeks of maternity benefits are payable to the biological mother in a period surrounding the birth of the child. The 15 weeks can start as early as 12 weeks before the expected date of birth and can end as late as 17 weeks after the actual date of birth.

You cannot receive EI maternity benefits more than 17 weeks after the week you were expected to give birth or the week you actually gave birth, whichever is later.

How long do employees receive parental benefits?

There are two options available for receiving parental benefits: standard or extended.

- **Standard parental benefits** can be paid for a maximum of 35 weeks and must be claimed within a 52-week period (12 months) after the week the child was born or placed for the purpose of adoption. The two parents can share these 35 weeks of standard parental benefits. The benefits are available to biological, adoptive, or legally recognized parents at a weekly benefit rate of 55% of the claimant's average weekly insurable earnings up to a maximum amount.
- **Extended parental benefits** can be paid for a maximum of 61 weeks and must be claimed within a 78-week period (18 months) after the week the child was born or placed for the purpose of adoption. The two parents can share these 61 weeks of extended parental benefits. The benefits are available to biological, adoptive, or legally recognized parents at a weekly benefit rate of 33% of the claimant's average weekly insurable earnings up to a maximum amount.

If the child is hospitalized, the period for which the employee may claim parental benefits can be extended.

How much money do employees get?

The basic rate for calculating EI parental benefits depends on the option you choose:

- **Standard parental benefits** are paid at a weekly benefit rate of 55% of your average weekly insurable earnings, up to a maximum amount. For 2022, this means that you can receive a maximum amount of \$668 per week for up to 35 weeks (2024 rates).
- **Extended parental benefits** are paid at a weekly benefit rate of 33% of your average insurable earnings, up to a maximum amount. For 2022, this means that you can receive a maximum amount of \$401 per weeks (2024 rates) for up to 61 weeks.

The amount can be increased if you are eligible to receive the EI Family Supplement, where net family income is \$45,921 or less per year.

Some employers provide additional periods of leave and top-ups (extra money) in addition to EI maternity and/or parental benefits. Employees should check with their employer for information about their own situation.

Are these benefits taxable?

EI payments are taxable income, which must be reported on the next income tax return. Both federal and provincial income tax, if it applies, will be deducted from the payment.

When will the first payment be deposited in the claimant's bank account?

The first payment will usually be issued within 28 days of the date of filing the claim if all the required information has been submitted and if the individual qualifies for benefits. It usually takes two or three days following the issue date for payment to arrive in the bank account.

Do employees need to keep submitting reports to receive EI benefits?

The claimant does not have to complete reports while on maternity or parental benefits unless the individual earns money. However, an exemption declaration must be completed when applying for EI.

Can the employee earn money while on a family-related leave and receiving EI benefits?

If a claimant earns money while receiving maternity or parental benefits, they will be able to keep 50 cents of the EI benefits for every dollar earned, up to 90% of the weekly insurable earnings used to calculate the EI benefit amount. This 90% amount is called the earnings threshold. Any amount earned above this threshold will be deducted dollar-for-dollar from the benefits. More information is available here: <http://www.canada.ca/en/employment-social-development/programs/ei/ei-list/working-while-claim.html>



PART

FOUR

Returning to the workplace

This part contains information on ending maternity, adoption or parental leave and Employment Insurance (EI) payments; job-protected time off work when employees or immediate family members are ill; human rights issues that can arise on the return to the workplace; and workplace protections for breastfeeding.

ENDING MATERNITY, ADOPTION, OR PARENTAL LEAVE

Must an employee give notice to the employer before returning to work at the end of a maternity, adoption, or parental leave?

Yes. *The Saskatchewan Employment Act* requires an employee to notify the employer, in writing, at least four weeks before the day she or he plans to return to work. An employer is not required to allow an employee to return until this notice is received.

An employee who takes a leave of 60 days or less is not required to provide the employer with four weeks notice before returning to work. The employee is required to give as much notice to the employer as possible to the employer about the end date for the leave.

Do employees have the right to return to their former job without loss of pay or benefits?

Employees have the right to return to the same job when they return to work in 60 days or a comparable one when returning after 60 days with no loss of seniority, pay rate, benefits, or right of recall. For purposes of seniority and the rights of recall, being on maternity, adoption, or parental leave is not considered a break in service. Seniority, vacation leave, and the right of recall continue to accrue while the employee is on leave. Employees taking a leave longer than 60 days may be placed in a comparable job with no loss of seniority, pay rate, benefits or right of recall.

What if an employee cannot return to work on the intended date because she or he is ill? Or because his or her child is ill? Or because they are injured?

Under *The Saskatchewan Employment Act*, employees get job-protected time off work when they or immediate family members are ill or injured. Employers may not terminate or discipline employees because of absence due to the employee's illness or injury, or the illness or injury of an immediate family member, such as a child, if:

- the illness or injury is not serious and the absences do not exceed 12 days in a year; or
- the absences are due to serious illness or injury and do not exceed 12 weeks in a period of 52 weeks.

To qualify for this job-protected leave, an employee must have worked for the current employer for at least 13 consecutive weeks before the absence. (Note, however, that an individual employer may provide greater protections than *The Saskatchewan Employment Act*.)

Employees should notify their employer as soon as possible about the illness and the length of time they expect to be absent from the workplace.

The employer can ask the employee for a medical certificate. In some cases, the employee may need to give the employer written notice of a new return date. For more information, contact the Employment Standards Branch – Saskatchewan Ministry of Labour Relations and Workplace Safety.

What if the employee's newborn or an older child becomes ill after the employee has returned to work?

Employees who have worked for the employer for more than 13 consecutive weeks can get up to 12 weeks of unpaid, job-protected time off work to care for an ill or injured immediate family member, such as a child. See *Caring for sick or injured children* in Part 5 for more information.

What happens if the employee decides not to return to work?

The employee may decide not to return to work after maternity, adoption, or parental leave. Employees should give their employers as much notice as possible if they do not plan to return to work.

What happens if the employee wishes to return to work part-time?

This is something that must be negotiated with the employer. Employment standards law does not require an employer to provide the employee with part-time work.

If the employee taking the pregnancy leave experiences a disability, the employer may be required to modify the employee's duties or reassign the employee to other duties when they return to work.

An employer may have a duty under human rights law to accommodate, up to the point of undue hardship, an employee's need to work reduced or more flexible hours when returning to work. This need could be related to gender, for example, the need to breastfeed or in limited circumstances to family status. For more information, contact the Saskatchewan Human Rights Commission.

If employees do return to work part-time, they should check whether they are included in any employer benefit plans provided in their workplace. Part-time employees working for a business with the equivalent of 10 full-time employees can participate in the benefits offered to full-time employees, provided they work on average at least 15 hours per week following their qualitative period. To qualify a part-time employee must have worked 26 consecutive weeks for at least 390 hours for the same employer. For more information contact the Employment Standards Branch.



ENDING EMPLOYMENT INSURANCE PAYMENTS

How do employees end their EI benefits when they return to the workplace after taking maternity, adoption or parental leave?

Most employees will have used up their maximum allowable EI benefits by the time they return to work from maternity, adoption, or parental leave. Service Canada usually notifies employees when they have reached the end of their maximum allowable benefits.

Employees who return to work before exhausting their maternity or parental benefits are required to declare all work and earnings. This can be done by reporting the earnings and/or the date full-time employment resumed on EI reports. For those who opted not to complete reports while receiving maternity and parental benefits, any work or earnings can be reported to Service Canada at 1-800-206-7218.

What happens if the employee decides to return to work earlier than the identified return date?

An employee who returns to work early should inform the EI Program at Service Canada as soon as possible. Service Canada will stop paying benefits.

If an employee decides not to return to work, do EI maternity and parental benefits need to be returned?

Employees do not have to pay back benefits if they decide not to return to work.

HUMAN RIGHTS PROTECTIONS

How does human rights law protect employees who are away from the workplace on maternity, adoption, or parental leave?

Employees should not lose their jobs or chances to apply for jobs and promotions because they are on leave. Discrimination can include things like:

- failing to give employees who are on leave a chance to apply for or be considered for promotions or job openings; or
- during downsizing, choosing to dismiss an employee who is on maternity leave (unless she would have been the logical person to let go even if she had not been away from the workplace).

How are employees protected on their return to work?

Human rights law protects employees from discrimination or unfair treatment because they have taken maternity, adoption, or parental leave. Discrimination can include refusing to allow an employee to return from maternity leave because the employer prefers her replacement.

Tip for employers

A good employment practice is to treat someone on leave the same way as employees who are not on leave, unless this would create an undue hardship.

If an employer needs to hire someone with particular skills to meet a tight deadline, for instance, it may not be possible to hold this job open until someone returns from parental leave.

However, hiring a temporary replacement is a reasonable alternative in many situations.



BREASTFEEDING AND THE WORKPLACE

Canadian courts have said discrimination because of breastfeeding is a form of discrimination based on sex. A woman cannot be dismissed because she is breastfeeding. Nor should she be harassed or denied promotions or training opportunities. Employers have a duty to accommodate employees who are breastfeeding their children.

How can an employer accommodate breastfeeding employees?

In an eight-hour shift, a woman will need one to three opportunities to nurse her child or express (pump) milk. Some of the ways an employer can accommodate breastfeeding include:

- flexibility in work schedules;
- time at work to breastfeed or express milk;
- adequate breaks, e.g. by extending breaks or combining rest and meal breaks
- a comfortable, safe, private and sanitary area where a woman can breastfeed her child or pump and store milk; or
- part-time work, a leave of absence, or a delayed return from leave if the employee requests it. (Otherwise, the accommodation must enable the employee to return to work to the greatest extent possible.)

In addition, some union contracts may give employees the right to paid breastfeeding breaks.

PART

FIVE

Parenting and the workplace

Many employees will have parenting responsibilities throughout much of their working life. Families can face very different challenges in their efforts to balance work and family obligations and may need different forms of support. This part provides an overview of the rights and responsibilities of employers and employees during this stage of the parenting journey.

CARING FOR SICK OR INJURED CHILDREN

Can an employer dismiss an employee for missing work to care for an ill or injured child?

The Saskatchewan Employment Act provides up to 12 weeks of job-protected leave to employees who must take time off work to care for immediate family members who are injured or ill. This protection allows parents to take time off work to care for sick or injured children.

If the illness is not serious, the employee is entitled to job protection if the absences do not exceed 12 days in a calendar year. If the illness or injury is serious, the employee is entitled to unpaid job protection where the absences do not exceed 12 weeks in a 52-week period. (See Part 4 – *Ending maternity, adoption or parental leave* – for more information.) The employee must have been employed by the current employer for more than 13 continuous weeks to be eligible for this leave. An employer may ask the employee to provide a note from a medical practitioner certifying that the child is ill or injured. This leave is unpaid.

Some employers have employer benefit plans that provide paid family responsibility leave. Employees should check with their employer for information about their own situation.

Who is in the “immediate family”?

Under *The Saskatchewan Employment Act*, “immediate family” is defined as one of the following:

- the employee’s spouse, parent, grandparent, child, grandchild, brother or sister or the spouse of the brother or sister; or
- the employee’s spouse’s parent, grandparent, child, grandchild, brother or sister or the spouse of the brother or sister.

“Spouse” means a person with whom an employee is legally married or has lived continuously with for at least two years or in a relationship of some permanence if they are parents of a child.

Making flexible work arrangements work for employees and their families

The Saskatchewan Employment Act allows employers and employees to work together to agree to more flexible work schedules that average the hours of work through modified work arrangements or work permits. These options provide flexibility in work schedules

and assist employees with family responsibilities. For more information about these kinds of work schedules, contact the Employment Standards Branch – Saskatchewan Ministry of Labour Relations and Workplace Safety.

What happens if an employee's child is gravely ill?

Employees who have worked for more than 13 consecutive weeks with their employer may be eligible for a number of leaves under the *Saskatchewan Employment Act* in addition to maternity, adoption and parental care leave. These leaves include crime-related child death or disappearance, bereavement leave, compassionate care, interpersonal violence leave and public health emergency leave. Public health emergency leave is only available when the province's Chief Medical Health Officer has declared a public health emergency. For more information on these leaves, please refer to the Labour Relations and Workplace Safety contact information at the end of this booklet.

Under *The Saskatchewan Employment Act*, employers may not dismiss or discipline an employee for being absent from work if the employee is receiving or is in the waiting period to receive compassionate care benefits. The *Act* also indicates that the total number of weeks of leave cannot exceed 17 weeks in any 52-week period.

The employee does not have to be employed with the employer for 13 consecutive weeks prior to the absence to qualify for compassionate leave. However, the employee must have worked the minimum number of insurable hours required to be eligible for Employment Insurance benefits.

To learn more about compassionate care benefits, contact Service Canada. For more information on the conditions that must be met to qualify for job-protected leave while receiving or waiting to receive compassionate care benefits, contact the Employment Standards Branch – Saskatchewan Ministry of Labour Relations and Workplace Safety.

Do employees get time off when a family member dies?

After completing more than 13 weeks of continuous employment, the employee is eligible for five unpaid days of bereavement leave from work when an immediate family member dies with no loss of seniority. The employee's enrollment in their benefit plans continues and they are not required to pay the premium to maintain coverage.

Bereavement leave must be taken in the period from one week before the funeral to one week after the funeral. Employers do not have to pay employees for the time they are on leave.

HUMAN RIGHTS PROTECTIONS

Who is protected from discrimination because of family status?

The Saskatchewan Human Rights Code defines family status as “the status of being in a parent and child relationship.” It goes on to define child and parent in the following way:

- “child” means son, daughter, stepson, stepdaughter, adopted child and person to whom another person stands in place of a parent.
- “parent” means father, mother, stepfather, stepmother, adoptive parent and person who stands in the place of a parent to another person.

On the one hand, the definition of family status is limited because it only covers the parent and child relationship. It does not include the relationship between an aunt and a niece, for example, or the relationships between grandparents and grandchildren. On the other hand, the definitions of parent and child are quite broad because they include anyone acting in those roles. Therefore, an aunt who is fulfilling parental responsibilities towards a niece would be considered a “parent” under the *Code* because she is standing in the place of a parent.

Family status protection covers the parent-child relationship in the full range of family structures in our society. They include families created through adoption or remarriage; families headed by lone parents, common-law couples, or same-sex couples; and families from a growing variety of cultural backgrounds. In some cultures, parental responsibilities are customarily assumed by grandparents or other members of the extended family. Legal guardians and foster parents may also have rights to family status protection in some situations.

What is discrimination based on family status?

Employers cannot discriminate against an employee for the following reasons:

- she or he is a parent (e.g., refusing to hire someone because she or he has children);
- he or she is the child or parent of a particular person (e.g. firing someone because of a dispute with the employee’s parent); or
- negative attitudes or stereotypes about employees with family obligations (e.g. refusing promotions or training opportunities to parents on the assumption that they will take more time off work or be less committed to their jobs than employees without children).



Do employers have a duty to accommodate family responsibilities?

In some situations, an employer will have a duty to accommodate an employee's family responsibilities so long as the necessary adjustments do not create undue hardship for the employer. Cases may involve requests for extended parental leave or modified hours of work because of child care needs.

In 2004, the British Columbia Court of Appeal found that an employer discriminated against an employee on the basis of family status by changing her schedule in a way that made it impossible for her to continue providing after-school care to her son, a high-needs child with a major disability. The court found the employer had a duty to accommodate the employee's serious parental responsibilities.

Questions about whether a particular situation could be viewed as family status discrimination should be directed to the Saskatchewan Human Rights Commission.

PART

SIX

Information and help

This part of the report identifies the provincial and federal organizations from which information about pregnancy and parenting in the workplace can be obtained.

SASKATCHEWAN

GOVERNMENT DEPARTMENTS AND SERVICES

LABOUR PROGRAMS

Saskatchewan Labour Relations and Workplace Safety

Employment Standards Branch

The Employment Standards Division of Saskatchewan's Ministry of Labour Relations and Workplace Safety is responsible for administering *The Saskatchewan Employment Act*. The division works with employers and employees to promote fair workplace practices through public information and education programs, and mediation and investigation of complaints. For information on family-related leaves, contact the Employment Standards at <https://www.saskatchewan.ca/business/employment-standards>.

Occupational Health and Safety Branch

The Occupational Health and Safety Branch is responsible for administering the Occupational Health and Safety provisions under Part III of *The Saskatchewan Employment Act*. The Branch works to improve workplace health and safety in Saskatchewan through public information and education programs, encouraging worker/employer cooperation, training and orientation, and enforcing minimum health and safety standards in the workplace. For information on how the health and safety of pregnant and parenting employees is protected, contact the Occupational Health and Safety Branch, Saskatchewan Labour. Contact the Regina office by phone at 1-800-567-7233 (toll free) or visit the OH&S Web site at <https://www.saskatchewan.ca/business>.

HUMAN RIGHTS

Saskatchewan Human Rights Commission

The Saskatchewan Human Rights Commission is responsible for administering *The Saskatchewan Human Rights Code*. The commission promotes equality and protects Saskatchewan residents from discrimination through public education, equity programs, and the enforcement of the anti-discrimination provisions of the *Code* through the mediation, investigation, or litigation of complaints.

For information about human rights and responsibilities related to pregnancy, childbirth, adoption or family status, contact the Saskatchewan Human Rights Commission by telephone at 1-800-667-9249 (toll free) or (306) 933-5952, by e-mail at shrc@gov.sk.ca, or visit their website at <https://saskatchewanhumanrights.ca/>.

HEALTH SERVICES

HealthLine 811 is a confidential, 24-hour health and mental health and addictions advice, education and support telephone line available to the people of Saskatchewan. It is staffed by experienced and specially trained Registered Nurses, Registered Psychiatric Nurses, and Registered Social Workers.

Call 811 for professional health or mental health and addictions advice, education and support. Deaf and hard of hearing residents can access HealthLine 811 by using the SaskTel Relay Operator service at 1-800-855-0511.

Saskatchewan Health Authority

The Saskatchewan Health Authority provide health services for people of all ages. For more information about the SHA, visit their website at <https://www.saskhealthauthority.ca/>

COMMUNITY ORGANIZATIONS

Breastfeeding Committee for Saskatchewan

The Breastfeeding Committee for Saskatchewan, Inc. (BCS) is a network of health professionals and consumers working to protect, promote and support breastfeeding within Saskatchewan as the optimal method of infant feeding. For more information, email the BCS at the.bcs@gmail.com or visit their website at <https://www.thebcs.ca/>

CANADA

GOVERNMENT DEPARTMENTS AND SERVICES

EMPLOYMENT INSURANCE PROGRAM

Service Canada

Maternity, parental/adoption, sickness and compassionate care benefits

Service Canada is responsible for the administration of the maternity, parental, sickness and compassionate care benefits provided through *The Employment Insurance Act*.

For information on Employment Insurance (EI) maternity, parental, sickness and compassionate care benefits, including questions about who qualifies, contact Service Canada – EI Program at 1-800-206-7218 (toll free), or visit their Web site at www.servicecanada.gc.ca. For in person services, visit the Service Canada Centre nearest you.

HUMAN RIGHTS

Canadian Human Rights Commission

Most employers and employees in Saskatchewan are covered by *The Saskatchewan Human Rights Code*. Generally speaking, the employers and employees likely to be covered by *The Canadian Human Rights Act* are the same as those covered by the *Canada Labour Code*. For more information, call the Canadian Human Rights Commission at 1-888-214-1090 or visit their website at www.chrc-ccdp.gc.ca.

