

Canada¹

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N.B. Canada is a federal state.

Note on federal and provincial/territorial responsibility: In Canada, the federal Employment Insurance (EI) programme, funded by employers and employees and administered by the Department of Employment and Social Development Canada, provides Maternity and Parental leave benefits to parents residing outside the province of Québec. Entitlement to job-protected leave from employment is granted through labour laws (employment standards acts) that fall under the jurisdiction of the ten provinces and three territories (referred to below as 'jurisdictions') as well as through the Canada Labour Code, for the 7% of employees in federally regulated industries. This results in 14 different legislated leave entitlements. Variations between jurisdictions have implications for how (unpaid) legally entitled leave and the two benefit programmes are accessed and used. Two separate sets of rules apply to the federal wage-compensation benefit programme and provincial/territorial/federal legal entitlements to job-protected leave. In Canada, 'leave' therefore refers to either unpaid, job-protected time off work or to benefit programmes. In 2011, self-employed parents outside Québec became eligible to opt into federal benefits. In January 2006, the province of Québec launched its own provincial Maternity, Paternity, and Parental leave benefit programme called the (QPIP) for employed and self-employed workers. Details of the QPIP programme are given under 'regional or local variations in leave policy.' The information below refers to the two benefit programmes (EI and QPIP). Details regarding unpaid job-protected leave appear at the end of the Parental leave section.

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For comparisons in this review between Canada’s and other countries’ leave provision and early childhood education and care services, please see the [cross-country tables](#) at the beginning (they are 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 that support parents

The following table compares benefits under the Canadian and Québec programmes. For both, parents must pay premiums through insurable employers (or as self-employed individuals) in order to qualify.

Comparison of benefits: Canada (EI) and Québec (QPIP)

Table 1: Canada (EI) and Québec (QPIP)				
	Canada EI		Québec QPIP²	
Eligibility¹	600 hours ²		\$2,000 [€1,464.13] in earnings	
Self-employed workers	If opted-in 12-months prior to claiming, with minimum net income of \$5289 [€3,871.89] in self-employed earnings in 2021 ³		Automatically covered	
Waiting period	1 week per couple		None	
<i>Weeks by wage-replacement rate (% of gross earnings during a qualifying period up to the Maximum Insurable Earnings level)</i>				
Plan	Standard	Extended	Basic	Special⁴
Maternity^{3,4}	15 at 55%		18 at 70%	15 at 75%
Parental (may be shared)⁵	35 at 55%	61 at 33%	32 (7 at 70%)	25 at 75%
Parental Sharing Benefit⁵	5 at 55%	8 at 33%	+ 25 at 55%)	(+3 at 75% once 6 shareable

² There have been temporary changes to EI benefits, until September 24, 2022. (See comment on page 14): <https://www.canada.ca/en/services/benefits/ei/cerb-application/transition/ei-questions.html>

³ Government of Canada (2022) *EI benefits for self-employed people*. Ottawa: Employment and Social Development Canada. Available at: <https://www.canada.ca/en/services/benefits/ei/ei-self-employed-workers.html>

⁴ Since December 2020, these have been called ‘prestations d’accueil et de soutien’.

⁵ Conversion of currency undertaken for 21 June 2022, using: https://www.ecb.europa.eu/stats/policy_and_exchange_rates/euro_reference_exchange_rates/html/index.en.html

⁵ For fathers and partners who are eligible only if the mother or other parent also receives parental benefits.

			(+ 4 at 55% once 8 shareable parental benefit weeks have been paid to each parent)	parental benefit weeks have been paid to each parent)
Paternity			5 at 70%	3 at 75%
Parental for Multiple Births (Non-shareable)			5 weeks to each parent at 70%	3 weeks to each parent at 75%
Single Parent Parental (Non-shareable)			5 at 70%	3 at 75%
Adoption (shared)⁶	35 at 55%	61 at 33%	7 at 70% + 25 at 55% (+ 4 at 55% once 8 shareable parental benefit weeks have been paid to each parent)	25 at 75% (+ 3 at 75% once 6 shareable parental benefit weeks have been paid to each parent)
Adoption (Non-shareable)			5 weeks to each parent at 70%	3 weeks to each parent at 75%
Adoption-Related Welcome and Support Benefits (Shareable)			13 at 70%	12 at 75%
Multiple Adoption (Non-shareable)			5 weeks to each parent at 70%	3 weeks to each parent at 75%
Single Parent Adoption (Non-shareable)			5 at 70%	3 at 75%
Adjusted annually:				
Maximum weekly benefit, 2022	\$638 [€467.06]	\$383 [€280.38]	\$1,185 [€867.50]	\$1,269 [€928.99]
Maximum insurable earnings, 2022	\$60,300 [€44,143.48]/year		\$88,000 [€64,421.67]/year year	

Maximum total weeks per couple	Standard parental: 40 weeks (35 weeks plus 5 additional when benefits shared) Extended parental: 69 weeks (61 weeks plus 8 additional when benefits shared)	55 (59 if shared)	43 (46 if shared)
Low-income supplement⁷	Up to 80%	Up to 100%	

Source: Adapted from 'EI maternity and parental benefits: What these benefits offer,' Employment and Social Development Canada (2022), <https://www.canada.ca/en/services/benefits/ei/ei-maternity-parental.html>, 2019/2020 Employment Insurance Monitoring and Assessment Report (2021), <https://www.canada.ca/content/dam/canada/employment-social-development/programs/ei/ei-list/reports/2019-20-EI-MAR-EN.pdf>, and 'Québec Parental Insurance Plan,' Emploi et Solidarité sociale, Québec, <http://www.rqap.gouv.qc.ca>

Table 1 Notes:

- 1) 420 hours of insurable employment in the calendar year before the claim is made (or since the last EI claim, e.g., for unemployment, sick leave, Caregiving, or Compassionate Care benefits). In Québec, CA\$2,000 [€1,464.13] must be earned in the prior year but an extension to up to 104 weeks before the start date for benefits can be considered if the claimant was unable to work for a portion of the year before the claim.
- 2) Conversion of currency undertaken for 21 June 2021, using: https://www.ecb.europa.eu/stats/policy_and_exchange_rates/euro_reference_exchange_rates/html/eurofxref-graph-cad.en.html
- 3) Only birth mothers (including surrogate mothers) are entitled to Maternity leave in both plans.
- 4) Only QPIP has a separate option for adoptive parents; EI Parental leave benefits are the same for biological and adoptive parents.
- 5) 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. EI uses the previous 52 weeks; Québec uses the past 26 weeks (an extension is granted if earnings were lower for certain reasons).
- 6) <https://www.canada.ca/en/employment-social-development/campaigns/ei-improvements/parent-sharing.html>
For births and adoptions (outside of Québec) on or after March 17, 2019.
- 7) The low-income supplement is for families with a net annual income of less than CA\$25,921 [€18,975.84]. The amount, up to 80% of average insurable earnings, is calculated based on net family income and the number of children and their ages. It should be noted that even at 80%, the threshold of CA\$25,921 [€18,975.84] is below the low-income cut-off rate (poverty line) for two persons (parent and child). In September 2021, Québec enhanced the additional support offered to low-income parents. Additional details are on page 11.

a. Maternity leave (*congé de maternité*)

Length of leave (before and after birth)

- 16 to 19 weeks depending on the jurisdiction.

Payment and funding of two benefit programmes

- 15 weeks of benefits at 55% of average insured earnings up to an earnings ceiling of CA\$60,300 [€44,143.48] (i.e., a benefit payment ceiling of CA\$638 [€467.06] per week). Low-income families can qualify for a higher benefit rate, up to a maximum of 80% of insured earnings.
- There is no payment for the first week, which is treated as a 'waiting period'. Payment is actually provided for 14 weeks and parents have only one 'waiting period' per birth; unpaid leave entitlement is 16-19 weeks (see Table 2).
- Administered under the federal EI programme, Maternity and Parental leave benefits are funded by premiums paid by employers and employees, based on a premium rate that applies to every CA\$100 [€73.21] of insurable earnings to the maximum insurable earnings threshold (MIE), which was \$60,300 [€44,143.48] in 2022. The rates are set by the Employment Insurance Financing Board each year. Employers pay premiums that are 1.4 times those of employees, up to a maximum of 1,333.84 per employee for the year in 2022⁶.
- In 2021, employee premiums were frozen at the 2020 level and were set at CAD\$1.20 [€0.88]. In 2022 employee premiums were set at CA\$1.58 per \$100 of insurable earnings reaching a maximum of \$952.74 for those who earn \$60,300 [€44,143.48] or more. The premium rate for workers in Québec is CA\$1.20 [€0.88] of insurable earnings in 2022); employer premiums were set at CA\$2.21 [€1.62] per CA\$100 [€73.21] of insurable earnings (for Québec Employers, at CAD\$1.68 [€1.23]). Self-employed individuals outside of Québec who opted in to the EI programme in order to be eligible for special benefits pay the same as employees: CA\$1.58 [€1.16] per CA\$100 [€73.21] of insurable earnings to a maximum of CA\$ 60,300 [€44,143.48] of earnings or CA\$952.74 [€697.47] annually⁷.
- Maternity and Parental leave benefits are taxed.
- See 'regional or local variations' for details about additional contributions paid in Québec.

Flexibility in use of benefits

- Pregnant mothers may start receiving benefits as early as 12 weeks before their due date or delay receiving benefits until the actual week that they give birth.
- Normally, Maternity Leave benefits must end by 17 weeks after the week in

⁶ Government of Canada (2022) *EI premium rates and maximums*. Ottawa: Canada Revenue Agency. Available at: <https://www.canada.ca/en/revenue-agency/services/tax/businesses/topics/payroll/payroll-deductions-contributions/employment-insurance-ei/ei-premium-rates-maximums.html#tb1>

⁷ Government of Canada (2022) *2022 Actuarial Report on the Employment Insurance Premium Rate*. Ottawa: Office of the Superintendent of Financial Institutions. Available at: <https://www.osfi-bsif.gc.ca/eng/oca-bac/ar-ra/ei-ae/Pages/EI2022.aspx>

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 newborn 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 such as Parental benefits, 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). Eligibility criteria and other rules regarding combining benefits can sometimes result in reducing the duration of claims.

Regional or local variations in leave policy

- Eligibility criteria 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.
- In 2022, Québec offers benefits of 70% of average weekly income up to an earnings ceiling of CA\$88,000 [€64,421.67] per year for 18 weeks of Maternity leave, without a waiting period.⁸ Maternity leave use is flexible: it is possible to have a higher income replacement rate for a shorter period of time, or a lower rate for a longer period. Under the 'special' plan, Maternity Leave benefits are paid at 75% of weekly income for 15 weeks, whereas under the 'basic' plan, it is 70% of weekly income for 18 weeks.
- Under the Basic plan, Québec parents gain 4 weeks at 55% if each parent takes at least 8 weeks of shareable parental or adoption leave.
- Under the Special plan, Québec parents gain 3 additional shareable weeks at 75% if each parent takes at least 6 weeks of shareable parental or adoption leave.
- Maternity benefits may begin no sooner than the 16th week before the week scheduled for childbirth.
- Since 1 January 2021, the period during which maternity leave can be taken has increased from 18 to 20 weeks.
- Benefits in Québec are financed by contributions from employers, employees, and the 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 2022, contributions are 0.494% for employees, 0.692% for employers, and 0.878% for the self-employed; these are unchanged from 2020 (maximum contributions, respectively, of CA\$434,72 [€318.24], CA\$608,96 [€445.80], and CA\$772,64 [€565.62], up to a maximum insurable income of CA\$88,000 in 2022 [€64,421.67]⁹, compared with EI's 0.37% of insurable income to a maximum of CA\$60,300 [€44,143.48] in other parts of Canada). Premium rates for the Québec Parental Insurance Plan remain the same in 2022, but maximum weekly premiums have increased.

⁸Government of Québec. For information on QPIP, see: <https://www.rqap.gouv.qc.ca/en/what-is-the-Québec-parental-insurance-plan>

⁹ Government of Québec. *Québec Parental Insurance Plan*. Available at: <https://www.rqap.gouv.qc.ca/index.php/fr/a-propos-du-regime/information-generale/cotisations-et-revenu-maximal-assurable>

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

- Eligibility for job-protected unpaid leave varies between Canada's 14 employment jurisdictions and is separate from eligibility for the payment of benefits under the two (federal and Québec) programmes. The rules generally apply to all leave-taking types. See below, section 'b. Paternity leave.'
- Eligibility requirements for wage-compensation benefits under the federal programme are 600 hours of continuous employment in the previous 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 CA\$2,000 [€1,464.13] in the 52 preceding weeks.
- In 2006, when the QPIP programme began, self-employed workers in Québec became eligible for Maternity, Paternity, Parental, and Adoption benefits if they had made a minimum of CA\$2,000 [€1,464.13] in self-employment earnings in the previous year. Outside Québec, EI special benefits (Maternity, Parental, Sickness, Compassionate Care and Family Caregiver for Children or Adults) were extended to the self-employed on a voluntary, opt-in basis in 2010 (implemented in 2011). Until 2011, most self-employed parents (outside of Québec) were not eligible for benefits because they typically work under business or service contracts and therefore are not considered to have insurable employment. In order to receive Maternity/Parental benefits, self-employed parents outside of Québec have to register one year prior to seeking benefits and qualify if they have reduced the amount of time devoted to their business by more than 40% because of childbirth/care, have paid contributions to the regime, and have earned at least CA\$5,289 [€3,871.89] (in 2022) from self-employment within the previous calendar year.¹⁰ There are no leave entitlements or benefits for parents who do not meet these eligibility criteria.
- Graduate students and postdoctoral fellows who have been granted a scholarship from one of three large granting Tri-Council funding agencies¹¹ can receive limited benefits (Maternity, Paternity, and Parental). Research/teaching assistant and postdoctoral employment contracts vary in terms of being counted as insurable earnings.

Variations 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

¹⁰ This minimum earnings amount is a temporary measure, in place until September 24, 2022: <https://www.canada.ca/en/services/benefits/ei/ei-self-employed-workers.html>

¹¹ The Tri-Council funding agencies include The Social Sciences and Humanities Research Council (SSHRC), the Canadian Institutes of Health Research (CIHR), and the Natural Sciences and Engineering Research Council of Canada (NSERC). These are the major sources of research funding for post-secondary institutions across Canada.

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 of sickness benefits, 15 weeks of Maternity benefits, 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 single infants under the EI plan. In Québec, since January 1st 2022, QPIP offers 5 additional benefit weeks at 70% to each of the parents in case of multiple births or adoptions (3 at 75 % under the special plan).

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 and that often includes coverage during the waiting period before federal benefits are provided.

b. Paternity leave (congé de paternité in Québec, where this is the responsibility of the Ministry of Work, Employment and Social Solidarity)¹²

Length of leave (before and after birth) entitlement

- There is no statutory paternity leave, except in Québec (see 'regional or local variations'). Under the EI system, fathers (or same-sex partners) can share parental leave benefits, and if they do, a couple can qualify for an additional 5 weeks of benefits (standard option) or 8 weeks (extended parental leave option). In Québec, family policy has evolved immensely over the years¹³ and fathers are entitled to Paternity leave. For same-sex male parents, the partner of the biological father is entitled to adoption benefits if he was part of the adoption process. In the case of two female parents, the partner of the birth mother is entitled to Paternity leave 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 of Paternity leave after the birth, which may be taken for three weeks at 75% of average weekly earnings or for five weeks at 70% to an earnings ceiling of CA\$88,000 [€64,421.67] per year. Funding is the same as for Maternity leave.
 - Since 1 January 2021, the period during which Paternity leave can be taken has increased to 78 weeks (18 months).
- Fathers in Québec (including self-employed workers) are eligible if they have earned at least CA\$2,000 [€1,464.13] in the 52 preceding weeks.

¹² The French translation of the name of this ministry is Travail, Emploi et Solidarité Sociale.

¹³ Mathieu, S., & Tremblay, D.-G. (2020) 'Évolution et transformation de la politique familiale québécoise depuis 1997'. *Enfances, familles et générations*, 35. Available at: <https://journals.openedition.org/efg/10356>

c. Parental leave (*congé parental*)

Length of leave (before and after birth)

- For unpaid job-protected leave, see regional variations below.

Payment and funding

- The EI system provides two Parental leave options. Standard Parental leave benefits stipulate that "up to 40 weeks can be shared between parents, but one parent cannot receive more than 35 weeks" at 55% of average insured earnings up to a maximum of CAD\$638 [€467.06] per week (the same rate as Maternity leave). Alternatively, Extended Parental leave benefits offer longer duration for less money: "up to 69 weeks can be shared, but one parent cannot receive more than 61 weeks" at 33% of earnings up to CAD\$383 per week [€280.38] in 2022.^[1] In both cases, sharing benefits is incentivized.¹⁴
- *Parental Sharing Benefits*: A new EI Parental Sharing Benefit¹⁵ was implemented on 17 March 2019. This policy provides an additional 5 weeks of benefits under the standard option (up to 40 weeks) when couples share the benefits, and a maximum of an additional 8 weeks when parents share benefits under the extended leave option. The aim of this programme is to enhance gender equality by encouraging more fathers to take a portion of Parental leave. It is important to note that families are only eligible for this new option if *both* parents qualify for and receive benefits.¹⁶ It also aims to be inclusive of all types of families, such as families with same-sex parents and adoptive parents. The extra five or eight weeks are available only to parents of children born or placed with them for adoption on or after 17 March 2019.
- *Low-income families* (i.e., families with a net income of CA\$25,921 [€18,975.84] or less per annum) are eligible for a family supplement under the EI 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 years). Data are not available regarding the number of Parental leave claimants who received the family supplement. Evidence of the total number of claimants receiving any of the 'special' benefits, however, 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 CA\$25,921 [€18,975.84]), while

¹⁴ Government of Canada (2022) *Maternity and parental leave benefits*. Ottawa: Employment and Social Development Canada Available at: <https://www.canada.ca/en/services/benefits/ei/ei-maternity-parental.html>

¹⁵ Government of Canada (2019) <https://www.canada.ca/en/employment-social-development/campaigns/ei-improvements/parent-sharing.html> Ottawa: Employment and Social Development Canada.

¹⁶ For an overview of the high numbers of mothers who do not receive Maternity and Parental benefits in Canada, see McKay, L., Mathieu, S., & Doucet, A. (2016) 'Parental-leave rich and parental-leave poor: Inequality in Canadian labour market-based leave policies', *Journal of Industrial Relations*, 58(4), 543–562. Available at: <https://doi:10.1177/0022185616643558>

average family income has risen. In Québec, around 5% of beneficiaries using Parental leave received this supplement in 2019. In September 2021 Québec raised the eligibility threshold for a benefits top-up to the equivalent of the annual minimum wage of a person who works 40 hours a week. The amount rose to \$28,080 [€20,556.37] in 2021 from \$25,921 [€18,975.84]. This threshold will now be indexed to minimum wage increases. In May 2022, it will rise to \$29,640 [€21,698.39]. In addition, the benefit calculation is now based on individual income instead of family income. Low-income parents who qualify for an increased benefit can see it reach up to 85% or 100% of their average weekly income now, depending on the choice of plan. Finally, under the new top-up rules, both parents can receive an increase in their benefits simultaneously if they both qualify. Before September 2021, the increase could only be granted to one parent when both received benefits at the same time. The way supplements are calculated has also been changed. They are no longer based on non-indexed lump-sum amounts but rather proportional to income.

- *Working while on claim:* In Canada, it is possible for a claimant to receive Maternity and Parental leave benefits while continuing to work. If they are earning a maximum of 90% of their previous earnings (in the 52 weeks before going on leave), which is equivalent to approximately four and a half days of work per week, they will receive 50 cents for every eligible benefits dollar. If a claimant works above this 90% cap, their benefits are deducted dollar-for-dollar. If they choose to work a full-time week, they will no longer be eligible to receive benefits (regardless of earnings), but this will not decrease the total amount of weeks payable on their claim. Working while on claim does not need a separate application. If claimants are already receiving Maternity and/or Parental benefits, they only need to declare their earnings online.
- *Students and post-doctoral fellows:* In March 2019, parental leave duration was extended from six to twelve months for student researchers and post-doctoral fellows receiving federal research grants or scholarships. This programme is administered by federal Tri-Council funding agencies (see footnote 7).

Flexibility in use

- Both in Canada and in Québec, benefits payment can be claimed by either parent or can be shared (if both parents qualify). In Canada, the total duration is 35 weeks (40 weeks if shared) with the standard plan, which stipulates that leave benefits be must used within 52 weeks after the birth. Since 1 January 2021, in Québec, the period during which Parental leave can be taken has increased to 78 weeks (see page 15).
- When they apply for benefits, parents must choose either the standard plan or the longer extended benefit plan and this decision cannot be changed at a later date.
- Each of the 14 labour laws establishes rules regarding flexibility of use. For details, see notes under table 2 in 'Regional or local variations in leave policy' section below. Parents of a newborn or newly adopted child who is hospitalized for an extended period have a window of up to two years to claim Parental benefits.
- Parental leave benefits can be combined with EI-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.

Regional or local variations in leave policy

- As Canada has 14 jurisdictional Employment Standards acts, provinces and territories use different unpaid job-protected leave entitlement criteria. Place of employment, rather than residency, determines which legal rules parents must follow. These rules pertain to length of leave, flexibility of use, potential extensions related to special circumstances, eligibility for leave, and employment entitlements during leave (e.g., accrual of work benefits such as pensions). Regional variations in eligibility for leave entitlement are noted in the next section.

Following the federal government’s introduction of an optional extended Parental benefit period of 61 weeks, it amended legislation to allow 63 weeks of unpaid, job-protected Parental leave. The federal government works with the provinces and territories to encourage this change under provincial employment standards laws. The chart below shows which provinces and territories have made this change as of March 20, 2022. All jurisdictions require continuous leave within and across types of leave.

Table 2: Maximum Duration of Unpaid Leave Entitlement by Jurisdiction¹⁷

Employment Jurisdiction	Maternity Leave (weeks)	Paternity Leave (weeks)	Parental Leave (weeks)	Adoption Leave (weeks)
Federal	17		63*	63*
Alberta	16		62	62
British Columbia	17		61-62*	62*
Manitoba	17		63	63
New Brunswick	17		62	62
Newfoundland and Labrador	17		78	78
Northwest Territories	17		61***	61***
Nova Scotia	16		77	77
Nunavut	17		37	37
Ontario	17		61-63+	63
Prince Edward	17		62	62

¹⁷ Source: Miller Thomson (2022) Guide to Statutory Leaves of Absence, [https://www.millerthomson.com/wp-content/uploads/2020/03/Guide to Statutory Leave of Absence.pdf](https://www.millerthomson.com/wp-content/uploads/2020/03/Guide%20to%20Statutory%20Leave%20of%20Absence.pdf)

Island				
Québec	18	5	65	65
Saskatchewan	19		59-71++	19++
Yukon	17		63	63

* 71 if shared.

* 61 weeks for birth mothers who have taken Maternity leave; 62 weeks otherwise.

** Adoptive parents can also take 61 weeks of parental leave for a total of 77 weeks.

*** An additional 8 weeks is available if leave is shared.

+ 61 weeks for birth mothers who have taken Maternity leave; 63 weeks otherwise.

++ 59 weeks for the primary parent who took full Maternity or adoption leave; 71 weeks for the parent who did not.

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

- In most provinces and territories, to qualify for unpaid job-protected Maternity, Paternity, or Parental leave, an employee must complete a specific period of continuous employment in the year prior to taking leave. The exceptions are British Columbia, Nova Scotia, Québec, and, as of 2019, the federal jurisdiction, where there is no length of service required. From shortest to longest duration, Alberta requires a minimum of 90 days with the same employer, Ontario and Saskatchewan require 13 continuous weeks, and Newfoundland and Labrador requires 20 continuous weeks. Prince Edward Island requires employment over any 20 weeks in the previous 52 weeks of leave, while New Brunswick requires 6 months of continuous employment and Manitoba requires 7 months. The Northwest Territories, The Yukon Territories and Nunavut require 12 months.
- Additionally, in all jurisdictions, a medical certificate is required or may be requested by the employer and an employee must notify the employer (usually two to four weeks in advance or six weeks in Alberta eight weeks (two months) or sooner New Brunswick), of their intent to take Maternity or Parental leave. Employees are often required to provide advance notice of their intended date of return. See links above for more detail.
- Non-citizens and migrant workers with a valid social insurance number and who meet other eligibility criteria may be eligible for Maternity and Parental benefits.¹⁸
- To be eligible for paid benefits in Canada, a parent must have worked in insurable employment for 600 hours in the previous 52 weeks or since their last Employment Insurance claim (apart from a COVID-19 temporary law that reduced this to a minimum of 120 hours, which ended in September 2021, and then a minimum of 420 hours which is in place until

¹⁸ Government of Canada (2020) *Maternity and parental leave benefits*. Ottawa: Employment and Social development Canada. Available at: <https://www.canada.ca/en/services/benefits/ei/ei-maternity-parental/eligibility.html>

September 2022)¹⁹. Outside Québec, self-employed individuals are eligible if they register in advance for the EI Special Benefit programme, have paid premiums for at least one year, and have earned a minimum net income of CAD\$8,092 [€5,923.87] in 2022; however, special temporary measures lower this to \$5,289 [€3,871.89] for claims established between 26 September 2021 and 24 September 2022. Self-employed workers in Québec are automatically included in the benefits programme and are eligible for 25 or 32 weeks if they have earned at least CA\$2,000 [€1,464.13] in the 52 weeks preceding the birth of their child.

- 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 CA\$2,000 [€1,464.13]. This threshold has remained unchanged since 2006; as a result, with each passing year, it is increasingly easy to qualify to receive benefits.
- Although nearly 80% 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 CA\$2,000 [€1,464.13] over the previous year enables more students to access Parental leave benefits.

Specific differences between Québec QPIP and EI-based benefits in the rest of Canada

- In terms of benefits, the QPIP offers a basic entitlement of 7 weeks at 70 per cent of average insured income, plus 25 weeks at 55 per cent, up to an earnings ceiling of CA\$88,000 [€64,421.67] a year. There is also a 'special' plan, which applies to Parental leave, offering a shorter period of leave (25 weeks) with higher benefits (75 per cent of earnings).
- Since January 2021, under the Basic plan, parents gain 4 additional shareable weeks at 55 per cent if each parent takes at least 8 weeks of shareable parental or adoption leave. Under the Special plan, parents gain 3 additional shareable weeks at 75 per cent if each parent takes at least 6 weeks of shareable parental or adoption leave.
- Since 1 January 2021, the period during which Parental leave can be taken has also increased to 78 weeks (18 months).
- *Working while on claim*: it is possible for a claimant to receive QPIP benefits while continuing to work. Since September 2021, parents can combine work income and benefits, up to 100 per cent of the weekly income recognized for the calculation benefits. Earnings above this cap will result in dollar-for-dollar benefits deductions.

¹⁹ Between September 2020 and September 2021, there was a one-time credit of 480 insurable hours, resulting in 120 hours of work required for EI special benefits (<https://www.canada.ca/en/employment-social-development/programs/ei/ei-list/reports/premium/rates2022.html#h2.4>); extension to September 24, 2022 (see footnote 19).

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 EI parental benefits are provided in the case of different circumstances (a court case challenging this policy regarding multiple births was rejected in 2011).
- In Québec, non-shareable parental benefit weeks are granted to each parent in case of multiple births or adoptions since January 2021 (5 weeks to each parent at 70 per cent in the basic plan and 3 weeks to each parent at 75 per cent in the special plan).

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 EI Parental benefits and the worker's salary and some also offer additional periods of leave. A recent survey conducted by Statistics Canada in February and March of 2020, before the full onset of the COVID-19 pandemic, revealed that 41.9 per cent of Canadian workers had access to Supplemental Maternity, Paternity, Parental or Employment Insurance income as an employer-provided benefit. Access to this supplemental income was far more prevalent among workers with permanent (continuing) jobs than among fixed contract, temporary, seasonal, or on-call workers.²⁰
- 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 exist under labour laws or regulations at national or provincial levels.
- In some collective agreements in the Québec public service (for example, in education), it is possible to defer income, working four years at 80% of earnings, followed by a one-year career break, again at 80% of earnings. This is, however, part of a collective agreement, and not a labour law or regulation.

e. Other employment-related measures

Adoption leave and pay

- The same regulations for unpaid Parental leave apply for adoptive parents

²⁰ Statistics Canada (2021) 'Aspects of quality of employment in Canada, February and March 2020', *The Daily*, 22 March 2021. Available at: <https://www150.statcan.gc.ca/n1/daily-quotidien/210322/dq210322a-eng.htm>

and birth 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. The EI programme offers Parental leave benefits, but not Maternity leave benefits for parents of newly adopted children.

- In Québec, the QPIP offers multiple types of adoption benefits:
 - Non-shareable benefits: 5 weeks to each parent at 70 per cent (3 weeks at 75 per cent under the special plan)
 - Shareable adoption-Related Welcome and Support Benefits: 13 weeks at 70 per cent (12 weeks at 75 per cent under the special plan).
 - Shareable benefits: 32 weeks (7 weeks at 70 per cent + 25 weeks at 55 per cent). Under the special plan, the QPIP offers 25 weeks at 75 per cent. Benefits are extended when shared by both parents. Under the basic plan: 4 additional shareable benefit weeks at 55 per cent once 8 shareable adoption benefit weeks have been paid to each parent. Under the special plan: 3 additional shareable benefit weeks at 75 per cent once 6 shareable adoption benefit weeks have been paid to each parent.
 - In case of multiple adoption: Non-shareable benefits of 5 weeks at 70 per cent (3 at 75 per cent under the special plan)
 - For single parents: Non-shareable adoption benefits of 5 weeks at 70 per cent (3 at 75 per cent under the special plan)
- Since 1 January 2021, the period during which adoption leave can be taken has increased to 78 weeks (18 months) in Québec.

Time off for the care of dependants (see also Section 3)

- The Canada Labour Code (covering employees in federally regulated industries) has changed to provide up to five days per year for personal or family responsibility, including three paid days after 3 months of continuous employment.
- British Columbia, Alberta, Manitoba, Ontario, New Brunswick, Prince Edward Island, and Nunavut allow three to five days of unpaid leave per year to care for a sick child or family member; Newfoundland and Labrador allows up to seven days of unpaid sick leave or family responsibility leave.
- 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 under the *Loi sur les normes du travail* (minimum employment standards law).
- The **Canada Child Benefit (CCB)** is a tax-free, monthly payment offered by the federal government, designed to help eligible families with the costs of raising children. From its introduction in 2016 until June 2020, the CCB offered a maximum of \$6,400 [€4,685.21] annually per child under the age of 6 and \$5,400 [€3,953.15] annually per child aged 6-17. The government recently announced an increase to the CCB, beginning in July 2021. For the 2021-22 benefit year, the maximum amounts will be increased to \$6,833 [€5,002.20] per child under the age of 6 and \$5,765 [€4,220.35] per child aged 6-17. (See Section 3 on page 24 for further information on these recent policy changes).
- **Work-Sharing** is a small, federally run program supported through the Employment Insurance (EI) fund designed to minimize layoffs. It allows employees to reduce their weekly working hours by 10-60%. Employers and employees must agree to participate in Work-Sharing and apply

together. Until September 24, 2022, the duration of Work-Sharing is increased to a maximum of 76 weeks; eligibility requirements for Work-Sharing and regular EI benefits are the same (i.e., 600 insurable hours in the previous year). Participants of this program receive EI benefits to supplement their wages and the employer must maintain all existing employee benefits during the Work-Sharing agreement. In the province of Québec, while some larger firms made it possible for workers to reduce their hours, many did not. There were no governmental regulations in Québec with respect to this.

- All jurisdictions have Compassionate Care leave provisions, which entitle employees to take 27 or 28 weeks of unpaid time off to care for (or arrange care for) a family member who 'is at significant risk of death within a 26-week period,' and which generally align with unpaid leaves available to employees under provincial legislation. The first benefit, '**Family caregiver benefit for children**,' grants up to 35 weeks of pay for those caring for a critically ill or injured child under the age of 18. The second, '**Family caregiver benefit for adults**,' offers up to 15 weeks of financial assistance for those caring for a critically ill or injured person over the age of 18. These provisions align with the availability of the federal **EI Compassionate Care**, which grants up to 26 weeks of pay, within a 52-week benefit period, for those caring for an individual of any age that requires end-of-life care. Each of the benefits are offered through EI, providing up to 55 per cent of recipients' earnings, to a maximum of \$638 [€467.06] a week.²¹
- The Canada Labour Code was also amended to provide a maximum duration of 28 weeks of **Compassionate Care leave** within a 52-week period. To qualify for EI benefits, an employee must have worked 600 hours in the last 52 weeks and their 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 December 2017, the federal government added an additional special benefit (the **Family Caregiver Benefit for Adults**) that 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 (first introduced in 2012) was renamed the **Family Caregiver Benefit for Children**. The 35 weeks of benefits may now be shared among any family members (or people considered to be like family) who meet the existing eligibility requirements for EI special benefits, requiring 600 insurable hours during the qualifying period.²² 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

²¹ Government of Canada (2022) *EI caregiving benefits*. Ottawa: Employment and Social Development Canada. Available at:

<https://www.canada.ca/en/services/benefits/ei/caregiving.html>

²² Government of Canada (2018) *Introducing a new EI Family Caregiver benefit*. Ottawa: Employment and Social Development Canada. Available at: <https://www.canada.ca/en/employment-social-development/campaigns/ei-improvements/adult-care.html>

medical certificate attesting that the child/adult is critically ill. In the last two years all provinces and territories have amended their legislation to provide matching periods of unpaid leave (36-37 weeks for the care of Critically Ill Children and 16-17 weeks to care for a Critically Ill Adult).

Flexible working

- In the federal and Québec jurisdictions, a pregnant woman or nursing mother is entitled to consult with a health care practitioner to establish whether continuing any aspect of her work poses a risk to her health or that of the unborn child or nursing infant. If needed, she is obliged to ask her employer to temporarily modify her duties or to assign her to another position if necessary.
- In Québec, a pregnant worker can qualify for Workers' Compensation if no other suitable position is available at their workplace.
- As of December 2017, employees in the federal jurisdiction have a right to request flexible working arrangements.

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 (ECEC) policy

There is no entitlement to Early Childhood Education and Care (ECEC) in Canada. Parents must make their own arrangements for childcare at the end of parental leave in order to return to work. Difficulties finding and affording childcare may result in parents postponing their return to the work force, limiting their work hours, or using multiple or temporary arrangements²³.

Canada is not included in the comparative table on ECEC enrolment produced for the OECD Family Database.

In recent years, public awareness has grown about the lack of access to affordable high-quality childcare and the high cost of infant care, especially outside Québec. In that province, the Québec government subsidizes childcare, bringing costs down substantially. The OECD reported that childcare costs in Canada are among the highest out of 35 OECD countries: 'across the OECD the average two-income family spends about 15% of its net income on childcare. In Canada, the ratio is as high as 22.2% of net income.'²⁴ 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 centers and regulated family day care homes. For these reasons, federal and provincial governments have been pressed to invest in a universal program of affordable, high quality ECEC since a 1970 Royal

²³ Government of Canada: Statistics Canada (2020) "Survey on Early Learning and Child Care Arrangements, 2020" *The Daily*. Available here: <https://www150.statcan.gc.ca/n1/daily-quotidien/210407/dq210407b-eng.htm>

²⁴ OECD (2016) *Society at a glance 2016: OECD social indicators*. Paris: OECD Publishing. Available at: <http://dx.doi.org/10.1787/9789264261488-en>

Commission on the Status of Women. Differences in political ideology and the complexity of negotiating a new national social program between the federal and provincial/territorial governments have stymied efforts to develop, implement, and sustain a national childcare program.

Experiences during the Pandemic highlighted how critical affordable, accessible childcare is for parents (particularly mothers), employers, and for the Canadian economy and, in 2021-22 finally resulted in Federal funding to support bilateral agreements across the country to provide/expand affordable, accessible, high quality regulated child care.

In Budget 2021, the federal government announced its childcare plan, to provide significant additional funds for early learning and child care, drawing upon Québec's model²⁵. New investments totalling up to \$30 [€21.96] billion over five years, and \$8.3 [€6.08] billion ongoing, will be put towards Early Learning and Child Care and Indigenous Early Learning and Child Care.

Within the following 5 years (by 2025-2026), regulated childcare spaces for children under 6 years of age are to be offered at an average price of \$10 [€7.32] per day nationwide. The plan also includes a 50% reduction in average fees (in all provinces outside of Québec) by the end of 2022; yearly growth of affordable childcare spaces across Canada; improvement and expansion of flexible before- and after-school care; and \$29.2 [€21.4] million over two years, starting in 2021-2022, through the Enabling Accessibility Fund to support children with disabilities by improving accessibility at up to 400 child care centers. The Budget also notes collaboration with not-for-profit sector childcare providers, training and development for early childhood educators, and accountability measures such as publicly-available data.

Beginning in 2021-2022, the government will invest up to \$27.2 [€19.9] billion over the next 5 years to share 50/50 of childcare costs with provincial and territorial governments. Provinces and territories that entered into these initial 5-year agreements with the government receive increased early learning and childcare transfer payments, from \$3.0 [€2.2] billion in 2021-22 to \$7.7 [€5.6] billion in 2025-2026. Further distribution of funding in year 6 will be determined based on progress achieved and needs identified at that time.

As of March 28, 2022, the government entered into agreements with all provinces and territories. Québec has agreed to an asymmetrical agreement to improve its pre-existing system.

As aforementioned, the new childcare plan builds upon the Indigenous Early Learning and Childcare Framework (ELCC) introduced in the 2017 and 2018 federal budgets, which committed significant funding (1.7 billion dollars [€1.07]) over ten years. In Canada, Indigenous populations are made up of First Nations, Inuit, and Métis communities. The Early Learning and Child Care Plan includes

²⁵ [Cleveland, G., Mathieu, S. & Japel, C. \(2021\). 'What is the Quebec model of early learning and child care?', *Policy Options*, Feb. 18. Available at : https://policyoptions.irpp.org/fr/magazines/fevrier-2021/what-is-the-quebec-model-of-early-learning-and-child-care/](https://policyoptions.irpp.org/fr/magazines/fevrier-2021/what-is-the-quebec-model-of-early-learning-and-child-care/)

\$2.5 [€1.8] billion to be allocated towards Indigenous early learning and care, to be managed in partnership with First Nations communities. Beginning in 2021-2022, \$1.4 [€1.0] billion over 5 years, then \$385 [€283.09] million ongoing, will be invested towards high-quality, Indigenous-centric programming, workforce development, and up to 3,300 new childcare spaces; while \$515 [€377.01] million over five years, and \$112 [€82] million ongoing, will be invested to support before and after-school care for First Nations children on reserve. Beginning in 2023-2024, the government will invest \$264 [€193.27] million over four years, and \$24 [€17.57] million ongoing, to repair and renovate existing Indigenous early learning and childcare centers, and \$420 [€307.47] million over three years, starting and \$21 [€15.37] million ongoing to build and maintain new centers in additional communities, as determined in consultation with Indigenous partners. Starting in 2027-2028, this funding will increase by 3% each year.²⁶ Over the next ten years, the government has committed up to 1.02 billion [€746.71 million] to support ELCC for First Nations childcare and this will be managed in partnership with First Nations communities. Up to \$111 [€81.26] million will support ELCC for the Inuit communities and will be managed in partnership with Inuit communities; and up to \$450 [€329.43] million will support ELCC for the Métis Nation and will be managed in partnership with the Métis Nation.²⁷

These investments are consistent with the federal government's announced policy framework, the Multilateral Early Learning and Child Care Framework, introduced in 2017, to invest a total of CAD\$7.5 [€5.49] billion over eleven years in order to increase the supply of early learning and childcare programmes, based on parameters of quality, accessibility, affordability, flexibility, and inclusivity. Bilateral agreements were negotiated with each province (excluding Québec) as service provision falls under provincial jurisdiction.

²⁶ Government of Canada (2021) *Budget 2021: A Recovery Plan for Jobs, Growth, and Resilience*. Ottawa: Department of Finance. Available at: <https://www.budget.gc.ca/2021/home-accueil-en.html>

²⁷ Government of Canada (2018) Background: Indigenous Early Learning and Child Care Framework. Ottawa: Employment and Social Development Canada. Available at: <https://www.canada.ca/en/employment-social-development/news/2018/09/background-indigenous-early-learning-and-child-care-framework.html>

Combined with the **Canada Child Benefit** announced in 2015, a minimum of \$9.2 [€6.73] billion per year ongoing will be invested in childcare (including Indigenous Early Learning and Child Care) starting in 2025-26. According to the Government of Canada, this plan will raise Canada's real GDP "by as much as 1.2% over the next two decades"²⁸, providing critical support for children, families, and women's labour force participation (especially maternal employment), which has endured significant impacts from COVID-19.

As of March 2022, the Canada Child Benefit²⁹ provides a maximum annual benefit of up to CA\$6,833 [€5,002.20] per child under the age of 6 and up to CA\$5,765 [€4,220.35] per child between 6 and 17 years of age to eligible families. These benefit programmes are supplementary to a federal childcare expense deduction, which typically must be claimed by the parent with the lower net income. The Canada Child Benefit may be augmented by up to \$2,915 [€2,133] per year for each child in the family with a disability. Eligible parents received a one-time \$300 [€219.62] bonus in their CCB payment in May 2021, in response to the pandemic³⁰. In 2021, the Canada child benefit young child supplement (CCBYCS) was introduced to provide support to families with children under the age of 6 years, with a payment of up to CA\$1,200 [€878.48] per child, issued May 28, July 30, and October 29, 2021. The CCBYCS was provided in addition to regular Canada Child Benefit payments. Along with provincial benefits, the Canada Child Benefit is a critical component in Canada's National Poverty Reduction Strategy.

Across the country (outside Québec), jurisdictions have provincially/territorially/municipally funded, provincially or municipally delivered childcare subsidy programmes. These programmes subsidize childcare for young children (birth to five years old) and before and after school care for older children. Under this programme, only families that can provide continual proof that both parents (or a lone parent) are working or studying can qualify, and childcare must be provided by a licensed early childhood programme or a regulated childcare provider. Eligibility criteria are income-based and social (i.e., for children with a disability or special need and for families referred by Child and Family Services agencies) and there are minimal fees and surcharges in some provinces.

Although most parents do not qualify for provincial/municipal childcare subsidies, they 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 are the very parents who are less likely to qualify for Parental leave entitlement and benefits. Levels of funding, available places, and waitlist

²⁸ Government of Canada (2021) *A Canada-wide Early Learning and Child Care Plan*. Ottawa: Department of Finance Canada. Available here: <https://www.canada.ca/en/department-finance/news/2021/12/a-canada-wide-early-learning-and-child-care-plan.html>

²⁹ *Canada Child Benefit and related provincial and territorial programmes. For the period from July 2021 to June 2022*. Available at: <https://www.canada.ca/en/revenue-agency/services/forms-publications/publications/t4114/canada-child-benefit.html#cbycs>

³⁰ Government of Canada (2021) CCB young child supplement. Ottawa: Taxes. Available here: <https://www.canada.ca/en/revenue-agency/services/child-family-benefits/ccb-young-child-supplement.html#toc2>

backlogs vary by municipality and province and change over time; often, there are long waiting lists for these subsidies.³¹

Most provinces offer publicly funded kindergarten to children who are five years old. In Ontario, optional full-day kindergarten has been universally available since 2014 for children between the ages of three years and eight months and six years old. This policy change reduced the demand for daytime childcare for this age group (four and five-year-olds), although not for after school programmes and summer care. Across the country, day care fees vary depending on provincial policies and market rates, with infant care being the most expensive. Canada's patchwork of provincial/territorial childcare policies continues to limit children's access to high quality early childhood programmes and has a considerable impact on family incomes and women's employment.³² Several provinces are currently making efforts to expand childcare access and/or reduce parental fees, but must still address the limited supply of qualified early childhood educators. There are strong calls by childcare advocates and women's groups to ensure that every jurisdiction develops an effective ELCC workforce strategy, including appropriate wage grids and improvements to working conditions and benefits in order to attract, recruit, and retain qualified early childhood educators. Plans for expansion first require stabilizing the existing supply of programs, which has been impacted to a significant degree by decreased enrolments and additional expenses required during the Pandemic.³³

In Québec, there is a public day care programme financed largely by the Québec government, which in 1997 offered day care at CA\$5 [€3.66] a day. The February 2014 budget increased the amount parents pay for childcare to CAD8\$ [€5.86] and it was increased to CA\$8.25 [6.04] in 2019 and CA\$8.70 [€6.37] in 2020.³⁴ In 2021-22, the daily rate for subsidized care is \$8.70 [€6.37].³⁵ Subsidized spaces are insufficient to meet demands; however, parents who use unsubsidized childcare are entitled to a refundable tax credit that reimburses between 26 and 75% of their expenses, depending on family income.

³¹ Macdonald, D. and Friendly, M. (2020) *In progress: Child care fees in Canada*. Ottawa: Canadian Centre for Policy Alternatives.

³² For an overview of the costs of day care in Canadian cities, see Macdonald, D. and Friendly, M. (2019) *Developmental milestones: Child care fees in Canada's big cities, 2018*. Ottawa: Canadian Centre for Policy Alternatives.

³³ MacDonald, D. and Friendly, M. (2021) *Sounding the alarm: COVID-19's impact on Canada's precarious child care sector*. Ottawa: Canadian Centre for Policy Alternatives. Available at : <https://www.policyalternatives.ca/TheAlarm>.

³⁴ Finances Québec. (2020) *Connaître le coût quotidien net des services de garde*. Available at : http://www.budget.finances.gouv.qc.ca/Budget/outils/garde_fr.asp

³⁵ http://www.budget.finances.gouv.qc.ca/budget/outils/garde_en.asp

3. Changes in policy since April 2021 (including proposals currently under discussion)

April 2021: The federal government announced plans to provide a significant investment in funding a national, affordable, and high-quality early learning and childcare system. This includes: a budget commitment of CA\$4.1 billion [€3.00 billion] in 2021-22 and CA\$9.2 billion [€6.73 billion] annually by 2025-26; the expansion of the not-for-profit sector of the system; new investments for Indigenous Early Learning and Child Care; CA\$29.2 million [€21.28 million] (in 2021-2023) to enhance physical accessibility to licensed childcare centres across the country; and a plan to work towards CA\$10 [€7.32]/day for childcare by 2026³⁶.

20 July 2021³⁷: The government announced an increase to the **Canada Child Benefit (CCB)**, beginning in July 2021. Moreover, in response to the pandemic, the government also increased the May 2020 CCB payment with a one-time top-up of up to \$300 [€219.62] per child³⁸ and, more recently, has promised an additional \$1200 [€878.48] for each child under 6 years of age (see Section 2).

31 December 2021³⁹: The Minister of Employment, Workforce Development and Disability Inclusion briefly mentioned the need for reforms to parental leave in an interview with The Canadian Press. Her comments seemed to respond to a number of disputes brought to the Social Security Tribunal in the preceding months regarding the respective minimum number of insurable working hours required for eligibility to both EI benefits and parental leave, which led many mothers to be ineligible for parental benefits after being laid off during the pandemic. Although no plan or details are public at the time of writing—and as a review of EI is not expected until September 2022, Employment and Social Development Canada likely will not release anything until the summer—the Minister’s comments imply upcoming revisions to Canada’s parental leave policy.

September 2021: Many COVID-specific temporary benefits were extended to September 24, 2022 due to ongoing pandemic conditions. See 2021 Canada Note for full details. Most notably, eligibility for EI Maternity and Parental benefits

³⁶ Ballantyne, Morna (2021) “Federal budget plan for child care is the turning point”. *Child Care Now*. Toronto. Available at: <https://childcarecanada.org/documents/child-care-news/21/04/federal-budget-plan-child-care-turning-point>

³⁷ Government of Canada (2021) *Canada Child Benefit increases once again to keep up with the cost of living*. Ottawa: Employment and Social Development Canada. Available at: <https://www.canada.ca/en/employment-social-development/news/2021/07/canada-child-benefit-5th-anniversary--indexation0.html>

³⁸ Government of Canada (2020) *Families to receive increased support through the Canada Child Benefit*. Ottawa: Office of the Prime Minister. Available at: <https://pm.gc.ca/en/news/news-releases/2020/05/03/families-receive-increased-support-through-canada-child-benefit>

³⁹ The Canadian Press (2021) ‘Liberals eye widening access to maternity, parental leave in EI review, employment minister says’. Ottawa: Globe and Mail. Available at: <https://www.theglobeandmail.com/canada/article-liberals-eye-opening-access-to-maternity-parental-leave-in-ei-review/>

temporarily expanded, with 420 hours of work required instead of the usual 600 hours.

Québec:

September 2021: Québec enhanced the additional support offered to low-income parents. It raised the eligibility threshold for a benefits top-up to the equivalent of the annual minimum wage of a person who works 40 hours a week. The amount rose to \$28,080 [20,556.37] in 2021 from \$25,921 [€18,975.84]. This threshold will now be indexed to minimum wage increases. In May 2022, it will rise to \$29,640 [21,698.39]. Also, the benefit calculation is now based on individual income instead of family income. Low-income parents who qualify for an increased benefit can see it reach up to 85 per cent or 100 per cent of their average weekly income now, depending on the choice of plan. Finally, under the new top-up rules, both parents can receive an increase in their benefits simultaneously if they both qualify. Before September 2021, the increase could only be granted to one parent when both received benefits at the same time. The way supplements are calculated has also been changed.

1 January 2022: As of 1 January 2022, an extension is provided in Québec for single parents (when only one parent is indicated on the birth certificate or equivalent document): 5 more weeks under the Basic plan at 70 per cent of income up to maximum insurable income; 3 more weeks under the Special plan at 75% of income up to maximum insurable income.

1 January 2022: As of 1 January 2021, the period during which Maternity, Paternity, and Parental leaves can be taken has increased to 78 weeks (18 months), including cases of adoption.

4. Uptake of leave and benefits

There is no source of information on the uptake of unpaid leave. For receipt of leave benefits, there are three sources of information: a Statistics Canada national survey (the Employment Insurance Coverage Survey, EICS), Québec administrative data⁴⁰, and EI administrative data that are collected by Employment and Social Development Canada (ESDC) and published in an annual EI Monitoring and Assessment Report by the Employment Insurance Monitoring Commission. The EICS excludes parents in the three territories and those living on First Nation reserves. Until 2020, the EICS was based on data collected only from mothers with a child aged 12 months or less and asked them about fathers'

⁴⁰ The Conseil de gestion de l'assurance parentale (CGAP) collects data on the take-up of benefits in Québec. These data are only collected for parents who receive benefits and that are relevant for the payment of these benefits. Accordingly, the CGAP does not have any information on parents who do not receive benefits, or on social characteristics (such as race and ethnicity) that are not affect the payment of benefits.

use/intended use of leave and benefit⁴¹. The EICS and Employment and Social Development Canada (ESDC) sources sometimes report national figures, which obscure the major differences in patterns of leave and benefit taking between parents in Québec who utilize the QPIP programme and those in the rest of Canada who utilize EI leave benefits. ESDC provides annual information on EI Maternity and Parental benefits, with some disaggregation (see below for mothers' and fathers' use of benefits).

The most recent *EI Monitoring and Assessment Report (2019/2020)* covers the period from 1 April 2019 to 31 March 2020 and is the main source of published information on EI maternity and parental benefits received by parents outside of Québec at this time. This report provides information about the uptake of the extended Parental leave benefits option that was introduced in December 2017. Information is not yet available about the uptake of the newly introduced parental benefit sharing option that can extend the length of time parental benefits can be received if benefits are shared between both parents (mothers and fathers or same-sex parents in two-parent families).

The 2019/20 EI Monitoring and Assessment Report states that during the 2019-2020 Fiscal Year, there were 212,800 new parental benefit claims⁴². Slightly less than 1 per cent of all parental benefit claims (about 1,500) came from adoptive parents. The vast majority of EI parental benefit claims (77.7 per cent) were made by women; however, the percentage of claims established by men increased by 5.5 per cent over the previous year, to 22.3 per cent of claims, which may reflect the early impacts of the new parental sharing option. Women received 90.6 per cent of the total amount of parental benefits paid and men received 9.4 per cent.

Parents whose children were born or placed for adoption on or after December 3, 2017 had the option to choose to take standard or extended parental benefits. Standard parental benefits provide up to 35 weeks of benefits at 55 per cent of weekly insurable earnings over a maximum of 12 months – with 40 weeks of benefits available to parents who choose to share parental benefits as a result of policy changes introduced in March 2019. Extended parental benefits provide 61 weeks of benefits at a benefit rate of 33 per cent of weekly insurable earnings with an additional 8 weeks of benefits available to couples who share benefits over a maximum of 18 months. The first parent who completes an application for benefits (typically the mother or parent eligible for maternity benefits) must select one of these two options, which is binding on both parents and cannot be changed once parental benefits are paid. In the fiscal year 2019-2020 (FY19-20), 17.8 per cent

⁴¹ Beginning with the 2020 survey, data are collected from both mothers and fathers of children aged 18 months or younger in the reference year. This change in survey methodology and the impacts of COVID-19 on parents' employment, income, access to EI parental benefits, and increased uncertainty among survey parents about when they would return to work mean that data collected in 2020 and 2021 must be considered in context and are not comparable to data collected in 2019 or previous years

⁴² Employment and Social Development Canada (202) *2019/2020 Employment insurance monitoring and assessment report, Canada*. Available at: <https://www.canada.ca/content/dam/canada/employment-social-development/programs/ei/ei-list/reports/2019-20-EI-MAR-EN.pdf>

of all parental claims were for extended benefits; 18.4 per cent of women parental benefit claimants selected the extended option, as did 15.7 per cent of men. The average weekly extended parental benefit amount received was \$307 [€224.74] in FY19-20; the average weekly standard benefit received was \$495 [€362.37]/week with 58.2 per cent of standard benefit claimants receiving the maximum weekly benefit available⁴³.

Using weeks and amounts of benefits claimed expressed per family (rather than per claim), analysis for 2019/20 indicates that, as in previous fiscal years, eligible parents used almost all the EI Maternity and Parental leave weeks to which they were entitled. The vast majority of mothers in receipt of Maternity benefits (93.3 per cent) used the full 15 weeks available for an average duration of 14.7 weeks. The average number of weeks of parental benefits received in 2019/20 was 32.6 weeks for mothers and 13.7 weeks for fathers for those receiving standard parental benefits. Among parents who claimed extended, benefits, mothers received an average of 55.1 weeks of Parental leave benefits and fathers claimed 16.6 weeks⁴⁴.

Eligible parents can share and use benefits at the same time or at different times. Note that the EI Monitoring and Assessment Report data for 2019/2020 was collected too early to report results on sharing and using the additional weeks of parental benefits made available to parents whose children were born or adopted on or after 31 March 2020.

Because some of the information available combines Maternity and Parental leave and benefits, the section below is organized under two headings: 'mothers' and 'fathers'⁴⁵. Readers should note that statistics are kept separately for those who claim EI benefits under the federal plan and individuals in Québec who receive Maternity, Paternity, or Parental benefits under the QPIP.

Mothers

Based on EICS data, the proportion of Québec parents who are eligible for and receive benefits under the QPIP program is higher than in the rest of Canada. In 2019, 97.2 per cent of recent mothers with insurable employment received QPIP Maternity or Parental leave benefits, compared to 79.7% of mothers in the rest of Canada.

The vast majority of mothers who receive Maternity benefits (98.4per cent) go on to receive Parental leave benefits. Women tend to receive Parental benefits for longer periods than men. In 2019/20, the average duration of standard Parental benefits was 32.6 weeks for women compared to 13.7 weeks for men; for

⁴³ Calculated from data found at:

<https://www.canada.ca/content/dam/canada/employment-social-development/programs/ei/ei-list/reports/2019-20-EI-MAR-EN.pdf>

⁴⁴ Ibid.

⁴⁵ By fathers, we refer to spouses/partners of recent mothers. This includes same-sex partners.

extended benefits, the average duration was 55.1 weeks for women and 16.6 weeks for men⁴⁶.

There is limited data on parental leave sharing in 2020; however, mothers who received both Maternity and Parental benefits in 2019 used 48 of the 50 weeks of combined benefits available, approximately 95.9 per cent of the full entitlement.⁴⁷

The average weekly Parental benefit for mothers receiving the standard benefit was CA\$483 [€353.59] compared to CA\$536 [€392.39] per week for fathers. Among those parents who opted for extended Parental benefits at a lower income replacement rate, the average weekly benefit received was CA\$301 [€822.40] per week for women and CA\$331 [€242.31] for men). More than half of parents who received both standard and extended Parental benefits received the maximum weekly benefit available (for standard benefits, 58.2 per cent; for extended benefits, 60.1 per cent)⁴⁸.

In December 2017, changes to the EI program were introduced, including the extended parental benefits option. According to the most recent report from the EICS, in 2019, the first full year for which data are available, 32.3 per cent of mothers of infants 12 months or younger intended to take more than 12 months of leave, compared with 22.9 per cent in 2018⁴⁹.

Fathers

In 2019/20, fathers accounted for approximately 22.3 per cent of those who claimed Parental leave benefits outside of Québec, an increase of 5.5 per cent over 2018/19. Previous years have shown a slow but steady increase in the uptake of Parental leave benefits among eligible fathers in Canada (excluding Québec), suggesting that more couples are sharing benefits. In 2019, for all provinces combined (including Québec), EICS survey responses indicated that the proportion of fathers who claimed or intended to claim Parental leave rose to 35.4 per cent in 2019 from 31.3 per cent in 2018 and 29.1 per cent in 2017⁵⁰. These data obscure major differences in the uptake of Parental leave by fathers in and outside of Québec; since the administrative data on QPIP show a participation rate of fathers of 72 per cent, these figures tend to overestimate the number of fathers who use benefits throughout the rest of Canada.

⁴⁶ Employment and Social Development Canada (2020) *2019/2020 Employment insurance monitoring and assessment report, Canada*. Available at: <https://www.canada.ca/content/dam/canada/employment-social-development/programs/ei/ei-list/reports/2019-20-EI-MAR-EN.pdf>

⁴⁷ Ibid.

⁴⁸ Employment and Social Development Canada (2021) *2019/20 EI monitoring and assessment report: Annex 2*. Available at: <http://www12.esdc.gc.ca/sgpe-pmps/p.5bd.2t.1.3ls@-eng.jsp?pid=71473>.

⁴⁹ Statistics Canada (2020) 'Employment insurance coverage survey 2019', *The Daily*, 16 November 2020. Available at: <https://www150.statcan.gc.ca/n1/daily-quotidien/201116/dq201116b-eng.htm>.

⁵⁰ Ibid.

Outside of Québec, only 20.6 per cent of recent fathers took or intended to claim Parental leave in 2019 (up from 15 per cent in 2018), compared to 85.6 per cent of fathers in Québec. Data are not yet available on the numbers of fathers claiming EI Parental leave benefits since the new federal EI Parental Sharing Benefit was introduced.

Unfortunately, there is limited information about the circumstances under which couples share Parental leave and benefits. Existing data from 2018/19 prior to the introduction of the new Parental Benefit Sharing policy revealed that fathers who shared standard EI Parental leave benefits with their spouse tended to claim an average of 10.2 weeks of benefits, while those who did not share benefits took, on average, 27.8 weeks of benefits⁵¹.

The introduction of the QPIP, 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: from 27.8 per cent in 2005 to 85.6 per cent in 2019⁵². In 2019 in Québec, both parents took parental leave in 70.4 per cent of all births registered by QPIP. In the remaining families, only one parent was paid benefits: 10.5 per cent were fathers and 19.1 per cent were mothers. Thus, for 80.9 per cent of births covered by QPIP, fathers took leave (either Paternity, Parental or both).

On average, fathers who receive benefits following a birth or adoption take significantly fewer weeks than women who receive benefits. The 2019/2020 *EI Monitoring and Assessment Report* indicated that fathers received an average of 13.7 weeks of standard Parental benefits following birth or adoption, compared to 32.6 weeks for mothers under the standard Parental benefit option; for extended benefits, fathers received an average of 16.6 weeks, compared to 55.1 weeks for mothers⁵³.

In summary, patterns of parental leave and benefit taking are continuing to evolve as Canada's EI leave benefits and Québec's QPIP policies change, with both offering more flexibility and encouragement of benefit sharing between men and women. A recent public consultation on Parental leave and benefits reflects concerns about expanding access to leave benefits, increasing benefit levels, and ensuring fairness and portability.

⁵¹ Employment and Social Development Canada (2020) *2018/19 Employment insurance monitoring and assessment report*. Available at: <http://www12.esdc.gc.ca/sqpe-pmps/p.5bd.2t.1.3ls@-eng.jsp?pid=71473>.

⁵² Statistics Canada (2020) 'Employment insurance coverage survey 2019', *The Daily*, 16 November 2020. Available at: <https://www150.statcan.gc.ca/n1/daily-quotidien/201116/dq201116b-eng.htm>.

⁵³ Employment and Social Development Canada (2020) *2018/19 EI monitoring and assessment report: Annex 2*. Available at: <http://www12.esdc.gc.ca/sqpe-pmps/p.5bd.2t.1.3ls@-eng.jsp?pid=71473>.