# Canada<sup>1</sup>

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NB. Canada is a federal state.

For comparisons with other countries in this review on leave provision and early childhood education and care services, please see the cross-country tables at the front of the review (also available individually on the Leave Network website). To contact authors of country notes, see the members page on the Leave Network website.

# 1. Current leave and other employment-related policies to support parents

Note on federal and provincial/territorial responsibility: In Canada, the federal government provides Maternity and Parental leave benefits to parents residing outside Québec through the Employment Insurance (EI) programme, funded by employers and employees and administered by the Department of Employment and Social Development Canada. Entitlement to job-protected leave from employment is granted in Labour laws that fall under the jurisdiction of the ten provinces and three territories (referred to below as 'jurisdictions') and the Canada Labour Code for the seven per cent of employees in federally regulated industries, resulting in 14 different legislated leave entitlements. Variations between jurisdictions hold implications for accessing and using (unpaid) legal entitled leave and therefore the two benefit programs. Overall, the federal wage-compensation benefit programme and provincial/territorial/federal legal entitlements to job-protected leave are two separate sets of rules. In 2011, self-employed parents outside Québec became eligible for federal benefits on an opt-in basis. In January 2006, the province of Québec launched a separate Maternity, Paternity and Parental leave benefit programme for employed and self-employed workers called the Québec Parental Insurance Plan (QPIP). Details of the QPIP programme are given below under 'regional or local variations in leave policy'. The information below refers, by default, to the two benefit programmes. Details regarding jurisdictional-based entitlement to unpaid job-protected leave are at the end of the Parental leave section.

The following table presents a comparison of benefits between the Canadian program and the Québec regime. In both programs, parents must pay premiums through insurable employment to qualify.

<sup>&</sup>lt;sup>1</sup> Please cite as: Doucet, A., Lero, D.S., McKay, L. and Tremblay, D.-G. (2018) 'Canada country note', in Blum, S., Koslowski, A., Macht, A. and Moss, P. (eds.) *International Review of Leave Policies and Research 2018*. Available at: <a href="http://www.leavenetwork.org/lp\_and\_r\_reports/">http://www.leavenetwork.org/lp\_and\_r\_reports/</a>

### Comparison of Benefits: Canada (EI) and Québec (QPIP)

	Canada El	Québec	Québec	
		Basic Plan	Special Plan	
Eligibility (in past year) <sup>1</sup>	600 hours	\$2,000 [€1,305.68] <sup>2</sup> earnings		
Self-employed workers	If opted in the year	Automatically covered		
	before, with	(Must have stopped working or		
	minimum €4241,51	seen a reduction of at least 40 per		
	in self-employed	cent of usual income)		
	earnings			
Waiting period	1 week per couple	None		
Weeks by wage-replacement rate (% of gross earnings during a qualifying				
period up to the Maximum Insurable Earnings level)				
Maternity <sup>2,3</sup>	15 at 55%	18 at 70%	15 at 75%	
Paternity	None	5 at 70%	3 at 75%	
Parental (shared)	35 at 55% or	32 (7 at 70% +	25 at 75%	
	61 at 33%	25 at 55%)		
Maximum total weeks	76	55	43	
per couple				
Adoption (shared) <sup>4</sup>	35 at 55% or	(12 at 70% +	28 at 75%	
	61 at 33%	25 at 55%)		
Low-income	Up to 80%	Up to 80%		
supplement <sup>5</sup>				
Adjusted annually:				
Maximum insurable				
earnings, 2018	\$51,700	\$74,000		
	[€33,751.92]/year	[€48,310.29]/year		
Maximum weekly				
benefit, 2018	\$547	\$1,067 [€696.58]		
	[€357.10]			

Source: Adapted from "Employment Insurance Maternal and Parental Benefits," Service Canada (2018), https://www.canada.ca/en/employment-social-development/programs/ei/ei-list/reports/maternity-parental.html and "Québec Parental Insurance Plan," Emploi et Solidarite sociale, Québec, http://www.rqap.gouv.qc.ca

#### **Table Notes**

1) The 600 hours are of insurable employment in the 52 weeks before the claim is made (or since the last El claim e.g., for unemployment, sick leave, or Compassionate Care benefits). In Québec, CAD\$2,000 [€1,305.68] must be earned in the fiscal year but an extension to 104 weeks is allowed if unable to work.

- 2) Only birth mothers (including surrogate mothers) are entitled to Maternity leave in both plans.
- 3) The benefit calculation for both programmes uses a 'best weeks' formula to determine 'average insurable earnings' up to the Maximum Insurable Earnings level for that year. El uses previous 52 weeks; Québec uses past 26 weeks (an extension is granted if earnings were lower for certain reasons).
- 4) Only QPIP has a separate option for adoptive parents; EI Parental leave benefits are the same for biological and adoptive parents
- 5) The low-income supplement is for families with a net annual income of less than CAD\$25,921 [€16,922.31]. The amount, up to 80 per cent, is calculated based on net family income, and the number of children and their ages.

<sup>2</sup> Conversion of currency undertaken on 13 June 2018, using: http://finance.yahoo.com/currency-converter

### a. Maternity leave (congé de maternité)

Length of leave (before and after birth)

15 to 18 weeks depending on the jurisdiction.

#### Payment and funding of two benefit programmes

- 15 weeks of benefits at 55 per cent of average insured earnings up to an earnings ceiling of CAD\$51,700 [€33,751.92] (i.e., a benefit payment ceiling of CAD\$547 [€357.10] per week)<sup>3</sup>. Low-income families can qualify for a higher benefit rate, to a maximum of 80 per cent of average insured earnings.
- There is no payment for the first week, which is treated as a 'waiting period'; this means that payment is available for 16 weeks out of 17-18 weeks leave.
- Administered under the federal El fund, Maternity and Parental leave benefits are funded by premiums paid by employers and employees, based on a premium rate that applies to every CAD\$100 [€65.28] of insurable earnings, up to the maximum insurable earnings threshold (MIE) which is CAD\$51,700 [€33,751.92] in 2018. The rates are set by the Employment Insurance Financing Board each year. Employers pay premiums that are 1.4 times those of employees: employee premiums were set at CAD\$1.66 [€1.08] per CAD\$100 [€65.28] (for Québec residents at CAD\$1.30 [€0.85] of insurable earnings in 2018); employer premiums were set at CAD\$2.32 [€1.51] per CAD\$100 [€65.28] of insurable earnings (for Québec Employers at CAD\$1.82 [€1.19]<sup>4</sup>). Self-employed individuals outside of Québec who opt in to the El program in order to be eligible for special benefits pay the same as employees: CAD\$1.66 [€1.08] per CAD\$100 [€65.28] of insurable earnings up to a maximum of CAD\$51,700 [€33,751.92] of earnings, or CAD\$858.22 [€560.28] annually. See 'regional or local variations' for additional contributions paid in Québec. Maternity and Parental leave benefits are taxable.

#### Flexibility in use of benefits

- Under the EI program, as of 3 December 2017, pregnant mothers may start receiving benefits as early as 12 weeks before their due date or delay receiving benefits until the actual week they give birth.
- Normally, Maternity benefits must end by 17 weeks after the week in which the
  mother was expected to give birth or actually gave birth. Maternity benefit
  receipt can be delayed/extended by the amount of time a new-born is
  hospitalized, but Maternity benefits must be received within 52 weeks of the
  birth.
- Maternity benefits may be combined with regular benefits in the event of job loss or with other Special benefits (Parental, sickness benefits, compassionate care benefits or family caregiver benefits for adults or for parents of seriously ill children up to a maximum of 102 weeks with proof of eligibility for the latter benefits). However, eligibility and other rules sometimes result in reducing

<sup>&</sup>lt;sup>3</sup> Employment Insurance Maternal and Parental Benefits, Service Canada, 2018, https://www.canada.ca/en/employment-social-development/programs/ei/ei-list/reports/maternity-parental.html

<sup>&</sup>lt;sup>4</sup> 2018 Employment Insurance Premium Rate. Summary of the Actuarial Report on the Employment Insurance Premium Rate: https://www.canada.ca/en/employment-social-development/programs/ei/ei-list/reports/premium/rates2018.html

claim duration.

#### Regional or local variations in leave policy

- Eligibility and duration of leave entitlements vary across provinces and territories. The rules generally apply to all leave-taking types (Maternity, Paternity, Parental, Compassionate Care, etc.). See the table below under Parental leave.
- Québec offers benefits of 70 per cent of average weekly income up to an earnings ceiling of CAD74,000 [€48,310.29] per year in 2018 for 18 weeks of Maternity leave; there is also no waiting period<sup>5</sup>. There is some flexibility in use of Maternity leave. It is possible to have a higher income replacement rate but for a shorter period, or lower income for a longer period. Under the 'special' plan, Maternity leave benefits are paid at 75 per cent of weekly income for 15 weeks, while under the 'basic' plan they are 70 per cent of weekly income for 18 weeks.
- Benefits in Québec are financed by contributions from employers and employees and self-employed, who pay the standard contribution to EI, less a reduction but with a supplementary contribution to cover the higher benefits offered in the province. In 2018 contributions are 0.548 per cent for employees, 0.767 per cent for employers and 0.973 per cent for self-employed (maximum contributions respectively of CAD\$405.52 [€264.74], CAD\$567.58 [€370.54] and CAD\$720.02 [€470.06], up to a maximum insurable income of CAD\$74,000 [€48,310.29] compared with 0.36 per cent of insurable income, up to a maximum of CAD\$51,700 [€33,751.92] as an EI premium in other parts of Canada.

#### Eligibility (e.g. related to employment or family circumstances)

- Eligibility for job-protected unpaid leave entitlement varies between Canada's 14 employment jurisdictions and is separate from the eligibility for payment of benefits under the two (federal and Québec) programs. The rules generally apply to all leave-taking types. See below under Parental leave.
- Eligibility requirements for wage-compensation benefits under the federal program are 600 hours of continuous employment in the last 52 weeks. Many part-time and non-standard (contract) workers do not have enough hours to qualify, even though they pay EI premiums. For the Québec QPIP programme, workers are eligible if they earned at least CAD\$2,000 [€1,305.68] in the 52 preceding weeks.
- In 2006 when the QPIP program began, self-employed workers in Québec were included and became eligible for Maternity, Paternity, Parental and Adoption benefits if they had a minimum of CAD\$2,000 [€1,305.68] in self-employment earnings in the previous year. Outside Québec, in 2010 El special benefits (Maternity, Parental, Sickness and Compassionate care leave benefits) were extended to the self-employed on a voluntary 'opt-in' basis. Until implemented in 2011, most self-employed parents (outside Québec), especially women, were not eligible for benefits since they typically work under business or service contracts and therefore are not considered to have

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<sup>&</sup>lt;sup>5</sup> Government of Québec (Travail, Emploi et Solidarité Social). Information on QPIP available at: http://www.rqap.gouv.qc.ca/Index\_en.asp

<sup>6</sup> http://www.rgap.gouv.gc.ca/employeurs/cotisations.asp

<sup>&</sup>lt;sup>7</sup> http://www.csst.gc.ca/glossaire/Pages/salaire maximum annuel assurable.aspx

insurable employment. In order to receive Maternity/ Parental benefits self-employed mothers/fathers outside of Québec must have registered one year previously, and qualify if they have reduced the amount of time devoted to their business by more than 40 per cent because of childbirth/caring, paid contributions to the regime, and earned at least CAD\$6,947 [€4,535.29] (in 2017) from self-employment in the reference period of the previous 52 weeks<sup>8</sup>.

- There are no leave entitlements or benefits for parents who do not meet the eligibility criteria.
- Graduate and postdoctoral students who receive a scholarship from one of three large granting agencies can receive limited benefits from the agency. (Research/teaching assistant and postdoctoral employment contracts vary in being counted as insurable earnings.)

Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; lone parent), or delegation of leave to person other than the mother

- Maternity leave entitlement can be extended in some jurisdictions if the child or the mother has health-related complications (in British Columbia this applies to the child if they have a physical, psychological or emotional condition that requires additional care). This extension can be for up to six weeks. See the table below.
- In cases where a birth mother is ill during or after pregnancy, up to 15 weeks
  of federal sickness benefits can be received, resulting in a maximum of 91
  weeks of benefits (15 weeks sickness, 15 weeks Maternity and 61 weeks of
  Parental benefits).
- Leave entitlements and benefits are offered per birth, not per child. Parents of multiple-birth infants follow the same entitlements and benefits as parents of singletons.

Additional note (e.g., if leave payments are supplemented by collective agreements; employer exclusions or rights to postpone)

 Some employers provide a supplemental benefit plan that partially or wholly makes up the difference between the federal Maternity benefit and the worker's salary, often including coverage during the waiting period before benefits are provided.

# b. Paternity leave (*congé de paternité*) (in Québec, the responsibility of the Ministry of Work, Employment and Social Solidarity)<sup>9</sup>

Length of leave (before and after birth) entitlement

 No statutory leave, except in Québec (see 'regional or local variations').In Québec, fathers are entitled to a Paternity leave. For parents of same sex, in the case of men, the partner of the biological father is entitled to the adoption

<sup>&</sup>lt;sup>8</sup> Employment Insurance Maternal and Parental Benefits, Service Canada, 2018, https://www.canada.ca/en/employment-social-development/programs/ei/ei-list/reports/maternity-parental.html

<sup>&</sup>lt;sup>9</sup> The French translation of the name of this Ministry is Travail, Emploi et Solidarité Social.

benefits if he was part of the adoption process. In the case of two female parents, the partner of the mother is entitled to Paternity and Parental leave benefits if her name is on the birth certificate.

#### Regional or local variations in leave policy

- Québec offers up to five weeks after the birth. Paternity leave may be taken for three weeks at 75 per cent of average weekly earnings or for five weeks at 70 per cent up to an earnings ceiling of CAD\$74,000 [€48,310.29] per year. Funding as for Maternity leave.
- Fathers in Québec (including self-employed workers) are eligible if they have earned at least CAD\$2,000 [€1,305.68] in the 52 preceding weeks.

#### c. Parental leave (congé parental)

Length of leave (before and after birth)

- Thirty-five to 37 weeks in most jurisdictions for one parent or shared between two parents but not exceeding a combined maximum of 35 weeks in jurisdictions. In all jurisdictions except the Yukon, parents can take leave at the same time. All jurisdictions require that Maternity leave and Parental leave be consecutive if both are taken by the mother and the maximum number of weeks of leave that are allowed including post-natal Maternity leave and Parental leave for one person in most jurisdictions is 52 (In Alberta, as of December 2017, unpaid leave entitlement must be completed within 78 weeks).
- Following the introduction of an option for an extended parental benefit period of 61 weeks, Alberta, Ontario and the Federal jurisdiction amended their legislation to allow 62-63 weeks of Parental leave. As of 11 March 2018, other provinces have not yet introduced a similar change, but may do so during 2018. In Alberta, the leave entitlement is per family, not per employee.

#### Payment and funding

- As of 3 December 2017, the EI system provides two options. The standard option provides up to 35 weeks of income replacement per family at the same rate as Maternity leave (55 per cent of average insured earnings up to an earnings ceiling of CAD\$51,700 [€33,751.92] (i.e. a benefit payment ceiling of CAD\$547 [€357.10] per week. Alternatively, one or both parents can opt to share extended Parental leave benefits for up to 61 weeks, by spreading the same benefit amount over a longer period of time, i.e., 61 weeks at 33 per cent of earnings up to the maximum or a benefit payment ceiling of CAD\$328 [€214.13] per week.<sup>10</sup>
- Low-income families (i.e., with a net income of CAD\$25,921 [€16,922.31] or less per annum) are eligible for a family supplement under the El programme, up to a maximum of 80 per cent of average insurable earnings. The specific amount of benefits received depends on family net income and the number and ages of children in the family (under 18). Data are not available on the number of parental leave claimants who received the family

<sup>&</sup>lt;sup>10</sup> Maternity and Parental Leave Benefits. Service Canada, 2018, <a href="https://www.canada.ca/en/employment-social-development/programs/ei/ei-list/reports/maternity-parental.html">https://www.canada.ca/en/employment-social-development/programs/ei/ei-list/reports/maternity-parental.html</a>

supplement, however available evidence on the total number of claimants receiving any of the Special Benefits indicates a consistent decrease each year since 2001-2002 largely because the threshold for the family supplement has been constant since 1997 (at a net annual income of less than CAD\$25,921 [€16,922.31] while average family income has risen. In Québec, this supplement averaged CAD\$38.14 [€24.90] per family and five per cent of beneficiaries using Parental leave received this supplement.

#### Flexibility in use

- Benefit payments can be claimed by either parent or shared if both parents qualify for up to a total of 35 weeks of benefits on the standard plan, in which case leave benefits are limited to use within 52 weeks after the birth. Parents who opt for the extended plan are limited to use within 78 weeks after a birth or adoption. While on leave, a parent may earn CAD\$50 [€32.64] a week or 25 per cent of the weekly benefit, whichever is higher.
- Each of the 14 labour laws establishes rules regarding flexibility in use. See the notes under the table in the *Regional or local variations in leave policy* section below for details.
- Parents of a new-born or newly adopted child who are hospitalized for an extended period have a window of up to two years to claim parental benefits.
- Parental leave benefits can be combined with El-covered sickness or compassionate care benefits or family caregiver benefits while a parent is on leave.
- Canadian Forces members ordered to return to duty while on Parental leave or whose Parental leave is deferred because of military requirements, may receive benefits for an extended window of up to two years following their child's birth or adoption.
- In Québec, the regime was changed slightly in 2018. Parents can now spread the Parental leave over two years, if their employer agrees. There is no additional funding, but the time can be spread over two years, with part-time employment for example. Also, parents will have a bank of ten days within the Parental leave (no days are added, but the parents have to keep ten days for this), days which they can use within the next three years for family reasons, without needing to obtain authorization from their employer.

### Regional or local variations in leave policy

- In terms of benefits, the Québec Parental Insurance Plan offers a basic entitlement of seven weeks at 70 per cent of average insured income plus 25 weeks at 55 per cent, up to an earnings ceiling of CAD\$74,000 [€48,310.29] a year. There is also a 'special plan', which applies also to Maternity and Paternity leave, offering a shorter period of leave, 25 weeks, with higher benefits, 75 per cent of earnings. Leave can be taken at any time in the 70 weeks that follow birth, but for benefits it is during the 52 weeks following birth.
- Length of leave, flexibility of use, eligibility, and employment entitlements during leave (e.g., accrual of work benefits such as pensions) varies for unpaid leave between jurisdictions and is also different from the eligibility for payment benefits. Regional variations in eligibility for leave entitlement are noted in the next section.
- Differences in duration and some other rules for unpaid leave entitlement

under 14 jurisdictional employment standards legislation (federal, ten provincial and three territorial), are as follows: 11

### Maximum Duration of Unpaid Leave Entitlement by Jurisdiction

Note: Legal entitlements separate from benefit plans. Superscript numbers refer to the notes below (sources are in footnote 10)

Employment Jurisdiction	Maternity Leave <sup>1</sup> (weeks)	Parental Leave <sup>1</sup> (weeks)	Adoption Leave <sup>1</sup> (weeks)
Federal	17	63 <sup>4</sup>	63 <sup>4</sup>
Alberta	16	62 <sup>4</sup>	62 <sup>4</sup>
British Columbia	17	37 <sup>3,5</sup>	37 <sup>5</sup>
Manitoba	17 <sup>2</sup>	37 <sup>2,5</sup>	37 <sup>5</sup>
New Brunswick	17	37 <sup>4</sup>	37 <sup>4</sup>
Newfoundland and	17	35 <sup>5</sup>	52 <sup>5,8</sup>
Labrador			
Northwest Territories	17	37 <sup>5</sup>	37 <sup>5</sup>
Nova Scotia	17	52 <sup>3,5</sup>	52 <sup>5</sup>
Nunavut	17	37 <sup>5</sup>	37 <sup>5</sup>
Ontario	17	63 <sup>3,5</sup>	63 <sup>5</sup>
Prince Edward Island	17	35 <sup>4</sup>	52 <sup>4</sup>
Quebec	18 <sup>2,6</sup>	52 <sup>2,5,6</sup>	52 <sup>5</sup>
Saskatchewan	18	37 <sup>5,7</sup>	52 <sup>8</sup> 37 <sup>4</sup>
Yukon	17 <sup>2</sup>	37 <sup>2,4</sup>	37 <sup>4</sup>

#### Table Notes:

1) The jurisdiction is where you work, not where you live. A number of jurisdictions allow Maternity and/or Parental leave (for natural or adoptive parents) to be extended under certain circumstances, such as late births or health problems of the mother or child.

- 2) In Canadian jurisdictions that still provide less than 62-63 weeks of Parental leave, most (with the exception of Manitoba, Québec, and the Yukon) have a combined duration of Maternity and Parental leave that cannot exceed 52 weeks. In Québec, the 52 weeks can be taken within a 70-week period with the employer's agreement. Ontario, Alberta and the Federal jurisdiction provide a maximum duration of 78 weeks.
- 3) In the case of an employee who has taken Maternity leave, the maximum Parental leave is 35 weeks, except Ontario and Alberta where it is 61-62 weeks.
- 4) The Alberta legislation stipulates that there is no requirement to grant Parental

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<sup>&</sup>lt;sup>11</sup> Sources, and for more information: Human Resources and Skills Development Canada (2006) *Labour Law Analysis, International and Intergovernmental Labour Affairs, Labour Program*, accessed Oct 29, 2009. Legislative references: Federal, Canada Labour Code: sections 206, 206.1(1) and 206.2; Alberta, Employment Standards Code: sections 46(1) and 50; British Columbia, Employment Standards Act: sections 50(1) and 51(1); Manitoba, Employment Standards Code: sections 54(1) and 58(1); New Brunswick, Employment Standards Act: sections 43(1) and 44.02(2) and (12.2); Newfoundland and Labrador, Labour Standards Act: sections 31(2), 34(1) and 35.1; Nova Scotia, Labour Standards Code: sections 59(1) and 59B(1), (2) and (4); Nunavut, Labour Standards Act: sections 31(2), 34(1) and 35.1; Ontario, Employment Standards Act, 2000: sections 47(1) and 49(1); Prince Edward Island, Employment Standards Act: sections 20(1) and 22(1), (2) and (2.1); Quebec, An Act respecting labour standards: sections 81.2, 81.4 and 81.10; Saskatchewan, Labour Standards Act: sections 23(3), 29.1(2.1) and 29.2(2); Yukon, Employment Standards Act: sections 36(2) and 38(1) and (6).

leave to more than one parent at a time if both parents of a child work for the same employer. In the Yukon, parents who share a Parental leave cannot normally take their leave at the same time, whether or not they work for the same employer. In New Brunswick and Yukon, Parental leave may be taken by one parent or shared between two parents, but the total combined Parental or Adoption leave cannot exceed 37 weeks. In Prince Edward Island, Parental or Adoption leave may be taken by one parent or shared between two parents but in either case the combined leave cannot exceed 35 weeks of Parental leave or 52 weeks of Adoption leave.

- 5) A majority of jurisdictions, namely British Columbia, Manitoba, Newfoundland and Labrador, Northwest Territories, Nova Scotia, Nunavut, Ontario, Québec and Saskatchewan (with respect to Parental leave) permit both parents to take the full Parental or Adoption leave. In the other jurisdictions, Parental leave can normally be shared between parents.
- 6) In Québec, there is an entitlement to five days off work immediately following the birth, the first two of which are paid if employees have 60 days of continuous service. Since the 2006 start of QPIP benefits, Québec fathers are entitled to a Paternity leave of not more than five continuous weeks. This leave may be taken at the earliest in the week in which the child is born and end no later than 52 weeks after the birth.
- 7) In Saskatchewan, an employee who is entitled to Maternity or Adoption leave may not take more than 34 weeks of Parental leave.
- 8) In Newfoundland and Labrador, an eligible employee is entitled to 17 weeks of Adoption leave, to which can be added 35 weeks of Parental leave. In Saskatchewan, the primary caregiver of an adopted child is entitled to 18 weeks of Adoption leave and 34 weeks of Parental leave. The other parent may take up to 37 weeks of Parental leave. In both provinces, an eligible adoptive parent may therefore take up to 52 weeks of cumulative leave.

#### Eligibility (e.g., related to employment or family circumstances)

- To qualify for (unpaid) Maternity/Paternity or Parental leave, an employee must normally have completed a specific period of continuous employment. However, some provinces British Columbia, New Brunswick and Québec do not require a specific length of service. Alberta now requires a minimum of 90 days with the same employer. Ontario requires 13 weeks of service; Newfoundland and Labrador requires 20 continuous weeks; Prince Edward Island requires 13 and Saskatchewan requires 20 continuous weeks in the 52 weeks preceding the requested leave. The federal jurisdiction and the Northwest Territories permit an employee to take the leave after six months of continuous service, and Manitoba after seven months. Nova Scotia, the Yukon and Nunavut territories require 12 months of service. In addition, in all jurisdictions, a medical certificate must be provided or may be requested by the employer, and an employee must notify the employer, usually two to four weeks in advance (six weeks in Alberta), of his/her intent to take Maternity or Parental leave.
- To be eligible for payment benefits, a parent must have worked in insurable employment for 600 hours in the last 52 weeks or since their last Employment Insurance claim. Outside Québec, self-employed individuals are eligible if they registered in advance for the EI Special Benefit program, have paid premiums for at least one year, and earned a minimum of CAD\$6,947 [€4,535.29] in 2017 for claims filed in 2018. Self-employed workers in Québec are automatically included in the program. They are eligible for 25 or 32 weeks if they have earned at least CAD\$2,000 [€1,305.68] in the 52 preceding weeks.
- Eligibility for benefits is offered per birth, not per child under the federal El program and in Québec. Parents of multiple-birth infants follow the same benefit programme as parents of singletons.

• Québec has less demanding eligibility conditions that allow more parents, including self-employed workers and students, to receive benefits; it no longer requires individuals to have worked 600 hours over the previous 52 weeks, but simply to have earned an insurable income of CAD\$2,000 [€1,305.68]. Although nearly 80 per cent of full-time Canadian students are in the labour force, they are unlikely to work enough hours to qualify for federal EI leave benefits in Canada; by comparison, under QPIP, earning CAD\$2,000 [€1,305.68] over the previous year enables more students to access Parental leave benefits.

Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; lone parent), or delegation of leave to person other than the parents

 In Nova Scotia, if the child for whom leave is taken is hospitalized for more than one week, an employee can return to work and take the unused portion of the leave when the child is released (this can only be taken once per leave). As noted for Maternity benefits, no additional benefits are provided in the case of multiple births; a court case challenging this policy was rejected in 2011.

Additional note (e.g., if leave payments are supplemented by collective agreements; employer exclusions or rights to postpone)

- Some employers have a supplemental benefit plan that partially makes up the difference between federal El Parental benefits and the worker's salary; some also offer additional periods of leave. A survey of private companies in Québec in 2003 found that 36 per cent of union representatives and 46 per cent of HR managers said their companies offered supplementary leave or payments (Tremblay, 2012) <sup>12</sup>. A 2010 survey of mothers who gave birth in 2008 and received El or QPIP benefits reported that one in five mothers received an additional top-up to their benefits from their employer (Marshall, 2010) <sup>13</sup>. Such supplementary payment options are more commonly found among employers in the public or quasi-public sectors and among larger private sector employers; typically top-ups are more accessible to higher income earners.
- Many universities have adopted a policy of 'pausing the tenure clock' (extending the period before a mandatory tenure decision) for parents who take Maternity, Parental or Paternity leave.

#### d. Childcare leave or career breaks

- None at national or provincial levels.
- In some collective agreements in the Québec public service, for example in education, but also other sectors, it is possible to adopt a programme of deferred income, working four years at 80 per cent of earnings, followed by a one-year career break, again at 80 per cent of earnings. This is, however, part of a collective agreement, and not a labour law or regulation.

<sup>&</sup>lt;sup>12</sup> Tremblay, D.-G. (2012) *Conciliation emploi-famille et temps sociaux*. Québec: Presses de l'université du Québec.

<sup>&</sup>lt;sup>13</sup> Marshall, K. (2010) 'Employer top-ups', *Perspectives on Labour and Income*. Vol.11, No. 2 - February: 5-12. Statistics Canada Catalogue no. 75-001-XPE.

#### e. Other employment-related measures

#### Adoption leave and pay

• For adoptive parents the same regulations for unpaid Parental leave apply as for other parents except in four jurisdictions (see table above). In three cases, adoptive parents are eligible for Adoption leave that can be added to Parental leave: in Prince Edward Island parents are eligible for 52 weeks adoption leave instead of the 35 weeks Parental leave for birth parents. In Newfoundland and Labrador and Saskatchewan adoptive parents can take 17 or 18 weeks (respectively) that can be added to Parental leave, though in Saskatchewan only the primary caregiver is eligible for the adoption leave. The EI programme offers parental leave benefits, but not Maternity leave benefits for parents of newly adopted children. In Québec, adoption leave benefits can be shared by both parents and provides for 12 weeks at 70 per cent and 25 weeks at 55 per cent.

#### Time off for the care of dependants

- British Columbia and New Brunswick allow three to five days of unpaid leave a year to care for immediate family members.
- In Québec, employees are entitled to ten days of unpaid leave per year, which can be used for a sick child or other family member by the *Loi sur les normes du travail* (Minimum employment standards law).
- In Ontario, employees are entitled to a maximum of 10 days of unpaid Personal Emergency leave per year, which can be used for a sick child or other family member.
- All jurisdictions have compassionate care leave provisions, which entitle employees to take time off to care for or arrange care for a family member who "is at significant risk of death within a 26 week period". The length of leave is commonly eight weeks within a 26-week period. On 3 January 2016, federal EI Compassionate Care benefits were extended from a maximum of six weeks in a 26-week period to a maximum of 26 weeks within a 52-week benefit period. The Canada Labour Code was also amended to provide a maximum duration of 28 weeks of compassionate care leave within a 52-week period; as yet, no provincial/territorial jurisdiction has amended its legislation to allow for this longer period of compassionate care leave. To qualify for benefits, an employee must have worked 600 hours in the last 52 weeks and weekly earnings must decrease by 40 per cent. This inter alia leave, allows parents to take time off to care for a sick child even after 52 weeks have passed since the birth or if leave periods have been exhausted.
- In 2014, Ontario passed legislation allowing for 'Family Caregiver Leave' up
  to eight weeks of unpaid, job-protected leave to provide care or support to a
  family member with a serious medical condition (but is not life threatening).
  Until recently, workers who took such leave were not eligible for benefits
  under any government scheme while taking this leave.
- In December 2012, a new type of EI benefit was introduced, 'EI special benefits for Parents of Critically III Children'. It was created for parents of critically ill or injured children, and became available in June 2013. Under this provision, up to 35 weeks of EI benefits were available, and could be shared by parents who both qualified for EI to provide care or support to one or more critically ill children under the age of 18.
- In December 2017, the federal government added a new Special benefit, the

Family Caregiver Benefit for Adults, which enables eligible workers to access 15 weeks of EI benefits to provide care to a "critically ill adult" who has experienced a significant change in their health and requires the care or support of one or more family members. The benefit for Parents of Critically Ill Children was renamed as the Family Caregiver Benefit for Children. The 35 weeks of benefits may now be shared among any family members or persons considered to be like family who meet the existing eligibility requirements for EI special benefits, requiring 600 insurable hours during the qualifying period. Both benefits are also available to eligible self-employed individuals who have contributed to EI and may be combined with Compassionate Care Leave Benefits if the child/adult's health worsens. Claimants must provide a medical certificate, attesting that the child/adult is critically ill. To date, only a few provinces have amended their legislation to provide for matching periods of unpaid leave.

#### Flexible working

- In the federal and Québec jurisdictions, a pregnant woman or nursing mother is entitled to ask her employer to temporarily modify her duties or to assign her to another position, if continuation of her present duties puts her health or that of her unborn child or nursing infant at risk.
- In Québec, a pregnant worker can qualify for workers' compensation if no other suitable position is available at her workplace.
- As of December 2017, employees in the federal jurisdiction have a right to request flexible working arrangements; however regulations pertaining to this option have not yet been published and the right has not yet been brought into force.

Specific provision for (breast-)feeding

• There are no provisions for breast/bottle-feeding leaves in Canada.

# 2. Relationship between leave policy and early childhood education and care policy

The normal maximum period of post-natal leave benefits available in Canada (Maternity and Parental leave benefits combined) has been 50 weeks; (or in Québec, 11 months). There is no entitlement to ECEC at any age. Levels of attendance at formal (regulated) ECEC services for children over three years are below the average for the countries included in this review and for OECD countries. For actual attendance levels, see 'relationship between leave and ECEC entitlements' in the <u>cross-country comparisons</u> (at the front of this review / on the website).

In recent years, public awareness has grown about the lack of access to affordable, quality childcare, and especially the high cost of infant care. A recent OECD report found childcare costs in Canada to be among the highest among 35 OECD countries: "Across the OECD the average two-income family spends about 15 per cent of its net income on childcare. In Canada, the ratio is as high as 22.2 per cent of

<sup>&</sup>lt;sup>14</sup> https://www.canada.ca/en/employment-social-development/campaigns/eiimprovements/adult-care.html

net income"<sup>15</sup>. The costs are lower in Quebec, where the State contributes largely. Even those who can afford the high fees or who qualify for a provincial fee subsidy face long waiting lists for the limited spaces available in licensed childcare centres and regulated family home day care. For these reasons federal and provincial governments are being pressed to invest in early learning and childcare services. Some parent groups have also called for an extension of parental leave duration.

In 2006 a then-newly elected federal Conservative government cancelled bilateral agreements with the provincial and territorial governments to invest in early childhood services. Instead the federal government provided a taxable direct payment to parents, called the Universal Childcare Benefit (increased in 2015 from CAD\$100 [€65.28] per month to CAD\$160 [€104.45] per child under six years, and adding CAD\$60 [€39.17] for each child aged 6-17 years per month), and a tax benefit called the Canada Child Tax Benefit, for children under 18. Following a change in government in the fall of 2015, the Liberal government's 2016 federal budget replaced these benefits with a single, enhanced, non-taxable Canada Child Benefit. The Canada Child Benefit¹6 provides a maximum annual benefit of up to CAD\$6,4000 [€4,718.19] per child under the age of 6 and up to CAD\$5,4000 [€3,525.35] per child for those aged six through 17 (both benefits programs were in addition to a federal childcare expense deduction, which typically must be claimed by the parent with the lower net income).

In 2017, the federal government announced a policy framework, the Multilateral Early Learning and Child Care Framework, to invest a total of CAD\$7,5 [€4.9] billion over a decade to increase the supply of early learning and child care programs, using the parameters of quality, accessibility, affordability, flexibility and inclusivity. Bilateral agreements have been negotiated with each province, as service provision falls under provincial jurisdiction. The 2017 federal budget committed CAD\$500 [€326.42] million in the 2017 fiscal year with funds increasing to CAD\$870 [€567.97] million annually by 2026, which includes money for indigenous child care on reserves. These funds exclude Quebec, which provides its own provincial child care program.

Across the country, outside Québec, all other iurisdictions provincially/territorially/municipally funded, municipally delivered, childcare subsidy programmes. These programmes subsidize childcare for young children, from birth until 5 years old, as well as older children, before and after school. Under this programme, only families who can provide continual proof that both parents (or a lone parent) are working or studying qualify, and childcare must be provided by a licensed early childhood program or regulated childcare provider. Eligibility criteria are income-based and social, and, there are minimal fees and surcharges in some provinces. While the vast majority of parents do not qualify for municipal childcare subsidies, the subsidies are a crucial resource for lower-income parents, including parents who are students, enabling them to complete qualifications and/or work at lower paying jobs. Notably, these parents are the ones less likely to qualify for parental leave entitlement and benefits. Levels of funding (and therefore access and wait list times) vary by municipality and province, and change over time; often, there are long waiting lists for a subsidy, except for Québec, where the system is different<sup>17</sup>.

<sup>16</sup> See http://www.budget.gc.ca/2016/docs/plan/budget2016-en.pdf

<sup>&</sup>lt;sup>15</sup> OECD (2016), Society at a Glance 2016: OECD Social Indicators, OECD Publishing, Paris. http://dx.doi.org/10.1787/9789264261488-en

<sup>&</sup>lt;sup>17</sup> Macdonald, D. and Friendly, M. (2014) *The Parent Trap: Childcare Fees in Canada's Big Cities*. Ottawa: Canadian Centre for Policy Alternatives.

Most provinces start publicly funded kindergarten when the child is five years old. In Ontario, since 2014, full-day kindergarten for children between three years, eight months and six years of age became universally available. It is not a compulsory programme. This policy change has reduced the demand for daytime childcare for this age group (for four and five year-olds) although not for after school programs and summer care. Across the country, day care fees vary depending on provincial policies and market rates, with infant care being most expensive. Canada's patchwork of provincial/territorial childcare policies remains difficult, limiting children's access to high quality early childhood programs, and impacting on family income and women's employment.

In Québec, there is a public day care programme, financed largely by the state, which initially offered day-care at CAD\$5 [€3.26] a day. The February 2014 budget increased the amount parents pay for childcare, up from CAD\$7 [€4.57] a day to CAD\$8[€5.22] a day starting September 2014. The price is now linked to parental income, taking into account the number of children in the family.

The basic contribution and the additional contribution are indexed annually, on 1 January. As of 1 January 2018, the basic contribution is CAD\$8.05 [€5.26] per day, per child. Families with a net family income of CAD\$51,340 [€33,516.90] or less have no additional contribution to pay. The additional contribution increases to a daily rate of CAD\$8.75 [€5.71] for families with a net income of CAD\$51,340 [€33,516.90] to CAD\$77,005 [€50,272.08] with further increases up to a maximum of CAD\$13.90 [€9.07] per day, which corresponds to an income of CAD\$165,005 [€107,722.16], for a maximum daily rate of CAD\$21.95 [€14.33]. Fees are reduced by 50 per cent for a second child and remain at the basic amount of a third or later child¹8.

# **3.Changes in policy since April 2017** (including proposals currently under discussion)

The current Liberal government, elected in autumn 2015, had a number of election commitments relevant to family income, the provision of more generous and flexible leave for caregivers and more flexible Parental leave, and development of a long-term funding model to support a National Early Learning and Childcare Framework to be designed collaboratively with the provinces and territories. As well, the government committed itself to employing gender-based analysis of programs, policies, and budgets to improve gender equality. In 2016, the government amended the mandatory two-week waiting period for individuals or couples claiming Special Benefits (Maternity leave, Parental leave, compassionate care leave, sickness benefits) to one week per couple. CAD\$500 [€326.42] million were allocated towards early learning and childcare. Public consultations were launched on options for changes to parental leave and compassionate care leave and benefits.

The 2017 Federal government budget (introduced February 2017) included many announcements. What has been implemented:

- Maternity leave: benefit collection start date is now up to 12 weeks prior (was 8 weeks prior)
- Parental leave duration of benefits can be taken for a longer period in an extended plan up to 61 weeks at 33 per cent wage replacement rate.

<sup>&</sup>lt;sup>18</sup> Government of Quebec. Daily day-care costs (8 March 2017). Available at: Budget.finances.gouv.gc.ca.

- Federal Labour Code amended to allow employees under this code the right to request flexible work arrangements. (This has not been implemented yet).
- o Childcare: CAD\$7 [€4,57] billion over a ten-year period (outside Québec)
- Introduction of a new EI caregiving benefit for adults of up to 15 weeks. The new benefit covers a broader range of situations where individuals are providing care to an adult family member who requires significant support in order to recover from a critical illness or injury. Parents and other caregivers of critically ill children will continue to have access to up to 35 weeks of benefits, with additional flexibility to share these benefits among family members.
- A single, simpler, non-refundable Canada Caregiver Tax Credit to provide tax relief to caregivers of dependent relatives, including circumstances in which the relative does not live with their caregiver, as is commonly the case.

The Federal Budget 2018 (which was introduced 27 February 2018) included further policy changes that were guided by the government's focus on gender-based analysis and gender equality aims. Changes announced in the budget require legislation prior to implementation and include plans to introduce proactive pay equity legislation in federally regulated industries. Of note is the introduction of a new "El Parental Sharing Benefit" – a "use it or lose it" extra five weeks (at 55 per cent of wage replacement rate for couples who share part of the standard parental leave benefit) or eight weeks (at 33 per cent of wage replacement rates) of benefits for eligible two-parent families, including adoptive and same-sex couples opting for the extended parental leave benefit<sup>19</sup>.

# 4. Take-up of leave

There is no source of information on unpaid take-up of leave entitlements. For receipt of leave benefits, there are three sources of information: a Statistics Canada national survey (the Employment Insurance Coverage Survey, EICS), Québec administrative data, and EI administrative data collected by The Employment Insurance Monitoring Commission. The EICS excludes the three territories and parents living on First Nation reserves. It also asks mothers about leave directly and asks mothers about fathers' use of leave. Fathers are not asked directly. Both the EICS and Employment and Social Development Canada (ESDC) sources sometimes report national figures, which obscure program differences. ESDC provides annual information on EI Maternity and Parental benefits, with some disaggregation (see below for mothers' use of benefits). In the most recent report, for 2016/17, of the 195,960 parental claims, 85 per cent were established by women, while 15 per cent come from men. Correspondingly, women received 91.4 per cent of the total amount of benefits and men received under 8.6 per cent. When mothers and fathers share leave, the average weeks of parental leave used in 2016/17 was 22.8 for mothers and 10.3 for fathers. When they chose not to share, mothers took, on average 33.3 weeks of parental leave and fathers took 26.8 weeks<sup>20</sup>. In Québec, parents share and each takes part of the parental leave in 17 per cent of all QPIP birth files.

Using weeks and amounts of benefits claimed expressed per child (rather than per claim), analysis for 2016/17 indicates that, as in previous fiscal years, parents

<sup>&</sup>lt;sup>19</sup> https://www.fin.gc.ca/n18/docs/18-008\_6-eng.pdf

Employment and Social Development Canada (2018) 2016/17 El Monitoring and Assessment Report. Available at: https://www.canada.ca/en/employment-social-development/programs/ei/ei-list/reports/monitoring2017.html http://www.esdc.gc.ca/en/reports/ei/monitoring20156/index.page

used almost all of the El Maternity and Parental weeks to which they were entitled. The vast majority of mothers in receipt of Maternity benefits (91.5%) used the full 15 weeks available for an average duration of around 14.6 weeks. In 2016/17, the average duration of parental benefit claims per child was 33.1 weeks for parents who decided to share the parental benefits, and 32.9 weeks when parents did not share benefits. Mothers who received both Maternity and Parental benefits used 47.6 of the 50 weeks of combined benefits available. approximately 95.2 per cent of the full entitlement<sup>21</sup>.

Because some of the information available combines Maternity and Parental leave and benefits, the section below is organized under two headings: 'mothers' and 'fathers'. Readers should note that statistics are kept separately for those who claim El benefits under the federal plan and individuals in Québec who receive Maternity, Paternity or Parental benefits under the QPIP.

#### **Mothers**

The most recent ESDC Employment Insurance Monitoring and Assessment report indicates that in 2016/17, 170,330 Canadian mothers (excluding those from Québec) claimed El Maternity benefits, a decrease of 2.4 per cent from the previous year. EICS survey data are used to report national numbers (not by benefit programme) of benefit coverage as follows. In 2016, 75.5 per cent of new mothers (those with a child aged 12 months or less) had recent insurable employment; of these, 91.1 per cent received Maternal or Parental leave benefits, compared with 87.2 per cent in 2015. According to EICS survey data, Québec had the highest share of recent mothers with insurable employment, at 86.5 per cent, and the highest share of insured recent mothers who received Maternity or Parental leave benefits (96.9 per cent)<sup>22</sup>. The share of new mothers in the rest of Canada with insurable employment who received Maternity or Parental benefits was 88.8 per cent in 2016. The persistent difference in the share of recent mothers who receive Maternity/Parental benefits in Quebec compared to the rest of Canada (an 8.1 per cent difference in 2016, but 15.7 per cent in 2015) is due to a number of factors, including coverage of most self-employed mothers in Quebec.

The vast majority of mothers who receive Maternity benefits (98.3 per cent) go on to receive Parental leave benefits. As noted above, under EI, women comprised 85 per cent of those receiving Parental leave claims in 2016/2017. Women tend to receive parental benefits for longer periods than men. In 2016/17, the average duration of parental benefits was 32.6 weeks for women compared to 16.0 weeks for men. The average weekly Parental benefit for mothers was CAD\$449 [€293.13] compared to CAD\$503 [ $\leq$ 328.38] per week for fathers<sup>23</sup>.

<sup>&</sup>lt;sup>21</sup> Employment and Social Development Canada (2018) 2016/17 El Monitoring and Assessment Report. Available at: https://www.canada.ca/en/employment-socialdevelopment/programs/ei/ei-list/reports/monitoring2017.html <sup>22</sup> Statistics Canada. Employment Insurance Coverage Survey, 2016. Reported in *The Daily*,

<sup>15</sup> December 2017.

Employment and Social Development Canada (2018) 2016/17 El Monitoring and Assessment Report. Annex 2. Available at: https://www.canada.ca/en/employment-socialdevelopment/programs/ei/ei-list/reports/monitoring2017.html

#### **Fathers**

The most recent ESDC Employment Insurance Monitoring and Assessment report indicates that in 2016/17 fathers accounted for approximately 15 per cent of those who claimed Parental leave benefits, a figure that has been fairly stable since 2010/11. Previous years had shown a steady increase in the take-up rate of parental leave benefits among eligible fathers in Canada (excluding Québec), suggesting that more couples were sharing benefits. But this trend did not continue after 2011: outside Québec the percentage of fathers who claimed or intended to claim Parental leave decreased from eleven per cent in 2011 to 9.4 per cent in 2012, recovering somewhat in 2014 and 2015. In 2016, for all provinces combined (i.e. including Québec), the proportion of fathers who claimed or intended to claim Parental leave was 29.9 per cent, roughly the same as in 2015 24. These data obscure major differences in the take-up of Parental leave by fathers in and outside of Québec. Specifically, outside of Québec only 12.9 per cent of recent fathers took or intended to claim parental leave in 2016, compared to 80.1 per cent of fathers in Quebec.

Unfortunately, current data do not provide an accurate picture of the circumstances under which couples share parental leave and benefits. What data do exist suggest that fathers who share parental leave benefits with their spouse tend to claim an average of 10.2 weeks of benefits, while those who do not share benefits take, on average, 26.8 weeks of benefits<sup>25</sup>.

The introduction of the QPIP (Québec Parental Insurance Plan), which includes leave that is exclusively for fathers, has had a huge impact on the number of fathers claiming or intending to claim leave in Québec, since the introduction of the plan: from 27.8 per cent in 2005 to 80.1 per cent in 2016.<sup>26</sup>

On average, fathers who receive benefits following a birth take significantly fewer weeks than women who receive benefits. According to Statistics Canada, in 2010 those Canadian fathers taking leave, including in Québec, took an average of nine weeks of paid Parental leave compared to 28 weeks for women<sup>27</sup>. The trend has been for fathers to take fewer weeks each year (i.e., the average was 11 weeks in 2009, but only eight weeks in 2011); excluding Québec, fathers took an average of 18 weeks Parental leave benefits in 2009, 14 weeks in 2010 and 13 weeks in 2011. The most recent report El Monitoring and Assessment Report indicates that fathers received an average of 16.0 weeks of parental benefits following birth or adoption, compared to 32.6 weeks for mothers. <sup>28</sup> The difference in numbers between data sources can be partly explained by the fact that Statistics Canada data include both biological and adoptive parents and are collected per calendar year rather than fiscal year.

<sup>24</sup> Statistics Canada (2017) Employment Insurance Coverage Survey 2016. Reported in The Daily, 15 December 2017.

<sup>25</sup> Employment and Social Development Canada (2018) 2016/17 El Monitoring and

Unpublished data from Statistics Canada Special Surveys Division.

https://www.canada.ca/en/employment-social-Assessment Report. Available at: development/programs/ei/ei-list/reports/monitoring2017.html <sup>26</sup> Statistics Canada. Employment Insurance Coverage Survey, 2016. Reported in *The Daily*,

<sup>15</sup> December 2017.

<sup>&</sup>lt;sup>28</sup> Employment and Social Development Canada (2018) 2016/17 El Monitoring and Assessment Report. Annex 2. Available at: https://www.canada.ca/en/employment-socialdevelopment/programs/ei/ei-list/reports/monitoring2017.html

In Québec, take-up of leave by fathers was already higher in 2004, with 22 per cent of eligible fathers using some leave compared with nine per cent elsewhere in Canada. The Paternity and Parental leave scheme, introduced in 2006, has had a substantial impact on fathers' participation: in 2006, there was a 69 per cent presence of fathers in all QPIP birth files, rising in 2016 to 79 per cent <sup>29</sup>. Some 60,000 fathers use the regime each year and of this number, 94 per cent take the whole of the Paternity leave (three or five weeks, depending on the option chosen) and 36 per cent also take some Parental leave weeks. In 2016, for all fathers receiving QPIP benefits the leave is on an average of nine weeks. Fathers who took both Paternity and Parental benefits took 17 weeks on average. The overall participation rate for fathers in the QPIP is 70 per cent<sup>30</sup>.

# 5. Research and publications on leave and other employmentrelated policies since April 2017

Please be aware that this is not intended to be a comprehensive list of all publications or research in this area for this country. If you are aware of a publication or research that could be listed in this section, please contact the country note author(s) so that they can include it for the following year.

#### a. General overview

Most Canadian research providing information on leave policies is embedded in more general research on paid work and care work, the links between parental leave and maternal health, and fathers and work-family balance. There is a growing body of literature that examines these issues in Canada and how workplace practices and cultures might provide more support and flexibility to parents and ensure optimal development in children. Within this research, there is some emphasis being given to fathers, including some recent research in Québec that addresses the use of Paternity leave and the impact of Parental leave on careers and organizations. The Québec government published a report<sup>31</sup> to celebrate the ten-year anniversary of the Québec Parental Insurance Plan in early 2017 with contributions from Doucet, McKay and Tremblay.

#### b. Selected recent publications

Doucet, A. and McKay, L. (2017) `Parental Leave, Class Inequalities, and 'Caring With': An Ethics of Care Approach to Canadian Parental Leave Policy', in: R. Langford, S. Prentice and P. Albanese (eds.) *Caring for Children: Social Movements and Public Policy in Canada*, Vancouver: UBC Press, pp.97-116.

Mansour, S. and Tremblay, D.G. (2017) `The mediating role of work engagement between psychosocial safety climate passageways and organizational citizenship behaviors: A study in the nursing and health sector in Quebec´, *International Journal of Human Resources Development and Management*, Vol.18, No.1-2. Available at: <a href="https://doi.org/10.1504/IJHRDM.2018.092287">https://doi.org/10.1504/IJHRDM.2018.092287</a>.

<sup>31</sup> See http://www.cgap.gouv.qc.ca/publications/pdf/RQAP\_bilan\_10ans.pdf

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<sup>&</sup>lt;sup>29</sup> Note that there is a minor discrepancy among sources; Statistics Canada (2015) *Employment Insurance Coverage Survey* 2013 reports 83 per cent.

<sup>&</sup>lt;sup>30</sup> Data obtained directly from the statistical services of the QPIP in March 2018.

The objective of this research, conducted with 562 staff working in the health sector in Quebec (Canada), mainly nurses, is to examine the direct and indirect effects of the psychosocial safety climate on work engagement and organisational citizenship behaviours. The results of structural equations show that the psychosocial safety climate increases engagement (vigour, dedication and absorption). However, it has no direct effect on organisational citizenship. The bootstrap results indicate that vigour, dedication and absorption all mediate the relationship between psychosocial safety climate and altruism and compliance; however, the indirect link between climate and altruism through absorption is not significant.

Nogues, S. and Tremblay, D.G. (2017) `Concilier travail et soins à un proche au Canada: quel soutien des acteurs communautaires?' ['Working and caring for a relative in Canada: Do community organizations help?'], ANSERJ. Revue canadienne de recherche sur les OSBL et l'économie sociale, Vol. 7, No.2: 17-39.

Tremblay, D.G. (2018) Pour une articulation des temps sociaux tout au long de la vie; l'aménagement et la réduction du temps de travail, Montréal: Téluq. This book includes chapters on Parental leave and working time.

Tremblay, D.G. and Abouaissa, S. (2017) Les politiques de conciliation des temps sociaux et les aménagements du temps de travail. Étude comparative internationale, Montréal: Téluq.

Choroszewicz, M. and Tremblay, D.G. (2018) `Parental leave policy by men lawyers in Finland and Quebec: Professional and cultural barriers to men lawyers' usage of paternity and parental leaves', *International Journal of the Legal Profession*. Available at: https://doi.org/10.1080/09695958.2018.1456435

Family policies in Finland and French Canada (Québec) include fathers' rights to paternity and parental leaves, which have resulted in more fathers using parental leave. Yet this policy has a limited outreach to male-dominated professions, including the legal profession. In this article, we examine attitudes to paternity and parental leaves among male lawyers and the motives behind their decisions to use or not use them. We approach the issue from the perspective of the legal profession's professional ethos, which impacts lawyers' attitudes and practices regarding work-life balance. In our analysis, we draw on 20 Finnish and 18 Quebecois interviews with current and former male lawyers from private law practices in two urban civil-law contexts: Helsinki, Finland and Montreal, Canada. The findings indicate that, in traditionally male-dominated professions, it is not enough to provide men with a statutory right to paternity and parental leave. There is also a need for organisational solutions and peer encouragement in the work environment so that men feel comfortable taking leave.

Karu, M. and Tremblay, D.G. (2018) `Fathers on parental leave: An analysis of rights and take-up in 28 countries', *Community, Work and Family,* Vol.21, No.3: 344-362. doi: 10.1080/13668803.2017.1346586. Available at: http://www.tandfonline.com/doi/full/10.1080/13668803.2017.1346586
Using information published in 2014 annual review of the International Network on Leave Policies and Research, the article analyses parental leave and benefit policies in 29 countries to identify which characteristics can potentially facilitate fathers' take-up of parental leave. The scarce statistics that is available shows that only few countries have been successful in increasing fathers' participation in the parental leaves, despite the fact that some recent policy schemes seem to have drawn lessons from the Nordic success. There are several countries which indeed have adopted principles similar to the Nordic countries in their leave schemes, such as

fathers' quota, generous income-related benefit or long duration of the leave. The

evidence suggests that only taking over some elements of the successful policy schemes does not necessarily lead to a change in the leave-taking behaviour of fathers and families. The evidence shows reasonably high take-up of parental leave only in countries where there is a combination of fathers' quota and high level of benefit. There is still no evidence to confirm that replicating the fathers' quota in its Nordic designs other societies would generate similar behavioural change as it did in the Nordic countries.

Mansour, S. and Tremblay, D.G. (2018) `Psychosocial safety climate as resource passageways to alleviate work-family conflict: A study in the health sector in Quebec', *Personnel Review*, Vol. 47, No.2: 474-493.

The purpose of this paper is to examine a multidimensional mediating model of psychosocial safety climate (PSC) and work-family interference. More precisely, it tests the direct and indirect effects of PSC on work-family conflict (WFC)/family-work conflict (FWC)-time and WFC/FWC-strain via family-supportive supervisor behaviour (FSSB). The structural equation method was used to test the direct effect of PSC on WFC/FWC time and strain. As for the mediation effects, they were tested by the method of indirect effects based on a bootstrap analysis (Preacher and Hayes, 2004) based on 3,000 replications with a 95% confidence interval. The results show that PSC is negatively and directly related to WFC-time, FWC-time, WFC-strain and FWC-strain. In addition, the bootstrap analyses indicate that PSC is related indirectly to WFC-time, FWC-time, WFC-strain and FWC-strain via FSSB.

Mansour, S. and Tremblay, D.G. (2018) `Blended work and opportunities for knowledge sharing: Human resource management practices to increase innovative work behaviour and life satisfaction of bridge workers', *International Journal of Knowledge Based Development*. Available at: DOI: 10.1504/IJKBD.2018.10012273 This research tests aims to verify in a sample of bridge workers (192) the mediating role of occupational self-efficacy on the relationship between availability of blended work and opportunity for knowledge-sharing with younger workers (or opportunities for generativity), as well as life satisfaction and innovative work behaviour. The results of bootstrap show that the availability of blended work has an indirect effect on life satisfaction and innovative work behaviour via occupational self-efficacy. Also, they reveal that the opportunity for knowledge transfer to younger workers, or generativity, impacts the life satisfaction and innovative work behaviour via occupational self-efficacy.

Lero, D.S and Fast, J. (in press). `The availability and use of flexible work arrangements and caregiving leaves: Lessons learned about policies and practice', *Journal of Law & Equality*.

## c. Ongoing Research

Vulnerable work and work-life challenges in Québec (2013-2019). Diane-Gabrielle Tremblay, University of Québec-Téluq. Funded by Social Sciences and Humanities Research Council of Canada.

This research analyses the work-life challenges for vulnerable workers such as those in the hospitality and restaurant industry, as well as airline stewards.

Contact: Diane-Gabrielle Tremblay at dgtrembl@teluq.ca or visit the website: www.teluq.uqam.ca/aruc-gats

A Longitudinal Study of the Impact of Fathers' use of leave provisions to care for infants (2016-2019). Andrea Doucet and Lindsey McKay. Brock University.

This research project is a follow-up study of couples in Ontario and Québec, in two different parental leave regimes, where fathers took Parental or Paternity leave. Initially interviewed around the time of leave-taking, the second round of interviews investigates potential impacts of leave close to a decade later as well as conceptual and methodological issues with researching and assessing equality and care across time. Funded by the Canada Research Chairs program. Contact: Andrea Doucet at <a href="mailto:adoucet@brocku.ca">adoucet@brocku.ca</a>

Fathers alone on Parental/Paternity leave in Québec (2015-2018) Diane-Gabrielle Tremblay, University of Québec-Téluq. Funded by Social Sciences and Humanities Research Council of Canada.

This research analyses the impact on fathers and on family division of labour of fathers taking Parental/Paternity leave and being alone with the child at home. Contact: Diane-Gabrielle Tremblay at dgtrembl@teluq.ca, or visit the website: www.teluq.uqam.ca/aruc-gats

Socioeconomic In/equalities in Parental Leave and Childcare Support for Families: Canada's Two Policy Regimes and the Care of Children (2015-2020) Lindsey McKay (Brock University), Sophie Mathieu (Université de Montréal) and Andrea Doucet. (Brock University).

This research project analyses available data to examine socioeconomic in/equality in the receipt of financial support for the care of children. The first phase examines Parental leave benefits and entitlements to care for children within and between Canada's two leave benefits programs (Quebec and a federal program), as well as under 14 different sub-national labour laws. International comparative work is also in process and collaborative opportunities from international colleagues are welcomed. Funded by the Canada Research Chairs programme. Contact: Lindsey McKay (lindseymck@gmail.com,), Sophie Mathieu (sophie.mathieu.1@umontreal.ca), or Andrea Doucet (adoucet@brocku.ca)