

Your children or your job: Pandemic forcing some parents to make tough decisions ^[1]

Lawyer says employers can't discriminate against parents, have to offer accommodation and protection

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EXCERPTS

Single mom Adele Crummell was struggling to keep up as a paralegal while working from home and caring for her three-year-old daughter, Addison, during the pandemic.

Addison is wait-listed for daycare services, which aren't operating at full capacity under the pandemic, and her grandparents are working and unable to care for her.

"I just wasn't getting enough work done, and it was stressful. Trying to take care of her by myself at home, I didn't have anyone else to take turns with," Crummell told CBC News this week.

"So the best choice was to take a temporary leave."

Addison also found it difficult when her mom was working from home.

"I had to play by myself," she said, in her mother's arms. "Thumbs down."

Crummell, 27, who graduated last May, wonders what taking leave means for her career.

"Are you gonna get hired back? Is there a possibility that you could lose your job?" she said.

"So me going back to work totally depends on daycare," said Crummell.

Not alone

Child-care advocate Gillian Pearson, who runs the Facebook group Parents for Affordable Childcare, says Crummell isn't alone.

"I had one mom reach out to me and say that her spouse, who had a very well-paying job, had to take a leave because she is a government worker, an essential worker, who couldn't take a leave from her job."

Pearson said that family is now paying for expensive plane tickets to fly grandparents in to care for the children.

Pearson, who ran for the Progressive Conservatives in the 2019 provincial election, says some parents are being discouraged to take leave, while others can't afford it.

She said others are struggling as employers have implemented activity trackers to monitor productivity, making juggling child care even more difficult.

"Their employer is asking them to be able to report in detail about all of the work that they accomplish throughout the day," she said.

She says many are afraid to speak about how the situation is affecting them, for fear of losing their jobs.

Protections for parents

Ruth Trask, a partner at law firm Stewart McKelvey, says there are job protections for parents who are struggling to work from home while caring for their kids.

For provincially regulated employers, she said, new amendments under the Labour Standards Act provide for "communicable disease emergency leave," which allows people to take leave to care for children during a school or child service closure.

"So if a parent is really at the end [of] their limit, they could request this leave and the employer can then require the employee to explain why they need to leave, but they don't have to provide a medical certificate," said Trask.

Trask also said an employer can't dismiss someone who takes leave, and they have to be reinstated to a position that is "not less beneficial."

She said parents can also be entitled to accommodations under the Human Rights Act, as employers can't discriminate against parents.

Accommodation may look different, depending on a person's situation, said Trask – maybe part time work, maybe flexible shifts, maybe the employer is able to adjust the tasks.

Trask said there are also protections for federally regulated employees, allowing up to 16 weeks' leave, and parents who take leave from work to care for their children may also be eligible for the Canadian Emergency Response Benefit.

Meanwhile, Georgina White, mom to four-year-old Hudson and an instructor at the Marine Institute, has been working flexible hours to get her work done, even with her husband home and laid off due to COVID-19.

"Even if Daddy is sitting on the couch, Mommy is the one who gets asked to open the yogurt," said White.

She says her work has been accommodating throughout the pandemic, but says her family still needs help.

"We need daycare," she said. "There's no way around it."

One-size doesn't fit all

Jermaine Manning, a fourth-year political science student at Memorial University, is taking four courses in this spring's semester.

Manning's daughter, five-year-old Jersey, doesn't go to daycare because Manning usually schedules her classes around her daughter's school hours.

But with schools closed, and her husband away on rotation, Manning is also pulling double duty.

"I think what I'm doing is worse, because school work is a lot more challenging," she said.

"I'm staying up until two at night to get my schoolwork done, and I'm getting up with my daughter at eight in the morning. That's a big challenge," she said.

Manning says there isn't a one-size-fits-all solution for young families. She wants politicians to take the issue seriously, and debate issues like child care. In the meantime, she hopes her daughter's school reopens in September, to relieve some pressure.

Child-care capacity increasing to 70%

When the province introduced a child-care program for essential workers in March, parents working from home weren't eligible for regulated child care.

But that's changed.

"All regulated child-care services are permitted to open for their regular clients who are working or returning to work – this can also include students returning to post-secondary classes," said a statement from the Department of Education and Early Childhood Education, which noted work or school includes working or studying at home.

Child-care centres will operate at 70 per cent capacity, up from 50 per cent, starting Monday, as hair salons, restaurants, and retail reopen and about 20 per cent of public servants return to work.

But the department said it's up to individual daycares to determine how they fill available spaces.

Meanwhile, the grant providing free child care to essential workers ends June 26.

Universal child care

Pearson says the pandemic has highlighted the need for universal child care.

She said there are about 7,500 children in the province who need child care, and she estimates a universal child-care program would cost the province \$50 million to \$100 million a year.

Pearson says an agreement between the provinces and the federal government for early learning is up for renegotiation this year, and she hopes they step up with more cash for child care.

"The amount that they have been giving provinces over a two- to three-year period has been completely inadequate," she said.

Pearson said the average cost of child care for parents is about \$1,000 a month, but it can be up to \$2,000 or more for some families.

"Newfoundland actually has one of the highest per-capita costs for child care outside of the Greater Toronto Area," said Pearson.

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[1] <https://childcarecanada.org/documents/child-care-news/20/06/your-children-or-your-job-pandemic-forcing-some-parents-make-tough> [2] <https://www.cbc.ca/amp/1.5599856> [3] <https://childcarecanada.org/taxonomy/term/7851> [4] <https://childcarecanada.org/taxonomy/term/8142> [5] <https://childcarecanada.org/category/tags/policy>