

Dufferin-Peel (OECTA) Elementary Pregnancy/Parental Leave Workshop

(Updated April 2017)



Facilitators: Sandra Vukosich

Disclaimer

- The information presented is based on current language in our Collective Agreement and is subject to change upon ratification of a local agreement at which time changes may be made to Sick Leave, Short Term Leave, Medical Leave, Paid Leaves of Absence, Benefits, Family Medical Leave, Critical Care Leave.
- There will be a new benefit carrier for our members as of June 1st, 2017 and members will need to contact the new carrier once information about the new benefit plan is received.

OECTA PRAYER

Creator God, we praise you, the source of all life.

Renew our faith and guide us in our ministry as Catholic teachers. Let us touch the hearts and minds of those with whom we work.

Lord Jesus, share with us your counsel, so we may choose knowledge over ignorance, wisdom over waste, peace over injustice, community over isolation and service over domination.

Holy Spirit, nurture our growth. Inspire us to give birth to the creative powers within us. Let us come to the fullness of life promised in the Gospel. Amen.

Housekeeping

- Washrooms
 - Sign-in
- Questions/Question Card

MILEAGE

PLEASE MAKE SURE YOU SIGN-IN AND THAT WE HAVE THE CORRECT SCHOOL LISTED FOR YOU IN ORDER TO RECEIVE MILEAGE FOR ATTENDING THIS WORKSHOP

If you car-pooled please indicate NO MILEAGE on the sign in sheet.

Fifth Disease

- Fifth disease is a mild rash illness caused by parvovirus B19
- About 50% of pregnant women are immune to parvovirus B19
- Pregnant women who are not immune usually do not have serious complications after they are exposed to others with fifth disease
- Their babies usually do not have any problems. However, sometimes a baby will develop severe anemia, and the woman may have a miscarriage.
- It happens in less than 5% of all pregnant women with parvovirus B19 infection and more commonly during the first half of pregnancy.
- Board Policy: See **Appendix E** in ***Pregnancy & Parental Leave Package***

Fifth Disease

- The Board will provide a copy of their Fifth Disease Policy on the 5th of September each year. If a case of fifth disease exists at your school, your administrator should notify all staff
- If the case of fifth disease exists in your class. You should go and seek advice from your doctor as to what next steps you should take.
- If you are a non classroom teacher (PT, FSL, ESL etc...) you can avoid the classroom with the infected student.
- If your doctor advises you to take time off of work, you can use your sick days.

Eligibility for Pregnancy /Parental Leave

- According to the Employment Standards Act; to be eligible for pregnancy or parental leave the employee must have been employed for at least 13 weeks prior to the **expected** birth date.
- As of July 3, 2016 new entrants and re-entrants now face the same eligibility requirements as other claimants in the region where they live. For those who live in the GTA , this is based on the Regional rate of Unemployment. Our rate is around 8% so you will need about 600 hours

Notify the Employer

- The Board would prefer at least two months notice before commencing your leave where possible. **The law states however that you must provide the Board with 2 weeks notice** before commencing Maternity/Parental leave
- **Appendix A** in the *Pregnancy and Parental Leave* package outlines the details of your letter of notification to the employer
- In the case of adoption, send in your notification letter with the expected adoption date along with documentation from the adoption agency confirming the expected adoption date

Contacting The Employer

Address letter to Norma Brown , Teacher Personnel Assistant

*Print and submit the **Pregnancy/Parental Leave Request Form** from the **HR Portal** under **General Forms GF 323** (may be sent via internal courier or regular mail)

Mailing address for Board:

*Catholic Education Centre (CEC)
Dufferin-Peel Catholic District School Board
40 Matheson Blvd West
Mississauga Ontario
L5R 1C5*

Keep a copy for your files and include in your letter the following information:

- a) Name and employee number
- b) Copy of your medical note (from a doctor or midwife) indicating your expected date of delivery (which will be the date of the beginning of your leave unless you indicate an earlier date in this letter).

Once your letter has been received an acknowledgement letter and an information package pertaining to OTPP and benefits while on leave will be mailed to you.

When Does My Maternity Leave Commence?

- The leave will commence on the **expected due date** or on the **date the baby was born** whichever is first
- If you deliver after your expected due date your leave will begin on the expected due date indicated in the medical note
- In the case of adoption, your leave will commence once you have the **child in your full time custody**
- Under the **Employment Standards Act** you can commence your maternity leave up to 17 weeks before* the birth of the baby. You can start your EI benefits 9 weeks before your due date (1 week waiting period + 8 weeks of benefits that you can be paid for). For more details and information: http://www.servicecanada.gc.ca/eng/ei/types/maternity_parental.shtml#much

*Note: you will return to work 52 weeks from the date you commence your maternity leave

Maternity Leave Top Up & Your Collective Agreement

Central Terms

2014-2017

“Teachers **eligible** for Employment Insurance while on pregnancy leave shall receive 100% of salary through a Supplemental Employment Benefit (SEB) for a total of not less than 8 weeks immediately following the birth of her child”

“Teachers **not eligible** for Employment Insurance while on pregnancy leave shall receive 100% of salary from the employer for a total of not less than 8 weeks following the birth of her child.”

How does the top-up work?

- After the birth of your child, the Board will pay 100% of salary for the one week waiting period while you await the start of your EI benefits.
- Once EI benefits begin the Board will top up the difference between the amount paid by EI and your regular salary for the remaining 7 weeks.
- If you start the EI period before the birth (you can start EI up to 9 weeks prior to the birth of a child) then the Board will top the difference between the amount paid by EI and your regular salary for the 8 weeks following the birth of your child.
- In cases where the 8 weeks falls during a non-normative period the Board will continue payments during the next normative period.

Example: If the 8 weeks falls during the summer break, the 8 weeks will be paid once school resumes in September.

How do I apply for Maternity Leave Top Up?

- Teachers must complete and send in a **Request for Maternity Leave Top Up** form (see Appendix B) after applying for EI Benefits
- Attach proof of EI earnings from Services Canada to the form
- If you are ineligible to receive EI benefits submit documentation to the board showing that you were denied (if this is the case the Board will pay the full compliment of the 8 weeks top-up)
- Submit your completed form to Teacher Personnel as soon as possible

Access to Sick Leave Credits

- Members are entitled to 11 sick day credits paid at 100% of salary
- According to the Central Terms in our Collective Agreement, *“Medical Confirmation will be required...for absences of 5 consecutive days or greater”*
- The medical note should be forwarded to Health Promotion and Wellness
- Members are required to report absences correctly

Access to Short-term Support Program (STLDP) Before Birth

- A teacher absent beyond the eleven (11) sick leave days paid at 100% of salary can access up to an additional hundred and twenty days (120) of short-term sick leave paid at 90% of regular salary.
- Once you have been absent for 5 or more consecutive days the Board's Health Promotion and Wellness Department will ask for medical documentation.
- Your Health and Wellness Case Worker will contact you to send you the forms to be completed by your doctor:
 - (A-E) Nicki Fasulo- Extension 24486
 - (F-M) Helen McGinn- Extension 24561
 - (N-Z) TBA-Extension 24487

Access to Short-term Support Program (STLDP) Before Birth

- For any sick days used beyond the 11 Sick Day Credits you will be paid at 90% of salary with the possibility of STLDP top-up
- **If you are not paid at 90%, please call the Unit office immediately**
- After 75 days of continuous absence you will be required to apply for LTD. If you are sent an LTD application package from the Board, please contact the Unit office.

STLDP Top-Up

- Any unused portion of sick day credits from the previous year can be carried over for STLDP top-up purposes only. You can use top-up days for any absence beyond your 11 days sick bank as long as you have top-up available.
- Each STLDP top-up day is divided into tenths so each STLDP top-up day can be used to top-up ten STLDP days from 90% to 100% of salary
- It is important to check your absence statement on the HR Portal to see how many top-up days you have. It is also important to make sure to check your pay to ensure you receive your correct pay.

Scenario: *Mary used 8 sick day credits during 2015-2016. She has 3 unused sick days which can be carried over for a total of 30 STLDP top-up days. She will be topped-up from 90% to 100% for 30 days should she access STLDP.*



Sign Out Belinda Russo

Site Actions Home

- Employee [Short Term Support Program](#)
- Personal [STLDP Payment at 90% - CUPE Employees](#)
- HR Profile [Application - Emergency Days - Top up from 90%](#)
- Profile/Benefi
- Sen/Qual
- Absence**
- Pay-Stub
- United Way/St
- + Tax Informati
- WebTRACS
- + Offence
- + Forms
- + Information
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- + Training and De

Absence Account

Group	Account	Allocated	Used	Available
ACST	Short Term Disability Credits	120.00	0.00	120.00
ACST	Short Term Leave Top-up	11.00	0.00	11.00
ACST	Current Allocated Sick Credits	11.00	0.00	11.00
ACST	Absences Not Deducted from Sick Days	0.00	0.00	0.00
ACST	Emergency Leave	5.00	0.00	5.00

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 Since March 29,
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NOTE: Absences that are recorded in the "Other Absences Required Non Deductible" heading are not deducted from sick leave credits (examples may include; bereavement, jury duty, quarantine, subpoena and board business days).

Your current statement is for the period of September 1st to August 31st. If this statement does not agree with your records you must submit a copy of your statement with a notation of the discrepancy no later than November 30th of the year in which the period ends. For example if your statement is for the period of September 1, 2008-August 31, 2009 your query must be submitted by November 30, 2009. If we do not hear from you by the deadline date we will consider that our records are in agreement. Your file will be closed and your absence statement will stand without further adjustment.

Absence Summary

How Does a Teacher Access STLDP Top Up?

- Ensure that STLDP Top Up is available to you by checking the HR portal.
- Should STLDP Top Up be available the Board should automatically top up your absence.
- It is strongly recommended that you confirm receipt of STLDP Top Up by checking your pay stub or contacting the Payroll Department at the Board Office.
- Should a teacher not receive top-up and believes he/she is entitled to it, contact the Unit Office.

What if STLDP Top Up is Not available?

- If a teacher does not have access to STLDP Top Up, the teacher may be eligible to access Emergency Leave top up (maximum of 2 days)
- Each school year a teacher is allocated 5 Emergency Days. Emergency days are prorated according to FTE.
- Emergency Days include absence for the following reasons: family illness, religious holiday, weather, graduation and moving day.

Emergency Day Top Up Eligibility

- If a teacher is accessing the 120 STLDP days and does not have access to STLDP Top Up days, but has remaining Emergency Days for the current school year, the teacher is eligible to apply for Emergency Day top-up
- Application form is available through the HR Portal: Employee → Personal → Absence
“Application – Emergency Days – Top up from 90%”

Absence & Pension Implications

When accessing STLDP you will be deducted at 100% of your regular pension contribution even if you are being paid at 90% of salary.

Immediately Following Birth/Adoption

- It is important to notify the employer immediately following the birth
- In cases of adoption, the Board will need to be notified of the adoption custody date
- Provide the person who is making the call with all of the required information (you will know what information is required because the Board will send you a package with all of the details once you have submitted your notification)
- Apply for EI Benefits immediately following birth
- Send in the **Request for Maternity Leave Top Up** to Teacher Personnel in order to receive 8 weeks top-up (top-up does not apply for adoption)

Paternity Leave

Collective Agreement Article 7.055

If your spouse had a baby and you are a member of DPEU you are entitled to 4 paternity leave days which **must be taken within the 17 week period following the birth** of the child

In the case of adoption, paternity leave may be accessed within the 17 week period following the full-time custody of the child

It is important to note that these days do not come out of your sick day bank or your emergency days.

Parental Leave

Labour Law

- Within the parental period (following the 16 weeks of maternity leave) the member is entitled to split the 35 weeks of parental leave with his/her spouse
- If both parents work for the Board, the Board will need to be made aware of the intent to share the parental leave in advance (use form GF 323)
- Employment Insurance will also need to be notified of this arrangement. This applies for adoption as well
- If you are accessing Parental Leave **only** (for example in adoption) it is a 36 week leave (1 week waiting period + 35 weeks of Employment Insurance Benefits)

Adoption and Parental Leaves

- When a family chooses to adopt, they are eligible for a Parental Leave of 36 weeks (35 paid weeks and 1 unpaid week). Top Up is not paid in cases of adoption.
- Your Parental Leave when you adopt in most cases will start when you have full custody of the child. There are a few exceptions however:
 - 1) In Ontario there can be a “**Probationary Adoptive Period**” where a child lives in your home, but you do not have full custody. You can take a Parental Leave at this time and collect E.I.
 - 2) If you have started the process for either a Probationary Adoptive Period or a regular adoption process, you can begin your leave. You must phone E.I to see if they will grant you benefits during this time.
- If you find yourself in either of these situations, please call the Unit Office to seek advice.

Benefits while on Pregnancy /Parental Leave

Option 1: Continue to pay into your benefits

You do not have to inform the board, they will deduct the premiums from your pay. If you would like to have them deduct over several pay periods, you can request that by contacting the Benefits Department.

The premium cost is the same as your bi-weekly rate multiplied by total number of pay periods (26)

Option 2: Terminate benefits while on leave

You must inform the board in writing if you choose to terminate your benefits while on leave. Upon return your benefits will automatically be reinstated.

CAUTION: LTD is a benefit, if you cancel your benefits ensure that you maintain LTD coverage

Always check your coverage

Benefits Information

- If you initially requested a leave of less than 52 weeks and wish to extend the leave to 52 weeks and you wish to continue your benefits you must contact the Benefits Department
- Please note that the Board requires all benefit changes to be submitted at least four weeks in advance in order to be processed
- Our benefit plan covers private hospital rooms
- Don't forget to change your plan to "family" if you are paying for a single plan, do this **prior** to the birth/adoption.
- ***There will be changes due to the Provincial Benefit Plan and members will have to communicate with OTIP and/or call the office once the Unit moves into the benefit plan**

Benefit Example

- Your spouse has excellent benefits and you make the decision not to change your benefits from Single to Family Benefits because you feel that those benefits will suffice while you are off.
- If an expense arises which is not covered under your spouses benefits and you have not switched your benefits over to family benefits you will not be able to make that claim.
- The Board will only switch your benefits within the first 30 days following the birth. After that you must wait until you return to work to switch the benefits.
- Our position remains that you should switch your benefits from single to family prior to the birth of your child.

Employment Insurance

E. I. Benefits

- Service Canada administers maternity/parental benefits which you will receive during your pregnancy/parental leave
- In order to be eligible to collect these maternity/parental benefits **you must have 600 insurable hours (86 teaching days x 7 hours per day)** within the 52 week period prior to your leave
- If you do not qualify for EI the Board will pay 100% for eight weeks following the birth

How do I apply for E. I. Benefits?

- Apply online at www.servicecanada.gc.ca
- Prior to proceeding with your application for benefits you will require a Record of Employment (ROE) issued by the Board. The Board will send your ROE once you have informed the Board of the actual Date Of Birth
- The ROE is issued 5 days after your last pay. It is now sent to E.I electronically. Call payroll to confirm that it has been sent
- There is an approximate 1 week waiting period to process your EI application (Effective Jan. 1, 2017)

Employment Insurance Benefits

Money Matters

- The number of eligible weeks of Maternity Leave is 16 weeks plus Parental Leave is 35 weeks for a total of 51 weeks
- The total number of eligible EI weeks is 50 weeks (there is a one week waiting period)
- In cases of adoption you can access Parental Leave of 36 weeks
- The total number of eligible EI weeks is 35 weeks (there is a one week waiting period)
- Current EI benefit paid to Teachers is paid at a rate of rate is 55% of insurable earnings to a maximum of \$543/week

Summer Pay

- A Teacher's salary is based on 194 working days
- A Teacher's summer pay is based on days already worked
- A small percentage of pay is held-back in each pay period so that a Teacher receives payment during the summer
- When a Teacher accesses maternity/parental leave the summer hold back pay is paid in full upon the commencement of the leave
- When a Teacher returns from a maternity/parental leave the summer pay will be based on the total number of days worked, this may result in a lesser salary amount

Summer Pay & EI Premiums

- EI premiums are unaffected by summer pay payouts
- A Teacher who commences maternity leave June 30th will receive a summer pay out pay and will be eligible for EI benefits as well
- EI will last for 50 weeks which means that the Teacher will not be eligible to collect EI for the duration of the following summer

Teacher Pension Plan Contributions

When you are on a statutory leave you are responsible for your own pension contributions

Option 1-Don't Pay

If you waive your pension plan contributions it will have an impact upon your pension entitlements **or** you will have to work a(n) additional year(s) to make up for it.

Option 2-Pay Later

You may purchase credit within the allowable 5 year window (interest charges will apply).

Note: An existing RRSP contribution can be transferred to your OTPP as a buyback without tax implications.

Visit **Ontario Teachers' Pension Plan** at:
www.otpp.com

Pension Buy Back: Should I or Shouldn't I?

Still on the fence about whether or not to buy back your leave? Here are five reasons to consider that may help you to make up your mind:

1. You have five years from the time your leave ends to pay for your buyback.
2. You can transfer your RRSPs (that are in your name) to pay for all or a portion of your buyback.
3. Contributions to your pension plan, including buybacks, are matched by the Ministry. Essentially, this means you are paying for 50% of your retirement.
4. Adding an extra year to your career may not seem like a big deal now, but as you approach retirement, you may have a different view.
5. The security of Teachers' defined benefit pension plan is hard to beat.

Pension Buy Back App

For I-Phone and I-Pad users there is a downloadable app that you can use to calculate what it would cost you for your buy back.

The app is called “BABY STEPS” and is available for download. There is no cost for this app.

Ontario Teacher Pension Plan

Teachers on extended leave should directly contact the Teachers' Pension Plan Board for an application to buy credit for the period of an extended leave

5650 Yonge Street Toronto, Ontario M2M 4H5 (416) 228-5900

1-877-812-7989 (toll free)

Fax: (416) 730-5349

Head Office Hours 8:00 a.m. to 5:30 p.m. Monday to Friday

Member Hotline Phone (416) 226-2700 1-800-668-0105 (toll free) **Fax** (416) 730-7807 1-800-949-8208 (toll free)

OCT Membership Fee

- OCT membership fees are deducted from your pay, on an annual basis, in January. **If you are on leave at this time you must pay the fee directly to OCT**
- Payment is due by April 15th
- On-line payment is available beginning in November each year
- Failure to pay OCT fees will result in a re-instatement fee of \$130 plus the regular renewal fee amount of \$150 (based on current fee information)

OCT Contact Info

On-line access: www.oct.ca

E-mail: info@oct.ca

Hours of Operation: Monday to Friday
8:30 – 5:00

Toll Free: 1 888 534-2222

Tel: 416 961-8800

Fax: 416 961-8822

Returning to Work Early?

- Pregnancy leave is split into two sections: 16 weeks maternity and 35 weeks parental leave
- If you deliver a baby **you must take the 16 weeks** maternity leave
- The **35 weeks may be shared** between you and your spouse
- You must inform the Board of your intent to return to work early, a minimum 4 weeks notice is required to Teacher Personnel: Norma Brown (905) 890-1221 Extension: 24200
- You must also inform EI if you intend to return to work early

Return From Maternity/Parental Leave

- Prior to your return from a maternity/parental leave, please make sure that you **notify the Board of your intention to return** and the date of your return **a minimum of 4 weeks notice before your return date**. Please notify Norma Brown at the Teacher Personnel Department at the Board (905) 890-1221 Extension: 24200
- The Board will need to ensure that your position will be ready for you upon your return. Please also make sure to touch base with your administrator to remind him/her that you are returning
- Seniority and experience continue to accumulate during maternity/parental leave
- Upon return from maternity/parental leave the teacher will return to the same school and position

*Principals do have the right to make grade placement changes however, if you feel that your position has not been reinstated please contact the unit office

Long Term Occasional Teachers & Maternity Leave Top Up

- Teachers who are working on LTO contracts get paid within the start and end dates of those contracts. This has implications for LTO teachers who are having a baby during their teaching assignments.
- If an LTO contract extends 8 weeks beyond the birth date, that LTO will be able to receive Maternity Top Up from the Board. If the contract does not however, then the Maternity Top Up will only be paid for the duration of the contract.
- For example, Rachael has an LTO contract which will expire on April 1st however she is having a baby on March 1st. In terms of her potential 8 week Maternity Top Up she will only be given the top up for 4 weeks because her contract expires 4 weeks after the birth of her child.
- In terms of experience that will accumulate, 100 days is considered a year of teaching experience Article 4.010 (c). If the contract extends beyond the birth date, those days are counted towards your 100 days. If you do not have 100 days accumulated then the experience will be prorated for you. Article 4.010 (f)

Extended Leave

Inform the employer in writing of your intent to access up to an additional year of leave

- Collective Agreement Extension rights
- Article 7.051 a) allows a Teacher up to one additional year of leave following the 52 week pregnancy/parental leave, with the end day of such leave at the natural breaks in the school year as listed
- The relevant articles in the CA are: 7.050, 7.051, 7.052, 7.053, 7.054, 7.055, 7.070
- You can apply for up to 2 additional years of leave following an extended leave. This additional leave shall be granted [Article 7.070 (a)]

How To Apply For An Extended Leave

- The process for applying for an Extended Leave following your Maternity/Parental Leave (Creating a 2 year Leave) or a General Leave following your Extended Leave (Creating a 3 or 4 year leave) are the same.
- Article 7.070 (c)- To extend your Maternity Leave contact Anna Cannataro [Teacher Personnel Officer] in the Teacher Personnel Department at the Board Office (Ext. 24252) no later than (3) three working months preceding the leave. You can submit GF 249 form with the dates you are seeking an extension to Anna or you can e-mail Anna but a copy of the e-mail and the GF 249.
- You must send a letter to the SO of Human Resources along with completing the GF 249 Form which can be accessed through the HR Portal and that form must be submitted to the Board.

Extended Leave Continued...

- A teacher who accesses an extended leave will be granted a return to the same school as long as the leave does not go beyond 2 years.
- Return from an extended leave must be in alignment with the natural breaks in the school year (First day of school, or the first day of Term 2)
- A teacher on extended leave is mailed all posting notices by the employer and is eligible to apply to postings as long as the teacher has been at her current school for at least 2 years. If you are not getting the postings mailed to you make sure to phone Teacher Personnel and ask for them to be sent to you.
- During the extended leave the Teacher may apply to work as an occasional teacher, or teach summer school. Teachers wishing to explore these options are to contact Teacher Personnel
- Please check your CA for any changes

Benefits while on Extended Leave

- Teachers who wish to continue benefits while on an extended leave must pay the **total premium cost**. The Board will provide you with the updated calculations of the cost of extending your benefits
- This amount will be more than the amount paid while on pregnancy/parental leave because while on an extended leave the Board does not pay for any portion of the premiums. You must pay 100% of the benefit cost.
- Once benefits are paid they cannot be cancelled
- LTD, consider maintaining this benefit. If something happens to you while you are on leave that would cause an extended absence you **will not be protected**. (approximately \$1200) (There will be a new carrier once we move into the Provincial Benefit Plan and members will need to contact the new carrier regarding this)

Change in FTE Status

- If you are thinking about changing your employment status from 1.0 FTE to anything less, you should be aware of the possible implications under the Collective Agreement. Contact your union office to seek information about how a change in your FTE status may affect you.
- Article 7 of our Collective Agreement allows for a General Leave. A General Leave can be accessed as a full year leave or as a term leave. (Sept- February or February to June)
- Alternative options include a Job Share agreement:
- In a Job Share, both teachers must be at the same school and the principal must agree to job share. The job share arrangement must be renewed each year but teachers who job share maintain their 1.0 FTE status.

Teaching Responsibilities

Before commencing your leave:

- Provide the Occasional Teacher with 3 days lesson plans (can be emergency plans), long range and/or PAR plans, student anecdotal notes and any student grades and report card comments for subjects you taught
- Teachers are responsible for the assessment and reporting of all completed units/subject areas
- If there are less than 6 weeks left prior to the reporting date you should provide all of the learning skills grades/comments for the report card

Teaching Responsibilities

- Upon return from a leave, it is recommended that you communicate with your administrator to ensure that assessments, grades, plans are left for you upon your return
- Grades and comments for all completed units and strands should be made available

Leave Checklist

Section One: Before the Birth (if possible)

- Collect the required medical letter from your doctor and submit it to the Board
- Make a decision regarding continuation of your pension contributions
- Make any necessary changes to your Benefit Plan
- Make arrangements to pay your OCT fee
- Make arrangements for Pension contribution
- Be sure that the Board has your current address and school location on file so there is no delay in returning these forms. If you move while on leave you may also wish to notify the Ontario College of Teachers of this change.

Section Two: After the Birth

- Notify the Board of the birth so that they can prepare an updated ROE
- Submit the **Request for Maternity Leave Top Up** form
- Apply for Employment Insurance benefits immediately following the birth
- Submit your child's information to Sunlife Insurance, our benefit plan administrator within 30 days of the birth

QUESTIONS

