

Interim report on the maternity and parental benefits under employment insurance: The exclusion of self-employed workers

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Report of the Standing Committee Report on the Status of Women

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- Report in html [3]

Excerpts from the report:

Employment Insurance (EI) is a federal program, administered through Human Resources and Skills Development Canada (HRSDC). The Employment Insurance Act identifies two benefits programs & regular benefits for people who have lost their job and cannot find work, and special benefits which provide temporary income replacement for Canadians who experience loss of employment when they become new parents (maternity and parental benefits), when they are sick (sickness benefits) or when they must care for a family member who is seriously ill with a significant risk of death (compassionate care benefits). Maternity and parental benefits under Employment Insurance are available in order to allow a claimant to remain at home to care for newborn or adopted children. Combined, maternity and parental benefits are payable for a maximum of 50 weeks.

While the extension of the parental benefit to 35 weeks from 10 weeks in 2001 received widespread approval, critics of the maternity and parental benefits program point to the low level of maternity and parental benefits and the limited scope of coverage for these benefits. In the roundtable discussions, with equality-seeking organizations and women's groups, organized by this committee in the fall of 2004, many groups identified parental benefits as a priority area for action by the Committee.

The purpose of maternity and parental benefits is to replace, in part, employment income. A Supreme Court decision which was handed down in the period during which this committee was studying the issue of maternity and parental benefits notes that 'the social nature of unemployment insurance requires that Parliament be able to adapt the plan to the new realities of the workplace.' Witnesses who have come to this committee have given compelling evidence that the maternity and parental benefits under Employment Insurance currently have not adapted to the new realities of the workplace.

This committee set out to determine whether to extend maternity and parental benefits under the current Employment Insurance program to self-employed parents. The Committee also sought clarification about the measures which would be required in such a maternity and parental benefit program to respect the particular needs of self-employed workers. The Committee members shared a number of principles and assumptions which guided them in their study. They viewed the question of expanding parental benefits to self-employed workers as a question of women's equality; as an investment in the well-being of families and in children; and as an important question to help women and men balance their work and family life in a changing labour force.

Region: Canada [4]

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federal programs [6]

maternity and parental leave [7]

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