



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# **SUPPORT FOR MEMBERS OF PARLIAMENT WITH YOUNG CHILDREN**

**Report of the Standing Committee on Procedure  
and House Affairs**

**The Honourable Larry Bagnell, Chair**

**NOVEMBER 2017  
42<sup>nd</sup> PARLIAMENT, 1<sup>st</sup> SESSION**



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# SUPPORT FOR MEMBERS OF PARLIAMENT WITH YOUNG CHILDREN

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## THE STANDING COMMITTEE ON PROCEDURE AND HOUSE AFFAIRS

has the honour to present its

### FORTY-EIGHTH REPORT

Pursuant to its mandate under Standing Orders 108(3)(a)(i) and (iii), the Standing Committee on Procedure and House Affairs (“the Committee”) held two meetings to discuss the services and facilities made available to members of Parliament with young children.

These meetings resulted in a number of recommendations that the Committee considers worthwhile to implement in order to enhance the services, facilities and supports provided specifically to members of Parliament who are pregnant and/or raising young children. The Committee wishes to thank Mr. Daniel G. Paquette, Chief Financial Officer (CFO), House of Commons and Mr. Pierre Parent, Chief Human Resources Officer (CHRO), House of Commons, for their important assistance during this study.

The purpose of this report is similar in intent and spirit to that of the Committee’s Eleventh Report from the 42<sup>nd</sup> Parliament, 1<sup>st</sup> Session, entitled an *Interim Report on Moving Toward a Modern, Efficient, Inclusive and Family-Friendly Parliament*:<sup>1</sup> to improve the work-life balance for members all while taking into consideration the impact of changes on members’ constituents.

For each recommendation made by the Committee in this report, a topic is provided along with the entity or entities considered by the Committee to be principally responsible for implementing the recommendation. The Committee is pleased to report as follows:

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1 House of Commons, Standing Committee on Procedure and House Affairs, [Interim Report on Moving Toward a Modern, Efficient, Inclusive and Family-Friendly Parliament](#), Eleventh Report, 1<sup>st</sup> Session, 42<sup>nd</sup> Parliament, June 2016.



## 1. Travel Points System I

### Responsible entity: The House of Commons Board of Internal Economy

According to the *Canadian Aviation Regulations*, no single adult passenger is permitted to be responsible for more than one child under the age of two aboard a Canadian aircraft.<sup>2</sup> In cases where an individual adult seeks to travel by Canadian aircraft with two or more children under the age of two, an additional adult passenger must accompany each child.

Under the House of Commons Travel Points System, the reimbursed air travel between Ottawa and a member's constituency can be used by the member or the member can allocate all or some to a single "designated traveller." The Board of Internal Economy prescribes rules as to who may be selected as a designated traveller. In order for a member to travel by air with two of his or her own children who are under the age of two, using the Travel Points System, the member's designated traveller would need to always be available to accompany the member and dependent children between Ottawa and the member's constituency. For this reason, the Committee has learned that the current air travel service arrangement for members with two children under the age of two can cause undue difficulties.

Members have and will continue to experience unforeseen circumstances, both physical and mental, which can, without the necessary resources and administrative support, impede them from carrying out their parliamentary functions. As another example, the Committee heard of the challenges imposed on a member in the period following her having given birth by Caesarean section, especially in travelling to and from Ottawa and her riding.

The Committee has learned from House of Commons officials of certain recent initiatives taken by the Board of Internal Economy to ensure that members receive adequate and proper resources and support. Among them, the Board has empowered the House of Commons CHRO to make appropriate accommodations for members with needs that are related to carrying out their parliamentary functions, yet not foreseen by the codified rules and regulations circumscribing the use of members' resources and premises. Where deemed required, a publicly disclosed fund can be accessed by the CHRO for the purposes of supporting such members.

Decisions regarding special accommodations made by the CHRO are taken on a case-by-case basis, with the CHRO applying three guiding principles as parameters: flexibility,

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2 Government of Canada, "[Taking Children on a Plane.](#)"

compassion, and reasonableness. For example, but not limited to, flexibility for designated travellers travelling with one or more children under the age of two and complications resulting from Caesarean section births.

The Committee considers this initiative to be an important step towards ensuring members with unforeseen needs are fully supported in fulfilling their duties as parliamentary representatives. The Committee is confident that the CHRO will employ rigour and sound judgement in carrying out this function.

However, the Committee notes that the ability for members to access special assistance from the House is not widely known among the membership of the House. Therefore, the Committee encourages the House of Commons Administration to communicate this program to members in as wide and thorough a manner as possible.

## **2. Travel Points System II**

### **Responsible entity: House of Commons Administration**

In its Eleventh Report, the Committee stated that an unintended consequence of having greater disclosure and accountability on the part of members with regard to their use of the Travel Points System was that the family members of members of Parliament felt reluctant, if not discouraged, from using travel points to accompany their spouse or parent on trips to Ottawa.<sup>3</sup>

In response to a recommendation made by the Committee in that report, the Committee was told by House officials that the House of Commons Administration is examining the feasibility of implementing a change to the Travel Points System, whereby a member's dependent children can take fully disclosed regular air travel trips to visit or accompany a parent to Ottawa, but not draw from the member's travel points.

The Committee supports this initiative as one that will improve the work-life balance of members, and as a result, improve the performance of members in carrying out their parliamentary functions. Upon the implementation of this improvement, it is the Committee's view that the House of Commons Administration ought to communicate this program to members in as wide and thorough a manner as possible.

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3 [Interim Report on Moving Toward a Modern, Efficient, Inclusive and Family-Friendly Parliament](#), June 2016.



### 3. Pregnancy, Parental Leave and Absences from Parliament

#### Responsible entity: The minister responsible for the *Parliament of Canada Act*<sup>4</sup>

As detailed in the “Work-life balance” section of the Committee’s Eleventh Report, the employment of members of Parliament in tenure of office is not included in insurable employment.<sup>5</sup> As such, members do not pay into the federal Employment Insurance program and are consequently excluded from receiving any of the benefits of that program.

Further, a deduction from the annual sessional allowance for members of Parliament resulting from absences is set out in section 57(1) of the *Parliament of Canada Act*. A member who is absent from the Chamber for more than 21 sitting days per session will see his or her pay cut by \$120 a day.

Under the *Parliament of Canada Act*, absences by parliamentarians for the reason of attending to public or official business, or due to illness, do not count towards the 21 sitting day limit per session. Further, service in the armed forces by parliamentarians is not counted towards total absences. However, there is no mention of pregnancy or parental leave as a reason for being absent.

It is the Committee’s view that a member should not be penalized monetarily for his or her absence from Parliament due to pregnancy and/or parental leave. Therefore, the Committee recommends

**That the minister responsible for the *Parliament of Canada Act* consider introducing legislation to amend section 57(3) of the *Parliament of Canada Act* to add that pregnancy and parental leave be reckoned as a day of attendance of the member during a parliamentary session for the purposes of tabulating deductions for non-attendance from the sessional allowance of a member.**

Furthermore, following changes to the legislation, it is the Committee’s intention to seek the guidance of the House of Commons Administration for the purposes of implementing new rules, terms and conditions and/or modifying the current rules, terms and conditions that apply to members who are pregnant or on parental leave.

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4 [Parliament of Canada Act](#), R.S.C., 1985, c. P-1. According to the Justice Laws Website, “[Table of Public Statutes and Responsible Ministers](#)”, the minister responsible for the *Parliament of Canada Act* is “the Minister of State and Leader of the Government in the House of Commons (SI/2002-39).”

5 This information was provided by the House of Commons Pay and Benefits.

## 4. Non-members on the Floor of the Chamber during a Sitting

### Responsible Entity: The House of Commons

In many Westminster parliaments, by tradition, only parliamentarians or parliamentary officers are permitted on the floor of the Chamber. The practice of ensuring non-members do not enter the Chamber has been raised as an issue for members who are parents of young children.

The exclusion of non-members on the floor during a sitting also exists in Canada's House of Commons. Under Standing Order 14, a member can take notice of the presence of non-members, referred to as "strangers" in Westminster parliamentary lexicon, and seek a decision ordering that strangers withdraw.

On a number of occasions in the past, the Speaker of Canada's House of Commons has turned a blind eye to members who brought their infants into the Chamber during a sitting. In a ruling on February 16, 2012, the Speaker clarified the Chair's approach to handling instances of infants accompanying members into the Chamber during a sitting. The Speaker stated that infants in the House were permitted provided disruption and disturbance did not occur, and the work of the House proceeded uninterrupted.<sup>6</sup>

The Committee takes note that in November 2015, Australia's House of Representatives Standing Committee on Procedure undertook a study on "the provisions for nursing mothers in the House of Representatives."<sup>7</sup> The report recommended that an amendment be made to Standing Order 257 regarding the admission of senators and visitors to the Chamber, the galleries and the Federation Chamber. The amendment proposed in the reports reads:

(d) A visitor does not include an infant being cared for by a member.

The report was tabled in December 2015 and adopted by the House of Representatives.

It is the Committee's view that the current practice in Canada's House of Commons of permitting infants accompanied by a member to be present in the Chamber during a sitting be formalized. The Committee therefore recommends

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6 House of Commons, *Debates*, 1<sup>st</sup> Session, 41<sup>st</sup> Parliament, February 16, 2012.

7 Australia, House of Representatives, Standing Committee on Procedure, *Provisions for a more family-friendly Chamber*, Parliamentary paper: 452/2015, November 2015.



**That the Standing Orders be amended by replacing Standing Order 14 with the following:**

**14. (1) If any Member takes notice that strangers are present, the Speaker or the Chair (as the case may be) may put the question “That strangers be ordered to withdraw”, without permitting any debate or amendment; provided that the Speaker or the Chair may order the withdrawal of strangers.**

**(2) A stranger does not include an infant being cared for by a Member.**

**That the Clerk of the House be authorized to make any required editorial and consequential alterations to the Standing Orders, provided that the Clerk of the House inform the Committee, in writing, of any editorial and consequential alterations they make.**

## **5. Child Care Services and Related Miscellaneous Improvements**

### **Responsible entity: Board of Internal Economy**

The work of a member of Parliament while in Ottawa generally entails long and frequently unpredictable hours. In the Committee’s view, the services and facilities on the parliamentary precinct that support members in their parliamentary functions ought to be provided in ways that supports a members’ work-life balance and information about these services ought to be readily available.

As well, for security reasons, there ought to be a way to identify members’ children who still have difficulty expressing themselves. The Committee also sees merit in preventing situations where children find themselves unable to access their parent’s office, provided such access has been authorized by the member.

With this in mind, the Committee makes the following recommendations:

**That the Board of Internal Economy consider updating the manual entitled *Members’ Allowances and Services* to include all relevant and appropriate information regarding the short-term child care service available to members of Parliament, with whom the House already has a contract;**

**That the Board of Internal Economy begin discussions with the Children on the Hill Daycare Centre to see whether they are able to offer flexible hours and accept newborns;**



**That the Board of Internal Economy continue to provide a family room consisting of a dedicated, enclosed and appropriately furnished area that is for the use of members with infants, that such a facility, located in near proximity to the Chamber, be provided in the renovated West Block, and that such a facility, located in near proximity to the Chamber, be provided for in the Centre Block following its eventual renovation;**

**That, as part of the Centre Block renovation, the Board of Internal Economy consider the establishment of a secure play area reserved for use by children of parliamentarians and parliamentary staff in close proximity to the House of Commons Chamber. As a potential location, the Committee suggests that the feasibility of the court yard located in Centre Block behind the opposition lobby be examined for such use during the course of the renovations to Centre Block; and**

**That the Board of Internal Economy consider issuing parliamentary security cards to members' children, upon the request of a member, following all standard security verifications for such issuance.**

## **Request for Government Response**

Pursuant to Standing Order 109, the Committee requests that the government table a comprehensive response to this report.

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos 75, 76, 77 and 80](#)) is tabled.

Respectfully submitted,

Hon. Larry Bagnell  
Chair



## SUPPLEMENTARY OPINIONS OF THE OFFICIAL OPPOSITION

Conservatives believe Parliament should be representative of diverse demographics and no demographic group should be discouraged from serving in elected office.

We agree with the sensible and practical recommendations in the report which are in the best interest of the Canadian taxpayer.

That said, there are some overarching considerations which must be put on the record so that their implications are fully considered.

### ***Hard-earned Canadian tax dollars must be used prudently***

Parliamentarians must always be conscious that every idea involving some form of expenditure which gets proposed means the expenditure of someone else's money.

Our concern for the proper use of Canadians' hard-earned tax dollars is why **the Official Opposition recommends that, if the Board of Internal Economy takes up consideration of the recommendations in this report, the Board must do so in a cost-neutral manner.**

In other words, any new operating expenses should be funded from internal cost savings in other areas of House of Commons Administration expenditures and/or a fee-recovery basis, rather than asking for Canadians to open up their wallets yet again.

### ***Parliamentarians' first and foremost concern should be their constituents' needs***

The Committee had the benefit of hearing from several witnesses during our 2016 study.

Some of these witnesses commented that, in their jurisdictions, concerns about setting up more favourable arrangements for politicians relative to the public have been front of mind.

Mr. François Arsenault, Director of Parliamentary Proceedings at the National Assembly of Quebec, told us in respect of discussions about a child care facility for the Assembly, "members did not want to open such an exclusive service while not all Quebecers have access..."<sup>1</sup>

Meanwhile, Mr. David Natzler, Clerk of the United Kingdom House of Commons, put his finger on the issue:

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<sup>1</sup> Evidence, May 5, 2016 (1205)

... although I'm keen that we should be family friendly and enable members of all sorts to operate fully as members, I have to be aware the public are watching and will ask, "Why should members get something that I can't get in my working life?"<sup>2</sup>

The proposed amendment to the *Parliament of Canada Act* would result in 100% income protection for Members of Parliament on leave.

In pondering this legislative proposal, it is critical for us to bear in mind that those of our constituents who do not have benefit plans rely upon Employment Insurance benefits covering just 55% of their income, up to a maximum of \$543 per week.

Even those who enjoy robust benefits plans, such as federal public servants, see about 92% income protection.

**The Official Opposition recommends that constituents' needs are put first and foremost, and that consideration be given to ensuring that politicians are not being put into a better position than their constituents.**

### ***The Standing Orders do not need to be amended***

Finally, the Committee's report does not make any case for why Standing Order 14 needs to be amended. Likewise, it does not make any argument for why the existing approach is not serving the House well.

It should be recalled that the 2012 Speaker's ruling which spelt out the current approach to infants in the Chamber arose not because of the presence of a child in the House during a vote—but, rather, because of the conduct of Members on seeing a child in the Chamber.

**The Official Opposition disagrees with the recommendation to amend Standing Order 14.** We believe that the existing approach, which requires judgment and self-regulation—both on the part of the parent looking after his or her child, and all of the other Members in refraining from raising points of order—has been working.

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<sup>2</sup> *Evidence*, May 17, 2016 (1305)