

# Proposal: Language and Policy Regarding UBC Parental Leave

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Current UBC policy is not inclusive to all types of families. For instance, UBC faculty who become parents by surrogacy or by adoption do not enjoy the same benefits as faculty who are traditional mothers.

Language at the federal level has evolved along with changes in the structure of families. However, both UBC language and policy has lagged behind. For example, UBC still uses the ambiguous terms of birth mother and birth father<sup>1</sup>, which confusingly suggest that a birth parent does not necessarily give birth.

We recommend that UBC revise its current policies and language concerning maternity, parental and adoption leave to reflect these current changes in family formation and to accommodate future changes. UBC's policy goal should be to support both a child's and parent's need in forming family bonds. Policies should be inclusive, stated in non-gendered language, and should recognize the diversity in family formation. Such policies may even help promote gender equality in the home and the workplace.

Making policy changes will align UBC policies with its stated diversity, equity and inclusion goals. According to [UBC's \(2018\) strategic plan](#), UBC aims for "Embedding equity and diversity across university systems and structures" (page 19), and states "We will review and revise policies, practices and services to reflect our commitment to diversity, equity and inclusion" (page 42). According to the [Equity and Inclusion website](#), "We are working to build a community in which human rights are respected, and equity and inclusion are embedded in all areas of academic, work and campus life." We hope to have UBC policy align with that of [UBC Faculty of Science](#) "to support our faculty members and trainees in their teaching and research endeavours, while balancing commitments in their personal lives".

## Background

UBC categorizes recipients of benefits as "birth mothers", "birth fathers" and "adopting parents".

- A faculty member who is a birth mother receives 15-16 weeks of maternity leave plus parental leave of 10 weeks, at 95% salary.
- A faculty member who is a birth father or an adopting parent receives 10-11 weeks of parental leave, at 95% salary.

The Federal government categorizes two types of leave, maternity and parental.

- Maternity benefits are only available to the person who is away from work because they're pregnant or have recently given birth. They cannot be shared between parents. The person receiving maternity benefits may also be entitled to parental benefits.
- Parental benefits are available to the parents of a newborn or newly adopted child.

See the [federal policy](#) and the [UBC faculty policy](#).

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<sup>1</sup> [Cambridge Dictionary definition](#) of birth parent: "the woman who gave birth to a child or the man who helped to conceive a child (= cause a baby to begin to form), although she or he may not now be the child's legal parent". If UBC uses this definition, parental leave would be granted to a sperm donor, and both parental and maternity leave would be granted to a surrogate.

Thus, both UBC and the federal government treat birth parents differently than other types of parents. We note that some universities have developed policies that treat adoptive families equitably, adding to an adoptive parent's parental leave by providing an additional leave, an adoptive leave that is equivalent in terms of time and salary to a maternity leave. UBC does not provide this.

## Requests for changes to benefits

1. That UBC update its language to match federal language (non-gendered) in describing maternity, parental and parenting leaves, and set policies that do not assume that someone birthing a child will be parenting the child.
2. That UBC establish an *initial parenting leave* of 15-16 weeks, akin to the current maternity leave in terms of time and salary, and akin to adoption leave of some institutions, for parents that form families by other means than giving birth. The leave may be split between parents if both are members of the employment group. This is in addition to any existing parental leaves.
3. That the start time of the *initial parenting leave* be flexible, akin to the pre-adoption leave (outline in 7.05 in the [Faculty Collective Agreement](#), July 1, 2019 to June 30, 2022).  
Note: this would include the option of a pre-surrogacy birth leave, so that the intended parent(s) can travel to their child's birth location ahead of the expected delivery date.
4. In the interim, that UBC routinely provide an additional 5 weeks of paid leave at 95% salary to parents that do not give birth to their child.  
Note: currently, the UBC policy website states the BC Employment Standards policy: "An additional five consecutive weeks of **unpaid leave** will be granted if your child is certified by a medical practitioner to be suffering from a physical, psychological or emotional condition requiring an additional period of parental care." From specific personal experiences at UBC, this additional 5 week leave was previously granted to adoptive parents as paid leave at 95% of salary.

## Examples to think about

What type of leaves would each of these families need?

1. Consider a couple who both identify as female. One is a UBC employee, the other is not. The non-UBC employee gives birth to a child that will remain in the family.
2. Consider a single parent who adopts a 14-month-old, where the child has spent their life thus far in an orphanage.
3. Consider a heterosexual couple, where the woman gives birth to their child, but neither parent is genetically related to the baby (they had a sperm donor and an egg donor).
4. Consider a heterosexual couple who receives a baby through surrogacy, with the couple's genetic material. What if their genetic material was not involved?
5. Consider a transgendered male who gives birth to his child.

## Further Discussion

Our proposed changes to the policy would impact parents that form families by means other than giving birth – means such as adoption and surrogacy. But there is a bigger problem. Even with the policy changes, there is still a greater gender inequity amongst parents employed by UBC: since most families are traditional, women are incentivized to stay home and provide childcare, while men are incentivized to stay at work and grow their career.

We suspect that incentivizing any UBC-employed parent to care for their child, by granting them either maternity leave or the initial parenting leave (which may be shared), would be a big step towards achieving gender equity in both the workplace and at home. We therefore call for further research and discussion on this matter.