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Article 8.4 – Supplemental Employment Benefit for Maternity and Parental Leave

Article 8.4 of the Common Agreement allows for the payment of a Supplemental Employment Benefit for Maternity and Parental Leave.

The determination of what the employee's *average base salary* for the purposes of this benefit is governed by Article 8.4.1(e), which reads as follows:

The average base salary for the purpose of Article 8.4.1(a) through (d) is the employee's average base salary for the twenty-six (26) weeks preceding the maternity or parental leave. If the employee has been on unpaid leave for part of the preceding twenty-six (26) weeks, then up to four (4) weeks of that unpaid leave will be subtracted from the twenty-six (26) weeks for the purpose of calculating the average base salary.

In the case of employees who work up to the date they commence their maternity or parental leave or who were on an unpaid leave for part or all of the 26 weeks preceding the maternity or parental leave, Article 8.4.1(e) is clear.

In the case of employees who were on disability leave and receiving STIIP, LTD or WCB benefits for part or all of the 26 weeks preceding the maternity or parental leave the calculation of the average base salary should—for those weeks on STIIP, LTD, or WCB benefits—be based on the employee's pre-disability level of salary (i.e. the salary level in effect on the last day the employee worked prior to becoming unable to work due to a disability).