



Parental Leave: For Every Child

UNICEF CANADA POLICY BRIEF

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Every child begins life full of potential, but without the right policies in the early years this potential is eroded. For individual children and their families this loss of potential is a tragedy; for society it is catastrophic. Early moments matter and depend on inclusive and adequate “family-friendly” policy support including income, childcare and parental leave. But Canada’s parental leave system is exclusive. It privileges families with stable employment and higher incomes, depriving about one-third of infants from protected and paid time with a parent during the most critical time of life.

SUMMARY OF RECOMMENDATIONS

1. **Guarantee a minimum of six months of adequately paid protected time with a parent or primary caregiver for every newborn from birth.**
2. **Design parental leave as a social protection and care policy.**
3. **Incorporate Child Rights Impact Assessment (CRIA).**
4. **Increase parental leave pay.**
5. **Ratify, implement and enforce ILO Maternity Protection Convention 2000.**

Every newborn in Canada should have the right to adequately paid time with a parent or caregiver in the first six months (26 weeks) of life.

WHAT IS PARENTAL LEAVE?

Parental leave includes paid and protected time around the birth, adoption or caregiving placement of a child including maternity, parental and paternity/second parent leave.

A COMPLEX WEB THROUGH WHICH SOME CHILDREN FALL

Canada has a complex parental leave system that includes paid leave through employment-based insurance benefits; employer- and union-sponsored wage-compensation benefits; and diverse employment standards laws across fourteen federal, provincial and territorial jurisdictions to establish job-protected, unpaid leave time around the birth or adoption of a child. Each part of the system creates inequalities for children and parents.

An Unfair Start

Canada’s system of parental leave is constructed primarily as an employment benefit for some parents, not as an inclusive and equitable social protection and care policy. Where does that leave children?

Parental leave leaves many children out due primarily to a combination of restricted eligibility and low pay. In Canada, although there are legal rights to unpaid parental leave, only employed parents who meet certain eligibility requirements can receive parental leave pay. Parental leave is anchored to employment insurance (the Employment Insurance or EI program outside Quebec and the Quebec Parental Insurance Program or QPIP).¹ Unemployed residents, those with jobs that do not meet narrow eligibility criteria (including those who are underemployed,

¹ <https://vanierinstitute.ca/policy-brief-access-to-parental-benefits-in-canada/>

precariously employed, self-employed, “gig” workers and those in unregulated work), full-time students and young mothers are more likely to be excluded from parental leave, though all bear the higher expense of caring for infants. As a result, about 30 per cent of new parents are ineligible for parental leave, including around 60 per cent of those in low-income and 40 per cent of Indigenous parents.

THE “ONE IN THREE” NO CHILD SHOULD BE

Close to one in three newborns in Canada is excluded from paid, protected time with a parent. In 2021, 83 per cent of parents with a child aged 18 months or younger had insurable employment (17 per cent did not). Of mothers with insurable employment, 89 per cent received parental leave benefits (11 per cent did not). In total, 28 per cent of new parents did not receive parental benefits (compared to around 10 per cent in Quebec). About 25 per cent of excluded parents were employed but did not work enough hours to qualify for parental leave benefits.²

In 2022, only 51 per cent of people ages 15 to 49 believed that they would have access to sufficient maternity, paternity or parental leave.³

Because Early Moments Matter: A Child-Centered Approach to Parental Leave

Children have the right to parental care and social protection, pursuant to the Convention on the Rights of the Child (articles 18, 26 and 27). We can deliver on this commitment by ensuring full and equitable access to Canada’s parental leave system:

1. **Guarantee a minimum of six months of adequately paid, protected time with a parent or primary caregiver for every newborn from birth**, regardless of their parents’ employment or parental status (inclusive of adoptive, kin and customary caregivers). This should be universally available with a floor of non-taxable pay equivalent to the median annual family income. Employed parents should be entitled to full employment income (with a ceiling) for the first six months of parental leave.
2. **Design parental leave as a social protection and care policy** to enable all children to have paid, protected time with parents regardless of their employment status, de-anchored from employment insurance and coordinated with other child income benefits to ensure an “Infant Income Guarantee”.
3. **Incorporate Child Rights Impact Assessment (CRIA)** as a requirement of the policy development process in every jurisdiction and government department, to help ensure children’s rights and give greater priority to children’s needs and interests. Apply CRIA to the reform of parental leave policy so that the best interests of the child guides policy design and decisions.
4. **Increase parental leave pay** so that it is adequate to make taking time with a newborn affordable and to prevent poverty during critical early years. Eliminate the practice of cutting parental leave benefits as a means of debt recoupment (e.g., debt incurred through EI), given the potential negative impacts on infants, and eliminate the taxation of

² UNICEF Canada. (2022). *Parental Leave. . .for Every Child*. UNICEF Canada.

https://www.unicef.ca/sites/default/files/2023-05/UNICEF_Canada_Policy_Brief_Parental%20Leave_May_2023.pdf

³ Statistics Canada, Canadian Social Survey – Well-being and Family Relationships, 2022; Canadian Social Survey – COVID-19 and Well-being, 2021.

parental leave pay for individuals with incomes below the median. Provide a supplement for prenatal leave; multiple and premature births; single parents and parents of children with complex needs.

5. **Ratify, implement and enforce ILO Maternity Protection Convention 2000** (no. 183) and associated Recommendations (R191) which set a minimum standard of 14 weeks of maternity leave and a minimum pay of 67 per cent of earnings. Ratify the Workers with Family Responsibilities Convention, 1981 (No. 156). Standardize and harmonize employment standards legislation across Canada to the highest provisions; guarantee a universal entitlement to at least 26 weeks of protected parental leave time; and introduce a breastfeeding break of up to 18 months following the birth of a child.
6. Increase the **flexibility** of a portion of parental leave that can be taken in blocks of time, on a full-time or part-time basis, across several years of childhood.
7. Conduct a consultation on the **inequalities and barriers** limiting uptake of parental leave.

TIME MATTERS: THE BENEFITS OF PARENTAL LEAVE

Parental leave has the potential for a wide range of positive impacts that help get infants off to the best start and align with many interlinked Canadian policy priorities, including poverty reduction and equity; economic advancement; gender equality; quality of life and well-being; and achieving the Sustainable Development Goals. Parental leave enhances parent and child bonding; breastfeeding; vaccination rates; healthcare access; mental health; and equitable household responsibilities. It reduces the risk of preterm birth, infant mortality, family violence and toxic stress —areas where Canada faces challenges.⁴ Adequate parental leave pay can help prevent a fall into poverty at precisely the point in a child's life when the prevalence of poverty in Canada is historically the highest and the most devastating. Evidence suggests that in most settings, the beneficial effects of parental leave on child and parent well-being are most associated with the first six months.

Money Matters

The benefits of paid parental leave can only be realized if parents are both eligible for it and can afford to forgo wages and take the leave in practice. But parental leave pay outside of Quebec falls well below international standards and norms. Parental leave replaces only 55 per cent of weekly earnings for up to 12 months (in practice, the average pay in 2020 was 51 per cent), falling to 33 per cent for extended leave (12-18 months).⁵⁶ Given that the average mother collects \$20,000 while on leave, it is far from a windfall and falls far below the poverty line for an annual income. Out of 42 countries of the Organisation for Economic Cooperation and Development (OECD), only Ireland and the United Kingdom had lower average maternity leave pay than Canada in 2021. More than half of high-income countries provide more than six months of fully paid parental leave. International evidence suggests an 80 per cent wage replacement rate is necessary to support children's essential needs and encourage paternal/secondary parent leave. The International Labour Organization Maternity Convention and the European Commission set 67 per cent and 66 per cent, respectively, as the minimum earnings replacement for parental leave.

⁴ <https://www.unicef.org/sites/default/files/2019-07/UNICEF-Parental-Leave-Family-Friendly-Policies-2019.pdf>

⁵ OECD (2022), Family benefits public spending (indicator). doi: 10.1787/8e8b3273-en (Accessed on 31 August 2022).

⁶ https://www.oecd.org/els/soc/PF2_1_Parental_leave_systems.pdf

Inadequate parental leave pay is the result of inadequate investment in parental leave. Canada's investment in family policies overall is 1.8 per cent of GDP, considerably less than the 2.3 per cent average among countries in the OECD. Public expenditure on maternity and parental leave is as high as \$76,300 USD per child born in Luxembourg, with an OECD average of \$16,600 USD per child. Canada falls below the average at around \$13,000 USD, ranking 13th of 27 countries.⁷ An international study of parental leave policies concluded that Canada is not among the countries providing four to seven months of "well paid" post-natal leave, which includes a number of Western European countries, New Zealand and Brazil.⁸

In effect, many parents lack the resources – time and money – to care for their children and protect them from poverty at the most critical time of life. Unlike the aims of childcare and child income benefits, parental leave is a regressive policy.⁹ Incremental changes to parental leave have increased options for duration and flexibility; the "status" of parents and caregivers who are eligible (including secondary and adoptive parents); and employer "top-up" benefits for some, so there are now more possibilities for eligible workers. Higher-earning parents are more likely to take parental leave since their pay rate is higher and they are more likely to have other resources to draw on. But when families have low incomes, they are less likely to be eligible for parental leave and less likely to take up parental leave or take it for the optimal duration of at least six months. They are also less likely to have adequate parental leave pay. In 2019, only 50 per cent of families with less than \$20,000 annual income accessed parental leave compared to more than 80 per cent of families with an income above \$60,000. Short leave-takers (returning to work five months or less after childbirth) had an annual income below \$16,000, despite the existence of a Family Supplement for very low-income earners that raises the wage replacement rate from 55 per cent to 80 per cent (the rate is 100 per cent under QPIP). As a result, parental leave is more likely to exclude the children who would benefit the most from inclusive support including children in Indigenous, racialized and new immigrant families and those with young mothers. Yet the expenses that come with a newborn are more difficult to manage for low-income families. This effect has been described as an equity gap between "parental leave rich" and "parental leave poor" households.

Some infants start life in families with greater access to time and money for parental caregiving, while others are raised in households with a poverty of support for child social protection and care. Parental benefit policies should not be a door through which infants are introduced to inequalities from birth.¹⁰

"Parents are often forced to choose between continuing to work rather than taking parental leave and living in poverty. For many families, the first year of a child's life is therefore a life in poverty."¹¹

THE CHILD POLICY TRIFECTA

⁷ https://www.oecd.org/els/soc/PF2_1_Parental_leave_systems.pdf

⁸ Blum, S., Koslowski, A., Macht, A., and Moss, P., eds. (2018). 14th International Review of Parental Leave Policies and Related Research. International Network on Leave Policies and Research.

⁹ Mathieu, S., Doucet, A. and McKay, L. (2020). Parental leave benefits and inter-provincial differences: The case of four Canadian provinces. *Canadian Journal of Sociology* 45 (2): 169-194.

¹⁰ Mathieu, S., Doucet, A. and McKay, L. (2020). Parental leave benefits and inter-provincial differences: The case of four Canadian provinces. *Canadian Journal of Sociology* 45 (2): 169-194.

¹¹ Transforming our systems: The 2022 Report of the National Advisory Committee on Poverty. Employment and Social Development Canada.

Children’s experiences and exposures during their early years play a critical role in shaping their chances for long-term health and well-being. Infancy is a particularly vulnerable period. Public policy in this formative period should provide time, resources and services for parents to care for their infants. Parental leave is a fundamental policy in a trifecta of early years “family-friendly” policies¹² (including child-focused income benefits and childcare) that each make distinct contributions to get children off to the best start and open the way to the brightest futures. These policies have features of both care policies and social protection policies. Care is a pressing issue in Canada, viewed by some as the “next frontier of public policy”.

An Infant Income Guarantee

Parental leave entitlement hinges on access by parents instead of which children are entitled to benefit. Treating parental leave as a parent’s or worker’s right instead of a child’s right helps explain the lack of inclusion of all children by design and the inadequate pay, which limits the equitable participation of low-income households and others in most need of social protection. Employment insurance is a flawed policy platform for achieving equitable government support for the work of infant care. This approach, even with incremental improvements to eligibility and pay, will always leave some infants out and more exposed to the risk of impoverished time and resources for their care and social protection. An income replacement policy excluding a third of infants and their parents is outdated and irrelevant. It is time for a change.

If an unfair policy leads to an unfair start, what happens when parental leave is considered as a benefit for children *and* their parents? A child-centred parental leave policy starts with children’s rights and best interests – sufficient time with adequate income for the parents and caregivers of every child – rather than with the unequal entitlements of adults or workers. Parental leave should be recast as a social protection and care policy, freed from its anchor to a limited and inequitable employment-based system. Just as child benefits and childcare have taken a central place in the federal government’s social policy agenda, so too should the third of the “family-friendly” policy trifecta: parental leave. Universal access with adequate pay should be the primary goal of parental leave as part of an “infant income guarantee”.

In the 2019 federal election campaign, the Liberal party promised “ambitious” reforms to parental leave. This was to be partly achieved through a Guaranteed Paid Family Leave Program that would integrate the Canada Child Benefit (CCB) and parental leave benefits. The intent was a “mixed” approach (a combination of employment insurance and citizenship entitlements or social policy) to ensure parents who do not qualify for paid leave through EI would in combination with the CCB “receive a guaranteed income during the first year of their child’s life.” During and since the 2019 federal election, other parties’ platforms have included commitments to address shortcomings in inclusiveness and pay; allow pregnant women and new mothers accessing EI to receive their full maternity leave benefits regardless of the number of insurable hours worked; introduce distinct prenatal benefits; and offer compressed leave time at higher pay. Since 2019, all federal Members of Parliament have been entitled to 12 months of parental leave paid at 92 per cent of their wage, though they do not pay EI.

In April 2023, Employment and Social Development Canada released an *Evaluation of the Employment Insurance Maternity and Parental Benefits*, reflecting on expanding access to leave benefits and increasing benefit levels. It also contemplated parental leave as a social policy tool,

¹² “Parental leave” in this brief includes paid maternity, paternity/second parent and parental time related to the birth, adoption or caregiving placement of a child. It does not exclude the broader concept of parenting and other care giving leave. The focus is Canada’s federal benefit, unless Quebec’s distinct system is specifically noted.

suggesting the government should consider whether to carve out the social policy objectives from the EI program or assist in the funding of the EI program through general tax revenues.

It is time to make good on the promise to design parental leave policies that work for diverse families—for every child—in a changing society.

SUMMARY OF THE BENEFITS OF BETTER PARENTAL LEAVE BENEFITS

A comprehensive, child-centred approach to parental leave would have many benefits:

- improve children’s material security, health and development at a critical life stage
- increase equity by eliminating many systemic exclusions of those who need the most support
- support caregiving and care-receiving
- improve child and family social protection and resilience to economic and other shocks
- promote coordination and coherence with complementary areas of policy, primarily the Canada Child Benefit and childcare
- achieve many policy goals including gender equity

About UNICEF Canada

UNICEF stands for every child, everywhere. UNICEF is the world’s farthest-reaching humanitarian organization for children. Across 190 countries and territories, and in the world’s toughest places, we workday in and day out to defend children’s human rights and a fair chance to fulfil their potential, guided by the 1989 Convention on the Rights of the Child. UNICEF Canada was founded in 1955 to fundraise for UNICEF’s highest priorities and to secure the human rights of children in Canada. As part of the UN family, our ability to work neutrally with to work neutrally with governments, civil society, the private sector and young people generate results on a scale that is unparalleled. Our mission has always been for children as the highest priority – regardless of race, religion or politics – and has always relied on voluntary contributions.

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