

## Chapter 9

### AN ACT TO AMEND THE LABOUR STANDARDS ACT (PARENTAL LEAVE)

(Assented to May 29, 2001)

The Commissioner of Nunavut, by and with the advice and consent of the Legislative Assembly, enacts as follows:

1. **The *Labour Standards Act* is amended by this Act.**
2. **(1) Subsection 34(1) is amended by striking out "12 consecutive weeks" in that part of the subsection preceding paragraph (a) and by substituting "37 consecutive weeks".**
  - (2) **Subsection 34(3) is repealed.**
3. **The following is added after section 35:**

#### Maximum combined leave

35.1. Notwithstanding any other provision in this Part, the maximum period of combined pregnancy and parental leave to which an employee is entitled is 52 weeks.

#### Application of section

- 35.2. (1) This section applies to an employee
- (a) who, on the day on which this section comes into force, is on pregnancy or parental leave or whose parental leave has expired in respect of a child who
    - (i) is to be, is being or was cared for by the employee, and
    - (ii) is or will be a newborn child of the employee born, or has been placed with the employee for the purposes of adoption, after December 31, 2000; or
  - (b) who, before the day on which this section comes into force, has given his or her employer a written request for leave in accordance with paragraph 31(1)(b) or paragraph 34(1)(b) in respect of a child who
    - (i) is to be cared for by the employee, and
    - (ii) is or will be a newborn child of the employee born, or has been or will be placed with the employee for the purposes of adoption, after December 31, 2000.

#### Entitlement to extension of parental leave

(2) An employee is entitled to extend parental leave up to 37 consecutive weeks if the employee submits to the employer a written request for extended parental leave at least four weeks before the day on which the employee's parental leave would otherwise expire.

Entitlement to further parental leave

(3) If an employee's parental leave has expired on the day on which this section comes into force or will expire less than eight weeks after the day on which this section comes into force, the employee is entitled to further parental leave up to 25 consecutive weeks if the employee submits to the employer a written request for further parental leave no later than four weeks after this section comes into force and at least four weeks before the day on which the employee intends to re-commence the leave, unless the employee and employer otherwise agree.

Subsections 34(2) and (4) to (7) apply

(4) Subsections 34(2) and (4) to (7) apply to an employee referred to in this section.

Period during which leave must be taken

(5) For greater certainty, this section does not entitle an employee to continue parental leave after the expiry of one year after the day of birth of the newborn child or the day on which the child is placed with the employee for the purposes of adoption, as the case may be.

**COMMENCEMENT**

**4. This Act comes into force on June 3, 2001.**