



Employee

A pregnant worker may be eligible to benefits from this special MSI program. If her working conditions endanger her health or that of her unborn child, she has the right to be reassigned immediately to another position that does not involve such hazards, and which she is able to perform. It must be clear that a physician has identified an approved danger, as this program is not a leave but a preventative program. Employee and physician to complete and sign MSI-4 Safe Maternity Program form and MSI-21 "Temporary Work Assignment Form"

Employer

Re-assignment is the first option, the pregnant worker can be re-assigned to another position and maintain her full salary by her employer, if she is re-assigned to a lower paying position, then MSI may pay the difference to her full salary. This new position must meet with the approval of her physician.

If her workstation cannot be modified or if she cannot be assigned to another position, she has the right to stop working temporarily and receive MSI benefits. The first 5 days are payable by the Employer at 100% of her salary, MSI continues benefits at 75% of her gross salary, up to the maximum insurable earnings. This is not a maternity leave, but rather a preventative program aimed at allowing the worker to continue her job in complete safety. The employer can achieve this objective in many ways, example:

- ☞ Eliminating the hazard at source;
- ☞ Modifying the worker's job;
- ☞ Adapting her work station;
- ☞ Reassigning the worker to another position or workstation;
- ☞ Complete and sign MSI-2 Employers Form, MSI-21 "Temporary Work Assignment Form"

Work Stoppage

The worker may stop working if the employer cannot immediately eliminate the hazard at source, adapt or modify work conditions deemed dangerous, or re-assign the worker to another position. She will receive MSI benefits until such time as she is offered a safe job by the employer or 4 weeks prior to giving birth. When the worker gives birth, then the regular maternity benefits (Q.P.I.P) take over, and MSI is discontinued.

Physician

To exercise her right to a safe maternity, the worker must ask her physician to fill out the MSI-4 Safe Maternity Program Form, if there is a charge to complete this; the worker will pay it and be reimbursed by MSI. This form is available at the MSI office located in the Kahnawà:ke Services Complex in the Social Development Unit (Ask for the Safe Maternity Package).

Each application is individually examined. The employer and the physician's report must meet approval with MSI's designated occupational professionals; if it is deemed necessary to include further consultation you will be contacted.

***Note the mere completion and submission of the MSI-4 form does not confer the un-conditional right to protect reassignment or MSI benefits.**