



RESPONSE TO PETITION

Prepare in English and French marking 'Original Text' or 'Translation'

PETITION NO.: **421-03210**

BY: **MR. RICHARDS (BANFF-AIRDRIE)**

DATE: **FEBRUARY 7, 2019**

PRINT NAME OF SIGNATORY: **ADAM VAUGHAN**

Response by the Minister of Families, Children and Social Development

SIGNATURE

Minister or Parliamentary Secretary

SUBJECT

Social benefits

ORIGINAL TEXT

REPLY

The Government of Canada thanks the petitioners for sharing their views and notes the request calling on the Government to bring legislation forward immediately following the report of the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (HUMA) to provide better compassion and support for parents of pregnancy and infant loss and ensure they do not suffer any undue hardship as a result of federal government programming. HUMA is undertaking a Study following the adoption of Private Member's Motion M-110 which called on HUMA to study the impact of parents who have suffered the loss of an infant child, including the case of Sudden Infant Death Syndrome (SIDS) and to ensure that they do not suffer financial or other consequences as a result for the design of government programming, particularly Employment Insurance parental benefits.

Employment Insurance Program (EI) special benefits provide temporary income support to eligible workers who take time away from work due to specific life circumstances. The Canada Labour Code (Code) provides employees in the federally regulated private sector with leaves corresponding with EI special benefits in order to allow them to avail themselves of the benefits without fear of losing their jobs. EI parental benefits and the related leave under the Code are intended to support individuals who take time off work to provide care to a newborn or newly adopted child. In

the tragic event that the child dies, these benefits and leave cease to be payable in the week of the death as there is no longer a need to provide care. EI maternity benefits and the corresponding leave under the Code support the birth mother's physical and emotional recovery for up to 15 weeks surrounding childbirth. These benefits continue to be payable in the unfortunate event that the child passes away.

The EI program and the corresponding leave provisions in the Code also provide support for family caregiving. The EI Family Caregiver benefit provides up to 15 weeks of benefits to provide care to an adult family member with a critical illness or injury and up to 35 weeks of benefits to provide care to a child with a critical illness or injury. The EI Compassionate Care benefit provides up to 26 weeks of income support to provide end-of-life care to a family member. In the case of these caregiving benefits and related job protected leaves, should the care recipient pass away, the benefits and leaves end in the week that the family member dies.

Grieving parents may be eligible to receive EI sickness benefits for up to 15 weeks should they be unable to work following the death of a child. The sickness benefit provides income support to claimants who are unable to work due to illness, injury or quarantine, including incapacity due to emotional or psychological distress. In addition, federally regulated private sector employees may be entitled to up to 17 weeks of unpaid sick leave under the Code. Claimants need to obtain a medical certificate signed by an approved medical practitioner.

The Code also provides employees in the federally regulated private sector with bereavement leave of up to 3 days paid leave immediately following the death of a loved one, including an infant. Leave provisions under the Code were enhanced as part of the Budget Implementation Act, 2017, No. 2 (Bill C-63). When these changes come into force, employees will have access to 5 days of bereavement leave, the first 3 of which will be paid. In addition, employees will have the right to request flexible work arrangements as well as leave for family responsibilities. These changes could be used to support parents following the tragic death of their child. Leave provisions in the provinces and territories for maternity, parental, sickness, bereavement and family vary.

The Government looks forward to reviewing HUMA's findings with respect to Motion M-110 and options to better support grieving parents. The views of petitioners and HUMA will be taken into consideration as part of the Government's ongoing efforts to improve the EI program.