

PAID PARENTAL LEAVE POLICIES:

AN INTERNATIONAL COMPARISON, WITH OPTIONS FOR CANADA

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1.0 INTRODUCTION

Most mothers in Canada now work outside their homes. In fact, most women who are likely to become mothers are also in the paid labour force. Sixty-nine per cent of all Canadian women in their prime childbearing years, that is, between the ages of 20 and 44, participated in the work force in 1983.¹ Contrary to public perception, the majority of women workers in this age bracket had full-time jobs. Only 22% of women in the age group 25-44 worked part-time in 1983,² which was the lowest percentage of part-time employment of any group of women workers in Canada.

Perhaps even more significant than the rising participation of women generally, has been the dramatic increase in the labour force participation of mothers with young children. In 1975, only 35% of mothers with pre-school children worked outside their homes. By 1983, 52% of mothers with pre-schoolers participated in the work force,³ representing a 58% increase in the labour force participation of this group within just eight years. Canada is not alone in this experience. In several industrialized countries, the most dramatic increases in women's labour force participation have come from mothers with very young children.

Lifetime work patterns of women are also changing. In many countries, including Canada, women no longer drop out of the work force when they have children, to remain at home until their children reach school age. Most take a brief period of maternity leave and then return to work. According to one estimate for the United States,⁴ more than 41% of all mothers in 1982 were back at work before their child was one year old.

In light of these quite radical changes in women's work patterns, many countries have had to re-examine their policies on maternity leave and child care. Stated national commitments to equality for women were clearly inconsistent with a situation where women in the work force were expected to take an unpaid leave of absence, often with no job protection, for maternity. The United Nations recognized this in developing its Convention on the Elimination of All Forms of Discrimination Against Women, to which Canada is a signatory. Bearing in mind "the great contribution of women to the welfare of the family and to the development of society, so far not fully recognized, the social significance of maternity and the role of both parents in the family and the upbringing of children, and aware that the role of women in procreation should not be a basis for discrimination but that the upbringing of children requires a sharing of responsibility between men and women and society as a whole," the signatories agreed in Article 11, clause 2 that:

In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

- a) to prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
- b) to introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;

- c) to encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child care facilities;
- d) to provide special protection to women during pregnancy in types of work proved to be harmful to them.

While many jurisdictions, including both federal and provincial jurisdictions in Canada, now have statutory provisions for maternity or parental leave, the extent to which these leaves are compensated varies considerably from one jurisdiction to another. Statutory leave provisions, with job protection and other guarantees are, of course, a necessary first step in preventing discrimination against women on the grounds of marriage or maternity and in ensuring their right to work. But unless such leaves are paid, some workers may be unable to avail themselves of the provisions, or may suffer financial hardship if they do.

The International Labour Organization (ILO) set out minimum standards in its Maternity Protection Convention (Revised) 1952 (No. 103) which were endorsed in the Declaration on Equality of Opportunity and Treatment for Women Workers, adopted by the ILO at its 60th Session in 1975. They were recommended as standards to be applied to all women workers without exception. As well as a minimum leave period and protection against dismissal for women workers on maternity leave, the ILO Convention 103 provides as a minimum standard that "cash benefits during the leave be sufficient for the full and healthy maintenance of the child, to be provided by means of social insurance or public funds."

The minimum standard of 12 weeks maternity leave is related directly to the need for the physical recovery of the mother from childbirth. Many countries go beyond this minimum standard, providing longer leaves which allow mothers (and sometimes fathers) to withdraw from the labour force to care for their children, while retaining various employment rights.

1.1 The Evolution of Maternity and Parental Leave Programs

In response to changing work patterns, countries have developed a variety of paid leave programs to meet the needs of working parents and their children. These programs may be grouped into four broad categories:

- i) Maternity/Paternity leave. Leave at, or around, the time of childbirth may be given to mothers to allow them to prepare for or to recover from the birth of a child. Some countries require that a certain number of paid weeks leave be taken before the expected birth and a certain number afterwards. In the case of adoption, maternity leave may be given to enable the parent to welcome a new child into the home. Paternity leave may be taken by the father immediately after the birth (or adoption) of a child or, in some cases, where there are medical complications, paternity leave may be available before the birth.

The intent of this type of paternity leave, of course, is to allow the father to assist the mother or to be with the mother and newborn infant. The leave may thus be of relatively short duration, sometimes only for a few days following the birth or adoption of a child. Countries such as Sweden, which have an extensive program of parental benefits, enabling parents to share care and responsibility for their children, nevertheless require that mothers take a minimum period of paid leave immediately following the birth of a child, in order to protect the health of the mother.

ii) Extended maternity/paternity leave, to enable mothers or fathers to care for a child still in infancy. This type of leave goes beyond the minimum time required to allow the mother to recover from the birth of a child. The length of the leave may vary from four to six months. For example, in Sweden, up to six months paid leave is available to either parent and must be used before the child is 270 days old. In those countries which provide this type of leave, it is usually regarded as a way of enabling parents to be with their newborn children, to facilitate adjustment to the new family member and to promote bonding between parent and infant.

iii) Child care leave and special rights for parents. Some countries provide special leave for parents to care for very young children (under age three) who are not yet old enough to go to nursery school or kindergarten. Hungary's child care grant, for example, is designed to provide a strong incentive for mothers to stay at home to care for their own children until the child reaches the age of three. The policy (described in more detail below) was initiated, at least partly, because there were doubts about the impact of Hungary's existing group day care on very young children and an inability of the state to meet the costs of high-quality group care for children under three. The policy is thus a clear attempt to substitute home care by the child's mother for community-provided group child care.

While benefit levels for maternity and extended maternity leave are usually set in relation to salary, benefits for child care leaves are often paid on a flat rate basis, regardless of previous earnings.

Some countries have also adopted special provisions for working parents that allow them to spend more time with their young children on an ongoing basis. For example, under the Swedish parental insurance program, a special parental allowance gives the equivalent of six months paid leave of absence to either parent to stay at home to care for a child. The leave may be taken in the form of shorter working hours (a six-hour working day or half-days off) and may be taken at any time up to and including the child's first year at school at the age of eight.

iv) Leave for workers with family responsibilities. This category of paid leave includes leave for working parents to deal with emergency situations, such as the illness of a child or of the child's usual care-giver. In some countries, such leave may include paid time off for parents to fulfil responsibilities for their children's education, for example, through attendance at school functions and meeting with the child's teachers.

1.2 The Philosophical Basis for Maternity Benefits and Paid Parental Leave

The particular combination of paid leaves and benefits provided to working parents in any country reflects very closely national views of the role of women in society and the role they are expected to play in the economy. In fact, in all countries, whether they are planned economies or market economies, maternity benefits and paid parental leaves constitute a powerful policy instrument by which particular social goals in relation to women's employment can be achieved.

Some countries provide strong financial incentives for mothers to stay at home to care for their own children, at least for the first year or two of the child's life. Such policies may be founded on a variety of philosophical premises or policy objectives. There may be a strong societal belief that "a woman's place is in the home"; there may be an unwillingness or inability to provide widely-accessible, community-sponsored day care; economic conditions may be such that policy makers wish to discourage women from being in the labour force; there may be concern about the impact of child care on very young children.

Some countries give enhanced benefits for second and subsequent children, in an effort to encourage women to have more children. Maternity leave provisions in many of the eastern European countries, for instance, where fertility rates are extremely low, have been designed with this objective in mind.

The need for a sharing of family responsibilities between both parents is receiving increasing recognition as two-earner families become the norm in a growing number of countries. Indeed, in 1981, the ILO adapted its Convention on "Women with Family Responsibilities," passed in 1965, to cover "Workers with Family Responsibilities." The Convention provides that "with a view to creating effective quality of opportunity and treatment for men and women workers, each member should make it an aim of national policy to enable persons with family responsibilities who are engaged or wish to engage in employment to exercise their right to do so without being subject to discrimination and, to the extent possible, without conflict between their employment and family responsibilities."

In a growing number of countries, there is recognition that equality for women in the work place cannot be achieved unless domestic labour is also shared between women and men. This is the basis for the parental leave programs in most of the Nordic countries, where paid leave is structured in such a way that mothers and fathers may share in the care of their children, and domestic labour is not considered to be something that only women workers must combine with paid work.

Whatever the philosophical basis for a particular program or combination of programs, it is clear that there may be an impact on such variables as birth rates, labour force participation of women, provision of day care and the sharing of family responsibilities between men and women.

1.3 Recent Developments in Paid Maternity Leave

Most industrialized countries, and even a number of less developed ones, now have national programs which provide cash benefits during maternity leave. The United States is a major exception. It still has not ratified the ILO Convention 103 and has no general scheme for maternity leave. Most large U.S. employers, however, do allow time off, with reinstatement rights, for maternity. Private disability insurance coverage, available through the employee benefits programs of some employers, provides income replacement for some women who take maternity leave. And in five states (California, Hawaii, New Jersey, New York and Rhode Island) there is temporary disability insurance for workers that provides state benefits for the six-to-eight-week leave period that women require to recover from childbirth. However, it has been estimated⁵ that only 40% of working women in the United States are entitled to paid disability leave of at least six weeks at the time of childbirth.

Among the 24 western industrialized countries which are member states of the Organization for Economic Co-operation and Development (OECD), Australia and New Zealand are also exceptions. Although New Zealand introduced a statutory period of six months unpaid leave in 1981,⁶ there is no maternity cash benefit. Unsupported (single-parent) pregnant women and mothers can receive cash benefits, however. Australia has no general scheme for maternity leave, nor does it have a national maternity benefit program. Paid leave is available to some employees, most of whom work for government.⁷

1.4 Where Canada Stands

In Canada, maternity benefits have been available through the Unemployment Insurance program since 1971. Benefits equivalent to 60% of the mother's usual earnings (up to a maximum insurable earnings limit) are paid for 15 weeks to qualified applicants. Until January 1984, when the regulations were changed in some respects, qualification requirements were so stringent that the majority of working mothers were excluded from benefits. In fact, officials within the Department of Employment and Immigration estimated that until 1984, only about 45% of working women who were potentially eligible for maternity benefits actually received them.⁸

On the international level, Canada's program compares unfavorably with those of other countries. In terms of benefit levels, Canada ranks 22nd out of 23 countries in eastern and western Europe. Paid maternity leave provisions of the 23 countries are shown in Table 1. For each benefit level, countries are listed according to the length of leave given, with those giving the longest leave listed first. Countries giving flat rate benefits, unrelated to earnings, have been excluded from the list. In addition to paid leave immediately following the birth of a child, many countries have other types of paid leave for parents. Specific details are discussed in Section II below.

Table I

Paid Maternity Leave Provisions in Selected Countries

<u>Country</u>	<u>Date of Most Recent Information</u>	<u>Length of Leave</u>	<u>Different Benefits For Second and Subsequent Children</u>	<u>Available to Fathersa</u>
<u>Benefit Level at 100% of Earningsb</u>				
German Democratic Republic	1984	6 months	X	X
Hungary	1984	5 months	X	X
Yugoslavia	1984	4-8 1/2 mths.		X
Bulgaria	1984	4 months	X	X
Norway	1984	4 months		X
Austria	1982	16 weeks		
Soviet Union	1984	16 weeks		
Federal Republic of Germany	1982	14 weeks		
Portugal	1982	3 months		
Netherlands	1982	12 weeks		
<u>Benefit Level at 90% of Earnings</u>				
Sweden	1984	9 months		X
Czechoslovakia	1984	6 months	X	X
Denmark	1984	24 weeks		X
France	1982	16 weeks		
United Kingdom	1982	6 weeks		
<u>Benefit Level at 80% of Earnings</u>				
Finland	1983	11 months		X
Italy	1982	5 months		
Belgium	1984	14 weeks		
Ireland	1982	14 weeks		
<u>Benefit Level at 75% of Earnings</u>				
Spain	1982	14 weeks		
Israel	1982	12 weeks		
<u>Benefit Level at 60% of Earnings</u>				
Canada	1984	15 weeks		
<u>Benefit Level at 50% of Earnings</u>				
Greece	1982	12 weeks		

Source: Specific sources of information for each country are listed in the detailed review of various countries presented in Section II of this report.

- Notes: a This column indicates all countries which make any paid leave available to fathers. In most cases, fathers are entitled only to the extended part of the leave (for which flat-rate benefits are provided) and which follows the initial leave with earnings-related benefits shown in the first two columns of the table.
- b For the purposes of maternity leave provisions, most countries set a maximum limit on earnings that can be used in calculations of benefits. In Canada, for example, maximum insurable earnings in 1985 is \$460 a week and maximum benefits are 60% of this amount, or \$276 a week.

1.5 Outline of the Report

This report is intended to provide a basis for the development of paid parental leave policies in Canada. It reviews maternity and paid parental leave programs in other countries, including such options as paid leave on the birth or adoption of a child, shorter working hours for parents, extended leaves for child care by the child's own parents, and special leave for family-related responsibilities.

The report will review the provisions for paid parental leave that currently exist in Canada, taking into account statutory benefits available through the Unemployment Insurance program as well as touching on private arrangements for fully paid parental leave, such as those negotiated by some trade unions through collective bargaining.

Finally, the report recommends paid parental leave options for Canada, developing a cost analysis of these options for application in the Canadian context, with proposals for financing of the programs.

2.0 PAID MATERNITY AND PARENTAL LEAVE PROGRAMS IN OTHER COUNTRIES

For the purposes of this report, paid maternity and parental leave policies in 24 countries were studied. In 23 of those countries, cash benefits are provided by means of social insurance or public funds, as set out in ILO Convention 103. The one exception is the United States, which, as mentioned above, has no national system of paid maternity or parental leave. However, for the purposes of comparison, information about the way in which maternity leave is dealt with in the United States is included in this section.

Although the structure of the programs varies considerably from one country to another, there are certain basic similarities between countries having similar socio-economic systems. Countries have therefore been arranged in four broad groupings:

3.0 PAID MATERNITY AND PARENTAL LEAVE IN CANADA⁴¹

Under most federal and provincial labour laws, women in Canada are entitled to 17 or 18 weeks of maternity leave. Various qualifying periods are specified, and job protection is usually dependent on the worker having satisfied the requirements of the qualifying period. There are no statutory provisions for the leave to be paid. However, maternity benefits have been available through the Unemployment Insurance program since 1971.

Benefits equivalent to 60% of the worker's usual wage are payable for 15 weeks, after an initial two-week waiting period. Maximum insurable earnings for 1985 are \$460 a week, so the maximum benefit is 60% of that, or \$276 a week. However, because women, on average, earn less than the maximum insurable earnings limit, most receive less than the maximum benefit while on maternity leave. The average weekly benefit paid to those on maternity benefits in 1983, for instance, was \$169, which was 73% of the maximum weekly benefit (of \$231) available in that year.⁴²

The levels established for maternity benefits in the UI program are the same as those for regular unemployment benefits although the qualifying periods are different. To qualify for unemployment benefits, a worker must have been employed and paying contributions for between 10 and 14 weeks in the past 52 weeks, depending on the region where the worker lives. The lower qualifying period applies to areas where there is high unemployment and it might be difficult for a worker to accumulate the requisite number of weeks to qualify for benefits.

To qualify for maternity benefits, however, a woman must have worked for 20 weeks in the past 52-week period. The 20-week qualifying period (or "entry requirement" as it is sometimes called) also applies to those who wish to claim sickness benefits through the UI program. The rationale for the longer qualifying period is apparently to ensure that claimants for benefits other than unemployment benefits demonstrate a "significant work attachment" before making a claim. A federal government Task Force, which reported in 1981, argued that separate entry requirements for different kinds of claims were not justified. It said that "the current 20-week requirement for entitlement to these benefits creates a separate class of claimant and appears to weaken the program's income protection role in these cases. It thus seems to impose on this class of claimant inequities which are even more pronounced in high unemployment areas where the regular entrance requirement is relatively low because of local labour market conditions. It may be justifiable on cost grounds, but it does not meet equity considerations."⁴³

The Task Force recommended that the entry requirement for maternity benefits and other special benefits should be the same as that imposed on claimants for regular unemployment benefits. However, at the present time, the qualifying period for maternity benefits remains at 20 weeks.

Other changes to the maternity benefit program were recommended by the Task Force, and these were implemented as of January 1, 1984. Since that date, pregnant women no longer have to work at least 10 weeks around the time of conception (the so-called "Magic 10" rule), they are no longer prevented from getting regular or sickness benefits in the weeks surrounding the birth, and the time in which UI maternity benefits can be claimed is now more flexible.

Prior to these changes, the conditions imposed on maternity benefit claimants were so stringent that the majority of potential claimants did not receive benefits. Officials in the Department of Employment and Immigration estimated that the "take-up" rate for maternity benefits (the percentage of potentially eligible claimants who received benefits) was only 45%.⁴⁴ Although it might be assumed that such a low rate was largely attributable to stringent qualification requirements, officials suggested that many potentially eligible claimants did not claim because they were not aware of the program or because they felt there was some stigma attached to the Unemployment Insurance program in general.

Departmental officials believe that since the changes streamlining the program, the take-up rate has probably risen, perhaps to a 50-55% level.

Along with the changes to the maternity benefits program outlined above, another major change instituted on January 1, 1984, was the extension of benefits to adoptive parents. Maternity benefits will now be available on the same terms and conditions outlined above on the adoption of a child. The major significance of this development is that these benefits will be available to either the mother or the father. There is apparently no requirement that both parents be in the work force, so it is apparently possible for a father to claim adoptive benefits, even if the mother is not employed outside the home.

Such distinctions between natural and adoptive parents are likely to be challenged, and it would not be unreasonable to expect some clarification in the near future.

In the first six months of 1984, there were 294 claims for adoption benefits, compared with 67 262 claims for maternity benefits.⁴⁵

The possibility of broadening the concept on which even the existing maternity benefits program is based has been raised by several complaints received by the Canadian Human Rights Commission, some of which have charged that it is discriminatory not to pay benefits to fathers who have to leave work to look after a newborn child when such benefits are available to mothers.⁴⁶

Although the maternity benefits program under UI is the only national program of paid leave for maternity, many Canadian workers do, in fact, have fully-paid maternity (and in some cases parental leave) because they have negotiated it through collective bargaining. This approach was given some prominence as a result of the settlement won by the Canadian Union of Postal Workers (CUPW) in 1981. The CUPW settlement, reached after strike action, provides for 17 weeks' paid leave at full pay, and the right to an additional 20 weeks unpaid leave.

A number of other unions have successfully bargained for fully-paid maternity or parental leave for their members, including the 200 000 public sector workers in Quebec, representing about one-fifth of that province's female labour force.

A typical formula for such agreements is that the employer pay the worker's full salary during the two-week waiting period imposed by the UI maternity benefits program, and then for the next 15 weeks, tops up UI benefits (which are 60% of salary) to full salary. (In fact, the level is often set at 93-95% of salary to allow for the fact that fringe benefits will be continued during the leave.)

Employers who have agreed to fully-paid maternity or parental leave then establish a Supplemental Unemployment Benefit (SUB) plan, registered with the Unemployment Insurance Commission, so that additional benefits paid by the employer during the leave are not regarded as "earnings" which would have the effect of reducing UI maternity benefits. In any case, benefits received by the employee during the two-week UI waiting period for maternity do not count as earnings for the purpose of the maternity benefit program.

About 1400 employers have registered SUB plans with the Unemployment Insurance Commission, and not all were the result of collective agreements. Some employers have developed plans as a way of paying additional maternity benefits to highly paid management-level women, whose earnings are considerably higher than the maximum insurable earnings limit imposed on UI maternity benefits. Without such plans, these women, who are regarded as valuable employees with a long-term commitment to the employer, would suffer a significant drop in income during the maternity leave period.

It should be noted that employees whose net annual income, including UI maternity benefits and supplements, is more than one and one-half times maximum yearly insurable earnings will have to pay back up to 30% of the UI benefit or 30% of the amount by which their income exceeded the threshold, whichever is the less.⁴⁷ This provision was introduced in 1979. The calculation is made at the time the individual income tax return is filed and the "net income" definition is the one specified in the Income Tax Act. The impact of this provision, regardless of whether there is a SUB plan, is that a higher-earning woman gets less than the specified income-replacement ratio from maternity benefits.

In 1984, for example, maximum insurable earnings were \$22 100. Anyone earning more than \$33 150 (1.5 X \$22 100) would have to pay back part of any unemployment or maternity benefits received. A woman whose net income for income tax purposes was \$45 000 in 1984, who took 17 weeks of maternity leave, might have received the maximum benefit of \$255 a week for 15 weeks, giving her a total of \$3825 in maternity benefits. Since her salary is over the threshold amount, she would have to pay back either 30% of her benefits or 30% of the amount by which her income exceeds the threshold, whichever is the less. Since her income exceeds the threshold by \$11 850, she would have to pay back 30% of benefits received, or \$1147.50. The net benefit received would be \$2677.50 or \$178.50 a week (for the 15-week benefit period). This is probably equivalent to only 22% of her usual weekly salary of about \$800. And it amounts to only 42% of maximum insurable earnings of \$425 a week. In other words, higher income earners do not even receive a 60% income replacement ratio on earnings up to the maximum insurable earnings limit.

Whether this is desirable from a policy point of view is an issue that should be given careful consideration in any discussion of expansion of the existing UI maternity benefits program to provide a fully paid maternity or parental leave.

Some collective agreements in Canada do provide for brief periods of paid paternity leave, some offer adoption leave with pay, and some employers allow workers to apply accumulated sick leave credits to a period of absence due to pregnancy. However, these are private arrangements and as such, of course, are not to be confused with the statutory provisions for paid leave such as other countries provide.

It is perhaps worth mentioning here that any plans to change the benefit programs at the national level and under the federal jurisdiction would have to be co-ordinated with statutory leave provisions, which are largely under the jurisdiction of the provinces. Amendments to the British North America Act were required to give the federal government jurisdiction over compulsory insurance programs for unemployment and old age, disability and survivors' pensions. When the UI program was expanded to cover maternity and sickness benefits, no amendment to the Act was sought, but efforts were made to closely link the states of maternity and sickness to the state of unemployment and thus place them within the power of the federal government. The constitutionality of these provisions has never been challenged.

In this respect, it is interesting to note that while the UI program now pays benefits to adoptive parents, adoptive parents have no statutory right to a leave of absence on adoption in most Canadian jurisdictions.

Such jurisdictional questions are beyond the scope of this paper. Nevertheless, they are clearly important in the development of paid parental leave policies in Canada.

4.0 PAID PARENTAL LEAVE OPTIONS FOR CANADA

Labour market policies in Canada have recognized that high levels of female labour force participation are unlikely to be reversed. Policy initiatives to facilitate the full and equal participation of women in the Canadian economy include measures to provide equal pay for work of equal value, equal employment opportunity, affirmative action, special training for non-traditional occupations and various other programs. Yet women are still penalized as a result of their childbearing role. There appears to be a growing recognition that a national system of fully paid leave for childbirth and care of infants is a necessary part of any policy package to support women's labour market participation on a full and equal basis with men. The argument has also been made that women who are breadwinners should not also be expected to shoulder the sole responsibility for child rearing.

In Canada, as in most industrialized countries, the two-earner family is now the dominant family type. It can be expected, therefore, that most adults will spend most of their lives in the paid labour force. The prime labour force thus will increasingly consist of married adults and their children, and policy choices must take this into account.

In most industrialized countries, as we have seen, there is growing recognition that full and equal integration of women into national economic life can be achieved only if it is accompanied by a sharing of family responsibilities between both parents, and that such sharing will be beneficial not only for mothers, but for the children of such families too.

Indeed, it is increasingly being recognized that in some countries, the existing system of leave and benefits discriminates against fathers by denying them the right to take paid leaves and to share in the care and upbringing of their children.

Canada's existing system of maternity benefits compares unfavorably with that of most other major industrialized countries, and there is, at present, no semblance of a national system of paid parental leave in Canada. Necessary initiatives to convert the existing system to the kind of paid parental leave program in existence in many other countries, and one that might meet the minimum standards suggested by the EEC Directive, for example, would include the following steps:

- i) An increase in the benefit level. A 60% benefit rate clearly imposes a serious financial penalty on those who take maternity leave. It is extremely low in comparison with other countries. In fact, of 23 countries surveyed for this report and which pay benefits related to the worker's usual earnings, 22 had higher benefit levels than Canada. Only Greece, at a 50% benefit level, provides lower benefits than Canada. Sixteen of the countries paid benefits of 90-100% of usual earnings, and six paid benefits at 75-80%.
- ii) To provide equal rights for fathers, and to enable the sharing of family responsibilities between both parents, the paid leave should be made available to either parent. A precedent for this has already been established in Canada, with the extension of maternity benefits to adoptive parents (discussed above). There is no justification for excluding natural fathers from benefits, when adoptive fathers already have access to them.
- iii) In light of the fact that the two-earner family is now the typical Canadian family, especially among workers of childbearing age, the program should be adapted to take into account the needs of children. A longer leave period would enable parents to care for their very young children and to establish bonds with their newborn infants. Many adoption agencies, for instance, require that adoptive parents ensure that one parent will remain at home with the child for at least the first six months. A six-month leave period would appear to be a reasonable minimum standard in the interest of the child.
- iv) Further provisions should be made to enable parents to combine their paid work with family responsibilities. Such provisions should include paid days off to care for a sick child, and might also eventually include shorter working hours for parents.

4.1 The Design of a Parental Leave Program

The cost of the kind of paid parental leave program outlined above would depend on just how it is implemented. Since Canada already has a national system of maternity benefits, the simplest way to implement the program would be through an expansion of the existing program of benefits provided under the Unemployment Insurance Act. Such a proposal, however, is likely to meet with opposition at the present time, when there is growing

ACTION BULLETIN ACTION

NATIONAL ACTION COMMITTEE ON THE STATUS OF WOMEN

September 22, 1986

ALERT!

MATERNITY BENEFITS AT STAKE: UNEMPLOYMENT INSURANCE REVIEW

ALERT!

- * The Forget Task Force on Unemployment Insurance is scheduled to report this fall!
- * The Minister of Employment and Immigration, Benoit Bouchard, has said that he expects the report to be "revolutionary."
- * This "revolution" is not likely one that the women of Canada will want to support.
- * Business organizations have been calling for major cuts in the program, as have Michael Wilson, the Minister of Finance, and the Macdonald Commission.
- * Some of the business lobbies have focussed attention of U.I. maternity benefits.

1. NAC HAS OPPOSED THE REMOVAL OF MATERNITY BENEFITS FROM THE UNEMPLOYMENT INSURANCE ACT.

If such benefits were transferred to a general social welfare program, as some business groups have proposed, our benefits would be vulnerable to the application of means-testing and politically-expedient cuts (as happened with family benefits).

They would also be subject to court challenges by the provinces which hold jurisdiction over labour matters.

In a recent newspaper article, a spokesman for the Chamber of Commerce attacked our national system of maternity benefits, pointing out that in the U.S. there is no national system, only a limited number of states that provide 6 weeks of benefits. He wants our system to be "competitive" with the U.S.

Even state programs are under attack. Ronald Reagan is currently supporting a Supreme Court appeal by the American Chamber of Commerce which believes that these state laws discriminate against men and non-pregnant women!

2. NAC HAS CALLED FOR UNEMPLOYMENT INSURANCE TO EXTEND MATERNITY BENEFITS BASED ON THE CURRENT CANADA LABOUR CODE LEAVE PROVISIONS:

17 weeks maternity benefits, followed by
24 weeks parental benefits, available to either parent or shared by both,
including adoptive parents.

The current maximum is 15 weeks of benefits.

There have been rumours that some members of the government caucus are only thinking of making the current 15 weeks of benefits available to either parent, as an "equality" measure. That would be a rather cynical response to the support that has developed for more comprehensive UI parental benefits.

We have consistently called upon the federal government to move in the direction of most European countries that provide up to 11 months of parental leave, often at higher benefit levels.

3. NAC HAS ALSO CALLED FOR EXPANDED COVERAGE FOR PART-TIME WORKERS.

Currently a worker must work 15 hours or earn \$99 a week to have Unemployment Insurance coverage. As a first step, NAC supports the elimination of the minimum-earnings requirement and a reduction of the 15-hour requirement to 8 hours, as recommended by the Wallace Commission on Part-time Work.

Women form about 3/4 of the rapidly expanding part-time job market.

NAC HAS PRODUCED A 60-PAGE BRIEF ON UNEMPLOYMENT INSURANCE WHICH INCLUDES GRAPHS AND STATISTICS. COPIES ARE AVAILABLE THROUGH THE NAC OFFICE IN FRENCH AND ENGLISH AT \$4 A COPY. (address & telephone number below)

A recent draft of policy changes from the Canadian Human Rights Commission lends support to the old argument that women only need 6 weeks of benefits for their physical and emotional recovery from childbirth. It also equates maternity benefits and leave with "sick leave". Contact the NAC office for our reply.

**BE PREPARED FOR A MAJOR CAMPAIGN
TO DEFEND AND IMPROVE
CANADA'S UNEMPLOYMENT INSURANCE SYSTEM!!**

