



Mr. Bryan May, M.P.

Chair, Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

House of Commons

Ottawa, Ontario

K1A 0A6

Dear Colleague:

The Government wishes to express its sympathy to families who have experienced the loss of a child. We know that the loss of a child triggers an extremely sad and difficult time and has a profound impact on families, regardless of the cause of death. The pain and suffering experienced by families in this situation is extreme and hard to fully comprehend.

The Government thanks the members of HUMA for their valuable insight and also thanks the many witnesses, including academics and representatives of organizations providing support to grieving parents, and other experts who appeared before HUMA. The Government would also like to extend their sincere appreciation to the parents and family members who have experienced the tragic loss of a child and had the courage to tell their story.

The Government welcomes HUMA's recommendations, and provides the following Government Response, organized under the following three themes:

- (1) Enhancing information and services for grieving families in a compassionate way;
- (2) Reducing financial hardships and supporting flexible return-to-work for parents who have suffered the loss of a child; and,
- (3) Conducting policy analysis regarding supports for parents who have suffered the loss of a child.

The Government recognizes that shared, federal, provincial/territorial responsibilities in these areas can compound the difficulties faced by grieving. The Government will continue to work with provinces, territories and other partners to identify ways to improve supports for grieving families.

*(1) Enhancing information and services for grieving families in a compassionate way*

The Report indicates that a source of stress and confusion for Canadians who have lost a child is having to report the death multiple times to different programs and levels of government and sometimes re-tell a difficult story. The Government recognizes that compassion and understanding at the onset is key to ensuring that families get the support they need during this difficult time. The Government also understands that there are challenges faced by families following the loss of a child in providing notification and receiving information on programs and services that can help them in their grieving process.

The Government will continue to improve its support for grieving parents who suffer the loss of a child.

For instance, the Government is taking steps to provide service excellence for Canadians. Employees providing service delivery will continue to be trained to recognize and help Canadians who are distressed or facing a particularly difficult situation or event. They will also aim to provide information to help parents and other family members through government processes and programs such as how to report the death of a person, provide referrals to provincial and territorial vital statistics offices to obtain a death certificate, and assist with the completion of forms required to access services.

The Public Health Agency of Canada is also currently updating its Family-Centred Maternity and Newborn Care National Guidelines to include principles for communicating with bereaved parents, topics to be covered in bereavement materials for parents, and guidance on supporting those who are grieving. These guidelines assist policy makers, health care providers, program planners and administrators across Canada in planning, implementing and evaluating maternal and newborn programs and services.

For Canada Child Benefit recipients, the Government has begun to send out a condolence letter shortly after the reporting of a child's passing to better show its compassion. Information on the impact of the child's death on the Canada Child Benefit is sent out 2-4 weeks after a condolence letter is sent so that the first contact that families receive from the Government does not specify any benefit amounts that need to be repaid.

Information sharing between federal and provincial/territorial governments is also key to help reduce the burden on grieving families and decrease the need to retell their story a number of times, during a difficult period. The Government is collaborating with provinces and territories to improve the death notification and registration process and address the significant burden faced by loved ones. Additionally, to improve the quality of information and help Canadians navigate the reporting of a death at the federal level, ESDC is developing an interactive bereavement information webpage to provide a centralized, dedicated information source for grieving families.

*(2) Reducing financial hardships and supporting flexible return-to-work for parents who have suffered the loss of a child*

HUMA's Report details that, in addition to the emotional turmoil, grieving parents who are unable to return to work immediately may also experience financial hardship and, in some cases, may also need to repay government benefits for which they are no longer entitled. The Government is sympathetic to the financial hardships that families may experience under these tragic circumstances.

The Government notes that some of the existing benefits, such as the Canada Child Benefit and Employment Insurance (EI) parental and caregiving benefits, are aimed at providing financial support while caring for children or family members and do not continue upon the death of the child. With that in mind, the Government of Canada will make every effort to communicate the end of these benefits respectfully. In addition, in an effort to reduce the incidence and amount of benefits that need to be repaid, federal departments are working with provinces and territories to

improve the timeliness of the sharing of death notification information between levels of government.

The Government acknowledges that the grieving process is unique and impacts families differently. For part of their grieving process, EI sickness benefits can be used by eligible parents. This benefit can be used for emotional or psychological distress, including grieving, and is available to eligible working parents for up to 15 weeks when they need time off work following the death of their child. Accessing these benefits requires a medical note and attesting the claimant's inability to work. To protect their privacy, there is no requirement for a grieving parent to disclose the type of illness. Additionally, EI maternity benefits continue to be payable following the loss of a child, as they are designed to support a birth mother's physical and emotional recovery for up to 15 weeks surrounding childbirth. EI maternity benefits are available in all provinces and territories except Quebec. The province of Quebec provides maternity, parental, paternity and adoption benefits to their residents through the Quebec Parental Insurance Plan. Job-protected leave provisions under the *Canada Labour Code* align with EI special benefits.

In 2017 and 2018, the Government modernized Part III of the *Canada Labour Code* to provide federally regulated private sector employees with access to a robust and modern set of labour standards. When families suffer the loss of a child, it is important that they have access to job protected leaves and flexibilities in their workplace to help them take the time to grieve. The new protections introduced by the Government include a right to request flexible work arrangements and extended leaves that can provide some support to bereaved families. More specifically:

- A new right to request flexible work arrangements that will allow employees to request a change to the terms and conditions of their employment related to the number of hours they work, their work schedule and the location of their work. This measure could support flexible return-to-work for parents who have suffered the loss of a child.
- New bereavement leave provisions that will enhance the leave from the current three days with pay immediately following the death of an immediate family member, including a child, to five working days that may be taken up to six weeks after the funeral, memorial service or burial. The two additional days will be unpaid.
- A new personal leave of five days (including three paid days) that could be used by parents to attend any urgent matter concerning their family members, including following the tragic death of their child.

These amendments are expected to come into force in the summer of 2019.

Once personal leave and the enhanced bereavement leave are in force, a parent who has suffered the loss of a child would be able to take these leaves consecutively. To be eligible for the paid days, an employee would need to have completed three consecutive months of continuous employment with their employer.

The area of labour standards is shared between the federal, provincial and territorial governments, and as such, leaves and employment standards vary among jurisdictions. While leaves vary, federal, provincial, territorial ministers responsible for labour regularly meet to discuss issues and promote new initiatives.

*(3) Conducting policy analysis regarding supports for parents who have suffered the loss of a child*

The Report presents research from Canadian and international experts and outlines additional data collection that could support evidence-based policy making in the area of improving supports to parents who have suffered the loss of a child. The Government recognizes that any future program changes must be based on sound analysis.

The Report notes that parents need different kinds of supports, and notes gaps in knowledge that require expertise from different federal agencies. Statistics Canada and the Public Health Agency of Canada report on trends as they relate to infant mortality and a child death. ESDC examines issues surrounding the well-being, economic security and social participation of Canadians of all ages and conducts rigorous social and economic research that enables a more in-depth understanding of key issues. The policy development process generally includes a review of international best practices, programs, and services.

The EI program annually analyzes and reports, in the EI Monitoring and Assessment Report, on take-up of each benefit type and reports on results indicators such as volumes, duration, benefit rates, gender and age. For example, in 2017-18, over 597,000 Canadians received temporary income support in the form of EI special benefits that includes: maternity, parental, sickness, compassionate care, and family caregiver benefits.

The privacy of Canadians is of utmost importance and the Government works hard to ensure its protection across all programs and research activities. Accordingly, the EI program only collects the information most needed to administer benefits. As a result, the medical certificate required for EI sickness benefits simply requires the medical practitioner to indicate the expected date of return to work without specifying the medical condition. Similarly, the application for maternity benefits requests expected due date of the child as well as the date the claim began.

In order to gain more information on the issues raised in the Report, the Government would need to consider ways to link data collected by different programs in new ways, while safeguarding Canadians' privacy. With all that in mind, the Government will continue to monitor trends and challenges faced by families who suffer the loss of a child based on information it collects and explore comparative research internationally to inform sound policy development.

The Government of Canada thanks HUMA for its work. The Government is working on providing service excellence for Canadians and supporting grieving families and working to improve services to parents following the loss of a child. The recommendations provided in the Report will be taken under advisement as the Government seeks to improve its programs and service delivery for Canadians.

Sincerely,

The Honourable Jean-Yves Duclos, P.C., M.P.  
Minister of Families, Children and Social  
Development

The Honourable Patty Hajdu, P.C., M.P.  
Minister of Employment, Workforce  
Development and Labour

