

11.6 MATERNITY LEAVE FOR MINISTERS

DEFINITIONS

11.6.1 In these By-laws, "Minister" shall mean Minister of the Word, Deacon, Deaconess, Lay Pastor, person accredited to the specified ministry of Youth Worker, Ministry Intern and candidate for ministry in approved placement".

PURPOSE OF MATERNITY LEAVE

11.6.2 The purpose of maternity leave is to provide opportunity for women Ministers to prepare for the birth of a child and care for the child during the initial months following the birth.

ELIGIBILITY FOR MATERNITY LEAVE

11.6.3 To be eligible for maternity leave a Minister shall:

- a. Be placed in an Approved Placement in a Congregation, Presbytery or Synod Placement under Regulation 2.4.5(a) or such other placement as the Synod may determine. A Minister serving in an Ecumenical appointment or Approved Placement in a supply capacity or on a casual or seasonal basis will not be entitled to maternity leave as set out under these by-laws.
- b. Be receiving remuneration for service.
- c. Provide to the General Secretary of the Synod, a certificate from a duly qualified medical practitioner stating the presumed date of the confinement.
- d. Give not less than three (3) months notice in writing of the date upon which she proposes to commence maternity leave, stating the period of leave to be taken. Notice shall be given to the following bodies:
 - Ministers in Congregation Placements: To the Church Council and the Presbytery PRC
 - Ministers in Presbytery Placements: To the General Secretary of the Synod and the Chairperson of the relevant Commission, Council or Board.
 - Ministers in Synod Placements: To the Standing Committee.

PERIOD OF LEAVE AND COMMENCEMENT OF LEAVE

11.6.4 a. The period of maternity leave shall be for an unbroken period of from six (6) to fifty-two (52) weeks.

- b. The leave may commence from a date preceding the expected date of confinement by agreement with the body referred to in 11.6.3 d.

PAYMENT DURING LEAVE

- 11.6.5
- a. The first thirteen (13) weeks of leave shall be “paid leave”.
 - b. The Minister shall be paid the relevant minimum stipend applicable immediately before proceeding on leave as adjusted for any general stipend increase. The stipend shall be paid by the Ministers Benefit Fund.
 - c. The Minister shall be paid the following allowances for the period of “paid leave”:
 - i. If the Minister owns her own motor vehicle and is usually paid standing charges and depreciation, these shall continue to be paid. However, no kilometreage charges shall be paid.

Where a vehicle is supplied, the Minister will be entitled to the use of the vehicle for the period of paid maternity leave under the same provisions as apply to the placement but no kilometreage charges shall be paid.

During the period of unpaid leave, the Minister may retain the use of the vehicle provided that all costs are met by the Minister.
 - ii. The Congregation (or other body) contribution to the Beneficiary Fund shall be paid for the period of “paid leave”. Arrangements for payment (or otherwise) of the Beneficiary Fund levy during the period of non-paid maternity leave shall be dealt with according to the rules of the UCA Beneficiary Fund.
 - iii. The Minister shall be paid the Ministers professional development allowance during the period of “paid leave”.
 - iv. The above allowances, other than those payable by the Minister, shall be paid by the Ministers Benefit Fund.
 - d. The Long Service Leave and Ministers Benefit Fund levies for the Minister will be paid during the period of paid leave and shall be paid by the Congregation or other body.
 - e. During the period of unpaid leave up to a maximum of thirty-nine (39) weeks, a Minister may take any outstanding annual leave or long service leave and during such leave the Congregation or other body shall be responsible for all normal stipend, allowances and Synod levies for Long Service Leave, Ministers Benefit Fund, Travel Equalisation etc.

- f. Costs of supply during the period of leave (both paid and unpaid up to fifty-two (52) weeks) shall be met by the Congregation (or other appropriate body) except that the cost of housing the supply, where the manse is unavailable [see 11.6.6 c.], and costs of travelling to and from the Congregation shall be paid by the Ministers Benefit Fund.
- g. Where maternity leave extends beyond the period of placement by reason of termination, effluxion of time or any other reason, the Church will only be responsible for payments of stipend and allowances until the date of termination of placement.

MATERNITY LEAVE AND OTHER ENTITLEMENTS

- 11.6.6
- a. Paid maternity leave shall count as service for the purpose of accruing annual leave, long service leave and status with the Beneficiary Fund.
 - b. Unpaid leave shall not break continuity of service but shall not be taken into account in calculating the period of service for any purpose.
 - c. The Minister shall have the right to remain in the manse or, if already living in her own home, shall be paid the accommodation allowance. The Congregation or other employing body shall be reimbursed pro rata by the Ministers Benefit Fund for the period of unpaid leave.
 - d. Maternity leave shall not extend beyond fifty-two (52) weeks without the specific approval of the appointing body and the Presbytery PRC.
 - e. Paid sick leave shall not be available to a Minister during her absence on maternity leave or while taking annual leave or long service leave during the period of unpaid maternity leave.

APPROVING BODY

- 11.6.7
- In the case of a Minister in a Congregation Placement, maternity leave shall be approved by the Church Council subject to the Presbytery PRC being satisfied with the arrangement for oversight of the Congregation in the Minister's absence. In the case of a Presbytery Placement, the Presbytery PRC shall be the approving body. In the case of a Minister in a Synod Placement, the Standing Committee shall be the approving body and shall, if required, make appropriate arrangements for supply.

TRANSFER TO A SAFE JOB

- 11.6.8
- Where, in the opinion of a duly qualified medical practitioner, illness or risks arising out of the pregnancy or hazards connected with the work assigned to the Minister make it inadvisable for the Minister to continue at her present work, the Minister shall, if the

Church deems it practicable, be transferred to a safe job at the rate and on the conditions attaching to that job until the commencement of maternity leave.

If the transfer to a safe job is not practicable, the Minister may, or the Church may require the Minister to take leave for such period as is certified necessary by a duly qualified practitioner. Such leave shall be treated as maternity leave.

DISCRETIONARY POWERS

- 11.6.9 The General Secretary of the Synod may make recommendations to the Stipends Committee concerning cases arising in respect of the application of these by-laws and the Stipends Committee may authorise the General Secretary to vary the application of these by-laws in respect of any such cases.