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Template New Parent Tool Kit

August 2009

The Law Society of
Upper Canada

Barreau
du Haut-Canada

[Date]

Dear [Name of lawyer]:

On behalf of the partnership of the firm, I would like to congratulate you on the announcement of your new child. This is an important and joyful event.

The firm is committed to assisting parents get ready for the arrival of their new child, while ensuring that they are not overwhelmed by the challenges of managing their practice. We also want to provide assistance to you while you are on leave and to help you when you return to your practice. We hope to assist you in establishing a good balance between your practice and your family responsibilities.

This Parent Tool Kit provides you with some of the resources that you will need to get ready for your leave, to enjoy your leave and to ease back into practice.

Every lawyer who is giving birth will be offered a “Maternity Leave Buddy” to assist her in preparing for her leave, to provide a contact person while she is on leave and to help her return to practice. [Name of lawyer] has been assigned to be your Maternity Leave Buddy. They will be in touch with you in the near future.

If you are not taking a maternity leave but are taking a parental leave and you wish to have a Parental Leave Buddy to assist you to prepare for your leave, stay in contact while on leave and help with your return to practice, please contact me and we will make the appropriate arrangements.

We look forward to meeting your new arrival and to assisting you with this important event. Again, congratulations.

Yours very truly,

Managing Partner

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PREPARING FOR LEAVE, WHILE ON LEAVE, RETURN FROM LEAVE – USEFUL TIPS**Preparing for your leave**

- ❑ It is important to remember that you and your firm have a responsibility to offer high quality professional services to clients at all times, and you should work with your firm to ensure that clients receive such services at all times.
- ❑ You may not be able to finish everything before you go on leave, especially if the birth or adoption occurs sooner than anticipated. At least one month prior to your scheduled leave, you should
 - take inventory of your files and work that needs to be completed;
 - discuss your ongoing workload with your practice group leader;
 - assign the files to colleagues and discuss the files with the lawyers who will be taking on your work;
 - prepare transfer memos (see template at TAB [**insert TAB number**]) of the files that are ongoing so they can be transferred at a moment's notice;
 - inform your clients of your plans and introduce them to their new lawyer;
 - ensure that your group leader is fully informed.
- ❑ Make a list of on-going non-billable responsibilities that require attention, such as committee work and pro bono work. Discuss these responsibilities with your practice group leader and assign responsibilities that require follow-up actions.
- ❑ Be prepared for the eventuality that you might have to stop working earlier than anticipated by fully informing your practice group leader of your ongoing files as soon as possible.
- ❑ Inform the firm, including your assistant, about how you can be contacted during your leave and whether you wish to remain involved in some of the firm's activities.

- ❑ Be careful about taking on new files that may run into your leave time.
- ❑ Do not feel guilty by the slowdown in your work. Things will and should slow down as you are approaching your leave date.
- ❑ Contact your Maternity/Parental Leave Buddy and discuss how to ramp down and ramp up your practice, the pros and cons of maintaining contact with the firm during your absence and any tips that she or he may have about having a new child and maintaining your professional life.
- ❑ Plan and arrange for childcare as soon as possible. The process of finding a nanny or other caregiver can be long and you will not want to rush into any decisions. If you are considering or planning for daycare, understand that some waiting lists are several months long and you will have to place your name on a waiting list as soon as, or even before the child is born or begins living with you.
- ❑ Talk to others, co-workers, friends and family, and to child care service providers about childcare options that have worked for them. You have to be sure that the option you choose gives you confidence about the care of your child and will work with your routine without too much stress.

While on leave – If you want to maintain contacts with your colleagues

- ❑ It might be helpful for you to keep in touch with colleagues, if only to keep on top of your emails and stay in the loop. Most people who work with you will want to see pictures of your new child and hear about developments.
- ❑ Be available, if possible, if someone needs to talk with you about a file you worked on. Your personal history on a file may be invaluable and a brief conversation with you over the phone may be much appreciated.
- ❑ Keep in touch with your Maternity/Parental Leave Buddy.

Preparing to return from a leave

- ❑ Remind those you work with of your upcoming return. Giving advance notice will put you on the radar screen for upcoming work.

- ❑ Have lunch or meet with one or more co-workers a few weeks prior to your return – it will be helpful when you get back into the swing of things and to remind yourself that you enjoy your work.
- ❑ If you are considering a flexible time arrangement on your return from leave, speak to other lawyers who are on a flexible time arrangement to find out about the various arrangements before you negotiate the terms. Also speak with the lawyers you will be working with about your flexible time arrangement and how you expect to carry out your responsibilities while on flexible time. Prepare a business case related to your flexible time arrangement, including how you intend to maintain your profitability, to provide high quality service to your clients and to be available to colleagues. Consult the firm's flexible work arrangement policies for guidance.

During the first few months and beyond

- ❑ If possible, ease back into your regular work schedule. You may even find that your schedule will change from what it was prior to your leave.
- ❑ Be clear on expectations – when work is assigned be clear on when completion is required and advise those you work with of your work schedule.
- ❑ Keep photos of your child in your office for personal pleasure and to share.
- ❑ Figure out the best way to keep in touch and maintain your schedule, such as by getting a Blackberry and remote access to the office system.
- ❑ Remember that you are not alone. There will be days when it feels like nothing is working. We have all felt that way and your Maternity/Parental Leave Buddy and fellow lawyers can be good friends to talk to.
- ❑ The firm and you have a responsibility to ensure that high quality legal services are delivered to clients.

LIST OF WOMEN AT THE FIRM WITH YOUNG CHILDREN AND EVENTS FOR NEW PARENTS

The following women have young children and are happy to share their experiences with you. Do not hesitate to contact them.

Luncheons for women at the firm with young children are organized [**insert date and time**] and you are welcome to attend these luncheons. Please consult the website at [**insert weblink**] for ongoing updates.

PREGNANCY AND PARENTAL LEAVES IN ONTARIO Q AND AS

The Employment Standards Act (ESA) applies to an employee and his or her employer if the employee's work is to be performed in Ontario; or the employee's work is to be performed in Ontario and outside Ontario but the work performed outside Ontario is a continuation of work performed in Ontario (Section 3 of the ESA).

Associates are subject to Parts XIII and XIV of the ESA that deal with benefit plans and leaves of absences, including pregnancy and parental leaves, but exempt from Parts VII to XI that deal with hours of work and eating, overtime pay, minimum wage, public holidays, and vacation with pay.

A pregnant employee is entitled to pregnancy leave under the ESA whether she is a full-time, part-time, permanent or contract employee provided she works for an employer that is covered by the ESA and was hired at least 13 weeks before the date her baby is expected to be born.

A new parent is entitled to parental leave under the ESA whether she or he is a full-time, part-time, permanent or contract employee provided she or he works for an employer that is covered by the ESA and was hired at least 13 weeks before commencing the parental leave.

Employees may also be eligible for benefits under the Employment Insurance Act (EIA). Please consult your Service Canada Centre to find out if you are eligible and for further information.

For on-line information about pregnancy and parental leave entitlements under the ESA, see:

http://www.labour.gov.on.ca/english/es/guide/guide_11.html

For on-line information about employment insurance benefits for pregnancy and parental leaves, see:

<http://www.servicecanada.gc.ca/eng/sc/ei/benefits/maternityparental.shtml>

For a list of Service Canada Centres in Ontario, see:

<http://www1.servicecanada.gc.ca/cgi-bin/hr-search.cgi?cmd=lst&pv=on&ln=eng>

THE FIRM'S PREGNANCY AND PARENTAL LEAVE POLICY FOR ASSOCIATES
Insert firm policy.

THE FIRM'S PREGNANCY AND PARENTAL LEAVE POLICY FOR PARTNERS
Insert firm policy.

FIRM'S FLEXIBLE WORK ARRANGEMENT POLICY

Insert firm policy.

PARENTAL SUPPORT PROGRAMS

Meeting the challenges of new parenthood, preparing for pregnancy and parental leave, dealing with one's practice before, during and after a leave and successfully reintegrating into practice are important personal and professional issues for associates.

The firm has parental support programs to assist new parents, both men and women, in managing the demands of their career and with family responsibilities. The programs include the following components and associates are encouraged to participate:

[Firms should insert types of programs that are available]

- ❑ **Personal Coaching by External Provider:** One on one external coaching sessions with **[insert name of service provider]** focusing on transition issues such as parenting, lifestyle, new relationship dynamics, caregiver issues, managing stress and developing support systems. The firm pays for **[insert number of sessions]**. The content of sessions is confidential. To participate, please contact: **[insert contact information]**
- ❑ **Coaching by Colleagues:** Coaching by colleagues on topics such as the path to partnership, transitioning one's practice, and reintegration issues upon return. **[insert contact information]**
- ❑ **Lunch and Learns:** Lunch and learn sessions for new parents, offered **[insert day and time]**, with guest speakers on topics such as **[insert topics]**. **[insert contact information]**
- ❑ **Emergency Child Care Service:** **[Insert name of service provider]** provides emergency childcare services for associates and partners to meet the needs of parents. **[insert contact information]**
- ❑ **Information and workshops:** **[Include name of service provider]** designs customized workshops on topics related to parenthood and working as a lawyer.

ADMINISTRATIVE CHECKLIST - WHAT YOU NEED TO DO

When you learn that you will soon become a new parent, you should begin planning the administrative steps that you need to take prior to your departure. The following is a checklist of the steps that relate to various administrative responsibilities, such as notifying the human resources department of the firm and applying for Employment Insurance if applicable.

Process Before Leave	Timeline	Done
Complete and submit to Human Resources a notification of pregnancy and/or parental leave (see sample memorandums at TAB 8A)	At least [insert timeline from policy] prior to the start of your leave	
Confirm your leave date to your [insert position such as practice group leader] and Human Resources	At least [insert timeline applicable to firm] prior to the start of your leave	
<p>Pregnancy leave: If required by firm, provide a certificate from a medical practitioner stating the baby’s due date.</p> <p>Note: this language should be consistent with the firm’s policy.</p>	At least [insert timeline applicable to firm] prior to the start of your leave	
Provide final confirmation of your leave date to your manager and Human Resources	At least 2 weeks before the start date	
Complete and submit to Human Resources a declaration of participation in pension plan	At least [insert timeline applicable to firm] prior to the start of your leave	
Provide [insert position and applicable process, such as post-dated cheques] if you want to continue pension contributions during pregnancy/parental leave	At least [insert timeline applicable to	

Process Before Leave	Timeline	Done
	firm] prior to the start of your leave	
Complete and submit to Human Resources a declaration of participation in [list benefits plans]		
Notify Human Resources if your group benefits status will change during your leave (for example from couple to family coverage)	Prior to your pregnancy/parental leave start date	
Complete a benefits enrolment form to add your new child to the health and dental benefits plan	As soon as possible	
If applicable, apply for Employment Insurance (EI) benefits by contacting EI at 1-800-206-7218 or visit their website at www.hrsdc.gc.ca	Contact EI as soon as you know that you will be taking a leave	
Complete and submit to Human Resources a declaration of participation in [list benefits plans]		
Notify Client Service Centre of the Law Society of Upper Canada to change your status category, if applicable (or the firm, if the firm manages such issues). To change your status, fill out the Notice of Change of Information Form at http://rc.lsuc.on.ca/pdf/membershipServices/member_change_info_en.pdf Contact information: 1-800-668-7380, ext. 3315 or 416-947-3315 or email at records@lsuc.on.ca	As soon as the change is effective	
Contact Law PRO to determine whether you are entitled to an exemption from payment of your insurance premium levy http://www.lawpro.ca/Contact/default.asp Customer Service: (416) 598-5899 Fax: (416)599-8341 or 1-800-286-7639	As soon as possible	

Process during Leave and to Prepare for Return from Leave	Timelin e	Don e
<p>Apply for the following Ontario certificates, if required:</p> <ul style="list-style-type: none"> • Birth registration • Birth certificate • Health Card • Passport • Social Insurance Card <p>For complete information about applying, consult information on-line at http://www.ontario.ca/en/life_events/baby/012222</p>	As soon as possible	
<p>Contact your immediate supervisor and Human Resources so that appropriate arrangements can be made for your return to work</p>	At least [insert timeline applicable to firm] in advance of your return to work	
<p>If you decide to resign before your return to work, provide written notice</p>	As least 4 weeks notice	
<p>Notify Client Service Centre of the Law Society of Upper Canada to change your status category, if applicable (or the firm, if the firm manages such issues). To change your status, fill out the Notice of Change of Information Form at http://rc.lsuc.on.ca/pdf/membershipServices/member_changeinfo_en.pdf</p> <p>Contact information: 1-800-668-7380, ext. 3315 or 416-947-3315 or email at records@lsuc.on.ca</p>	As soon as the change is effective	
<p>Contact Law PRO to determine whether you are entitled to an exemption from payment of your insurance premium levy http://www.lawpro.ca/Contact/default.asp</p> <p>Customer Service: (416) 598-5899 Fax: (416)599-8341 or 1-800-286-7639</p>	As soon as possible	

Sample Memos to Human Resources re: Pregnancy/Parental Leave

Sample 1

NOTIFICATION OF PREGNANCY AND PARENTAL LEAVE

NOTE: The following must be submitted at least [insert timeline applicable to firm] months prior to the leave start date.

Name: _____

A. The following notice applies to (please check the appropriate box):

- Pregnancy Leave Only (applicable to birth mothers only)
- Parental Leave Only
- Pregnancy Leave and Parental Leave

B. Please complete the following dates:

Expected Due Date (for birth parents): _____

Expected Date the Child is Placed (for adopting parents): _____

C. Please complete the expected dates of your leave:

	Start Date	End Date	# of weeks
Pregnancy Leave (maximum of 17 weeks or [insert timeline from policy])			
Parental Leave (maximum of 35 weeks if pregnancy leave taken OR maximum of 37			

	Start Date	End Date	# of weeks
weeks if pregnancy leave <u>not</u> taken [or insert timeline from policy])			
Vacation			

Please attach the following:

Doctors certification of pregnancy and due date. (This document is required by Human Resources at least 2 weeks prior to the commencement of your leave.)

Declaration of Participation in Pension Plan.

Signature: _____ **Date:** _____

Declaration of Participation in Pension Plan and Benefits Plans

NAME: _____

Please check the appropriate boxes below to indicate whether you will or will not participate in the firm’s pension plans during your pregnancy leave and/or parental leave.

Pension Plan

Pregnancy Leave:

	Continue	Discontinue
Participation in Pension Plan	<input type="checkbox"/>	<input type="checkbox"/>

Parental Leave:

Continue	Discontinue
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Participation in Pension Plan

[Insert other plans]

Pregnancy Leave:

Continue Discontinue

Participation in Pension Plan

Parental Leave:

Continue Discontinue

Participation in Pension Plan

Signature: _____ Date: _____

Sample 2

Memorandum

To: [Insert name of person responsible in Human Resources]

From: [Insert name of person requesting the leave]

Re: Pregnancy/Parental Leave

This will confirm my plans for [insert either pregnancy leave, parental leave or both]:

My last day in the office will be _____.

I have taken _____ vacation day(s) to date. Listed below are the dates in which I will be taking my leave.

[Notice about any remaining vacation that, under the firm’s policy, must be taken prior to the start of the leave, as unused vacation and that cannot be carried forward into the following year].

_____ Remaining vacation day(s)

_____ Pregnancy leave [**insert number of weeks**]

_____ Parental leave [**insert number of weeks**]

My expected date of return to the office is _____.

Name and signature

CHECKLIST FOR RAMPING DOWN AND RAMPING UP PRACTICE

When you learn that you will soon become a new parent, you should begin planning to ramp down the work on your files, while ensuring the highest quality of legal services to your clients. Once you are about to return to practice, you should begin to take steps to ramp up your practice to a level that is appropriate and desired. Please remember that it is critical for both you and the firm to continue to offer high quality professional legal services to clients at all times. The following is a checklist to assist you in this process.

Prior to Leave

Activity	Timeline	Completed
Contact [insert position such as managing partner or practice group leader] to establish a plan	Based on firm policy. If no firm policy timeline, 1 to 2 months is often appropriate	
Review your active file list and identify files to be completed and transferred An active file list may be of assistance. See precedent at TAB 9A. Check dates for appearances, time limitations or limitation periods for each file.	Ongoing maintenance of Active File List	
Assign files to colleagues and agree on matters such as timelines to transfer files and to return files	At least 2 months prior to leave, if possible	

Activity	Timeline	Completed
<p>upon return to practice</p> <p>Prepare a transfer memo to the new lawyer or to the file that includes:</p> <ul style="list-style-type: none"> <input type="checkbox"/> A summary of the file <input type="checkbox"/> important dates <input type="checkbox"/> important tasks <input type="checkbox"/> important issues <input type="checkbox"/> important facts <input type="checkbox"/> limitation periods <p>See transfer memo template at TAB 9B</p>		
<p>Inform clients of leave and introduce clients to transitional lawyer. See checklist at TAB 9C and template letter to client.</p>	<p>At least 2 months prior to leave, if possible</p>	
<p>Inform [insert position such as managing partner or practice group leader], of intentions and expectations regarding firm involvement (e.g. continued participation on firm committees, firm events, client, practice team events, etc.) while on leave. See checklist on staying in touch during</p>	<p>At least 1 months prior to leave, if possible</p>	

Activity	Timeline	Completed
leave at TAB 9D.		
Identify method of communication for notification of firm events and activities during leaves and which event you which to receive notice of	At least 1 month prior to leave, if possible	
Discuss with [insert position such as practice group leader] the firm support required to ensure seamless client service and to aid with the transition to leave. See checklist on firm support required at TAB 9E.	At least 1 month prior to leave, if possible	
Clarify with [insert position] concerns or details about compensation process and performance review.	At 1 month before leave if possible	

During Leave

Activity	Timeline	Completed
Meet with [insert position such as practice group leader or managing partner] to develop plan for reintegration	Based on timeline in policy. If no timeline in policy, at least 1 month prior to return, if possible.	
Agree on anticipated work load and transition issues upon return	Based on timeline in policy. If no timeline in policy, at least 1 month prior to return, if possible.	
Discuss anticipated opportunities within the firm for involvement in new matters	Based on timeline in policy. If no timeline in policy, at least 1 month prior to return, if possible.	
Communicate with clients regarding return to work	Based on timeline in policy. If no timeline in policy, at least 1 month prior to return, if possible.	
Agree on matters related to firm support to ensure seamless client service and to aid with the transition back from leave, such as technology aids.	Based on timeline in policy. If no timeline in policy, at least 1 month prior to return, if possible.	

Active File List

File Name	File #	Date Opened	Date Discussed with Client or Letter to Client	Instructions Received Re: File	Appearances or Limitation Periods	File to New Lawyer	Other Action Required

Transfer Memo To File Or New Lawyer

MEMO TO: (File or New Lawyer)

NAME OF FILE:

FILE NUMBER:

DATE:

NOTE: [limitation periods, appearance dates, and outstanding obligations]

FACTS AND INFORMATION:

I was retained by client [X on date] with respect to the following:

[List items and include retainer letter if relevant]

1. A summary of the history of this matter is as follows:

[Summarize the relevant facts and the history of the case to present. Include details of litigation, negotiations, etc.]

2. The client's position on each issue is:[**Include**]
3. The opposing side's position on each issue is: :[**Include**]
4. Include other relevant information: :[**Include**]

I have contacted the client to inform him/her of the temporary transfer of the file and the timeline for the transfer. Letter of transfer attached.

Checklist on Informing Clients and Template Letter to Client

There are a number of issues that should be addressed when informing clients and other business contacts about your impending leave, including the following:

- ❑ Outline the expected length of leave
- ❑ Identify your client’s alternative firm contact for the period of the leave
- ❑ Supply clients with new phone/fax numbers and email addresses of new firm contact, or, if you wish, your new phone/fax numbers and email addresses during the leave
- ❑ Let the client know that the communication lines are open and that he or she should call your practice group leader if there are problems

Template Letter to Client

RE: [Name of case]

Name:[Name]

As of [date], I will be taking a parental leave for an expected period of [insert number of months]. During my absence, I have asked [insert name of lawyer] to carry on the work on your file. [Name of responsible lawyer] can be reached at [contact information including phone/fax numbers and email address]. I have fully briefed [name of responsible lawyer] on the details of your file and he/she knows how to contact me during my leave. Should you have any concerns about this arrangement or the management of your file, do not hesitate to contact me or [name of practice group leader] to discuss the matter.

Sincerely,

[Lawyer]

[Firm]

Checklist – Staying in Touch during Leave

The lawyer should inform the firm about his or her wishes to remain involved with firm activities during the leave. Lawyers who are on Employment Insurance should be aware that if they are working during the leave, the work might impact on their benefits. Please contact your Service Canada Centre for further information. The following information should be provided to the **[insert position such as practice group leader or managing partner]**:

Preferred method of communication during leave

- Telephone: **[insert number]**
- Cell phone: **[insert number]**
- Email: **[insert address]**

Activities that the lawyer wishes to receive notices of

- Professional development opportunities
- Law firm bulletins
- Social events
- Client development activities
- Business development activities
- Women’s events
- Committee meetings
- Group meetings
- Partnership meetings
- Other: _____

Tips on connecting with work while on leave

- Keep up your existing friendships with colleagues. You do not have to focus on work unless you want to. Chat on the phone about your new child and life in general and keep in touch with others by e-mail.
- Call colleagues in the workplace who have recently returned from parental leave. Share news and ask for tips on how to ease the transition back into work.

- ❑ As your return date approached, get together with friends from work to catch up on news.
- ❑ Keep in touch with your pregnancy/parental leave buddy.

Keep informed

Some news may be of interest and useful to you when you return. Decide what type of information you would like to receive. Here are some suggestions:

- ❑ Arrange to receive email staff memorandum and firm information that you might find interesting.
- ❑ Ask for workplace newsletters or important staff communications to be emailed to you.
- ❑ Depending on how much information you feel you are able to handle, arrange for a co-worker to keep you updated on the status of projects or files.
- ❑ As your return to work date approaches, call your practice group leader to get a handle on projects or files you will be taking on. Ask to have status reports or other relevant information emailed or delivered to you.

Checklist - Firm Support

The lawyer should inform the firm about his or her needs for firm support during the leave. The following information should be provided to the **[insert position such as practice group leader or managing partner]**.

- Office supplies, such as stationery and other paper, if required
- Office equipment, such as fax machine and photocopier, if required
- Blackberry
- Remote access to firm system
- Laptop
- Access to an assistant
- Colleague support
- Other: _____

INFORMATION REGARDING EMERGENCY BACK-UP DAY CARE

This information should be included if the firm uses the services of an emergency childcare service provider.

The firm recommends **[insert name of service provider]** to its lawyers for emergency back-up daycare. The service is available at an annual cost of **[insert amount]** for up to **[insert number of visits]** visits in the event of unexpected childcare requirements. The 12-month term runs from **[insert month]** until **[insert date]** of the following year.

[Insert name of service provider] is dedicated to providing associates and partners with childcare services to suit the needs of the parent.

The firm is a member. All you need to do is call **[insert name of service provider]** and advise them that you need space for your child for the day.

[Insert name of service provider] is available in cases where school is cancelled, there is a day off from school, a caregiver is ill or otherwise unavailable, or other matters have come up.

INFORMATION ABOUT CHILDCARE

Child Care: Finding and Choosing

This information is based on information published on the website of Ministry of Children and Youth Services <http://www.children.gov.on.ca/htdocs/English/index.aspx> and the website of the Hospital for Sick Children, Toronto Website at www.aboutkidshealth.ca/Default.aspx

If possible, both parents should participate in the child care selection process. Your child should be present for at least some of the time while you observe and interview caregivers.

When choosing child care you should

- meet with the directors and staff or caregiver to discuss your expectations
- spend an hour or two observing active and quiet activities at all facilities you are seriously considering
- review the licensing files, if possible
- talk with other parents from the facilities
- above all, trust your instincts and ask questions

Choosing unlicensed child care

In Ontario, caregivers who look after five or fewer unrelated children under the age of 10 do not have to be licensed.

Unlicensed child care are private arrangements made between the parents and the caregiver. Another name for unlicensed child care is informal child care.

Here are some examples:

- a babysitter or relative who comes to the child's home at the required times
- a nanny who lives with the family
- a friend or relative who cares for the child in their own home

Some advantages

- family atmosphere in a home-like setting
- caregiver may know you and your child
- schedules may be more flexible
- can be more affordable than licensed child care
- provides stable surroundings
- your child receives ample, personal attention

Some disadvantages

- caregiver may not have any formal training
- isolation of caregiver
- other children may not be the same age or the same stage of development
- reliability may be a problem
- may be difficult to find
- may be the most expensive option for 1 or 2 children
- you are responsible for all fees, taxes, social insurance, and sometimes benefits
- the caregiver may not always be available (illness, vacation), and turnover may be high
- your child may not get the stimulation of other children

Who supervises unlicensed caregivers?

The Ministry of Children and Youth Services does not regulate these caregivers. That means the person caring for your child does not have to meet provincial health, safety and caregiver training standards.

Choosing licensed child care

In Ontario, anyone who cares for more than five unrelated children under the age of 10 years has to be licensed by the Ministry of Children and Youth Services.

Licensed child care providers have to meet certain provincial health, safety and caregiver training standards. These standards, which are set out in the *Day Nurseries Act* and Regulation 262 , cover:

- building and space
- equipment and furniture
- playgrounds

- ❑ record-keeping
- ❑ staffing and group sizes
- ❑ nutrition
- ❑ programs and activities, and
- ❑ health and safety.

Staff of the Ministry of Children and Youth Services make unannounced inspections of all licensed child care programs to

- ❑ make sure that provincial standards are being met
- ❑ investigate complaints
- ❑ issue and renew licences
- ❑ monitor operators who are having difficulty meeting licensing standards

There are two kinds of licences.

- ❑ A regular licence means that the child care program has met all the licensing standards on the day of the inspection.
- ❑ A provisional licence means that, when last inspected, the child care program has not met one or more licensing requirements. If the child care operator needs time to meet these requirements, the ministry may give the child care operator a specific period of time to make the changes needed to meet the requirements.

A provisional licence does not mean that the children are unsafe or that the program is about to close. If, at any time, an inspection shows that there may be a threat to a child's health, safety or welfare, the ministry will take immediate steps to protect the well-being of the children in care.

If you are thinking about licensed child care, there are several kinds to choose from. The kind you choose will depend on the needs of your child and your family.

- ❑ home-based child care
- ❑ centre-based child care
- ❑ school-aged child care

Home child care

Home child care is provided in a caregiver's home. You can find home child care for infants, toddlers, pre-school and school-aged children.

Licensed agencies contract individual caregivers who use their own homes to look after children.

Caregivers are screened, approved and monitored by home visitors, who work for the home care agency.

The Ministry of Children and Youth Services inspects the agencies and some home child care locations at least once a year to make sure that they are meeting the requirements of the Day Nurseries Act.

What do home visitors do?

Home visitors have training in early childhood education, child development and family studies. They make sure that the caregivers are following the agency's policies and procedures. They may also help caregivers:

- plan activities for children at different stages of their development
- give advice about nutritious meal planning
- check that the home is safe for children
- help choose toys and equipment that are safe and suitable for the children
- make sure provincial requirements are met

What are the advantages of this kind of care?

- children of the same family may be placed together
- agency provides assistance, support and monitoring
- caregiver has to meet certain standards of care
- small group size. By law, caregivers can only provide child care for five children under the age of ten. The regulation sets out additional restrictions for the number of children cared for under the age of six years
- provides home-like environment
- greater flexibility regarding ages than most centres (may take infants and toddlers)
- relatively inexpensive arrangement
- greater flexibility regarding hours than most centres

What are the disadvantages of this kind of care?

- your child may not receive as much personal attention as in-home care
- the caregiver will not always be available (illness, vacation)
- the caregiver may stop providing services abruptly
- the caregiver may not have appropriate training or experience

- ❑ the caregiver may not be able to offer the array of opportunities provided by centre-based care
- ❑ the caregiver is not supervised directly

Child care centres [Known locations close to the office to be inserted by the firm]

Licensed child care centres care for infants, toddlers, pre-school and school-age children. They include nursery schools, full day care, extended day care and before and after school programs.

Child care centres operate in a variety of locations including workplaces, schools and churches.

What are the advantages of this kind of care?

- ❑ children will be with other children their age
- ❑ staff includes professionals with training in early childhood education
- ❑ activities are designed for children at different stages of development
- ❑ there are toys and playground equipment for every age
- ❑ usually has planned, formal program of activities and greater variety of play materials
- ❑ usually less expensive than in-home care
- ❑ generally open 12 hours per day year-round and full- or half-day schedules available (nursery schools usually open half-days and are closed the same months as regular school)
- ❑ closures due to caregiver being ill are unlikely
- ❑ staff is supervised

What are the disadvantages of this kind of care?

- ❑ your child may be less comfortable in a formal group setting than in an informal home environment
- ❑ your child may not receive as much attention as in-home or family care
- ❑ you may need to commit to year-round day care even if your needs are irregular
- ❑ you may need to pay a registration fee
- ❑ the centre's hours and days may not suit your needs
- ❑ your child cannot receive care if sick
- ❑ this is usually more expensive than family child care

School-age care

School-age programs are designed for children 6 to 12 years of age. These children spend most of their day at an elementary school. Programs operate at different times, such as

- before and after school
- at lunch
- during school breaks
- on days when schools are closed

The programs are available through many child care centres and home child care agencies.

What are the advantages of this kind of care?

- school-age children get different programs from pre-school children. For example, they get more opportunities to make their own decisions. They can also organize their own games.
- children also can choose their own activities, such as
 - physically active play
 - quiet board and word games
 - crafts
- activities are geared to older children
- children can access the supplies they need for hobbies and other interests and can work on projects for longer periods of time
- staff have experience working with school-age children and are always present to guide and encourage them

Where do you find information about child care in your area?

You can find information about child care options from:

- provincial ministries or municipal health departments
- United Way (information and referral services)
- YMCA/YWCA
- religious organizations
- child development departments of local colleges
- school counsellor (before and after school care)

- ❑ your employer
- ❑ telephone book ("Child Care, Camps, Nanny Services, Schools - Preschool")
- ❑ local child care council
- ❑ paediatrician
- ❑ newspaper/bulletin board ads
- ❑ internet
- ❑ word-of-mouth (friends, relatives, other parents).

The following is a list of resources compiled by the Law Society of Upper Canada on how to find childcare services and financial assistance. TAB 11 A and B also provides a template of questions to ask when selecting a nanny or a daycare facility.

1. *Ministry of Children and Youth on-line guide to licensed childcare*

This website provides information about selecting the proper childcare services, the differences between licensed and unlicensed childcare and how to find childcare services in Ontario.

<http://www.gov.on.ca/children/english/programs/beststart/care/index.html#aboutchildcare>

2. *Ministry of Revenue Ontario Childcare Supplement for Working Families*

OCCS is a tax-free monthly payment to help with the costs of raising children under the age of seven. The program benefits low-to-middle income single or two-parent families, families with one stay-at-home parent, or families with one or both parents studying or in training. A family does not have to have a child in daycare to apply for the supplement.

The program started in 1998 and is administered by the Ontario Ministry of Revenue's Client Accounts and Services Branch. The supplement is tax-free. It does not affect the federal CCTB payments.

<http://www.rev.gov.on.ca/english/guides/itrp/occs.html>

3. *Link to Parentguide.ca*

This is a comprehensive on-line resource centre for parents. It provides information about a wide range of topics, including breastfeeding, childcare, education , health and wellbeing and parenting.

<http://www.parentguide.ca/index.php?page=64&mysession=pg0536896001204598764#c>

4. *Prenatal Care*

This website provides information about prenatal care, including finding a midwife and a doctor.

http://www.ontario.ca/en/life_events/baby/004574

Questions for Home-Based Child Care

- Are you licensed by the province?
- Do you have any Early Childhood Education certificates or experience?
- How many children do you care for?
- Do you have any children of your own? (By law, licensed caregivers can only provide child care for five children under the age of ten in addition to their own).
- What are the ages of the children, including your own?
- How many staff/helpers do you have?
- What background checks do you do on extra caregivers?
- What other family members live in your home?
- Do other family members interact with the children?
- What background checks have you done/can you provide on the other adults who interact with the children?
- What is your daily schedule like?
- Do you provide a daily "log" of the child's activities (food/play/diaper changes/naps)?
- Where do the children nap and where do they play?
- How do you deal with the needs of children who no longer nap?
- How much time do you generally spend outdoors and what climate affects your decision?
- If you cannot go outdoors, how do you get large muscle activities for the children?
- Do you ever leave your home with the children? If so, how do you travel (wagon, stroller, etc.)
- What do you do for back up if you are ill or on vacation?
- Do you provide food and what do you expect of parents concerning food? (i.e. are parents expected to bring food/snacks/provide breakfast before arrival)
- What other items are parents expected to provide? (i.e. diapers, wipes, formula, changes of clothing, blankets, other bedding)
- How and how often are the children's toys cleaned?
- What do you consider as disruptive behavior?
- How do you handle disruptive behaviour? How do you handle common scenarios like biting?

- ❑ Do you provide an “incident report” to the parents at the end of the day when a child is injured (even if minor)?
- ❑ What are your approaches to milestones such as walking, potty training, etc.?
- ❑ Do you go on field trips or other outings (other than walks around the neighbourhood)?
- ❑ Are parents expected to provide a car seat?
- ❑ What is the caregiver to child ratio for field trips?
- ❑ Do you have any school-aged children under your care?
- ❑ How do they get to and from school?
- ❑ Can I speak with some of the parents of the children currently under your care?

Finding a Nanny and Regulations

For information from the Ministry of Labour about applicable legislation and regulations regarding the hiring a nanny or domestic worker, please consult: www.labour.gov.on.ca/english/es/factsheets/fs_domestics.html

Choosing a Nanny Agency

Many people turn to a nanny agency to assist them in finding a nanny. A good nanny agency can make the process faster and easier, as well as provide peace of mind. An agency can help you find a full-time, part-time, temporary or emergency caregiver for your child. It's important to carefully choose the agency.

Finding a nanny privately can be time-consuming, stressful and hard work, which is why many people turn to an agency for help. A good nanny agency can make the process faster and easier, as well as provide peace of mind. An agency can help you find a full-time, part-time, temporary or emergency caregiver for your child. It's important to carefully choose the agency you work with. Not only will you be investing your time and money in their services but you'll also be trusting them to find the right nanny for your family.

Before sending nannies out on an interview with families good nanny agencies should

- interview the nanny in person - not just over the telephone
- check birth certificate, passport, driving license - original, not a copy
- always ask for at least two references
- ask about qualifications and First Aid - check originals of certificates
- ask about any gaps in a nanny's CV and make them account for them
- ask for a police check
- find out where the nanny is living and their current circumstances
- ask what experience the nanny has. How do they care for and stimulate children in their care

The following is a checklist of questions to ask to find out if the agency is a good one

- How long has the agency been in the business, or (if the agency is new) how much experience in the industry has the agency's director/operator had?
- Does the agency meet each nanny candidate in person?
- How long will it take to find a nanny through the agency? About how many candidates will they present to you?

- Do its nannies have first aid certificates as standard?
- What childcare qualifications and/or experience do its nannies have? Do they perform a full background check? What does that include? At what point during the screening / referral process do they perform the various checks? Will all the screenings be completed before the nanny begins work?
- Does it run training courses for its nannies, and provide opportunities for them to increase their skills?
- How does it go about matching nannies to families? Does it meet you to discuss your requirements?
- What support does it give the family during the recruitment process?
- Does it assist with drawing up the employment contract between family and nanny?
- What ongoing support does it provide families? Does it check back to see if the arrangement is working? Does it offer back-up support if a nanny gets sick or fails to show up?
- What advice can it give parents about employment law and their responsibilities and risks as an employer?
- What costs are involved and what do they cover? (For example, registration fee, placement fee, etc)

The following are questions to ask when interviewing a nanny¹

Circle the corresponding number:	(1 lowest - 5 highest)
Energy/Attitude:	(1 2 3 4 5)
Attention/Focus:	(1 2 3 4 5)
Flexibility (schedule)	(1 2 3 4 5)
Experience:	(1 2 3 4 5)
Salary Requirement:	(1 2 3 4 5)
Gut feeling about her:	(1 2 3 4 5)
Total:	

Sample Questions (Pick and choose from the list of questions below to best suit your own unique situation. Remember to let her do most of the talking. Many times interviewers tend to monopolize the conversation and the applicant merely nods her

¹ Based on the 4nanny.com website at http://www.4nanny.com/interview_questions.shtml

head. You'll never get to know her that way.)

The first 6 questions are designed to help you interview over the phone to narrow down your selection and waste less time.

Confirm the requirements of the job. Make sure the person is available for the hours you need. If you need someone who drives, make sure the nanny drives. Verify whether the nanny is CPR certified. Make sure the nanny is looking for the same living arrangement you are and the same salary.

- Does the person have the level of language that you require. This person is going to have a huge impact on your child's development.
- If you are looking for someone with childcare experience, make sure the nanny has the experience required.
- Ask about the nanny's last childcare experience. Why did it end? What were the ages of the children the nanny cared for?
- Ask the nanny how long he or she would be willing to stay in this position? When can the person start? What the person plans to do when the contract is completed?
- Tell the person that you plan to do a background check on anyone you are considering hiring. Ask if the person has a problem with this.

If you are satisfied with the answers you received, set up an appointment for a face-to-face interview. Remind the person to bring a list of at least three references that you can call.

The Face-to-Face Interview Questions

The following is a non-exhaustive list of questions that you can ask during interviews with potential nannies.

- What do you think children like best about you?
- What kinds of activities would you do with a (insert ages of your children) year old?
- Can you give me some examples of problems you have had with kids and how you handled them?
- What would you say is your discipline style? Can you give me some examples of when you would need to use discipline with a (insert age) year old child?
- What do you consider to be your most important responsibility in this job?
- At what point would you call a pediatrician or 911? Have you ever had to handle an emergency? How did you handle it?
- Have you ever had to manage a morning routine during the school year so that all the children got off to school on time? If no, do you think you could?
- Do you have any health-related problems that would prevent you from doing this

job?

- Can you cook?
- How do you feel about performing light housekeeping?
- Will you be able to adjust your schedule if we need to go out of town or stay late at work from time to time? [Note: Make sure she knows that this would be overtime and she would be compensated with additional pay]
- What is your relationship with your family like? Do they like the idea of your being a nanny?
- What do you like to do in your spare time? Hobbies, activities?
- What do you like most about yourself? What would you like to improve about yourself?
- What was your last childcare experience? Why did it end? What were the ages of the children you cared for?
- What do you think a typical day is like with a (insert the age of your child i.e., infant, toddler, 5 year old, 10 year old.)?
- How do you feel about furthering your training by attending child development classes or seminars?

If your nanny position is going to be a live-in position you need to ask a few more questions of your candidates. The following is a non-exhaustive list of questions that you can ask during interviews with potential live-in nannies.

- What are your sleeping habits? (does the person stay out late on week nights?) Do you have a problem with us generally expecting you to be home by 11pm (or whatever time you determine) on nights when you would have to work the next day?
- Do you like to watch T.V. or listen to your stereo late at night?
- Do you have any worries or apprehensions about living with a family? What are they? It's best to get these out in the open now so you can try to alleviate them.
- Do you have any pets you are hoping to bring along?
- Do you have any friends that will be overnight guests from time to time?
- Did you run into any problems with your last live-in arrangement? What were they?

If your nanny candidate has passed all of the above, it's time to check the references, perform a background check and if all is well, have the nanny come over and watch the kids for a trial run (paid of course).

TAB 12

EASING THE TRANSITION BACK TO WORK

Tips on how to ease back in:

You may find it helpful to phase in your return to the workplace, both physically and mentally.

- ❑ As your return date approaches, begin to reconnect with your workplace. Get together for lunch with a colleague to catch up on news. Call your practice group leader to get a handle on the projects you'll be returning to.
- ❑ Try to arrange for all-staff emails to be directed to your home email address.
- ❑ Consider asking for relevant files to be forwarded to you at home.
- ❑ Ask your practice group leader about the possibility of flexible hours or a part-time schedule for the first week or two after you return.
- ❑ Talk to friends who have recently had a new child and have returned to work. Ask for tips.
- ❑ If possible, begin your childcare arrangements a few weeks prior to returning to work, even if only on a part-time basis. This will help ease your own and your child's transition away from being together full-time. It helps your child get used to the new routine.

Tip on How to Make Emergency Plans

If you have back-up plans in place, you will find it easier to cope when things go awry.

- ❑ Review emergency childcare options close to your home or near your workplace.
- ❑ Create a support system. Get to know neighbours with small children or other parents at the daycare centre. Perhaps you can provide reciprocal back-up help when needed.
- ❑ Discuss extended hours with your childcare provider. Agree how you will handle a sudden workplace need for late hours.
- ❑ Discuss arrangements with your support system for pick-up and drop-off duties career demands conflict with childcare arrangements.

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