

■ PARENTAL LEAVES AND BENEFITS¹⁰

Paid maternity leave for birth mothers was originally introduced in Canada in 1972. Paid parental leave benefits for either parent were added in 1989 and in 2001, the duration of the combined leave benefit was doubled for new parents. A number of other changes have been made since 2001. In this section, all leave provisions associated with birth or adoption of a child are referred to as “parental leave” unless otherwise specified.

Today Canada has two parental leave and benefit regimes: one specific to Quebec and the second for the remaining 12 provinces/territories and workers under the *Canada Labour Code*. Maternity and parental leave benefits and leave provisions for all provinces/territories except Quebec, which has had its own parental leave system since 2006, are divided between federal and provincial/territorial governments. In all provinces/territories with the exception of Quebec, benefits are paid by the federal government while provincial/territorial provisions for job-protected leave are established in each jurisdiction’s employment standards legislation.

BENEFITS: CANADA OUTSIDE QUEBEC

Maternity and parental leave benefits in Canada outside Quebec are under the Employment Insurance (EI) system. Employment Insurance is a contributory program to which employees and employers both contribute. Parental leave benefits have been amended by the federal government a number of times since 2016.

Under EI, the federal benefit covers 15 weeks of maternity leave for eligible employees who are birth mothers.

As of January 1, 2017, the waiting period for EI claims was reduced from two weeks to one.

In February 2017, a change was made to allow maternity leave benefits to be collected as early as 12 weeks before the expected date of birth, up from eight.

Until December 3, 2017, there was one Canada-wide option for parental leave benefits: 35 weeks of payment was available to cover parental leave for either eligible parent including adoptive parents. This was amended by the federal government in December 2017 to offer two options for new parents. These remain the two main options for parental leave benefits in most of Canada despite subsequent changes made.

Two main parental leave benefit options:

- Standard parental benefit paid at 55% of wages (35 weeks of parental benefits for a total of 50 weeks total including 15 weeks of maternity benefits for birth mothers); and

¹⁰ Much of the data and information in this section comes from Doucet, Lero, Mckay, Mathieu, Regued, Thompson, and Tremblay’s Canada chapter in the *18th International Review on Leave Policies and Related Research* (2022).

- Extended parental benefit paid at 33% of wages (61 weeks of parental leave benefits for a total of 76 weeks including 15 weeks of maternity benefits for birth mothers). The Extended parental benefit is paid at a lower rate (33%) than the Standard benefit (55%), paying the same total benefit over a longer period of time.

In 2022, maternity benefits and the Standard parental benefits were paid at 55% of wages up to a ceiling of \$638 a week; the Extended parental benefit was paid at 33% of wages up to a ceiling of \$383 a week.

Between April 2018 and March 2019, more than 31,910 parents (16% of total claims) established a claim for the new Extended parental benefit. This figure rose to 37,770 (17.8% of total claims) between April 2019 and March 2020, and 38,770 (18.2% of total claims) between April 2020 and March 2021.

On March 17, 2019 an additional leave benefit was added. The Parental Sharing Benefit became available to non-birth (second) parents¹¹; five additional weeks of benefits are now available under the Standard option if both parents share parental benefits (40 weeks total). An additional eight weeks of benefits are available under the Extended option when parents share parental leave under the Extended option (69 weeks total).

“ The federal government also contributes to paid maternity and parental leave by providing benefits to eligible families under Employment Insurance (EI), while the provinces/territories determine the leave from work provisions. This applies across Canada outside Quebec, which has its own program covering both leave provisions and benefits, the Quebec Parental Insurance Plan (QPIP).”

The *EI monitoring and assessment report (2020/2021)* showed that 21.1% of standard parental benefit claimants and 25.4% of extended parental benefit claimants shared some weeks of parental benefits in the 2020 – 2021 fiscal year.

Maternity Benefits may begin as early as 12 weeks before the estimated date of birth. The maximum ceiling for maternity and parental leave benefits are indexed to increase annually.

Although the federal benefit provisions have changed, parents must still refer to the allotted periods outlined in the *Employment Standards Act* (or equivalent) of their province or territory of employment, which may be less. Leave provisions under the *Canada Labour Code* have been amended to be consistent with the federal EI benefit changes. (See the provincial/territorial tables in this section for further details about provinces’/territories’ leave provisions.)

11 This is equivalent to the paternity leave available in many countries but has been extended in Canada to same-sex parents.

As of August 12, 2018, it became possible to receive EI maternity and parental leave benefits while continuing to work (Working While on Claim). A new parent may earn money while receiving EI benefits and may keep \$.50 of benefits for every dollar earned up to 90% of previous weekly earnings. Working While on Claim does not need a separate application; claimants already receiving maternity and/or parental benefits only need to declare their earnings online.

Government of Canada administrative data for fiscal year 2020 – 2021 show Employment Insurance parental benefit claims (for parents in all provinces/territories except Quebec) were paid to:

- a total of 213,100 parents, of whom 174,330 were paid Standard benefits and 38,770 Extended benefits; and
- of these, 50,100 were men and 163,000 were women.

Maternity and parental leave comprise two of the six kinds of EI Special Benefits (maternity, parental, sickness, family caregiver for a child, family caregiver for an adult, and compassionate care).

A total of \$1,324.7 million for maternity leave benefits \$3,177.8 million for parental leave benefits (a total of \$4,502.5 million) was paid out by the Employment Insurance program in fiscal year 2020 – 2021.

Self-employed Canadians can access Employment Insurance Special Benefits including maternity and parental leave by voluntarily registering with the Canada Employment Insurance Commission.

Eligibility for Special maternity and parental leave benefits requires:

- operating an independent business or working for a corporation but being unable to access EI benefits due to controlling more than 40% of the corporation's voting shares; and
- being either a Canadian citizen or a permanent resident of Canada.

An applicant for Special EI Benefits must wait 12 months from the date of confirmed registration before applying for the EI Special Benefits. To apply for Special EI Benefits in 2022, a minimum net income of \$8,092 in self-employed earnings in 2021 was required.

Please refer to the tables in this section, which shows further details of the federal EI leave benefits in 2022.

LEAVE PROVISIONS: CANADA OUTSIDE QUEBEC

Provisions for maternity and parental leave outside Quebec are the responsibility of provinces/territories. Please refer to the tables in this section and provincial/territorial section for further details.

BENEFITS AND LEAVE: QUEBEC

The Quebec Parental Insurance Plan (QPIP) is also a contributory insurance program. It includes both benefit provisions and provisions for job-protected leave from work.

It includes two main options:

- Basic Plan totalling 55 weeks covers 18 weeks of maternity leave at 70% of wages, 32 weeks of parental leave (seven weeks at 70%, 25 weeks at 55%) and five weeks of paternity leave at 70%. In 2022, the Basic Plan paid a maximum of \$1,185/week for maternity leave, dropping to \$930.77/week for the parental leave portion.
- Special Plan totalling 43 weeks covers 15 weeks of maternity leave at 75% of wages, 25 weeks of parental leave at 75% of wages and three weeks of paternity leave at 75%. The Special Plan benefit pays a maximum of \$1,269/week for all leave portions in 2022.

The creation of specific paternity leave significantly increased the number of fathers claiming or intending to claim leave in Quebec since the introduction of the plan: from 27.8 % in 2005 to 85.6% in 2018 – 19.

Self-employed new parents in Quebec are eligible for paid parental leave under the QPIP. Self-employed workers are automatically covered in QPIP and are eligible for leave once they have stopped working or seen a reduction of at least 40% of usual income.

Other recent changes to QPIP were introduced under legislation introduced in 2019, [Bill 51, An Act mainly to improve the flexibility of the parental insurance plan in order to promote family-work balance](#).

Quebec's significant changes between 2020 and 2022 include:

- new adoption benefits—an increase in the number of weeks;
- sharing of parental and adoption benefits—additional benefits with two parents sharing a minimum number of weeks of parental or adoption benefits;
- benefit for multiple births or adoptions—each parent is entitled to additional weeks of parental or adoption benefits, adding five weeks at 70% of wages for the Basic Plan or three weeks at 75% benefits for the Special Plan;
- increased benefit for single parents—applies to either a single birth parent or a single adoptive parent, who is now entitled to five additional non-shareable parental benefit or adoption benefit weeks under the Basic or three additional weeks under the Special Plan.

See the tables in this section and the Quebec section of this report for further details about the QPIP.

TABLE III

Characteristics of Canadian and Quebec maternity and parental leave benefits (2022).

Type of benefit	Canada-wide leave benefits under Employment Insurance (EI)	Leave benefits under the Quebec Parental Insurance Plan (QPIP)
<p><i>Maternity leave benefit</i> Birth mother only Not shareable</p>	15 weeks at 55%	<p><i>Basic Plan</i> - 18 weeks at 70% <i>Special Plan</i> - 15 weeks at 75%</p>
<p><i>Parental leave benefit</i> Either parent Shareable</p>	<p><i>Standard Parental Benefit</i> - 35 weeks at 55% <i>Extended Parental Benefit</i> - 61 weeks at 33%</p>	<p><i>Basic Plan</i> - 32 weeks (7 at 70% + 25 @ 55%) - Additional 4 weeks at 55% once 8 weeks have been paid to each parent <i>Special Plan</i> - 25 weeks at 75% - Additional 3 weeks at 75% once 6 weeks have been paid to each parent</p>
<p><i>Paternity leave</i> Parental Sharing benefit – EI Not shareable Non-birth parent only</p>	<p><i>Standard Parental Benefit</i> - 5 weeks at 55% <i>Extended Parental Benefit</i> - 8 weeks at 33%</p>	<p><i>Basic Plan</i> - 5 weeks at 70% <i>Special Plan</i> - 3 weeks at 75%</p>
<p><i>Paternity leave</i> Parental Sharing benefit – EI Paternity leave – QC Not shareable</p>	Not available	<p>Additional weeks for each parent <i>Basic Plan</i> - 5 weeks at 70% <i>Special Plan</i> - 3 weeks at 75%</p>
<p><i>Single parent parental/adoption</i> Not shareable</p>	Not available	<p>Additional weeks <i>Basic Plan</i> - 5 weeks at 70% <i>Special Plan</i> - 3 weeks at 75%</p>
<p><i>Adoption leave benefit</i> Shareable</p>	<p><i>Standard Parental Benefit</i> - 35 weeks at 55% <i>Extended Parental Benefit</i> - 61 weeks at 33%</p>	<p><i>Basic Plan</i> - 32 weeks (7 weeks – 70%, 25 weeks – 55%) - Additional – 4 weeks at 55% once 8 weeks have been paid to each parent) <i>Special Plan</i> - 25 weeks (25 weeks- 75%) - Additional – 3 weeks at 75% once 6 weeks have been paid to each parent)</p>
<p><i>Adoption leave benefit</i> Not shareable</p>	Not available	<p><i>Basic Plan</i> - 5 weeks to each parent at 70% <i>Special Plan</i> - 3 weeks to each parent at 75%</p>

TABLE III *continued*. Characteristics of Canadian and Quebec maternity and parental leave benefits (2022).

Characteristics	Canada-wide leave benefits under Employment Insurance (EI)	Leave benefits under the Quebec Parental Insurance Plan (QPIP)
<i>Maximum insurable earnings (2022)</i>	\$60,300/year	\$88,000/year
<i>Payment ceiling/cap (2022)</i>	<i>Standard Parental Benefit</i> – \$638/week <i>Extended Parental Benefit</i> – \$383/week	<i>Basic Plan</i> – Maternity, 7 weeks parental, paternity = \$1,185 + 25 weeks of parental = \$931 <i>Special Plan</i> – \$1,269/week for all
<i>Eligibility</i>	– 600 hours continuous employment in previous year – Self-employed eligible if registered one year previously (voluntary to register)	– \$2,000 earnings/contributions in previous year – Self-employed eligible if registered one year previously (compulsory to register)
<i>Low income supplement</i>	Up to 80% of earnings	Up to 100% of earnings
<i>Waiting period</i>	1 week	None

TABLE IV

Duration of maternity, parental & paternity adoption leave in weeks.
Provinces/territories (2022).

P/T	Maternity/pregnancy leave (weeks)	Parental leave (weeks)	Adoption leave (weeks) (in addition to parental leave)
NL	17	61	17
PE	17	62	No additional
NS	16	61 – birth mother 77 – other parent	No additional
NB	17	62	No additional
QC ¹	<i>Basic Plan</i> – 18	32 ¹ 36 ¹	5 for each parent – non-shareable 13 – additional, shareable
	<i>Special Plan</i> – 15	25 ¹ 28 ¹	3 for each parent – non-shareable 12 – additional – shareable
ON	17	61 – birth mother 63 – other parent	No additional
MB	17	63	No additional
SK	19	59 – birth mother 71 – other parent	19
AB	16	62	No additional
BC	17	61 – birth mother 62 – other parent	No additional
YT	17	63	No additional
NT ²	17	61 (69 if shared)	No additional
NU	17	37	No additional

1 In Quebec, parental leave benefits are now extended when shared by both parents. In the Basic Plan, an additional four weeks at 55% are granted once eight weeks have been paid to each parent. In the Special Plan, an additional three weeks at 75% are granted once six weeks have been paid to each parent.

2 In the Northwest Territories, parental leave benefits are now extended by eight weeks when shared by both parents.

TABLE V Name, duration and timing of maternity leave.
Provinces/territories (2022).

P/T	Name	Duration	Timing
NL	Pregnancy leave	17 weeks	Leave can begin up to 17 weeks before the expected date of delivery.
PE	Maternity leave	17 weeks	Leave can begin up to 13 weeks before the expected date of delivery.
NS	Pregnancy leave	16 weeks	Leave can begin up to 16 weeks before the expected date of delivery
NB	Maternity leave	17 weeks	Leave can begin up to 13 weeks before the expected date of delivery.
QC	Maternity leave – <i>Basic Plan</i> Maternity leave – <i>Special Plan</i>	18 weeks 15 weeks	Leave can begin up to 16 weeks before the expected date of delivery
ON	Pregnancy leave	17 weeks	Leave can begin up to 17 weeks before the expected date of delivery.
MB	Maternity leave	17 weeks	Leave can begin up to 17 weeks before the expected date of delivery
SK	Maternity leave	19 weeks	Leave can begin up to 13 weeks before the expected date of delivery.
AB	Maternity leave	16 weeks	Leave can begin up to 13 weeks before the expected date of delivery.
BC	Maternity leave	17 weeks	Leave can begin up to 13 weeks before the expected date of delivery
YT	Maternity leave	17 weeks	Leave can begin up to 17 weeks before the expected date of delivery.
NT	Pregnancy leave	17 weeks	Leave can begin up to 17 weeks before the expected date of delivery.
NU	Pregnancy leave	17 weeks	Leave can begin up to 17 weeks before the expected date of delivery.

TABLE VI Duration and timing of parental and adoption leave¹.
Provinces/territories (2022).

P/T	Duration	Timing
NL	Parental leave: 61 weeks Adoption leave: 17 weeks	Must begin within 35 weeks of birth or the child coming into the parent's custody for the first time, and end no more than 96 weeks after that date.
PE	62 weeks	Must begin no later than the day of birth or the day after maternity leave ends, or the day the child comes into the parent's custody for the first time. Must be taken continuously.
NS	61 weeks	Must begin no later than the day of birth or the day after pregnancy leave ends, or the day the child comes into the parent's custody for the first time, and end no more than 61 weeks after that date.
NB	62 weeks	Must begin no later than the day of birth or the day after maternity leave ends, or the day the child comes into the parent's custody for the first time, and end no more than 78 weeks after that date.
QC	<i>Basic Plan</i> Parental leave: 32 weeks (36 weeks if shared) Adoption leave: 5 weeks <hr/> <i>Special Plan</i> Parental leave: 25 weeks (38 weeks if shared) Adoption leave: 3 weeks	Parental leave must begin no later than the week of birth or the day after maternity leave ends and may end no later than 78 weeks after that date. Parental leave may be shared and is extended when shared. In the Basic Plan, an additional four weeks at 55% are granted once eight weeks have been paid to each parent. In the Special Plan, an additional three weeks at 75% are granted once 6 weeks have been paid to each parent. Adoption leave may begin no earlier than the week of birth or the week the child comes into the parent's custody for the first time, and end no more than 78 weeks later. Adoption leave weeks are per parent and are not transferable.
ON	61 weeks – birth mother 63 weeks – other parent	Must begin no later than 78 weeks after the day of birth or the day the child comes into the parent's custody for the first time, and must be taken continuously.
MB	63 weeks	Must begin no later than 18 months after the day of birth or the day the child comes into the parent's custody for the first time, and must be taken continuously.
SK	Parental leave: 59 weeks – birth mother 71 weeks – other parent Adoption leave: 19 weeks	Birth parents taking parental leave may begin when maternity leave ends. Non-birth (adoptive) parents may begin parental leave up to 13 weeks before the estimated date of birth. Adoption leave must begin on the first day the child comes into the parent's custody. The parent may take parental leave afterwards.
AB	62 weeks	May be taken any time after the day of birth or the day the child comes into the parent's custody for the first time, and ends no more than 78 weeks later.

**TABLE VI *continued*. Duration and timing of parental and adoption leave¹.
Provinces/territories (2022).**

P/T	Duration	Timing
BC	61 weeks – birth mother 62 weeks – other parent	Birth parents taking parental leave must begin when maternity leave ends. Parental leave must be taken continuously. Non-birth (adoptive) parents must begin their leave no later than 78 weeks after the day of birth or the day the child comes into the parent’s custody for the first time. It must be taken continuously.
YT	63 weeks	May begin any time after the day of birth or the day the child comes into the parent’s custody for the first time. The last 63 weeks (for the birth parent, not shared) or 71 weeks (shared) must end no more than 78 weeks later, and must be taken continuously.
NT	61 weeks (69 weeks if shared)	Must begin on the day of birth or the day the child comes into the parent’s custody for the first time, must end 78 weeks (not shared) or 86 weeks (shared) later, and must be taken continuously. An additional eight weeks of parental leave are immediately available when parental leave benefits are shared.
NU	37 weeks	Must begin on the day of birth or the day the child comes into the parent’s custody for the first time, may be taken by both parents, and must end one year later.

¹ In most provinces/territories (but not all), parental leave and adoption leave have the same rules.