

# Lecker & Associates Highlights Maternity Leave Rights for Ontario Employees in 2025

*Lecker & Associates Releases 2025 Guide on Maternity and Parental Leave Rights for Ontario Workers*

TORONTO, ON, CANADA, November 28, 2025 /EINPresswire.com/ -- [Lecker & Associates](#), a leading Toronto employment law firm dedicated to defending employee rights, has released an important update outlining what Ontario workers need to know about [maternity leave](#), parental leave, and related employment protections in 2025. The firm emphasizes that understanding these legal entitlements is essential for safeguarding job security and financial stability during pregnancy and after the arrival of a new child.

## Strong Legal Foundations Under the Employment Standards Act

Under Ontario's Employment Standards Act (ESA), pregnant employees are legally entitled to 17 weeks of unpaid maternity (pregnancy) leave. This leave is designed to give birthmothers the ability to recover from pregnancy and childbirth while ensuring their position remains secure. Lecker & Associates clarifies that employers are required to:

- Approve maternity leave requests that meet ESA requirements
- Reinstatement employees to their original job or a comparable role once leave ends
- Continue benefits and preserve seniority during the leave period
- Refrain from retaliation, including discrimination, harassment, or penalizing an employee for taking leave

Any employer who reduces hours, modifies duties, eliminates benefits, or terminates an employee for taking maternity leave may be in violation of the ESA. Such conduct can also amount to wrongful dismissal or reprisal, making employees eligible for compensation, severance, or additional legal remedies.

## Eligibility and Timing

To access maternity leave in Ontario, an employee must be:

- Employed in Ontario
- Pregnant or have recently given birth
- Actively employed by the current employer
- Able to provide at least two weeks' written notice

The firm highlights that maternity leave is specifically for those who carried the pregnancy. Adoptive parents and non-birthing partners are covered under parental leave, which is distinct but complementary. Birthmothers may take both maternity and parental leave, giving them greater flexibility.

Employees have control over when their maternity leave begins:

- Leave may start up to 17 weeks before the due date
- Leave must begin no later than the birth of the child
- The full 17-week leave applies even if the baby arrives early or later than expected

Employers cannot pressure employees into cutting their leave short. Once maternity leave begins, the full leave must be taken continuously.

#### Financial Support Through EI Benefits

Although maternity leave itself is unpaid, most employees qualify for Employment Insurance (EI) maternity benefits. In 2025, EI provides:

- 55% of average weekly earnings,
- Up to a maximum of \$695 per week.

These benefits help bridge the financial gap during recovery and early parenthood.

#### Rights Following Miscarriage or Stillbirth

Lecker & Associates underscores that Ontario law also protects employees experiencing pregnancy loss. If a miscarriage or stillbirth occurs within 17 weeks of the expected due date, employees remain entitled to maternity leave.

The duration depends on timing:

- If the loss occurs before maternity leave begins: 12 weeks of leave from the date of the loss
- If the loss happens after leave has started: the employee is entitled to the longer of
  - o 12 weeks from the date of the loss, or
  - o 17 total weeks from the start of the leave

These provisions ensure time for physical and emotional recovery without employment repercussions.

#### Common Workplace Issues and Legal Precedents

Despite clear legal standards, employees continue to encounter obstacles such as:

- Pressure to return to work prematurely
- Denied leave requests
- Incorrect application of workplace policies
- Pregnancy-related discrimination or harassment
- Threats of termination or demotion

One influential case, *Nahum v. Honeycomb Hospitality Inc.*, 2021 ONSC 1455, demonstrated how pregnancy can significantly impact an employee's ability to secure new employment after termination. In this landmark ruling, a pregnant employee with short tenure was awarded five months' notice, a substantial recognition of the realities pregnant workers face in the job market.

According to Lecker & Associates, this decision reinforces that pregnancy must be considered when assessing fair compensation in wrongful dismissal cases.

#### A Trusted Advocate for Employees

Lecker & Associates has represented Ontario employees for more than 40 years and continues

to champion workers whose maternity leave rights have been ignored or violated.

The firm provides:

- Tailored legal advice on maternity and parental leave
- Representation in disputes involving leave entitlements, pregnancy discrimination, or workplace harassment
- Advocacy in wrongful dismissal or constructive dismissal matters connected to pregnancy

#### Contact Information

Employees seeking guidance about maternity leave or pregnancy-related workplace issues can request a [no-charge assessment](#).

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