

Quebec wins parental-leave suit [CA-QC] ^[1]

Author: Hanes, Allison

Source: The Gazette

Format: Article

Publication Date: 28 Jan 2004

AVAILABILITY

See text below.

EXCERPTS

Quebec hopes it will soon be able to implement the most generous parental-leave program in the country after it emerged victorious yesterday from a bitter court battle with the federal government over who has the right to offer such benefits.

In a unanimous and strongly worded decision, three Quebec Court of Appeal judges sided with Quebec, ruling Ottawa is stomping all over provincial territory by offering a competing leave program to pregnant women and the parents of newborns and adopted babies.

The decision puts the onus on Ottawa to restart talks on transferring to Quebec its share of funding for the federal program so that it can be put toward its own, B  chard said.

A made-in-Quebec maternity-leave program - which would offer more benefits to more parents - will cost \$852 million, of which he calculates Ottawa owes \$630 million.

Quebec also wants to squeeze \$80 million out of Ottawa for its own compassionate-leave program from a recently announced federal initiative that would allow workers to take time off to care for ailing family members.

On Parliament Hill last night, Human Resources and Skills Development Minister Joseph Volpe offered few clues about whether Ottawa will try to have the ruling overturned.

Union leaders and Quebec politicians urged the federal government not to appeal.

Bloc Qu  b  cois MP Suzanne Tremblay echoed the plea.

How this plays out will be an important test of Prime Minister Paul Martin's promise that he won't meddle in provincial responsibilities, she said.

Quebec Intergovernmental Affairs Minister Beno  t Pelletier said the federal government has dropped a few hints, since Martin took over as prime minister in December, that it might be willing to negotiate.

The ruling is too powerful for Ottawa to ignore because it will probably resonate through many federal-provincial skirmishes, Pelletier added.

Quebec and Ottawa have been feuding since 1997, when both governments began drafting enhanced family-leave packages.

The then-Parti Qu  b  cois government introduced legislation in 2000 that would have awarded new parents 75 per cent of their salary for 40 weeks of leave, or given them the flexibility to stay away longer and receive 75 per cent of their pay for 25 weeks and 55 per cent for another 25.

It would have also, for the first time, extended benefits to self-employed and contract workers.

But the program was put on hold when Ottawa beefed up its benefits, offering working parents 55 per cent of their full pay for 50 weeks and giving fathers the option of taking leave.

Quebec finally launched a court battle in 2002, after Ottawa cut off negotiations on transferring funding to the provincial program.

B  chard pledged yesterday to implement the PQ-designed program if Ottawa resumes talks.

"Parental leave is a key element of our family policy and our policies for helping achieve work-life balance," he said.

- reprinted from Montreal Gazette

Region: Canada ^[2]

Quebec ^[3]

Tags: federalism ^[4]

maternity and parental leave ^[5]

Source URL (modified on 27 Jan 2022): <https://childcarecanada.org/documents/child-care-news/04/03/quebec-wins-parental-leave-suit-ca-qc>
Links

[1] <https://childcarecanada.org/documents/child-care-news/04/03/quebec-wins-parental-leave-suit-ca-qc> [2]

<https://childcarecanada.org/taxonomy/term/7864> [3] <https://childcarecanada.org/taxonomy/term/7855> [4]

<https://childcarecanada.org/category/tags/federalism> [5] <https://childcarecanada.org/category/tags/maternity-and-parental-leave>