

Locked in: Edmonton parents find out flexible 18-month leave is firm on payment plan ^[1]

It was unveiled as a way to give Canadian families more flexibility, but an Edmonton mother says the rules around extended parental leave are anything but.

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EXCERPTS

When Andrea Chmilar heard about Canada's extended parental leave, she jumped at the chance to spend 18 months at home with her daughters.

"The saying that the days and nights are long but the years are short is definitely true," she said. "That's time you just can't get back."

She applied for the 18-month leave, knowing that she would receive approximately the same amount of money as the 12-month leave over a longer period of time.

"We had to budget but we never thought anything negative would happen because of that choice."

That changed in April 2019 when Chmilar's husband was laid off, 13 months into her leave. She decided to return to work. When she called to inform Service Canada about the change, an agent informed her that her benefit payments would end.

"Okay, but I've served 12 months. Is there any, I guess, 'fail-safe' or are they going to pay me for the maximum benefit that I would have gotten had I chosen the 12 months?" she asked.

"I've passed that point."

Chmilar says the agent told her because she chose the 18-month option, she would forgo the rest of the payments.

Disappointed, Chmilar calculated that had she chosen the standard 12-month option and just gone unpaid for the last six months, she would have qualified for an extra \$5,000 in benefit.

"That's how many loads of diapers and mortgage payments? All of those extra things that we didn't have to dip into our savings for...It's a big deal."

According to Christopher Simard, a media relations representative for Employment and Social Development Canada, parents cannot make changes once parental leave benefits (even as little as \$1) have been paid out.

In an email, Simard writes, "This rule was established in consultations with employers who highlighted the need for providing certainty on leave arrangements and for paying supplemental payments to maternity and parental benefits (top-up amounts) through collective bargaining agreements or contracts covering an employee's salary."

Employment lawyer Ryley Mennie advises Canadian parents to plan accordingly.

"I think that if you were really wanting to cover your bases, you could select the standard option and then you could still take the full extended leave because the leave is something that's provided under employment standards legislation, whereas the benefits are provided by the Employment Insurance Act and they are actually separate entitlements," Mennie explained.

"They do sort of run parallel to each other."

After missing out on thousands of dollars when her family needed it, Chmilar advises any pregnant friend wanting to take 18 months off to sign up for the 12-month leave.

"We are very fortunate to have this but I would call it maybe a bit of a glitch in the system," she said.

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