



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

SUPPORTING FAMILIES AFTER THE LOSS OF A CHILD

**Report of the Standing Committee on Human Resources,
Skills and Social Development and the Status of Persons
with Disabilities**

Bryan May, Chair

**FEBRUARY 2019
42nd PARLIAMENT, 1st SESSION**

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NOTICE TO READER

Reports from committee presented to the House of Commons

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

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**THE STANDING COMMITTEE ON
HUMAN RESOURCES, SKILLS AND SOCIAL
DEVELOPMENT AND THE STATUS OF PERSONS
WITH DISABILITIES**

has the honour to present its

FOURTEENTH REPORT

Pursuant to its mandate under Standing Order 108(2), the Committee has studied Supporting Families After the Loss of a Child and has agreed to report the following:

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PREFACE

Private Members' Motion 110 proposed by Blake Richards (Member of Parliament for Banff–Airdrie) asked the House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (the Committee) to study the impact on families of the loss of an infant child, including as a result of the Sudden Infant Death Syndrome (SIDS).¹ The motion asks the committee to consider, among other aspects:

- ways to improve the level of compassion and support for parents who have suffered the loss of an infant child; and
- ways to ensure that parents do not suffer any undue financial or emotional hardship as a result of the design of government programming, particularly from Employment Insurance (EI) parental benefits.

In response to this request, the Committee agreed to hold a five-meeting study and report its findings and recommendations to the House. The motion adopted by the Committee states that:

- One meeting during which one hour will be dedicated to hearing from the sponsor of M-110 and one hour will be dedicated to hearing from the Minister of Employment, Workforce Development and Labour and from departmental officials from the Ministry of Employment, Workforce Development and Labour, Statistics Canada, and the Ministry of Families, Children and Social Development to learn about the design of the employment insurance program, and discuss improvements to assist parents going through the loss of a child or close family member;
- One meeting be dedicated to the loss of infant children from SIDS and how best government programs, and specifically employment insurance, can support parents through this difficult time and improvements that can be made to these programs and systems, including hearing from representatives of families of lived experience;

1 Please see the text of [Private Members' Motion 110](#).

- One meeting, including hearing from representatives of families of lived experience, be dedicated to the loss of children from causes other than SIDS and how best government programs; and
- Specifically, how EI can support parents through this difficult time and improvements that can be made to these programs and systems;
- One meeting be focused on hearing from experts in the area of grief counselling, emotional hardship, financial security for families, financial matters and the challenges that families may face after the loss of a child, and ways to ensure the design of government systems and programs do not contribute to the challenges parents face in the loss of a child;
- One meeting be dedicated to hearing from departmental officials from the Ministry of Employment, Workforce Development and Labour, Statistics Canada, and the Ministry of Families, Children and Social Development.²

The term “child” is used throughout the report, however its meaning varies based on the context. In the case of Employment Insurance (EI) parental benefits, for instance, children receiving care are normally infants under 18 months old, but may be older in cases of adoption. In their testimony, witnesses often use “child” to refer to anyone under 18 years old, and sometimes include adult children as well.

2 HUMA, *Minutes of Proceedings*, 1st session, 18 September 2018.

SUMMARY

The death of a child is a profoundly difficult and painful experience. In addition to the grief of coping with the loss, many families can also experience significant financial hardship. This is often the result of funeral expenses, medical expenses, and the need to take time off work.

The report “Supporting Families After the Loss of a Child” outlines the results of a study by the House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (the Committee). The study follows a request contained in Motion 110 proposed by Mr. Blake Richards (Member of Parliament for Banff–Airdrie), which asks the Committee to study ways to improve the level of support for families after the loss of a child as well as ways to ensure that parents do not suffer further financial or emotional hardship owing to the design of government programs.

Specifically, the report presents data and research on families who have experienced the death of a child. It describes the range of programs and services that provide supports, including: certain Employment Insurance (EI) benefits, certain leaves of absence from employment under the *Canada Labour Code*, as well as the Canadian Benefit for Parents of Young Victims of Crime.

The report goes on to explore witness testimony identifying gaps between the supports that are available for grieving families and their actual needs, the reasons for these gaps, and how the government must do better. Notably, the Committee learned that the government may require grieving parents to complete paperwork, wait in line at Service Canada centres, and re-pay Employment Insurance benefits or children’s benefits that may have arrived after the child has died. The Committee also learned that front line government workers can be ill-prepared and fail to address the needs and circumstances of grieving parents and family members with compassion and understanding.

The final section of the report presents conclusions and the Committee’s recommendations to the Minister of Families, Children and Social Development, the Minister Employment, Workforce Development and Labour, and Employment and Social Development Canada as a department. Recommendations are organized around what can be addressed in the short term and what may require further study and policy development.

LIST OF RECOMMENDATIONS

As a result of their deliberations committees may make recommendations which they include in their reports for the consideration of the House of Commons or the Government. Recommendations related to this study are listed below.

Recommendation 1

That Employment and Social Development Canada and Service Canada dedicate resources, provide leadership and work with provincial, territorial and First Nations governments to put in place a pan-Canadian bereavement resource centre that includes:

- **A dedicated bereavement telephone line for parents and families who have experienced the death of a child; 40**
- **A dedicated landing page that specifically addresses the needs of parents and families who have experienced the death of a child;**
- **Evidenced-based information and resources on bereavement that have been developed in consultation with bereaved parents and family members;**
- **An up to date, pan-Canadian database of community-based and peer support organizations;**
- **A secure, opt-in national registry of bereaved parents and families that acts as a single portal for reporting a death with all relevant departments in different orders of government, and connects families with similar experiences with one another;**
- **A mechanism to ensure that there is outreach to and follow-up with every family who experiences the death of a child; and**
- **Support to non-governmental organizations that provide peer or professional support to bereaved families. 41**

Recommendation 2

That Employment and Social Development Canada work together with the pan-Canadian resource centre and Service Canada to ensure that employees:

- **respond with compassion to bereaved individuals; and**
- **help grieving parents and families navigate the systems of Employment Insurance and other government benefits and services. 41**

Recommendation 3

That the Minister of Employment, Workforce Development and Labour investigate amendments to labour standards legislation that would provide parents or guardians who experience the death of a child with an unpaid, job-protected leave of absence of up to 104 weeks..... 42

Recommendation 4

That the Ministers of Families, Children and Social Development and Employment, Workforce Development and Labour work with the Minister of Finance Canada and the Minister of National Revenue to:

- **study establishing a bereavement grace period so that Employment Insurance parental and caregiving benefits, as well as Canada Child Benefits, do not end abruptly in the tragic event that a child dies;**
- **ensure that no grieving parent or guardian find themselves in a position where they must repay Employment Insurance benefits or Canada Child Benefits that have been inadvertently continued for a short period of time; and 42**
- **ensure that there are ways to make reporting the death of a child seamless, easier and less traumatic to parents to ensure that parents are treated with compassion. 43**

Recommendation 5

That Employment and Social Development Canada study the feasibility of adopting other models and systems for parental bereavement, including

international examples; extending the Benefit for Parents of Young Victims of Crime to all parents who experience the death of a child; and flexible supported return-to-work programs for bereaved workers..... 43

Recommendation 6

That Employment and Social Development Canada undertake a review of Employment Insurance sickness benefits with a view to ensuring that vulnerable workers who are unable to work due to bereavement or high-risk pregnancy do not experience job loss or undue financial hardship.

This review should, while respecting the privacy rights of individuals:

- Gather data on the number of workers who use Employment Insurance sickness benefits to support bereavement and high-risk pregnancy; 43**
- Gather data on the numbers of workers who use EI sickness for this purpose and exhaust their benefits; and**
- Gather data on workers who need this support but are unable to access EI sickness benefits; and**
- Use this data in consultation with parents and families with lived experience to develop policies and benefits that support appropriate periods of income replacement, long-term labour force attachment and flexible supported return-to-work. 44**

Recommendation 7

That Employment and Social Development Canada should change the eligibility requirements for Employment Insurance as they relate to maternity and parental benefits so bereavement leave is accommodated in the programme and provides income support for 12 to 15 weeks for parents grieving the loss of an infant child. 44



INTRODUCTION

The death of a child is a profoundly difficult and painful experience. In addition to the grief of coping with the loss, many families can also experience significant financial hardship, arising from costs such as funeral and medical expenses, and the need to take time off work. The House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (the Committee) undertook a study of this issue with a view to understanding how the government can better support families after the death of a child.

In the course of the five-meeting study, the Committee heard from 27 witnesses and received 19 written submissions. Parents and family members who have experienced the tragic loss of a child testified, along with representatives from organizations that support and advocate for grieving families, officials from Employment and Social Development Canada (ESDC) and Statistics Canada, as well as researchers with expertise on this topic. The Committee would like to sincerely thank everyone who participated, especially the parents and family members who have experienced the death of a child, for their valuable contributions to this important study.

This report is structured in three sections. Chapter 1 provides an overview of the available data and research on child deaths and the impact it has on families. It describes the range of programs and services that provide supports, including: certain Employment Insurance (EI) benefits, certain leaves of absence from employment under the *Canada Labour Code*, as well as the Canadian Benefit for Parents of Young Victims of Crime. This chapter provides context for the witness testimony. Chapter 2 comprises what the Committee heard from witnesses as well as their suggestions for improvement. Finally, Chapter 3 contains conclusions and recommendations for the Ministers of Families, Children and Social Development and Employment, Workforce Development and Labour, and ESDC.

CHAPTER 1: OVERVIEW

What does the data and research tell us?

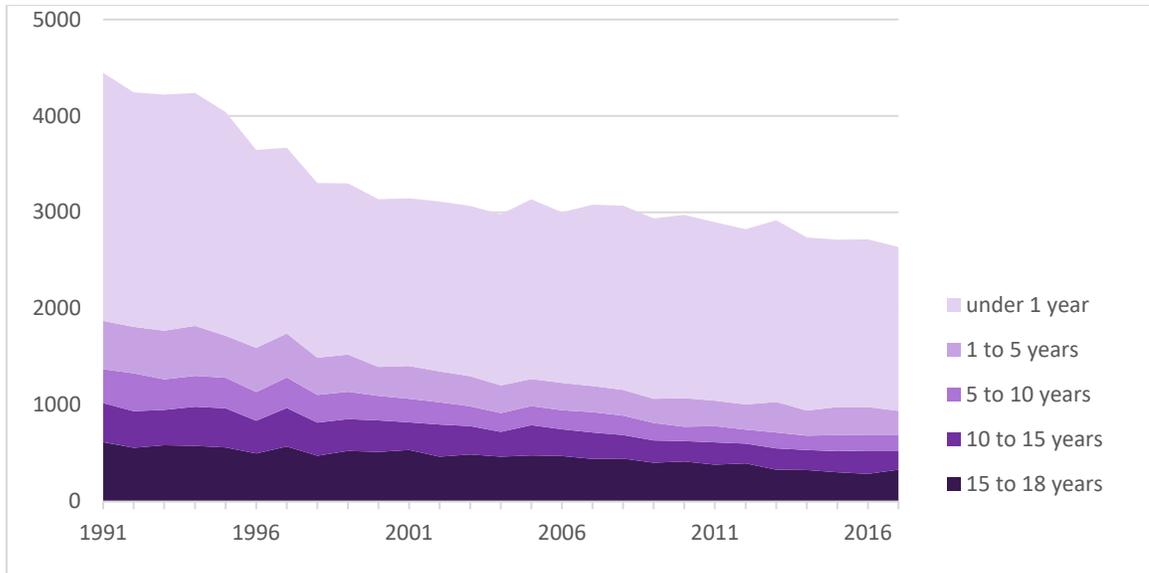
The death of children in Canada is uncommon. In 2016, there were about seven million children in Canada under the age of 18.¹ There were 2,720 child deaths reported in this

1 Statistics Canada, Table 17-10-0005-01: Population estimates on July 1st, by age and sex.



same year.² The data also shows that the number of children dying every year in Canada is decreasing. Figure 1 shows that since 1991, deaths are declining in every age subcategory.³

Figure 1 – Total Number of Deaths by Age under 18 years, 1991-2017



Source: Figure prepared by the authors using data obtained from Statistics Canada, [“Table 13-10-0709-01: Deaths by age group and sex”](#). A similar graphic was provided to the Committee by Ron Gravel and Valérie Gaston of Statistics Canada.

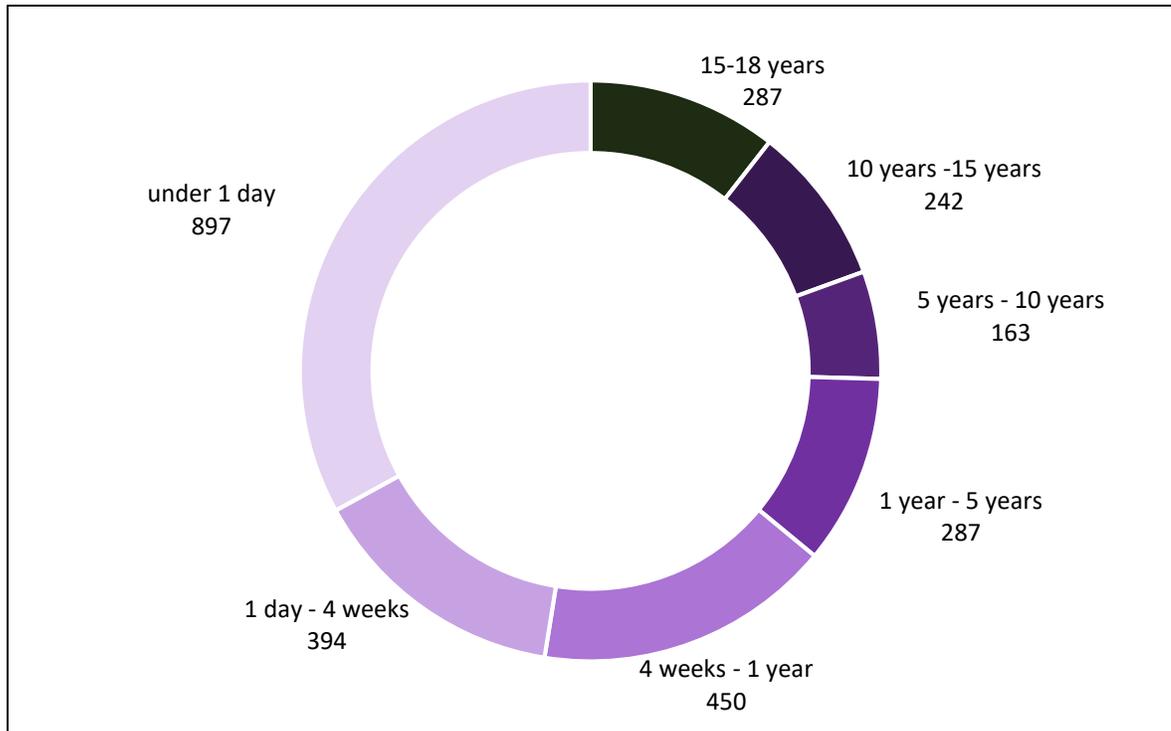
Younger children are more likely to die than older children. Figure 2 shows that the majority of childhood deaths occur before the child’s first birthday. In 2016, a total of 1,741 Canadians under one year of age died. About one-third of childhood deaths occur within 24 hours of the child being born.⁴

2 This includes death from all causes, but does not include stillbirths or miscarriages.

3 Statistics Canada, [Table I 13-10-0713-01 Infant deaths and mortality rates, by age group, *ibid.*](#) Note that with respect to infants under 1 day old there can be more variability. The number of deaths of infants under 1 day old in the last five years has been declining.

4 These figures do not include stillbirths. A stillbirth, in contrast to a live birth, is registered when fetal death occurs after either surviving 20 weeks of a pregnancy or reaching a weight of over 500 grams. Stillbirths are registered separate from neonatal deaths. In 2016, [Statistics Canada reported](#) 3,063 stillbirths. This is equivalent to about 8 stillbirths for every 1,000 live births in Canada. There has been an upward trend in registered stillbirths since 2000. [Table 13-10-0428-01: Live births and fetal deaths \(stillbirths\), by type of birth \(single or multiple\).](#)

Figure 2 – Number of Deaths by Age Under 18 Years, 2016



Source: Figure prepared by the authors using data obtained from Statistics Canada, "[Table 13-10-0710-01: Deaths and mortality rates, by age group](#)" and "[Table 13-10-0713-01: Infant deaths and mortality rates, by age group.](#)"

Some infants and children die of unknown causes

A small number of children die of unknown causes. This phenomenon is commonly known as SIDS in the case of infants, or Sudden Unknown Death in Childhood in the case of older children. However, most medical examiners stopped using this terminology in 2012.⁵ Instead, "ill-defined" or "unknown" cause of death is reported in official statistics. In 2016, about 10% of deaths of children under one year old (around 175) and 10% of deaths of people aged between one and 20 years old (around 110), were determined to be due to ill-defined or unknown causes.⁶

5 HUMA, *Evidence*, 1st Session, 42nd Parliament, 22 November 2018, 0855 (Valérie Gaston, Chief Vital Statistics, Health Statistics Division).

6 Calculated by the authors using data obtained from Statistics Canada, "[Table 13-10-0155-01, Deaths, by cause, Chapter XVIII: Symptoms, signs and abnormal clinical and laboratory findings, not elsewhere classified \(R00 to R99\)](#)".



People’s experiences of grief are profound and unique

The body of research into how grief is experienced has grown significantly in recent years. What is more, our understanding of this experience continues to evolve.⁷ Both researchers and clinicians describe grief as an experience that is painful and complex.

It is a phenomenon that is felt differently by different people.⁸ “Grief is about the relationship... When someone we care about dies, our relationship with them changes; it does not end. The work of grief is making that transformation.”⁹ Moreover, grief is natural and normal. It arises out of our humanity and capacity to love and attach to each other.¹⁰

Research examining the needs of bereaved parents of minor-aged children highlights the need for support, particularly in the first year after the child’s death.¹¹ As people respond to traumatic events differently, the needs of grieving individuals and families will be diverse but will likely include a range of mental health, spiritual, workplace-based, community-based and income supports.¹²

“ Grief is about the relationship... When someone we care about dies, our relationship with them changes; it does not end. The work of grief is making that transformation.”

Susan Cadell

7 HUMA, *Evidence*, 1st Session, 42nd Parliament, 1 November 2018, 1030 (Alain Pelletier), *Evidence*, 1st Session, 42nd Parliament, 20 November 2018, 0845 (Susan Cadell, Professor, School of Social Work, Renison University College, University of Waterloo, As an individual) and 0900 (Mary Ellen Macdonald, Associate Professor, Pediatric Palliative Care Research Program, McGill University, As an individual). HUMA [Brief submitted by Roger Neilson House](#).

8 HUMA, *Evidence*, 1st Session, 42nd Parliament, 30 October 2018, 0920 (Atle Dyregrov, Professor, Centre for Crisis Psychology, University of Bergen, As an individual), *Evidence*, 1st Session, 42nd Parliament, 20 November 2018, 0845 (Susan Cadell).

9 HUMA, *Evidence*, 1st Session, 42nd Parliament, 20 November 2018, 0845 (Susan Cadell).

10 HUMA, *Evidence*, 1st Session, 42nd Parliament, 20 November 2018, 0900 (Karima Joy, PhD Candidate, Dalla Lana School of Public Health, Social and Behavioural Health Sciences, University of Toronto, As an individual).

11 Moire Stevenson et al., “Understanding How Bereaved Parents Cope with Their Grief to Inform the Services Provided to Them,” *Qualitative Health Research*, pp. 1–16, 2016. Margaret O’Connor et al., “Loss and grief in the workplace,” *International Journal of Workplace Health Management*, Bingley, Vol. 3, Iss. 2, 2010, pp. 131–142.

12 Ibid.

The available research also underscores that there are a range of responses to the death of a child. Some bereaved people may find value in returning to work or other routines soon after a death, while for others, a quick return could inhibit their ability to grieve, and lead to negative physical and mental health.¹³ This is consistent with witness testimony that will be examined in greater detail in Chapter 2.¹⁴ Broadly speaking, this testimony emphasizes that grief is not an intense process followed by relief. It may ebb and flow over time and can recur years after the death of a loved one.¹⁵

Leave provisions allow a worker to take time off work without losing their job. Benefits provide financial support by replacing a portion of a worker's income while they are on leave.

What is presently in place to help grieving families?

In Canada, there are a range of leaves and benefits available to workers in order to support them through different life events. Leave provisions allow a worker to take time off work without losing their job. Benefits provide financial support by replacing a portion of a worker's income while they are on leave.

Many leave provisions and benefits are coordinated. For example, under the *Canada Labour Code* (the Code), a federally regulated employee can take up to 17 weeks of job-protected sick leave. While this leave is unpaid under the Code, this same worker can receive up to 15 weeks of EI sickness benefits following a one-week waiting period. It should be noted that not all working Canadians qualify for EI benefits, as they may not contribute to EI, or they may not have a sufficient number of eligible hours. Barriers to accessing EI experienced by individual witnesses are discussed further in Chapter 2. Tables 1 and 2 describe the leaves and benefits related to the death of child, while leaves, followed by the corresponding benefits, are discussed in the sections below.

13 Moire Stevenson et al., "Understanding How Bereaved Parents Cope with Their Grief to Inform the Services Provided to Them," *Qualitative Health Research*, pp. 1–16, 2016. Margaret O'Connor et al., "Loss and grief in the workplace," *International Journal of Workplace Health Management*, Bingley, Vol. 3, Iss. 2, 2010, pp. 131–142. See also: HUMA, *Evidence*, 1st Session, 42nd Parliament, 30 October 2018, 0905 (Atle Dyregrov); HUMA, *Evidence*, 1st Session, 42nd Parliament, 20 November 2018, 0855 (Karima Joy) and 0910 (Moire Stevenson, Psychologist, MAB-Mackay Rehabilitation Centre, As an individual).

14 See Chapter 2: Many return to work too soon and are properly not supported in the workplace and Flexible and supported return-to-work can help bereaved workers.

15 HUMA, *Evidence*, 1st Session, 42nd Parliament, 20 November 2018, 0845 (Susan Cadell), 0910 (Moire Stevenson) and 0920 (Alexandra Lihou).

Table 1: Summary of Federal Leave and Employment Insurance Benefit Provisions Related to the Death of a Child

Type of Leave (<i>Canada Labour Code</i>)	Intended recipients	Maximum Duration of Leave Provision	Coordinated Employment Insurance Benefit	Notes
Maternity	Pregnant women and women who have recently given birth.	17 weeks	15 weeks paid at 55% of average income (up to \$547 a week).	Benefit ends 17 weeks after birth of child.
Parental	Biological, legal, or adoptive parents of a new child.	63 weeks (shared between two parents)	Standard: 35 weeks paid at 55% of average income (up to \$547 a week). Extended: 61 weeks paid at 33% of average income (up to \$328 a week).	Benefit ends 78 weeks after the birth or adoption of the child; or the same week in which the child dies.
Sickness	People unable to work due to sickness, injury or quarantine.	17 weeks	15 weeks paid at 55% of average income (up to \$547 a week).	A medical note is required stating that the person is not able to work.
Compassionate Care	Individuals caring for a family member who has a serious medical condition with a significant risk of death within 26 weeks.	28 weeks (shared between family members)	26 weeks paid at 55% of average income (up to \$547 a week).	Benefit ends 52 weeks after the start of the leave, or the death of the person receiving care.
Critical Illness	Individuals caring for a family member whose life is at risk because of an illness or injury.	Critically Ill Adult: 17 weeks Critically Ill Child: 37 weeks (shared between family members)	15 weeks (adult) or 35 weeks (child) at 55% of average income (up to \$547 a week).	Benefit ends 52 weeks after the start of the leave, or the same week in which the death of the person receiving care occurs.

Table 2: Summary of Federal Leave and Other Income Support Provisions Related to the Death of a Child

Type of Leave (Canada Labour Code)	Intended recipients	Maximum Duration of Leave Provision	Coordinated Income Support	Notes
Parents of Young Victims of Crime	Parents of a child whose disappearance or death is the result of a probable crime.	104 weeks	37 weeks, fixed-rate of \$450 dollars per week.	This is not an Employment Insurance benefit. Benefit ends 104 weeks after the criminal act. A recipient may return to work part-time and receive benefits, but benefits end if they work more than half of their normal working hours, or 20 hours a week.
Bereavement	People who have lost a close family member.	3 days	3 days at paid leave for those who have completed over 3 months continuous employment.	3 calendar days after the death, including weekends, holidays and vacation days.
Personal	People needing time off work related to treating their illness or injury, and to address any urgent matter concerning themselves or their family members	5 days	3 days at paid leave for those who have completed over 3 months continuous employment.	New personal leave provisions come into force on a day to be fixed by order of the Governor in Council, or on the later of 1 September 2019 and the date on which certain provisions from the Budget Implementation Act, 2017, No. 2 come into force.



Who is covered under the *Canada Labour Code*?

About 6% of Canadian workers are employed in federally regulated workplaces, meaning that their leave entitlements are regulated by the Code. This represents roughly 18,000 employers and 900,000 employees¹⁶. The federally regulated businesses and industries include interprovincial and international services (such as railways, road and air transport, and shipping services), radio and television broadcasting and cable systems, banks, most federal Crown corporations, as well as private businesses necessary to the operation of a federal Act.¹⁷ All other persons work in provincially or territorially regulated industries and have access to job-protected leaves under their province or territory's labour standards legislation.¹⁸

How much time can a worker take off when their child dies?

Under the law, employees can take a leave of absence from work for different reasons including: medical leave, leave for work-related injury, and injury and bereavement leave. An employer is not permitted to dismiss, suspend, lay off, demote, or discipline an employee because they have applied to take leave, or if they are on a leave, or have taken leave.¹⁹

In the federal jurisdiction

Bereavement leave is provided under the Code. It is not specific to the death of a child but applies to the death of all immediate family members. Under the Code, when a member of an employee's immediate family dies, the employee is entitled to leave on any normal working day that falls within the three-day period immediately following the day the death occurred.²⁰ All employees are entitled to these days without pay, while

16 Employment and Social Development Canada, *Federally Regulated Businesses and Industries*, 2017

17 Part III of the Canada Labour Code (the Code) addresses labour standards which protect workers' rights to fair and equitable conditions of employment. While most federal Crown corporations such as the Canada Mortgage and Housing Corporation and the Canada Post Corporation are covered by the Code's labour standards, federal public service employees are not covered. Part III of the Code establishes minimum standards and in no way interferes with more favourable rights or benefits established by a collective agreement, private arrangement or employer policy.

18 Employment and Social Development Canada, *Federally Regulated Businesses and Industries*, 2017.

19 See Employment and Social Development Canada, *Leave*.

20 The Code considers immediate family to be: The employee's spouse or common-law partner; the employee's father and mother and the spouse or common-law partner of the father or mother; the employee's child(ren) and the child(ren) of the employee's spouse or common-law partner; the employee's grandchild(ren); the employee's brothers and sisters; the grandfather and grandmother of the employee;

employees who have been continuously employed for over three consecutive months are entitled to paid leave.

Personal Leave

The federal government recently introduced new legislation in an effort to modernize leave provisions in the Code. Once they come into force, changes to the Code enacted in [Budget Implementation Act, 2018, No. 2](#) will offer federally regulated workers five personal days of leave a year.²¹ Among other aspects, this personal leave will allow employees to carry out activities related to treating their illness or injury, and to address any urgent matter concerning themselves or their family members. While it is not explicit in the legislation, it is likely that these personal days could be used in circumstances of bereavement if needed. Employees who have completed three consecutive months of continuous employment with the same employer will be entitled to have the first three days of leave paid.²²

Leave that is related specifically to the death of a child

In addition to bereavement and personal leave, the Code also provides for a leave related to the death or disappearance of a child. This leave can be taken by an employee whose child is under 18 years of age and has disappeared or died as a result of a probable crime under the *Criminal Code*.²³ When an employee's child dies as the result of a probable crime the person is eligible to take up to 104 weeks of unpaid leave.²⁴

Leaves that are coordinated with Employment Insurance benefits

As noted above, the Code also has leaves that are coordinated with EI benefits. The leaves might allow a grieving parent, under specific circumstances, to take time off work

the father and mother of the spouse or common-law partner of the employee and the spouse or common-law partner of the father or mother; and any relative of the employee who resides permanently with the employee or with whom the employee permanently resides. For more information please see: Government of Canada, Federal Labour Standards and Equity, [Bereavement leave](#).

21 A second Act to implement certain provisions of the budget tabled in Parliament on February 27, 2018 and other measures received Royal Assent on 13 December 2018.

22 Library of Parliament, Legislative Summary of Bill C-86: A second Act to implement certain provisions of the budget tabled in Parliament on February 27, 2018 and other measures, 6 November 2018.

23 For more information please see: the [Criminal Code](#).

24 Government of Canada, Employment and Social Development Canada, [Leave related to death or disappearance](#).



for maternity leave and medical leave.²⁵ EI benefits and the leaves that are coordinated with them are discussed in greater detail below.²⁶

Provincial jurisdictions have different laws around taking time off work

A 2015 review of bereavement leave provisions in Canadian jurisdictions found that, under most circumstances, provinces and territories provide between one and seven days of leave following the death of a close family member. While children are always included as eligible family members, no special consideration is given to these cases in most jurisdictions. Bereavement leave in Canada is similar to the labour standards in other industrialized countries and is intended to provide time for an employee to organize or travel to a ceremony.²⁷

Some provinces, such as Quebec and Saskatchewan, allow unpaid job-protected leave of up to two years for the parents of a child who dies because of a crime, similar to what is provided under the *Canada Labour Code*. Quebec also provides one year of unpaid leave to parents of a child who dies by suicide. Both Ontario and British Columbia amended their employment laws in 2018 to provide up to two years of unpaid, job-protected leave to parents whose children have died, regardless of the cause of death.²⁸

What parts of Employment Insurance can support grieving parents?

There is no specific EI benefit for bereavement. However, there are other EI special benefits that could provide some form of support for grieving parents. EI special benefits are the primary form of publicly administered benefits that support workers through life events. As explained above, these benefits are coordinated with the *Canada Labour Code* and other provincial labour standards legislation. While they are administered by the same system, and funded through employee and employer premiums, EI special benefits are distinct from regular EI benefits provided following a job loss.

25 In the case of compassionate care leave and parent leave, these leave entitlements would end when the child dies.

26 It also noted that the *Budget Implementation Act, 2018*, eliminates the minimum length of service requirements for the several leaves including: maternity leave; parental leave; leave related to critical illness; and medical leave.

27 Mary Ellen Macdonald et al., “Excluding parental grief: A critical discourse analysis of bereavement accommodation in Canadian labour standards.” 2015, *Work*, p. 511–526.

28 Government of Quebec, [Leave Granted in the Event of Death](#). Government of Ontario, [Child death leave](#), 2018; and Government of British Columbia, [New and extended leaves support working families](#), 2018.

Applicants for EI special benefits must have worked more than 600 hours of insurable employment in the qualifying period to be eligible. The qualifying period is normally the previous 52 weeks.²⁹ As a result of these parameters, not all workers who have contributed to EI may be eligible to receive benefits.³⁰

Workers can apply for EI special benefits through an online process intended to take 60 minutes to complete. EI benefits are normally paid for a maximum period at a rate of 55% of a worker's normal wages (some exceptions apply), with a cap of \$547 per week³¹. Benefits are also not paid for the first week of leave. About 560,000 Canadians received EI special benefits in 2016-2017.³²

There are two types of EI special benefits that, depending upon the circumstance, could support grieving parents: maternity and sickness benefits.

Maternity benefits are paid to workers who are in the late stages of their pregnancy and/or who have recently given birth. The benefit provides income support for up to 15 weeks. Maternity benefits can be paid as early as 12 weeks before the expected date of delivery and can end 17 weeks after the actual date of birth.

In the tragic event that the infant dies or is stillborn, maternity benefits continue. This is because the benefit is provided in the interest of a worker's health.³³ Recent changes to EI Working While on Claim provisions have made it possible for mothers to keep receiving partial EI benefits and all earnings from a job. These changes could support gradual return to work.³⁴

Not all workers who have contributed to EI may be eligible to receive benefits.

29 There are circumstances under which the qualifying period may be shorter. For more information please see: Employment and Social Development Canada, [EI Sickness Benefit - Eligibility](#), [EI Maternity and Parental Benefits - Eligibility](#), [Caregiving benefits and leave: Eligibility](#), [EI Regular Benefits - Eligibility](#).

30 There are hours and contribution requirements for both EI Regular and Special benefits. There can be differences depending upon the region of Canada where a worker lives. Ibid.

31 EI parental benefits can also be paid at 33%. Please see: [Extended parental benefits option](#).

32 Employment and Social Development Canada, [Employment Insurance Monitoring and Assessment Report for the fiscal year beginning April 1, 2016 and ending March 31, 2017 Chapter II - 6. Employment Insurance special benefits](#).

33 [Employment Insurance Act](#), S.C. 1996, c. 23 and [Employment Insurance Regulations](#), SOR/96-332. See also Government of Canada, [Leave](#), and [Employment Insurance benefits and leave](#). Also see: [EI Maternity and Parental Benefits - Overview](#).

34 See: [Employment Insurance – Working While on Claim](#).



Sickness benefits are paid to workers who are unable to work for medical reasons for up to 15 weeks. Sickness benefits can in some circumstances act as a *de facto* bereavement benefit for parents and family members who have lost a child if they need to take time off work, have worked enough hours to be eligible and can find an approved medical practitioner who is willing to provide a sick note.

While a sick note is required that certifies that a worker is unable to work due to medical reasons, the note need not specify the reason. Therefore, it is left to the discretion of the doctor or approved medical practitioner to determine if a grieving person is entitled to take time off work.³⁵

It is also noted that a woman who is pregnant may take sickness benefits during the maternity period. Although pregnancy and childbirth are not considered to be illnesses, complications with respect to either may be.³⁶ In addition, a pregnancy that is terminated within the first 19 weeks is considered an illness for the purposes of the Act and must be treated as such. The claim in this case would be considered for sickness benefits rather than maternity benefits.³⁷

Why do other benefits end abruptly when a child dies?

Employment Insurance Parental benefits are paid to workers who are caring for a newborn or a newly adopted child. Standard parental benefits are paid for up to 35 weeks. Parents can also opt for extended parental benefits, which last up to 61 weeks, but are paid at a lower rate (33% of a worker's normal wages, to a maximum of \$328 per week). In either scenario, the maximum number of weeks represents the combined total weeks of benefit that can be claimed by a child's parents.³⁸

The purpose of the benefit is to support parents in providing care for their new child or children. Parental benefits, in contrast to maternity benefits, will end the same week that the child dies, as there is no longer a need to provide care to that child.³⁹

35 HUMA, *Evidence*, 1st Session, 42nd Parliament, 16 October 2018, 0850 (Andrew Brown) and 0900 (Rutha Astravas, Director, Special Benefits, Employment Insurance Policy, Skills and Employment).

36 For more information see: [Employment Insurance, Maternity Benefits](#).

37 Ibid.

38 Ibid. Once *Budget Implementation Act, 2018, No. 2* comes into force, additional weeks of parental benefits may be payable to parents who have agreed to share the EI parental benefits.

39 HUMA, *Evidence*, 1st Session, 42nd Parliament, 16 October 2018, 0850 (Andrew Brown, Director General, Employment Insurance Policy, Skills and Employment).

Employment Insurance Caregiving benefits are paid to workers who are caring for seriously ill or injured family members. Two types of caregiving benefits provide support to parents and family members of seriously ill children:

- The family caregiver benefit for children is paid for up to 35 weeks for workers who care for a critically ill or injured family member who is younger than 18 years; and
- Compassionate care benefits are paid for up to 26 weeks for workers who care for a family member of any age who requires end-of-life care.⁴⁰

Similar to parental benefits, the combined number of weeks claimed by all family members providing care cannot exceed the maximum. Also, like parental benefits, caregiving benefits will end the week the child dies.⁴¹

The Canada Child Benefit (CCB) is a non-taxable amount paid monthly to help eligible families with the cost of raising children under 18 years of age. It is funded through general tax revenues. Under the CCB, an eligible parent or guardian is entitled to a maximum annual benefit of \$6,400 per child under the age of six and \$5,400 per child aged 6 through 17. Families with less than \$30,000 in net income receive the maximum benefit. The benefit is adjusted for higher income families and phased out completely for high income families. The benefit is paid monthly.⁴² The CCB also includes an additional amount of up to \$2,730 per child eligible for the disability tax credit. This benefit is also adjusted for higher income families.⁴³

The purpose of the CCB is to help with the cost of raising a family. The CCB - like EI parental and caregiving benefits - ends when the child dies.

40 Note that there is the family caregiver benefit for adults that is paid for up to 15 weeks for workers who care for a critically ill or injured family member who is older than 18 years.

41 HUMA, *Evidence*, 1st Session, 42nd Parliament, 16 October 2018, 0850 (Andrew Brown).

42 *Budget Implementation Act 2016, No. 1* amended the *Income Tax Act* (R.S.C., 1985, c. 1 (5th Supp.)) to create the Canada Child Benefit (CCB). On the portion of adjusted family net income between \$30,000 and \$65,000, the CCB will be phased out at a rate of 7% for a one-child family, 13.5% for a two-child family, 19% for a three-child family and 23% for families with four or more children. Where adjusted family net income exceeds \$65,000, remaining benefits will be phased out at rates of 3.2% for a one-child family, 5.7% for a two-child family, 8% for a three-child family and 9.5% for families with four or more children, on the portion of income above \$65,000. The Canada Child Benefit will be paid in equal monthly instalments.

43 Ibid. There phase out at a rate of 3.2% cent for families with one eligible child and 5.7% cent for families with more than one eligible child, on adjusted family net income in excess of \$65,000. This additional amount will be included in the Canada child benefit payments made to eligible families.



What other programs are available for grieving parents?

The Canadian Benefit for Parents of Young Victims of Crime is a stand-alone program that is funded through a government grant (general tax revenues) and not EI premiums.⁴⁴ The benefit is available to parents whose child has disappeared or died as a result of a crime.⁴⁵ Recipients must have earned at least \$6,500 in the previous calendar year, or in the 52 weeks prior to the incident. While recipients must have a Social Insurance Number, there is no requirement to have contributed to the EI program.

The benefit is paid at \$450 per week, on a biweekly basis, for a maximum of 35 weeks. During the weeks a parent receives the benefit, they may work up to half of their regular hours (to a maximum of 20 hours per week). A parent is eligible to receive these benefits any time within two years of the incident, provided they have not returned to working more than half of their regular hours. About 40 families have received the grant since it was created in 2013.⁴⁶

44 Please see: [Canadian Benefit for Parents of Young Victims of Crime](#).

45 Prior to October 2018, this program was known as the Federal Income Support for Parents of Murdered or Missing Children. The eligibility, duration, and value of the grant also changed at this time.

46 Maura Forrest, *National Post*, [Federal government announces overhaul of little-used fund for parents of missing, murdered children](#), May 25, 2018.

CHAPTER 2: WHAT THE COMMITTEE HEARD

Over the course of the study, the Committee heard from individuals and couples who have experienced the death of a child or a stillbirth. The Committee also heard from researchers and practitioners who applied their expertise in psychology, social work, nursing, anthropology and bereavement support to the issues raised by the death of a child. Representatives from ESDC and Statistics Canada provided context about the design of current programs and information about the death of children in Canada.

Witnesses told the Committee that “orphaned parents” need more support, regardless of the age of the child or the how the child died.

The study provided the Committee with the opportunity to hear diverse stories from different perspectives. The Committee found that witnesses were grateful for the opportunity to tell their stories on their own terms.⁴⁷ Witnesses told the Committee that “orphaned parents” need more support, regardless of the age of the child or the how the child died.⁴⁸ Several witnesses have begun advocacy or support work, recognizing that those with lived experience have something truly special to offer. For many bereaved parents and families, helping others in the grief process was a way to honour the child who had died and to cherish their memory.⁴⁹

47 See for example: HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0845 (Philippe Panneton); HUMA, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2018, 1000 (Sarah and Lee Cormier, Quinn's Legacy Run Society).

48 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 1000 (Gillian Hatto); HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0845 (Philippe Panneton); HUMA, [Evidence](#), 1st Session, 42nd Parliament, 20 November 2018, 0900 (Mary Ellen Macdonald); [Written submission from Roger Neilson House](#), 27 November 2018.

49 See for example: HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018 (Gillian Hatto, Hazel's Heros); HUMA, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2018, 1000 (Lee and Lee Cormier, Quinn's Legacy Run Society); [Brief submitted by Lori-Ann Huot](#); HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, (Jens Locher, British Columbia Childloss Support Network); HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, (Paula Harmon and Jessica Weatherbee, Gardens of Grace).



Bereaved parents and families face financial hardship

I had to stand in line at Service Canada to try and figure out how I would pay my bills as I was not sure if I still counted as a mother to the government...I was so scared of being judged. – Josmi Bansal⁵⁰

The financial hardship experienced by many families after the death of child is the result of a combination of factors. Many parents are faced with unpaid leave from work combined with the expenses related to the death of their children. In addition to funeral costs, many expenses for counselling and prescriptions may not be covered by provincial health services or private benefits.⁵¹

The Committee heard that for many just getting out of bed in the morning is difficult. Summoning the energy to figure out how they are going to work and pay their bills can seem almost impossible.⁵²

The Committee heard that income support programs are not designed to help parents in uncommon situations. The Committee was told the story of a self-employed father who was ineligible for benefits after both his child and partner died during childbirth. He was forced to return to work shortly after their deaths in order to provide for himself and his other children.⁵³ The Committee also heard from a bereaved mother whose child died shortly after birth that she did not receive her first maternity benefit payment until she returned to work nine weeks after the tragic event.⁵⁴

One parent who came across the the Young Victims of Crime program while searching the internet for help related her disbelief:

I read that over and over and kept looking for something for parents who have lost children in other ways as well, but I couldn't find anything. I was in disbelief and assumed that the government thought that if a child was kidnapped or murdered, it was

50 HUMA, [Written submission from Josmi Bansal](#).

51 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0845 (Philippe Panneton) and 0915 (Jessica Weatherbee); [Brief submitted by BriarPatch Family Life Education Centre](#), [Brief submitted by Natalie Martin](#).

52 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 1025 (Paula Harmon); [Written submission from Josmi Bansal](#).

53 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 1025 (Paula Harmon).

54 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0915 (Jessica Weatherbee).

perhaps a worse result than a child dying from an illness or from undetermined reasons, and that somehow those parents deserved support, but we did not.⁵⁵

Bereaved parents reported problems with Service Canada

Service Canada is a federal institution that is part of ESDC. It is the place that people contact to start, end, or change many government benefits, including EI benefits.⁵⁶ Numerous witnesses described difficult or negative experiences with Service Canada following the death of their child.⁵⁷ Service Canada employees were often ill prepared to help them navigate the system after their child died. Witnesses reported that Service Canada employees lacked knowledge of procedures specific to their situation and spoke awkwardly or callously about their child's death.⁵⁸ These negative experiences in turn created additional trauma.⁵⁹

The Committee heard that income support programs are not designed to help parents in uncommon situations.

55 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 1000 (Gillian Hatto).

56 [Service Canada](#) provides Canadians with a single point of access to a wide range of government services and benefits. We are committed to improving services for Canadians by working with partners to provide access to the full range of government services and benefits that Canadians want and need through the Internet, by telephone, in person or by mail. The [Canada Child Benefit](#) is administered by the [Canada Revenue Agency](#). You apply for the CCB by using the [My Account for Individuals](#).

57 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0850 (Jens Locher), HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0905 (Paula Harmon), HUMA [Written submission from Kimberly Lockhart](#), [Written submission from Nicole Stark](#), [Written submission from Nicole Chadwick](#), [Written submission from Josmi Bansal](#).

58 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2018, 1000 (Lee Cormier), [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0930 (Jens Locher).

59 Ibid.



There was no straightforward process to report that your child had died

Witnesses found the way in which they had to interact with Service Canada presented challenges as well.⁶⁰ Witnesses described how they or their family members were on the phone for hours.⁶¹ Often, bereaved parents had to present a death certificate in person to Service Canada soon after their child's death. Sarah Cormier found the experience to be difficult:

There we were on the Monday, just two days after we had laid Quinn to rest, at the Service Canada office, standing in line with everyone else, holding that death certificate, just shaking, not knowing what to do... We had family and friends try to call on our behalf, but they needed to hear from us, so that's why we ended up down there.⁶²

Jens Locher was dismayed that he couldn't give information to Service Canada on his own terms.

At the time when Service Canada wanted to talk to me, it was impossible. It was this idea that I had to go there in this public place, and I couldn't control the times and the terms where I had to tell the story. It was just terrible.⁶³

Several witnesses described having to report a death multiple times. Having to re-tell their story numerous times for different government officials was described as both traumatic and exhausting.⁶⁴

[E]very time I called to speak to someone at Service Canada I would have to re-explain ... I would request them to put it in my file so I wouldn't have to relive the pain and keep retelling, yet that never happened. – Kimberly Lockhart⁶⁵

60 Both the CRA (for the Canada Child Benefit) and Service Canada (for EI benefits) require the cancellation to be done by the individual receiving the benefits, and not a friend or family member. Cancellation of the Canada Child Benefit and EI benefits can happen over the phone. Parents who have a CRA web account can also cancel benefits online. Switching parental benefits to sickness benefits requires a medical certificate to be presented in person at a Service Canada location. Someone other than the parent can present a medical certificate at a Service Canada location, but this may delay the processing. The CRA and Service Canada must be contacted separately.

61 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2018, 1000 (Lee Cormier), [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 925 (Paula Harmon).

62 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2018, 1005 (Sarah Cormier).

63 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 1030 (Jens Locher).

64 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 1030 (Jens Locher). HUMA [Written submission from Josmi Bansal](#), [Written submission from Kimberly Lockhart](#).

65 HUMA, [Written submission from Kimberly Lockhart](#).

Bereaved parents often need to repay government benefits

It's not top of mind for families to let Service Canada know that their baby has died. -
Michelle Lafontaine⁶⁶

Because the entitlement to EI parental, caregiving and children's benefits ends in the event of a death, parents can receive money that must be paid back if they do not report the death of the child to the relevant agency soon enough.⁶⁷ Lee Cormier expressed frustration that the onus was upon the parent to make sure the benefits were cancelled.⁶⁸ He explained: "What doesn't go through your mind is: Who do I call about parental benefits? Do I need to inform anyone? What happens if I get another payment now that my child is gone?"⁶⁹

Gillian Hatto had "no idea" that she had been overpaid until she was told that she had to repay extra child tax credit money in person at a bank.⁷⁰ She described feeling "physically ill" while going into public when she wasn't ready.⁷¹ She also thought the repayment was "a cruel punishment" for parents who don't have the money that needs to be repaid.⁷²

"I couldn't control the times and the terms where I had to tell the story."

Jens Locher

Due to an administrative error, Jens Locher's wife Kerstin was incorrectly told that she had been overpaid one week of her maternity benefit. It required "numerous phone calls and multiple supervisors" to fix the perceived problem.⁷³

66 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2018, 0940 (Michelle Lafontaine).

67 These include the Child Tax Credit but also the Canada Child Benefit. Depending on when a death occurs relative to the timing of benefit payments, the time parents have to cancel benefits before an ineligible payment is made. This may be as short as five days in the case of EI benefits.

68 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2018, 1000 (Lee Cormier).

69 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2018, 1000 (Lee Cormier).

70 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 1005 (Gillian Hatto).

71 Ibid.

72 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 1010 (Gillian Hatto).

73 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0930 (Jens Locher).



EI sickness does not meet the needs of bereaved workers

Bereaved people often need to take some time off before returning to work. While there are some entitlements to paid bereavement leave and personal leave, paid time off is not nearly enough for most bereaved parents. Under labour standards legislation, the time off afforded is measured in days while the time off needed is measured in weeks or months.⁷⁴

Some workers will have access to employer sponsored short-term and long-term disability plans or generous paid leave policies.⁷⁵ For most workers, the only other option, provided they have accumulated enough hours, is EI sickness.

“Sick” does not describe what parents are going through

Officials from ESDC were careful to point out that claimants who are unable to work due to emotional or psychological stress are eligible for EI sickness benefits. Bereaved parents and family members need only obtain a note from a medical practitioner stating they are unable to work. The note does not need to contain the reason they are unable to work.⁷⁶

“ What doesn't go through your mind is: Who do I call about parental benefits? Do I need to inform anyone? What happens if I get another payment now that my child is gone?”

Lee Cormier

Yet, the Committee heard one witness describe the problems she had in getting a sick note accepted. Paula Harmon’s original EI sickness claim included a doctor’s note describing “bereavement of daughter” as the reason for her claim. Her claim was rejected. She filed a second claim that used the term “stress” and it was accepted.⁷⁷ This

74 See Chapter 1: Table 1, for descriptions of bereavement leave entitlements under different labour standards legislation.

75 HUMA, *Evidence*, 1st Session, 42nd Parliament, 30 October 2018, 1010 (Gillian Hatto).

76 HUMA, *Evidence*, 1st Session, 42nd Parliament, 16 October 2018, 0850 (Andrew Brown), *Evidence*, 1st Session, 42nd Parliament, 22 November 2018, 0850 (Rutha Astravas).

77 HUMA, *Evidence*, 1st Session, 42nd Parliament, 1 November 2018, 1025 and 1040 (Jessica Weatherbee).

testimony suggests that there is confusion both among bereaved parents and medical practitioners about how the system works in practice.⁷⁸

The Committee also heard that it can be difficult to get a sick note. Many do not have a family doctor. Medical practitioners will often charge a fee for writing the note. Moreover, witnesses testified that medical practitioners will sometimes refuse to provide a medical note in the case of bereavement.⁷⁹

“[M]ost physicians have very little training in any kind of grief support, and they seem to turn to pharmaceutical solutions quite quickly”.⁸⁰ Jessica Weatherbee’s partner was given a prescription for anti-anxiety medication when he visited a doctor to ask for a medical note to take time off work following the death of their son Vincent.⁸¹

The experience of being turned away from the doctor’s office after asking for a sick note can compound the stress and isolation of someone who is grieving the death of their child.⁸² People begin to doubt the legitimacy of their need for leave.⁸³ Some witnesses described feeling dirty like they were trying to play the system when seeking a doctor’s note.⁸⁴ A written submission from Roger Neilson House, a paediatric hospice program, reported that most of their parents do not seek EI sickness benefits even when they recognize that time off work may be needed.⁸⁵

78 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2018, 0900 (Rutha Astravas).

79 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 1025 (Phillippe Panneton); HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0915 (Jessica Weatherbee).

80 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 20 November 2018, 0905 (Mary Ellen Macdonald).

81 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0915 (Jessica Weatherbee).

82 Ibid.

83 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 1025 (Chantal Verdon).

84 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 1015 (Gillian Hatto).

85 [Written submission from Roger Neilson House](#), see also HUMA, 27 November 2018. See also: [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0950 (Paula Harmon) and 1025 (Philippe Panneton), [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 1015 (Gillian Hatto), HUMA, [Evidence](#), 1st Session, 42nd Parliament, 20 November 2018, 905 (Mary Ellen Macdonald),



Many vulnerable workers are not eligible to claim EI

[I]f EI is the chosen mechanism for a bereavement benefit, there may be a significant and vulnerable group who will not qualify, putting them at risk for further marginalization. – Karima Joy⁸⁶

The Committee heard that there are many people, who because of a part-time or precarious working situation, will not have accumulated enough hours to qualify for EI sickness. There are also circumstances where some women may have used up all their EI sickness benefits. Sarah Cormier used sickness benefits during her pregnancy and was then ineligible to claim them again when her four-month old daughter Quinn died.⁸⁷ Finally there will be others who, because the benefit only provides 55% of earnings, simply cannot afford the loss of income.

Many return to work too soon and are not properly supported in the workplace

The Committee heard many stories where bereaved parents had to return to work too soon.⁸⁸ Returning to work too soon or to an unsupportive environment can “restrict some employees’ grief experience” and lead to additional negative health effects.⁸⁹ Francine de Montigny explained that “symptoms of depression, grief and anxiety are associated with lower productivity, problems with concentration, poor problem-solving and decision-making skills, as well as more workplace accidents.”⁹⁰

86 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 20 November 2018, 0855 (Karima Joy).

87 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2018, 1005 (Sarah Cormier).

88 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0915 (Jessica Weatherbee); HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0910 (Paula Harmon); HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0845 (Philippe Panneton); HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0935 (Bill Roberts).

89 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 20 November 2018, 0855 (Karima Joy).

90 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 1000 (Francine de Montigny).

One witness described being pressured to return to work after taking eight weeks of leave. About his return, he said “I would often cry at my desk or take long breaks to process anxiety and anger.”⁹¹ It was suggested that the costs associated with employees returning to work when they’re unable to work properly are higher than the costs due to absenteeism.⁹²

The experience of being turned away from the doctor’s office after asking for a sick note can compound the stress and isolation of someone who is grieving the death of their child.

Research done in Sweden documents that in cases of a sudden death, “parents will in general have 10 times as much sick leave...than those who have not experienced it.” It is a societal problem that we don’t follow up on well enough.”⁹³

91 HUMA, *Evidence*, 1st Session, 42nd Parliament, 1 November 2018, 0845 (Philippe Panneton).

92 HUMA, *Evidence*, 1st Session, 42nd Parliament, 30 October 2018, 1000 (Francine de Montigny); HUMA, *Evidence*, 1st Session, 42nd Parliament, 20 November 2018, 0855 (Karima Joy).

93 HUMA, *Evidence*, 1st Session, 42nd Parliament, 30 October 2018, 0925 (Atle Dyregrov).



More support is needed for fathers, partners and other family members

It was raised that, in the case of neonatal death, mothers who have given birth are normally able to continue with maternity leave and benefits, while their partners face barriers to accessing leave.⁹⁴ “In the context of the death of a child or infant or pregnancy loss, husbands and partners are often forgotten. Fathers grieve too, and they need support.”⁹⁵

“ [I]f EI is the chosen mechanism for a bereavement benefit, there may be a significant and vulnerable group who will not qualify, putting them at risk for further marginalization.”

Karima Joy

More generally among the families who testified as part of the study, men normally returned to work before they were ready, and before their partner. Numerous witnesses noted that fathers and partners are often expected to carry on at work with little recognition or support.⁹⁶

His employer gave him just over a week off work, which they considered generous at the time...[t]his was my husband's vacation time for the year. Just seven days prior, he held our son as he took his last breaths, and somehow, he was expected to go back to work...I think having a separate bereavement benefit would be beneficial for situations such as mine.⁹⁷

Finally, witnesses also noted that many grieving family members, including siblings, need to have access to time off, counselling services or medication. Not recognizing bereavement in partners and other close family members can lead to higher rates of absenteeism, presenteeism and even job loss.⁹⁸

94 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 1025 (Francine de Montigny).

95 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 0955 and 1025 (Francine de Montigny).

96 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0915 and 1025 (Jessica Weatherbee), HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 0905 (Atle Dyregrov), HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 0955 (Francine de Montigny). HUMA, [Brief submitted by the Centre for Studies and Research on Family Intervention and The Canada Research Chair in Family and Psychosocial Health](#), [Brief submitted by Chantelle Holmes](#). [Brief submitted by BriarPatch Family Life Education Centre](#).

97 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0915 and 1025 (Jessica Weatherbee).

98 HUMA, [Brief submitted by the Centre for Studies and Research on Family Intervention and The Canada Research Chair in Family and Psychological Health](#).

Recognition of the pain and loss associated with stillbirth and miscarriage

While there is a general lack of recognition of bereavement in society and at work, this dynamic is compounded when the event is a miscarriage or stillbirth. In these instances, parents are often met with non-recognition of their loss. Stillbirths and prenatal bereavement “is often considered a taboo subject in organization[s] leaving parents to grieve in silence.”⁹⁹

“ I would often cry at my desk or take long breaks to process anxiety and anger.”

Philippe Panneton

Many women and their partners report difficulty in obtaining leave and often bear the costs associated with unpaid leave. Terms and conditions for returning to work are often rigid; gradual return or extension of leave is rarely granted. An emphasis on productivity and efficiency results in comments that devalue their grief and the magnitude of their loss.¹⁰⁰

It is estimated that up to a quarter of pregnancies result in miscarriage or stillbirths. Women who can access EI maternity benefits after a stillbirth report that there is a need to take time to recover physically but also there is tremendous sorrow and grieving that also takes time.¹⁰¹ The maternity benefit with its physical recovery period may allow for some time to grieve as well.¹⁰² Unfortunately, the EI system of maternity and parental benefits does not recognize that partners may also need time. Partners must either take vacation days, sick leave or unpaid leave or in many instances continue to be present at work.¹⁰³

99 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0915 (Alain Pelletier); HUMA, [Brief submitted by the Centre for Studies and Research on Family Intervention and The Canada Research Chair in Family and Psychological Health](#). [Brief submitted jointly by Bear Care Campaign, For the Love of Riley, Lights of Love International Wave of Light and Pregnancy and Infant Loss Campaign; Brief submitted by Concerned Citizen.](#)

100 Ibid.

101 A worker whose pregnancy ends at 20 weeks or later is eligible for maternity benefits, including in cases of stillbirth.

102 HUMA, [Brief submitted by Chantelle Holmes](#). [Brief submitted by BriarPatch Family Life Education Centre](#), [Brief submitted by Charlene and Tom Fesnoux.](#)

103 HUMA, [Brief submitted by Chantelle Holmes](#). [Brief submitted by Lori-Ann Huot](#), [Brief submitted by Empty Cradle.](#)



Many who experience stillbirth or miscarriage will be pregnant again within a year

While this is most welcome news for couples eager to start or build their families, there is concern that these women are not able to accumulate enough hours back at work to be eligible for EI benefits.¹⁰⁴ Frequently, women who have experienced a stillbirth are advised not to work for the safety of the pregnancy.¹⁰⁵ The combination of these factors can exclude some women from EI benefits.

These are women who have contributed to EI their entire adult lives and are now not able to utilize the maternity or parental benefit because their beautiful baby died.¹⁰⁶

Suggestions for improvement

Over the course of the study, the Committee heard many sensible and creative suggestions for how programs and services could be improved. Numerous witnesses spoke to the need for governments to recognize the very individualized experiences of grieving parents and families and develop programs and services that are simple, automatic, flexible and compassionate.¹⁰⁷

For their part, ESDC officials cautioned that it might be possible to simplify the procedures, but diligence is required.¹⁰⁸ The government needs to respect privacy and must also be certain that the death has occurred. Further, government officials warned there can be “terrible consequences” if mistakes are made.¹⁰⁹ Making the process more automatic would also require care and the participation of the provinces and territories.¹¹⁰

104 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 20 November 2018, 0920 (Alexandra Lihou), [Brief submitted by Nicole Chadwick](#), [Brief submitted by Empty Cradle](#).

105 Ibid.

106 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 20 November 2018, 0920 (Alexandra Lihou).

107 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0850 (Philippe Panneton), 0935 (Cheryl Salter-Roberts), 0925 (Paula Harmon); HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0955 (Paula Harmon); HUMA, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2018, 1020 (Blake Richards, M.P., Banff—Airdrie).

108 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2018, 0945 (Andrew Brown).

109 Ibid.

110 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2018, 0945 (Andrew Brown).

Representatives of ESDC also suggested it may be hard to accommodate the unique circumstances of the relatively small number of bereaved parents in the EI system.

[A]n important thing from our perspective is remembering that it's a big program, so we're looking for clear criteria rather than flexibility. That is a challenging thing to administer in a large program.¹¹¹

Starting with Service Canada

You need to train those people who answer the phone - Francine de Montigny¹¹²

Witnesses empathized with the challenge facing Service Canada of providing such a large range and volume of services to the public.¹¹³ This led to the suggestion that a dedicated phone line with specially trained personnel and an internet landing page be created for people contacting Service Canada following the death of a child.¹¹⁴

There was also a consensus that there should be better information sharing between different parts and levels of government. It was suggested that reporting the death could be done through a form completed at a hospital or with the

Making the process more automatic would also require care and the participation of the provinces and territories.

assistance of a health care provider. Ideally once the death is reported, any resulting changes to government benefits should happen as automatically as possible. Parents should be able to consent that the information related to their child's death can be shared with all necessary government agencies.¹¹⁵

111 HUMA, *Evidence*, 1st Session, 42nd Parliament, 16 October 2018, 0935 (Andrew Brown).

112 HUMA, *Evidence*, 1st Session, 42nd Parliament, 30 October 2018, 1025 and 1035 (Francine de Montigny).

113 HUMA, *Evidence*, 1st Session, 42nd Parliament, 16 October 2018, 1040 (Lee Cormier).

114 HUMA, *Evidence*, 1st Session, 42nd Parliament, 20 November 2018, 0855 (Karima Joy), 0920 (Alexandra Lihou), 0935 (Susan Cadell); HUMA, *Evidence*, 1st Session, 42nd Parliament, 30 October 2018, 0905 (Michelle Lafontaine) and 1035 (Francine de Montigny); HUMA, *Evidence*, 1st Session, 42nd Parliament, 1 November 2018, 1010 (Jens Locher).

115 HUMA, *Evidence*, 1st Session, 42nd Parliament, 1 November 2018, 0855 (Jens Locher), 0910 (Paula Harmon), HUMA, *Evidence*, 1st Session, 42nd Parliament, 1 November 2018, 0850 (Philippe Panneton), 0935 (Cheryl Salter-Roberts).



There should be a benefits grace period after a child has died

Witnesses suggested that benefit overpayment situations could be avoided if EI parental benefits and Canada Child Benefit transfers continued for a period of time after the death of a child.¹¹⁶ It was suggested that a 12-week grace period for EI parental benefits could help families who have lost a newborn put their affairs in order and return to work in a more humane way.¹¹⁷ Other witnesses supported a 12-week grace period for parental benefits but added that a 12-week automatic bereavement benefit should be available to everyone who experiences the death of child.¹¹⁸

“ You need to train those people who answer the phone.”

Francine de Montigny

It was also noted that if a child’s death is reported at the hospital and consent is given to share this information with the appropriate authorities, then overpayment situations would be largely prevented.¹¹⁹ Finally, it was suggested that for any overpayment received, the parent should be able to repay owed money online.¹²⁰

Flexible and supported return-to-work can help bereaved workers

Those who went back to work soon functioned better than those who stayed at home, but that depends on the work environment. You need to have a work environment where you have the possibility to take breaks, and that you're well cared for in that system. If not, it's worse to go back to work. It's very individual.¹²¹

116 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0955 (Paula Harmon), [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 1020 (Gillian Hatto).

117 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2018, 1000 (Lee Cormier).

118 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 0905 (Michelle Lafontaine) and 1020 (Gillian Hatto), HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0845 (Philippe Panneton and Wendy Fuentes), 0850 (Jens Lochner) and 0905 (Cheryl Salter-Roberts).

119 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0930 (Jens Locher).

120 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 1010 (Gillian Hatto).

121 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 0905 (Atle Dyregrov).

While there are important differences between traumatic psychological injury and grieving, it can be useful to explore the return-to-work framework that supports workers both financially and mentally to prevent job loss and work disability.¹²²

The core principles for safe return to work include the following:¹²³

- the employer makes an early and considerate contact with the worker;
- someone is responsible for coordination of return to work;
- the employer makes an offer of modified work (also known as work accommodation) to the worker so they can return early and safely to work activities suitable to their ability;
- Return-to-work planners ensure that the plan supports the returning worker without disadvantaging co-workers and supervisors;
- supervisors are trained in work disability prevention and included in return-to-work planning;
- with the worker's consent, employers and health care providers communicate with each other about workplace demands, as needed; and
- the workplace has a strong commitment to health and safety.

Parents should be able to consent that the information related to their child's death can be shared with all necessary government agencies.

For grieving parents and family members, who might need to take time off work, a gradual, flexible return to work that takes into consideration their needs and unique circumstances holds potential.¹²⁴ In the context of this study, those who had a positive experience returning to work reported that their employer had been accommodating in

122 Work disability is a medical impairment or injury that prevents gainful employment. For more information please see: Workers Compensation Board – Alberta, [Traumatic psychological injury](#), 13 July 2018. Manulife, [Absence & disability management](#), accessed 10 October 2018.

123 Institute for Work & Health, [Working Together: Successful Strategies for Return to Work](#), 2008.

124 Donna Wilson et al., "A scoping review of bereavement service outcomes," *Palliative and Supportive Care*, 2017, 15, 242–259. Margaret O'Connor et al., "Loss and grief in the workplace," *International Journal of Workplace Health Management*, Bingley, Vol. 3, Iss. 2, 2010, 131–142.



terms of time off and providing support after the return to the workplace.¹²⁵ However, it must be emphasized that returning to work after a bereavement leave is fundamentally not the same as returning after recovering from an illness or injury or needing new accommodation for a physical disability. Families who experience the loss of a child will not “recover.”¹²⁶

Several witnesses emphasized that there must be flexibility. Rigid expectations around the return-to-work can be harmful.¹²⁷ Some may return to work, and then discover that would be better off on leave again.¹²⁸ It is not uncommon for bereaved workers to continue to experience difficulties around holidays and important

“ You need to have a work environment where you have the possibility to take breaks, and that you're well cared for in that system.”

Atle Dyregrov

anniversaries. This may require some additional time off or access to counselling.¹²⁹ It was also pointed out that if a worker’s parental leave unexpectedly ends, the employer may not be prepared for their return to work.¹³⁰

Bereaved parents need to be connected to existing resources

It is crucial that there is a system that reaches out quickly to bereaved families.¹³¹ While some communities have strong peer supports available, many do not.¹³² The coverage

125 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 1040 (Philippe Panneton) and (Jens Lochner).

126 Donna Wilson et al., “A scoping review of bereavement service outcomes,” *Palliative and Supportive Care*, 2017, 15, 242–259. Margaret O’Connor et al., “Loss and grief in the workplace,” *International Journal of Workplace Health Management*, Bingley, Vol. 3, Iss. 2, 2010, 131–142.

127 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 20 November 2018, 0920 (Alexandra Lihou); HUMA, [Evidence](#), 1st Session, 42nd Parliament, 20 November 2018, 0915 (Moire Stevenson); HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 1000 (Gillian Hatto).

128 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 20 November 2018, 0915 (Moire Stevenson).

129 Ibid.

130 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2018, 0935 (Andrew Brown).

131 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 0920 (Atle Dyregrov).

132 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 1025 (Sarah Cormier).

across Canada is not equal.¹³³ Because of the absence of relevant programming in many parts of the country, people have created their own peer-support programs.

We have met lots of families just north of us that don't have that same access [to support]. It's very specific, town to town. -Sarah Cormier¹³⁴

While witnesses were both supportive and proud of the work done by voluntary and peer support networks, they felt that the government needed to do more to ensure these networks were both supported and complemented by professionals. In addition, witnesses underscored that services and support networks need to be accessible. Accessibility in this context requires systematic outreach and follow-up to bereaved parents and families.

Establishing a national registry with an opt-in approach

It is often hard for bereaved parents and families to locate support organizations when they need them. A grieving family member may discover a resource by happenstance by speaking to a nurse in the hospital who happens to know of a particular organization.¹³⁵ Michelle Lafontaine said that she and her partner were unaware of the support she could have received after the death of her twins.¹³⁶

“ We have met lots of families just north of us that don't have that same access [to support]. It's very specific, town to town.”

Sarah Cormier

We didn't even know to ask. There was nobody to help us learn what might be available to us.¹³⁷

It was proposed that a national registry of bereaved parents be created that would allow parents to choose to have their information shared with local service providers.¹³⁸ Such

133 HUMA, *Evidence*, 1st Session, 42nd Parliament, 1 November 2018, 0855 (Cheryl Salter-Roberts); [Brief submitted jointly by Bear Care Campaign, For the Love of Riley, Lights of Love International Wave of Light and Pregnancy and Infant Loss Campaign](#).

134 HUMA, *Evidence*, 1st Session, 42nd Parliament, 30 October 2018, 1025 (Sarah Cormier).

135 HUMA, *Evidence*, 1st Session, 42nd Parliament, 1 November 2018, 1000 (Jens Locher).

136 HUMA, *Evidence*, 1st Session, 42nd Parliament, 30 October 2018, 0905 (Michelle Lafontaine).

137 HUMA, *Evidence*, 1st Session, 42nd Parliament, 30 October 2018, 0905 (Michelle Lafontaine).

138 HUMA, *Evidence*, 1st Session, 42nd Parliament, 1 November 2018, 1000 (Jens Locher).



a resource would also provide bereaved parents with information and supports that are available to them both on line and in their communities.¹³⁹ Centralizing this information either through Service Canada or Health Canada was seen as necessary to reach out to grieving parents and families to ensure follow-up so people do not fall through the cracks.¹⁴⁰

Michelle Lafontaine described an automatic consent mechanism that her organization is trying in order proactively offer support to families and could be scaled up or replicated:

[F]amilies will give their consent to their health care provider to share their information directly with [the] ...Network so the family doesn't have to go home, admit that they need support, and then find the support on their own. ¹⁴¹

Funding for voluntary organizations

Numerous witnesses expressed their support and described their participation in voluntary organizations that assist bereaved parents and families.¹⁴² It is extremely valuable to have non-governmental organizations led by those with lived experience providing help to other bereaved families. And yet, it was also noted that these organizations require more predictable financial support to ensure they can reach those in need and provide quality services.¹⁴³

“ We didn't even know to ask. There was nobody to help us learn what might be available to us.”

Michelle Lafontaine

Alexandra Lihou summarized the need for funding bereavement support organizations:

139 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 0905 (Michelle Lafontaine), [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0955 (Paula Harmon).

140 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 1040 (Philippe Panneton), 1040 (Paula Harmon) and 1025 (Alain Pelletier).

141 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 0920 (Michelle Lafontaine).

142 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0920 (Alain Pelletier) and 1000 (Jens Locher); HUMA, [Evidence](#), 1st Session, 42nd Parliament, 20 November 2018, 0920 (Alexandra Lihou); HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 0910 (Atle Dyregrov), 1000 (Gillian Hatto), 1025 (Sarah Cormier), [Brief submitted by Jenita Naylor](#).

143 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 1 November 2018, 0920 (Alain Pelletier); HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 0915 (Michelle Lafontaine).

Through peer support and educating families, our local NGOs [non-governmental organizations] are doing such important and invaluable work in the effort to reduce isolation and stigma. They need predictable financial support to be able to maintain the quality of the work they are currently doing.¹⁴⁴

CHAPTER 3: CONCLUSIONS AND RECOMMENDATIONS

While recognizing the diverse needs of grieving families, the Committee places special attention in the areas that fall within its mandate and expertise: income security and employment.¹⁴⁵ The Committee heard clearly that grieving families experience financial hardship and that large federal income support programs are not designed to address these rare and unique circumstances. What is more, bereavement can have profound impacts on the ability to function in the workplace and that can have long-term consequences for the bereaved worker and the employer. Taking these realities into consideration, conclusions and recommendations in this section are organized around what can be addressed in the short term and what requires further study and policy development.

“ Through peer support and educating families, our local NGOs [non-governmental organizations] are doing such important and invaluable work in the effort to reduce isolation and stigma. They need predictable financial support to be able to maintain the quality of the work they are currently doing.”

Alexandra Lihou

144 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 20 November 2018, 0920 (Alexandra Lihou).

145 Please see: [Mandate of The House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities](#). In brief, the Committee can study and report to the House of Commons on various matters, including:

- the legislation, expenditure plans, program and policy objectives, and the mandate, management and operation of Employment and Social Development Canada;
- other issues such as Employment Insurance (EI), employment benefits and support measures, income security programs, the *Canada Labour Code*, skills development and training, and various programs for seniors, families, children and persons with disabilities.



In the Short Term

The Committee had the honour to listen to bereaved parents and family members who chose to tell their stories. The Committee learned through this process that grief does not end. It is personal and individual and can be supported when it is acknowledged. However, the Committee recognizes that too often grief is not acknowledged. Moreover, the Committee heard clearly that grieving parents and families are put in the position of having to find ways to make other programs work for them.¹⁴⁶ It heard that parents and families need more than the system presently provides and that the government must do better.

Establishing Pan-Canadian bereavement resource centre

The Committee heard that programs such as Employment Insurance benefits and the Canada Child Benefit are designed to help millions of Canadians balance work and life responsibilities and support raising children. While the scale and structure of these benefit systems presents challenges, the Committee must underscore that there is no excuse for failing to plan for occurrences that will most certainly arise and failing to deliver services in a compassionate and sensitive manner. Thus, the Committee recommends as follows:

The Committee heard clearly that grieving families experience financial hardship and that large federal income support programs are not designed to address these rare and unique circumstances.

Recommendation 1

That Employment and Social Development Canada and Service Canada dedicate resources, provide leadership and work with provincial, territorial and First Nations governments to put in place a pan-Canadian bereavement resource centre that includes:

- **A dedicated bereavement telephone line for parents and families who have experienced the death of a child;**

146 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2018, 1000 (Blake Richards, M.P., Banff—Airdrie), HUMA, [Written submission from Roger Neilson House](#). HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 1000 (Gillian Hatto). HUMA.

- **A dedicated landing page that specifically addresses the needs of parents and families who have experienced the death of a child;**
- **Evidenced-based information and resources on bereavement that have been developed in consultation with bereaved parents and family members;**
- **An up to date, pan-Canadian database of community-based and peer support organizations;**
- **A secure, opt-in national registry of bereaved parents and families that acts as a single portal for reporting a death with all relevant departments in different orders of government, and connects families with similar experiences with one another;**
- **A mechanism to ensure that there is outreach to and follow-up with every family who experiences the death of a child; and**
- **Support to non-governmental organizations that provide peer or professional support to bereaved families.**

Better training for Service Canada employees

The stories that the Committee heard about what grieving parents experienced both on the telephone and in person at Service Canada were heart-breaking. These stories clearly demonstrated that there is a need to better prepare and supervise Service Canada employees and therefore the Committee recommends:

Recommendation 2

That Employment and Social Development Canada work together with the pan-Canadian resource centre and Service Canada to ensure that employees:

- **respond with compassion to bereaved individuals; and**
- **help grieving parents and families navigate the systems of Employment Insurance and other government benefits and services.**



Expanding bereavement leave under the *Canada Labour Code*

The Committee heard that parents grieve the death of a child no matter what the age or what caused that child's death.¹⁴⁷ Moreover, grieving parents should not be at risk of losing their job when they are not physically or emotionally able to be back at work. Therefore, following the lead of British Columbia and Ontario, the Committee recommends:

Recommendation 3

That the Minister of Employment, Workforce Development and Labour investigate amendments to labour standards legislation that would provide parents or guardians who experience the death of a child with an unpaid, job-protected leave of absence of up to 104 weeks.

Addressing over-payments and financial hardship

The Committee recognizes the financial hardship that may accompany the death of a child. In addition to covering funeral expenses, families must continue to pay their bills. This often means that family members must return to work long before they are ready. Recognizing that grieving families face considerable financial hardship, the Committee recommends:

Recommendation 4

That the Ministers of Families, Children and Social Development and Employment, Workforce Development and Labour work with the Minister of Finance Canada and the Minister of National Revenue to:

- **study establishing a bereavement grace period so that Employment Insurance parental and caregiving benefits, as well as Canada Child Benefits, do not end abruptly in the tragic event that a child dies;**
- **ensure that no grieving parent or guardian find themselves in a position where they must repay Employment Insurance benefits or Canada Child Benefits that have been inadvertently continued for a short period of time; and**

147 HUMA, *Evidence*, 1st Session, 42nd Parliament, 30 October 2018, 1000 (Gillian Hatto). HUMA, *Evidence*, 1st Session, 42nd Parliament, 20 November 2018, 0905 (Mary Ellen Macdonald).

- **ensure that there are ways to make reporting the death of a child seamless, easier and less traumatic to parents to ensure that parents are treated with compassion.**

The Longer Term

Throughout the course of the study the Committee learned that grieving parents need a benefit that is automatic and specific to their needs, but it is not clear how that benefit should be structured. In addition, the Committee recognizes that in the longer-term, grieving parents and families need supports not only to return-to-work but to stay productive at work.¹⁴⁸ Moreover, employers and co-workers also require guidance and training so that they are better equipped to understand and accommodate bereaved workers.¹⁴⁹ Recognizing these concerns the Committee recommends:

Recommendation 5

That Employment and Social Development Canada study the feasibility of adopting other models and systems for parental bereavement, including international examples; extending the Benefit for Parents of Young Victims of Crime to all parents who experience the death of a child; and flexible supported return-to-work programs for bereaved workers.

Furthermore, the Committee recommends:

Recommendation 6

That Employment and Social Development Canada undertake a review of Employment Insurance sickness benefits with a view to ensuring that vulnerable workers who are unable to work due to bereavement or high-risk pregnancy do not experience job loss or undue financial hardship.

This review should, while respecting the privacy rights of individuals:

- **Gather data on the number of workers who use Employment Insurance sickness benefits to support bereavement and high-risk pregnancy;**

148 HUMA, [Written submission from Roger Neilson House](#). HUMA, [Evidence](#), 1st Session, 42nd Parliament, 30 October 2018, 1000 (Gillian Hatto).

149 HUMA, [Evidence](#), 1st Session, 42nd Parliament, 16 October 2018, 1000 (Lee Cormier).



- **Gather data on the numbers of workers who use EI sickness for this purpose and exhaust their benefits; and**
- **Gather data on workers who need this support but are unable to access EI sickness benefits; and**
- **Use this data in consultation with parents and families with lived experience to develop policies and benefits that support appropriate periods of income replacement, long-term labour force attachment and flexible supported return-to-work.**

Recommendation 7

That Employment and Social Development Canada should change the eligibility requirements for Employment Insurance as they relate to maternity and parental benefits so bereavement leave is accommodated in the programme and provides income support for 12 to 15 weeks for parents grieving the loss of an infant child.

CONCLUSION

The death of a child is a traumatic, disruptive, and often unforeseeable event in the life of a family. The government can and must do more to improve the level of compassion and support for parents and families who have lost a child. Programs that currently exist can work better. Yet, new programs that ensure parents can take time off work without compromising their job or financial security need to be explored. It has become evident in the course of this short study that there are some improvements that can be implemented immediately, but for others further research and policy development is required. EI was originally envisioned as a modest form of income replacement when a worker loses their job. It now supports workers throughout numerous life events and its role in bereavement should be carefully considered. In addition, enabling better connections between families, government, and external support organizations will also make sure parents can receive help in the ways most appropriate to them. Canadian families deserve the time and space to grieve without the immediate demands and pressures of the workplace.

APPENDIX A LIST OF WITNESSES

The following table lists the witnesses who appeared before the Committee at its meetings related to this report. Transcripts of all public meetings related to this report are available on the Committee’s [webpage for this study](#).

Organizations and Individuals	Date	Meeting
<p>As an individual</p> <p>Blake Richards, M.P., Banff—Airdrie</p>	2018/10/16	114
<p>Department of Employment and Social Development</p> <p>Rutha Astravas, Director Special Benefits Policy, Employment Insurance Policy Directorate</p> <p>Andrew Brown, Director General Skills and Employment Branch, Employment Insurance Policy Directorate</p>	2018/10/16	114
<p>Quinn's Legacy Run Society</p> <p>Lee Cormier, Chair Sarah Cormier, Vice-Chair</p>	2018/10/16	114
<p>As individuals</p> <p>Francine de Montigny, Director, Centre for Studies and Research on Family Intervention Université du Québec en Outaouais</p> <p>Atle Dyregrov, Professor, Centre for Crisis Psychology University of Bergen</p> <p>Chantal Verdon, Researcher, Centre for Studies and Research on Family Intervention Université du Québec en Outaouais</p>	2018/10/30	120
<p>Hazel's Heroes Society</p> <p>Gillian Hatto, Founder</p>	2018/10/30	120

Pregnancy and Infant Loss Network	2018/10/30	120
Michelle LaFontaine, Program Manager		
As individuals	2018/11/01	121
Wendy Fuentes		
Philippe Panneton		
BriarPatch Family Life Education Centre	2018/11/01	121
Bill Roberts, Co-Founder H.E.A.R.T.S. Baby Loss Support Program		
Cheryl Salter-Roberts, Executive Director H.E.A.R.T.S. Baby Loss Support Program		
Gardens of Grace	2018/11/01	121
Paula Harmon, Founding Director		
Jessica Weatherbee, Director		
Les amis du Crépuscule	2018/11/01	121
Alain Pelletier, Managing Director		
October15.ca - British Columbia Childloss Support Network	2018/11/01	121
Jens Locher		
As individuals	2018/11/20	125
Susan Cadell, Professor, School of Social Work Renison University College, University of Waterloo		
Karima Joy, PhD Candidate, Dalla Lana School of Public Health, Social and Behavioural Health Sciences University of Toronto		
Mary Ellen Macdonald, Associate Professor, Pediatric Palliative Care Research Program McGill University		
Moire Stevenson, Psychologist MAB-Mackay Rehabilitation Centre		

Fraser Health	2018/11/20	125
Alexandra Lihou, Registered Clinical Counsellor, Reproductive Mental Health Program Royal Columbian Hospital		
Department of Employment and Social Development	2018/11/22	126
Rutha Astravas, Director Special Benefits Policy, Employment Insurance Policy Directorate		
Michael MacPhee, Director General, Employment Insurance Program and Services Oversight		
Statistics Canada	2018/11/22	126
Valérie Gaston, Chief Vital Statistics Health Statistics Division		
Ron Gravel, Acting Director Health Statistics Division		

APPENDIX B LIST OF BRIEFS

The following is an alphabetical list of organizations and individuals who submitted briefs to the Committee related to this report. For more information, please consult the Committee's [webpage for this study](#).

Angel Whispers Baby Loss Support Program

Anonymous Author

Bansal, Josmi

Bear Care Campaign

BriarPatch Family Life Education Centre

Canadian Research Chair in Family Psychosocial Health

Centre for Studies and Research on Family Intervention

Chadwick, Nicole

Empty Cradle

Fesnoux, Charlene

Fesnoux, Tom

For the Love of Riley

Holmes, Chantelle

Hope Box Canada

Lights of Love International Wave of Light

Lockhart, Kimberly

Martin, Natalie

Pregnancy and Infant Loss Awareness Campaign

Roger Neilson House

Stark, Nicole

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. 114, 120, 121, 125 to 127, 131 and 132) is tabled.

Respectfully submitted,

Bryan May
Chair

