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Chair

Mr. Bryan May

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

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● (0845)

[English]

The Chair (Mr. Bryan May (Cambridge, Lib.)): I call the meeting to order.

Good morning, everyone.

Pursuant to Standing Order 108(2) and the motion adopted by the committee on Tuesday, September 18, 2018, the committee is beginning its study of supporting families after the loss of a child.

Today the committee will hear from departmental officials and other witnesses.

I'm very pleased that joining us today, from the Department of Employment and Social Development, is Andrew Brown, Director General, Employment Insurance Policy Directorate, skills and employment branch. Welcome, sir.

Also, we have Rutha Astravas, Director, Employment Insurance Policy, Special Benefits Policy. Welcome.

Thank you both for joining us today.

The next seven minutes are all yours.

Mr. Andrew Brown (Director General, Employment Insurance Policy Directorate, Skills and Employment Branch, Department of Employment and Social Development): Thank you, Chair, and members of the committee.

Good morning.

[Translation]

My name is Andrew Brown. I am the director general for Employment Insurance Policy at the Department of Employment and Social Development. Joining me is Rutha Astravas, director of Policy for EI Special Benefits.

Let me begin by thanking the committee for the opportunity to address this very important issue—parents who have suffered the loss of an infant child and exploring ways to support them.

[English]

I sympathize with Canadians who have lost an infant child to sudden or unexpected causes, including in the case of sudden infant death syndrome. I can't imagine the suffering experienced by families and parents in these cases. Yesterday one of your own

colleagues spoke of the tremendous grief when infant death struck his own family.

I'll begin by sharing with the committee some information on the EI program and the support that it offers for Canadians.

The EI program provides temporary income support when workers are unemployed due to job loss, which is known as regular benefits, and also in specific situations that may occur over the course of one's working career, known as EI special benefits.

EI special benefits play an important role in helping individuals balance work and life responsibilities. Special benefits include maternity, parental, sickness and caregiving benefits. I'll speak about these benefits and how they're relevant when an infant dies.

I should also mention that the Canada Labour Code provides unpaid leave protection for workers in the federal jurisdiction that are aligned to EI special benefits, and provinces and territories maintain their own employment standards that provide leave to workers in their jurisdictions.

[Translation]

I would also like the committee to know that to qualify for EI special benefits, workers need to have accumulated at least 600 hours of insurable employment during the 52-week period immediately before the start date of their claim, or since their last EI claim.

When families are welcoming new children, maternity and parental benefits are available to eligible parents.

● (0850)

[English]

The parental benefit is payable to birth or adoptive parents, including same-sex parents, following the birth or placement of a child for the purpose of adoption. The purpose of the benefit is to support parents in providing care for their new child or children.

Parents can choose to receive parental benefits up to a maximum of 35 weeks paid over 12 months, or up to 61 weeks, paid at a lower rate, over a period of 18 months. In the unfortunate event of a child's death, these benefits end in the week that the child dies, as there is no longer a need to provide care to that child.

EI maternity benefits support a birth mother's physical and emotional recovery for up to 15 weeks surrounding childbirth. As they are linked to the mother's health and not the child, these benefits continue to be payable in the tragic event that the child passes away.

[Translation]

The EI program also provides support for family caregiving. The EI family caregiver benefit provides up to 15 weeks of benefits to provide care to an adult family member with a critical illness or injury and up to 35 weeks of benefits to provide care to a child with a critical illness or injury.

The EI compassionate care benefit provides up to 26 weeks of income support to provide end-of-life care to a family member, specifically a family member with a serious medical condition and a significant risk of death within a 26-week period.

In the case of these caregiving benefits, should the care recipient pass away, the benefits end in the week that the family member dies, based on the same principle used for parental benefits.

[English]

Finally, grieving parents may be eligible to receive up to 15 weeks of EI sickness benefits should they be unable to work following the death of their child. The sickness benefit provides income support to claimants who are unable to work due to illness or injury, including incapacity due to pronounced emotional or psychological stress. These supports may provide some measure of assistance for parents in the event of the loss of a child.

In recent years there have been a number of changes to improve EI special benefits. The government expanded the eligible caregiver support network to include immediate and extended family members rather than just parents for the EI family caregiver benefits for children. It's also now easier to access caregiving benefits, as we allow medical doctors and nurse practitioners to sign medical certificates to simplify the application process for families.

Amendments have also been made to the Canada Labour Code to ensure that workers in federally regulated sectors have the job protection they need while receiving the caregiving, parental or maternity benefits.

Mr. Chair, that concludes my opening remarks, and we would be happy to answer any questions you may have.

The Chair: Thank you very much.

John, you're up first.

Mr. John Barlow (Foothills, CPC): Thank you, Mr. Chair.

Just before we get going, I know we invited the minister to attend. I'm just wondering if there has been an update there. I understand that Minister Duclos cannot be here for the first meeting, but from my understanding, we may be trying to get him for the last meeting. Is there any update on where that is?

The Chair: Yes, we'll talk about this in a bit. We are still working to try to get the minister. The last possible meeting is also not a possibility. I believe it's National Housing Day, so I'm not sure he will be here in Ottawa, but we are working on other possibilities at this point, and I'll update the committee when we have some news.

Mr. John Barlow: If he can't come, has there been an approach to the deputy minister at all?

The Chair: I believe so, yes.

Mr. John Barlow: Okay, thanks. I appreciate that.

The Chair: Not a problem.

Mr. John Barlow: To our witnesses, thank you very much for being here today on what is an important issue. Certainly this comes from my colleague from Alberta with some concerns in terms of parents sometimes having to make a pretty difficult choice between what their financial and family needs may be.

In your opinion, do you see this as an opportunity? Is the federal EI system supporting grieving parents? Are there programs in place, or do you feel that there are some opportunities here to help parents who have lost an infant child?

• (0855)

Ms. Rutha Astravas (Director, Employment Insurance Policy, Special Benefits Policy, Department of Employment and Social Development): First of all, we're here for the employment insurance program, and our remarks and our questions will be focused on explaining how those benefits work.

I think it's important to note, as Andrew said, that there are a number of different EI benefits that support parents, that support families, so that, as you mentioned, in the difficult circumstance of a family suffering the loss of another family member, we do have different special benefits, depending on the circumstance.

Parental benefits do cease. However, as Andrew indicated, EI sickness benefits may be possible. It's always important for a claimant to contact Service Canada if anything happens during their EI claim, because those circumstances may affect how their claim continues.

Mr. John Barlow: Is there any flexibility at all through the EI program for a parent who is on maternity leave but loses an infant child during that maternity leave? Is there flexibility there at all?

Ms. Rutha Astravas: For the maternity benefit, which is intended for pregnant or nursing mothers after giving birth, that benefit does continue to be paid, because the intent of the benefit is to support the mother's recovery, so if the infant child dies while the mother is receiving maternity benefits, she would continue to receive those up to the 15 weeks that are available.

Mr. John Barlow: Thank you.

Does Service Canada have any other specialized programs for dealing with parents who have lost an infant child? I know you touched on some of the EI programs, but are there any other specialized programs through Service Canada to address a parent who has lost an infant child?

I should say, Mr. Brown, I appreciate in your opening remarks your mentioning my colleague from Calgary Shepard, his Standing Order 31 yesterday and the loss of his youngest. I do appreciate that and your comments. Thank you.

Ms. Rutha Astravas: I think it's important to note that there is no specific benefit related to bereavement under the employment insurance program. We've noted what the circumstances are if the care recipient dies, or in this case, if the child dies. Benefits do end if there are parental benefits, and also in the case of family caregiver benefits for children. Let's say that the child was critically ill prior to the death; those benefits unfortunately do end.

There are possibly other government programs that may support families at the federal, provincial or territorial level, and we're also aware that there are a number of other employer or community NGO supports for families.

Mr. John Barlow: Correct me if I'm wrong, but it's my understanding that if a parent is on paternity leave and loses a child, their benefits would cease almost immediately.

Am I right on that? Do you think that's fair, or do you think there are some opportunities for us to extend the paternity leave during the time a parent would lose an infant child? I don't think it's fair that we're forcing that parent to go back to work immediately. I think we've all seen the bereavement and the grief the parent would be going through.

Do you think that's appropriate, and do we have an opportunity there to extend those benefits?

Ms. Rutha Astravas: I think it's important to acknowledge the difficult circumstances parents face. Grieving is a very difficult and long process.

The way the employment insurance benefits work, while the parental benefits end at the end of the week of the death of the child, perhaps it's important to note that the EI benefits are paid on a Sunday-to-Saturday basis, so if the child, unfortunately, dies on a Tuesday, that whole week up to Saturday is still paid. It's just the following week that's no longer paid.

Mr. John Barlow: Doesn't that highlight the problem here? We're basing the benefits for a grieving parent on what day of the week the child died. I think this shows we have found a gap in the system, which I think we can address through something like this.

Ms. Rutha Astravas: I would add that there are different kinds of leave that may be available to parents. Under the Canada Labour Code, for employees of the federally regulated private sector, there is a bereavement leave currently available. It's three days paid leave immediately after the death of a loved one, including infants.

Also, many leave provisions under the code were enhanced as part of budget 2017. When those changes do come into force, employees in the federally regulated sector will have access to five days of bereavement leave, the first three of which will be paid. In addition, employees will have the right to request flexible work arrangements as well as leave for family responsibilities. That's to say that these leaves could be used by parents following the tragic death of their child.

We always encourage EI claimants to reach out to their employers to see what other types of benefits or leave may be available to them,

but as Andrew mentioned, there's not just the parental benefits leave. Sickness benefits may also be a possibility, allowing the person to continue to be on leave and recover from that tragic event.

• (0900)

The Chair: You have 10 seconds.

Mr. John Barlow: Thank you very much.

The Chair: MP Long, go ahead, please.

Mr. Wayne Long (Saint John—Rothesay, Lib.): Thank you, Mr. Chair.

Good morning to our presenters, and thank you for your presentations.

In my office we've had some parents come in, actually quite recently, with this very sad circumstance. From a personal standpoint, one of my best friends went through this several years ago. Knowing the level of devastation, and now being in politics and running an MP's office and being involved in government, I think that if we as a government can't be there for these parents in a meaningful way—not a token way, but a meaningful way—then we're not doing enough.

The sickness benefit is intended for employees who are unable to work, obviously, because of illness, injury, or quarantine, but it can also be claimed by someone who is bereaved provided they qualify and have a medical note. What is the estimated portion of EI sickness beneficiaries who access the benefit due to the death of a loved one?

Ms. Rutha Astravas: Thank you for acknowledgement of the difficult circumstance of your colleague.

Mr. Wayne Long: Yes. It's troubling.

Ms. Rutha Astravas: For EI sickness benefits, we do not collect data or ask the claimant the reason that precipitated their claim, so we don't have any data on how many of those claims are a result of bereavement or of losing their child. We simply know what their return-to-work date would be on their medical certificate.

Mr. Wayne Long: Thank you for that.

Do you know what proportion of individuals claiming sickness benefits for grief or bereavement normally exhaust the 15-week period?

Ms. Rutha Astravas: As I mentioned earlier, we don't collect data on the reason, but I can comment that the average duration of EI sickness benefits in 2016-17, the last fiscal year, was 10 weeks. However, we also know that approximately 37% of all EI sickness claimants do exhaust, or in other words use up, all 15 weeks of benefits available to them.

Mr. Wayne Long: What information or research do we have on differences between how bereaved parents of young children may use EI sick benefits and how other beneficiaries do?

Ms. Rutha Astravas: We unfortunately don't have that information specifically for that subgroup. These are all very important questions. We are always looking to learn more about trends and reasons for EI sickness claims, so we note your comment and your question.

Mr. Wayne Long: Thank you.

Has ESDC considered the benefits, costs and risks of other program approaches for those returning to work after claiming EI sickness benefits after the loss of a loved one, such as partial hours? I know of an instance in my office when we helped initiate this, but have you considered access to therapy or to reduced benefits over a longer period?

Mr. Andrew Brown: Let me echo what Rutha was saying there. We don't have a breakdown with respect to the reasons people are accessing sickness benefits. I can't speak to the situation of their using sickness benefits as a result of a grieving situation that renders them unable to work.

What I can tell you is that we certainly see that people make a progressive return to work in some cases. Changes were made to the Employment Insurance Act earlier this year. These are provisions known as the "working while on claim" provisions. They've been extended to the EI sickness benefit to help claimants who wish to stage their return to work.

Previously, suppose a person who had up to 15 weeks under EI sickness benefits had used 10 weeks of benefits already, so they still had five weeks remaining. Suppose that over that five-week period they worked part time; if they earned \$300 a week, we would reduce their EI benefits by \$300 a week. In other words, it was dollar for dollar under the old rules. Under the new rules that came in with changes to the EI Act in August of this year, they benefit from these working-while-on-claim provisions, which means that the EI benefit is adjusted by 50 cents on the dollar. If they earned \$300 a week, their EI benefit is reduced by only \$150 per week. The intent here is to not penalize people if they attempt a progressive return to work. This is something that has been introduced into the program to provide some more flexibility in terms of sickness benefits.

• (0905)

Mr. Wayne Long: Do you feel it's working?

Mr. Andrew Brown: It would be too early for me to say whether it is working. We know that in the past, though, many people receiving sickness benefits.... There were about 379,000 people who claimed EI sickness benefits in that same year of 2016-17—

Mr. Wayne Long: How many?

Mr. Andrew Brown: About 379,000 workers claimed EI sickness benefits. Among them, roughly 60,000 did some work while they were receiving EI sickness benefits. That's a group that we expect would benefit from these provisions of working while on claim, but we don't know what component of that group may have been in a bereavement situation.

Mr. Wayne Long: Thank you for your answers.

The Chair: Madam Sansoucy is next.

[Translation]

Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP): Thank you, Mr. Chair.

I would like to thank the witnesses for their presentations.

When the sponsor of the motion, our colleague Mr. Richards, met with me to discuss it, it was clear to me that we needed to look into the subject.

I am very pleased that the study we are doing allows us to see how we can help bereaved parents. As you pointed out, this is one of the worst situations someone can go through in a lifetime.

In fact, when we were preparing this study, people from Les Amis du crépuscule, which provides services in the Saint-Hyacinthe—Bagot riding, particularly to help bereaved people, told us that bereaved parents use their services because it's a very difficult situation to get through.

I will talk about how we can help parents who find themselves in this situation.

Since the early 1990s, the government has no longer contributed to the employment insurance fund, which now consists of contributions from employers and employees.

You explained it well in your presentation: there is now a series of special benefits that meet the needs of workers. However, you also pointed out that, because of the number of hours of work that must be accumulated, only four in ten Canadians have access to employment insurance today.

Jobs are becoming more and more atypical. They are sometimes part-time, sometimes on-call. Most of these jobs are held by women. Six in ten workers do not qualify for employment insurance, and there are probably bereaved parents among them.

In this context, what program should be put in place? What reflection should this committee do to find the best way to help bereaved parents when they need it?

Mr. Andrew Brown: If I simplify the context of the question a little bit, I would say that there are two important aspects to consider. First, there is access to the employment insurance system. Then, it is necessary to see if the regime contains measures that can meet the needs of families in these difficult and tragic circumstances.

In recent years, several changes have been made to improve access to the EI program, particularly with respect to the provisions for new and re-entering workers.

• (0910)

[English]

the new entrant and re-entrant provisions. These were changes that were made to facilitate access to the program for people who were newly entering the workforce or re-entering the workforce, which often has an impact upon younger Canadians as well as newcomers to Canada.

It's true, as you indicate, that there are many people who are not able to access the program due to not meeting the hours requirement. There certainly are stakeholders who push for reducing the hours requirement, and I would point out that this is something that we expect would assist more people to qualify for employment insurance, but it wouldn't help all people to qualify.

One of the other reasons is that, as you mentioned, there are many people working in non-standard work,

[Translation]

People whose earnings aren't insurable and who don't contribute to EI don't receive support when they need it.

[English]

Those are some challenges for the program, I would say, in looking at how we can continue to improve access.

I think it's important to mention that there are different ways to measure access to the program. You've referred to only about 40% qualifying for employment insurance. I would just point out that this refers to the number when we count all the people who are currently unemployed in Canada, regardless of whether they have been working recently or not, specifically in the last year. We also report a figure known as the EI coverage rate, which is about 80% of people who have worked in the last year in insurable employment.

[Translation]

Ms. Brigitte Sansoucy: This is what workers tell me every week. They think that because they pay into employment insurance, they will all have access to benefits if they need them.

With this in mind, have you, in your respective branches, ever considered the possibility of setting up a government program that wouldn't be funded from the employment insurance program, but that would provide these special benefits to bereaved parents to help them, whether they qualify for EI or not?

At the start of your presentation, you spoke about the primary purpose of the employment insurance program, which is to deal with work situations, while, as you said, special benefits reconcile work and personal responsibilities.

To manage these situations that affect people's personal lives and their experiences outside of work, shouldn't there be government programs dedicated to these people and shouldn't we let the employment insurance program focus on its primary mission, which is to help people who find themselves unemployed after losing their jobs? Because they contribute to the employment insurance fund every week, these people think that this social safety net will be there for them when they lose their jobs.

There are more and more people in the labour market, both members of the couple are in the labour market. So we have other responsibilities: we have to face these new realities of the labour market. Shouldn't there be government programs dedicated to special benefits?

[English]

The Chair: I'm really sorry, but you're way over your time on that one. Maybe we can come back to that question. You're a minute and a half over, I'm afraid. We will come back. I promise that you'll get another opportunity.

[Translation]

Ms. Brigitte Sansoucy: That's kind of you.

[English]

The Chair: Go ahead, Gordie.

Mr. Gordie Hogg (South Surrey—White Rock, Lib.): Thank you.

Thank you, Ms. Sansoucy. I was thinking along those same lines in terms of the issues.

It seems to me from your submissions that you've outlined an EI system that's been there, as Ms. Sansoucy said, to respond to those needs of people who have been employed, and that as circumstances have come along, you've seen different variables and there have been some adaptations.

Is that a fair portrayal of how you've evolved, in terms of a more compassionate response to some of these issues, in that you've taken a system that was basically there for professional work and have adapted it along the way? Is that a fair interpretation?

• (0915)

Mr. Andrew Brown: I think it's absolutely fair to say that there has been adaptation, and I would describe that adaptation as significant over the years in terms of the EI program today versus where it was when it began over 75 years ago. If you take a look simply at the benefits that are now paid through the program, there was roughly \$13 billion paid in what we call EI regular benefits with respect to job loss in 2016-17. More than \$5 billion was paid in EI special benefits at the same time.

That component, which is being paid out in terms of maternity, parental, sickness and caregiving benefits, continues to grow in importance. I think it recognizes that there's a growing importance for workers to be able to take time away from their jobs for what may be family responsibilities. The leave that accompanies the EI benefits is also important for holding their jobs so that they have something to return to.

I think there is also some logic to having the benefits within the EI program in terms of a support to the labour market, but certainly arguments have been made and could be made for removing them from the program.

Mr. Gordie Hogg: In your last few comments, you're starting to allude to some principles and values that have driven some of those changes. Are there some principles or values reflected in your practices, in the legislation or in the policies that come out which become the foundation?

I think that as a society we want to see ourselves as a compassionate, caring society and we want to be able to respond to the demands of those people who are under perhaps severe post-traumatic stress disorder and the challenges that come with that. Are there some values or principles that are reflected in any of that, or is it something that is operationally driven?

Mr. Andrew Brown: The EI program at its heart is a labour market program, so it is seeking to ensure an efficient labour market. Where it began, when it took a look at job loss, was with the idea that when people lose their jobs, they would have some kind of income support while at the same time there would be an obligation on people to look for work and to try to find new work. Over time, there have been elements of the program to support those workers as well.

There is an important provincial-territorial element that provides employment supports to help with finding jobs, with ensuring that workers know what they need to do to look for and find jobs. There is an element that is about supporting workers to get back to work.

On the special benefits side, while it does not require people to report that they're looking for work, it has the element of encouraging people to return to work after taking time away to welcome a new child to their family, for example, or to recover from an illness.

Mr. Gordie Hogg: If we look around the world, what type of responses do other jurisdictions have to these types of challenges that we're looking at in this study? Are there any best practices out there that we're aware of to which we could refer? Are there any references to legislative practices policy-wise, or principles and values that are reflected in ways that might provide a foundation for the study we're involved in now?

Ms. Rutha Astravas: In terms of what is offered by other countries, we quite frequently look at the Organisation for Economic Co-operation and Development. It publishes annual reports on different types of employment, family benefits and leaves. All OECD countries offer some kind of maternal or parental leave, but only a few countries, European countries, offer a compassionate-type leave for the care of a family member or for bereavement, and those do tend to vary in duration and in terms of whether it is paid or unpaid leave. I can't comment more specifically, but the OECD does track that on an annual basis.

Mr. Gordie Hogg: From a subjective perspective, would you say that what we're doing in Canada now is on the leading edge?

Ms. Rutha Astravas: I would argue that Canada is one of the countries that has quickly come to recognize and provide paid leave, paid supports through the employment insurance program for the care of a critically ill or injured family member, as well as to provide support to family members who are at the end of their lives.

Mr. Gordie Hogg: I noticed that in the submission they were talking about medical certificates and the engagement of medical doctors and/or nurse practitioners for making some judgments. From

my experience in looking at PTSD and having some experiences with it in some previous life iterations, people's responses to it are very varied. It becomes a very subjective response to it.

How much engagement do we have in terms of sudden infant death syndrome, PTSD and the variance of that? How are those judgments made? The policy framework seems sort of clinical. How much of that is dictated, or do we have medical health professionals coming in and saying a person is suffering from PTSD and therefore needs to be engaged for a more lengthy period of time? Do we have some flexibility on that, or how are those determinations made?

● (0920)

Ms. Rutha Astravas: We don't know the reasons for EI sickness benefits claims; however, we did consult with the medical community in developing the medical forms, the medical certificate that is required for the EI caregiving benefits.

The Chair: Mr. Sangha is next.

Mr. Ramesh Sangha (Brampton Centre, Lib.): Thank you, Chair.

Thank you, Andrew and Rutha, for coming and for your valuable input to the committee.

We are doing this study to see how we can improve the level of compassion and support for grieving parents and to ensure that parents do not suffer any undue financial or emotional hardship. Losing a child has a devastating effect on a parent. Money cannot compensate for it. Everybody knows that. We know that, but we want to give something to the parents so that they are able to cope with hardships.

Andrew, you talked about the sickness benefits. You suggested that there are some benefits and you advised that parents can go and look for those benefits. You also talked about the emotional and psychological effects of grieving to remove the grief. You also talked about how support may provide some measure of assistance for parents in the event of the loss of a child. You think these grieving parents, those who need the support.... Are you saying that you want to provide this by way of counselling or by directly giving something as a sickness benefit—money—to them, or do you mean both of those?

Mr. Andrew Brown: I'm going to start with that last point, just to say that we would see that the EI program, in terms of the income support that it can provide to workers and to families in this sense, would only be part of what they would need, and that's the part that I think we could speak to. They could certainly benefit from other supports that might be provided at the provincial level, perhaps by their employer or perhaps by community-based organizations. Those kinds of supports might be provided to grieving individuals trying to cope with the situation. We would see EI as only part of the solution there.

A couple of things are important to remember. EI is a very large program. We administer over two million claims annually. Something that's really important is that we get to rules that are as clear as possible so that we're able to administer such a large program that affects people across the country.

In the event of the death of a child when a parent is receiving parental benefits, we want it to be as easy as possible for parents to be able to signal that to us, so that we can make the necessary changes, because one of the concerns we've heard is that in some cases, benefits continue to be paid, and then the result, unfortunately, is that not only is the family dealing with a grieving situation, but when the death of the child becomes known, we actually have to reach out to that family and seek repayment of benefits that should not have been paid. We're looking to make that as simple as possible. The way that happens is that a parent can simply call Service Canada, provide the information about their own claim, and note that the child has passed away. There's that financial impact as well.

In terms of sickness, I said "may". To my point about it being a large program, we don't assess whether the person is sick or not. What we do is require them to provide us with a note from a doctor that indicates they are unable to work due to injury or illness. In the case of the sickness benefit, if they've received a note from a doctor that says they're not able to work at the moment, then we would accept that as eligibility for the sickness benefit.

● (0925)

Mr. Ramesh Sangha: It's different from person to person, parent to parent. Some people are able to cope quite early, while some people take more time, not healing for their whole life. We also know, as you mentioned, that the community helps. Our families as well, when we start grieving with them, consoling them, giving them support from the heart, start recovering sooner.

Do you have something like that so that they can recover more easily?

Mr. Andrew Brown: I don't know if there is any....

Mr. Ramesh Sangha: What I mean is, is there some sort of counselling, some community counselling or at the parents' level or the family level, in this type of program?

Mr. Andrew Brown: At the federal level, I'm not aware of counselling such as grief counselling, for example, that we provide for Canadians. I think that might be something that is administered at the local or the provincial level, in terms of an individual seeking support or help in coping either with grief or with a potential mental health or mental wellness situation.

The Chair: Thank you very much.

For six minutes, we now have MP Richards.

Welcome, sir.

Mr. Blake Richards (Banff—Airdrie, CPC): Thank you.

Because I'm short on time, I'm going to approach this issue very factually, but I have to point out that I think it's very important when we're looking at an issue like this one that we approach it from a compassionate basis. That is critical.

You have given your remarks here, and I appreciate that your job is to provide us with information on what's available now, but I will tell you that some of the examples given are not adequate to meet the needs of most of the families who are suffering from loss.

In terms of the sickness benefits that you so rightly said "may" be available, I can certainly tell you many stories of parents who were not able to access sickness benefits for grief. There's a bereavement period of three days, which you're saying is going to be extended to five days, and it is certainly not adequate in almost all cases for people to be able to grieve the loss of a child. Also, the idea of working while on claim, although it may be helpful for those who have been able to qualify, certainly won't do anything for anyone who isn't able to qualify, and I've indicated that this is the case.

You also mentioned—and I appreciated it—that you want to try to do everything you can to make it as easy as possible for parents to be able to signal that this is the situation. What I would ask you is, what would be required in order to create a benefit that would be specific for bereavement leave for parents and to make that benefit happen automatically so that parents don't have to make numerous calls to Service Canada offices to explain the situation and tell their story and put themselves through that grief? You can appreciate that in this situation, letting Service Canada know what's going on is not the first thing on their minds.

How do we create a benefit that would apply for all parents in these situations? How do we make it so that it would be automatic and we wouldn't need parents to be thinking of that at a time when they shouldn't have to be?

● (0930)

Mr. Andrew Brown: Thanks for those questions. I think there are a lot of elements to that situation. I certainly can understand where that's coming in and the focus on compassion.

I guess one thing I would mention right from the start is that for anything that's administered through the EI program, we will have an issue in terms of whether the person is or is not able to qualify for EI benefits at all.

Mr. Blake Richards: Of course. Sure. I'm not trying to—

Mr. Andrew Brown: It would be necessary to think about whether it would be within the EI program or—

Mr. Blake Richards: I'm not trying to cut you off here—

Mr. Andrew Brown: Okay.

Mr. Blake Richards: —but just in the interest of time, here's what I want to get to. Is there a way that we can create this benefit and make it automatic, whereby maybe information would be provided from the health system and there is an automatic benefit so that people don't have to go through the bureaucratic nightmare to try to find a way to give themselves some time to grieve? Is there a way?

I understand that they have to be able to qualify for a benefit if it's through the EI system, but assuming that's the case, is it possible to create this? Could it be made automatic? Is this something that could be done if there's a will to do it?

Mr. Andrew Brown: If there's a will to do it, then I think there is a way to do it, but I wouldn't want to give the sense that it's something that is easy to achieve either. In terms of something that is initiated by the death of a person, we would need to think about how that information, which is probably then captured by provincial or territorial authorities, could be provided to the federal government and then how to identify specifically parents that could benefit, whether it's from EI or some other measure. I think these sorts of things are possible—

Mr. Blake Richards: Thank you.

What about the idea of collecting statistics? You mentioned in response to one of the questions earlier—I think it was from Mr. Long—that you really didn't have statistics on these. What would be required for you to be able to collect those kinds of stats? I'll ask for a brief answer because I do have a few other questions.

Ms. Rutha Astravas: To collect that kind of information we would have to go through a privacy assessment perspective in order to change the nature of the program and the application forms.

I would note that when we change application forms, it creates new obligations on medical doctors, nurse practitioners, and others to learn how to fill out the new forms, but there's always a need for a medical form for these benefits.

Can I just add to the previous question?

Mr. Blake Richards: You know what? I'm really sorry, but I have a couple of other questions to ask and I have about a minute to do it. Unfortunately we're limited here.

I wanted to ask a little bit about Service Canada agents and whether they're trained to deal with grieving parents, if they receive any specialized training in that regard, and if there's a way to set up a dedicated line. I know for some other streams there are dedicated lines, but could there be a dedicated line that would deal with grieving parents and provide someone who would understand their situation and be able to provide the services that are available to them and be compassionate about the loss they've received or had? Can you tell us whether there's any training and whether it would be possible to set something like that up?

Mr. Andrew Brown: I can certainly say that there are Service Canada agents who are trained for various sensitive situations. That said, I'm not aware of a specific line that would be available to parents who have just suffered the loss of a child. I would have to go back to Service Canada to ask about that, but I'm not aware of one existing for that situation.

The Chair: Thank you. We'll go next to MP Ruimy, please.

Mr. Dan Ruimy (Pitt Meadows—Maple Ridge, Lib.): Thank you very much. I realize how difficult it is for everybody to be here today, especially in your role, because you're following whatever the system is. It's up to legislators to change the system if that's what it comes down to, but the information you're giving us is on the current system. I know you wanted to add something, so I'll give you a quick second to add what you wanted to say.

Ms. Rutha Astravas: Thank you.

You made a comment about the steps that parents have to take to report a death. I would just like to add that there is a process currently for any family member to report a death to Service Canada, whether it's a parent, child, or whatnot. That's necessary because you need to cancel existing benefits at the federal and provincial levels, including the identification cards and programs and benefits that the person is receiving. It's just part of the process of dealing with someone's death, and that is a standard process.

● (0935)

Mr. Dan Ruimy: Thank you.

I have a quicker question, just for confirmation. You need 600 hours to qualify, so if you have 500 hours, you're out of luck. Is that correct?

Mr. Andrew Brown: Correct.

Mr. Dan Ruimy: For parents who are on parental benefits, if the child dies, the benefit stops in the week that they die, as you mentioned. Is there an opportunity for them to claim sickness benefits? If the doctor says, "Yes, you have PTSD", for instance, would they then be able to qualify for that?

Mr. Andrew Brown: Yes, they would. Someone who has already qualified and is receiving parental benefits would be able to switch from parental benefits to sickness benefits, and there need not be a gap between those two benefits.

Mr. Dan Ruimy: Perfect. That's what I was looking for. There is no gap.

Just for clarification, in the case of maternity benefits, if the child passes away, their benefits continue, right?

Mr. Andrew Brown: Yes.

Mr. Dan Ruimy: What happens in the case of parental benefits for birth or adoptive or same-sex parents?

Mr. Andrew Brown: If it's parental benefits—

Mr. Dan Ruimy: It's the same thing.

Mr. Andrew Brown: —it's the same thing. The parental benefits end, while maternity benefits can continue because they're for a different purpose.

Mr. Dan Ruimy: In the case of the family caregiver benefit, how does that work? What I'm reading says what happens if there's an illness or injury, but it doesn't say what happens if somebody dies. How does that work for the caregiver benefits?

Mr. Andrew Brown: The caregiver benefits are for the family member who is still living but may be in a critically ill situation, or even in a gravely ill situation. They're payable when someone is providing care to that individual. In the event that the family member dies, the benefits end the same week of that individual's death. In those cases, just as with parental benefits, the benefit is linked to providing care to that person; therefore, when the person dies, we are no longer able to pay the benefit.

Mr. Dan Ruimy: Then again, if I go to my doctor and I get the necessary....

Mr. Andrew Brown: With a certificate indicating that you are unable to work, you may be able to switch from that caregiving benefit to sickness benefits.

Mr. Dan Ruimy: That's fairly seamless, if you have the right certificate.

Mr. Andrew Brown: That's right.

Mr. Dan Ruimy: I guess my next question is how difficult that is. What would the criteria be? Would you have to prove mental health issues? That's going to be the challenge, is it not?

Mr. Andrew Brown: In the case of sickness benefits, all that we require is a note from the doctor that indicates that this person is not able to work due to a medical reason for this period. We don't even require that there be a specific form, but we do require that it indicate that the person is incapable of working due to injury or illness, a medical reason.

Mr. Dan Ruimy: Okay.

Again, I just want to reiterate that—and I understand that we've all said it—data is key. We're going to need to figure out a way to know, without breaching privacy laws, what those statistics are. How much is the uptake? Without this, it's very difficult to make law. We're going to have to figure out that part.

Given all the questions that we're asking here, do you see a way forward that stands out for you?

Mr. Andrew Brown: I guess there are different aspects of the issue. It depends what aspects we're prioritizing to solve.

In terms of other stakeholders, we've had people requesting different kinds of changes to the EI program. One that we've heard from the Canadian Cancer Society, for example, has been to take a look at allowing benefits to continue to be paid for some sort of a grace period, I'll call it—for compassionate reasons, to allow the benefit to continue to be paid for a period of time before it's cut off, perhaps a few weeks. That might also allow the person some time to prepare to return to work. It could also allow the employer some time to prepare for the return of the employee. It's also important to remember that it's not just the person but, in terms of returning to a job, the workplace that they're returning to. That's been one thing that's been suggested.

I think otherwise what we've heard here was about the access requirements to the program in the first place, but I would just say that an important thing from our perspective is remembering that it's a big program, so we're looking for clear criteria rather than flexibility. That is a challenging thing to administer in a large program.

Mr. Dan Ruimy: Thank you.

● (0940)

The Chair: MP Falk, you have five minutes, please.

Mrs. Rosemarie Falk (Battlefords—Lloydminster, CPC): Thank you for being here today. Thank you for your brief presentation.

I have a question that I think is going to follow up with Mr. Ruimy's question. I guess I want to hear confirmation.

Maternity leave is for the mother who births the child. That's what maternity leave is for. Adoptive parents and same-sex couples, who don't birth a child, do not receive the maternity benefits. If their child dies while they are receiving parental benefits, that is it.

Mr. Andrew Brown: That's right. If they are not eligible for maternity benefits, parental benefits will end in the week that the child dies.

Mrs. Rosemarie Falk: I know the increase from three days to five days in bereavement leave was mentioned and touched on. To follow up again with what Mr. Ruimy said.... No, that was sickness.

Would there be a gap for bereavement? The child dies and their benefits are cut off, and then they are in bereavement. What's the process for that? What is the process to receive bereavement, if you qualify? What would the gap be?

Mr. Andrew Brown: In terms of bereavement, I know that Rutha mentioned new bereavement leave that's available under the Canada Labour Code. I'm not able to speak to exactly what the process is to access it.

An important thing to recognize with the Canada Labour Code is that it applies to the federal jurisdiction, which is only roughly 6% of workers across the country. In many cases, it would really be what the provincial and territorial employment standards are that determine eligibility for leave or other supports in that province or territory.

Mrs. Rosemarie Falk: Are you able to speak to.... If 6% of people in the workforce qualify for that, is the rest up to the private sector, then?

Mr. Andrew Brown: That 6%.... That's why I'm referring to these new bereavement leave provisions. In terms of the EI sickness benefit, that is something that is national in scope, so it applies to all the people who are contributing to the EI program. In the event that they seek sickness benefits, that's something that's open to all.

I think that in many cases it will depend on the employer, but some people will have coverage of various kinds from their employer—

Mrs. Rosemarie Falk: Sure.

Mr. Andrew Brown: —which may, in fact, be more generous than the EI program.

Mrs. Rosemarie Falk: Following up again on Mr. Ruimy's question on sickness, some communities struggle with doctors. In my community, I know that it is very common to sometimes wait six weeks for a doctor's appointment. If we're telling parents who have just lost a child that they need a doctor's note in order to prove that they are unable to go back to work and that they need it to access sickness leave, is it a little unacceptable to have a delay of up to six weeks or a gap of that length in accessing benefits?

Ms. Rutha Astravas: In terms of the EI sickness benefit, medical doctors, specialists, nurse practitioners, psychologists practising in their field and some other eligible medical professions—it's clarified on our website and in our rules—are able to sign the medical certificate.

Mrs. Rosemarie Falk: I understand that, but I'm just thinking of rural and remote northern communities where that is difficult. Even practising in my former line of work, we did a lot of video and teleconferencing with people living up north because there's nobody there.

I feel that it is unacceptable to have to wait and have a gap in the benefits, especially when there are bills that need to be paid and you are grieving.

Ms. Rutha Astravas: I understand about the challenges in the health care system and access to it in rural and remote communities. It's also something we heard during our consultations on EI benefits previously. That's part of the reason that we made the change to allow medical certificates for the caregiving benefits to be signed by a nurse practitioner or a medical doctor.

In terms of access to EI sickness benefits, we always counsel claimants or prospective claimants to contact Service Canada as soon as possible, because under some circumstances Service Canada may provide more information on whether there's the possibility to backdate the circumstance or whatnot.

However, you always need a medical note. Again, it's about the medical note.

• (0945)

Mrs. Rosemarie Falk: Okay. Thank you.

Do I have time for one quick question?

The Chair: Make it very quick.

Mrs. Rosemarie Falk: I know that when my colleague Mr. Richards asked a question, Mr. Brown, you said that if there's a will, there's a way. Regarding automatic enrolment when we have a death at whatever life stage we're at, is there a way that we can just have that added to the forms, even though health care is provincial, so that it is automatically done by doctors or practitioners? Could there just be a box that is checked, so the family that is grieving and going through the loss doesn't have to deal with that?

The Chair: Answer very briefly, please.

Mr. Andrew Brown: I think that there will always be obligations on us, even in tragic circumstances, so I don't know that it's possible to eliminate that entirely. I do think it would be possible to simplify the reporting of a death, but I have some notes of caution. We have seen a situation in the last year—you know I'm going beyond my department here—of Canada Revenue Agency improperly believing a person to be dead, which resulted in terrible consequences to that

person. We would have to be extremely careful in this respect as well to make sure that the automatic reporting of the death of a child didn't have improper consequences on other people.

I just want to say that a lot of work is required to be able to do things in an automated fashion. This is also something that would involve not just the federal government, but also the provincial and territorial governments that would be receiving that information.

Mrs. Rosemarie Falk: Thank you.

The Chair: We're really short on time, but I'm going to allow Madame Sansoucy a very brief question and answer.

[*Translation*]

Ms. Brigitte Sansoucy: You said that employment insurance wasn't the only way to help people. In Quebec, there are several organizations that defend the rights of the unemployed. I also mentioned the organization Les Amis du crépuscule, which helps bereaved people. We know that these organizations are underfunded. Unemployed workers' rights organizations, for example, only work on issues related to the Employment Insurance Act and they are not adequately funded by the Government of Quebec, as only a small section deals with workers' rights organizations.

As part of this study, could we consider providing funding to those organizations that support the work of Service Canada by explaining to people how to find their way through all these special and regular benefit programs? Is this an avenue that is being explored?

[*English*]

Mr. Andrew Brown: I'm not aware of our department having explored that sort of additional support to people in the sense of compassion and being able to provide them with assistance at a time of grief. My reaction is one of some potential concern with regard to federal responsibility versus provincial responsibility. As you are certainly aware, with respect to all provinces, often with respect to Quebec in particular, there can be concern about what may be seen as either a federal or provincial—

[*Translation*]

Ms. Brigitte Sansoucy: There are programs. For example, Status of Women Canada funds organizations that help women in Quebec. There may be special programs under an agreement with the government, especially in the case of organizations whose mission is linked to federal legislation.

Mr. Andrew Brown: Yes. I fully agree that this is a possibility.

Ms. Brigitte Sansoucy: Thank you.

[*English*]

The Chair: Thank you very much.

I want to thank both of you for being here this morning on this incredibly challenging issue.

We will suspend for literally one minute, so don't go too far. We'll bring the next witness panel in.

Thank you very much.

- _____ (Pause) _____
-
- (0950)

The Chair: Welcome back. We are now joined by the member of Parliament from Banff—Airdrie, Blake Richards. Welcome, sir.

I'm very pleased to have with us today, from Quinn's Legacy Run Society, Lee Cormier, Chair, and Sarah Cormier, Vice-Chair. Welcome to both of you, and thank you for being here to share your story.

We're going to start with Mr. Richards, for seven minutes.

Mr. Blake Richards (Banff—Airdrie, CPC): Thanks, Mr. Chair.

I will say first of all that it's fitting for this committee to begin this study today, because last night many parents across this country participated in the International Wave of Light, in which they light a candle in remembrance of the child they have lost. There were events all across the country over the last number of days. I had the privilege of attending some of those memorial events and being there to support many of the families that are still experiencing a lot of grief. This is an appropriate time for this study to begin.

I want to start by applauding the fact that everyone was so firmly behind our colleague Mr. Kmiec yesterday when he spoke of his loss and his grief and called on all to show some compassion for others. I think everyone was united in the House of Commons in supporting him and showing compassion for his situation. I would ask that we give that same support and that same compassion to all families and all parents who are suffering from grief and from loss.

We certainly had a chance just now to hear from officials about the programs that exist now, but there are gaps in what's there now. There was a lot of talk about the sickness leave benefits. I can tell you that those do not apply to many families. They don't work for many families. Sarah and Lee will share their story here this morning about the letter they received from the government asking them to repay benefits.

I can think of so many other families all across this country. Rachel and Rob Samulack are from here in Ottawa. They had to tell their story many times to numerous Service Canada agents to be able to try to fight for benefits to get some kind of opportunity to grieve. She was ultimately forced to return to work. She cut back her hours but returned to work before she was ready.

I think of Paula Harmon in Nova Scotia, who wasn't able to get the sickness benefits by claiming she was receiving them for grief. She was told by a Service Canada official that the bereavement of a child was not something that would qualify her for sickness benefits. If she were just to go back to a doctor and get them to say something else was the reason, maybe she could qualify for sickness benefits.

I think about the mother who is a teacher in Saskatchewan, who was in much the same situation and had to go back to work and be

asked questions by her young elementary school students over and over again about what happened to her child.

I can think of people in similar situations all across the country. I can think about a mother in Manitoba who was told she had to go back to the bank to repay the benefits. She couldn't even do that online or anything else. She had to go in person to repay the benefits the government was asking her to repay, and she couldn't bear it. She physically could not do it. She was physically ill in the parking lot thinking about the idea of going into the bank, because she was in a small town and she was going to be asked, of course, where her baby was.

I can think of another fellow I just met the other day in Vancouver by the name of Timothy, who just lost his child about a month ago and was clearly still in horrible stages of grief. You could see it in his face and you could hear it in his voice. He is still having a really difficult time. He was sent home by the hospital with no information, no idea as to what to do next, and no information on what support might be available, and not in a position to be able to even approach the system to figure that out.

I clearly have heard far too many heartbreaking stories. This committee will hear some of those stories as well. I can't imagine anyone hearing those stories and not wanting to help. There are parents who have experienced the same frustrations. They all have the same plea. They are asking for a system that is more compassionate, a system that helps to ease that burden of grief they are suffering from.

Parents are forced to fill out needless bureaucratic paperwork. They have to personally visit Service Canada locations. They are being forced to share their stories countless times with Service Canada agents, and they are simply not ready to do that. They are simply not ready. When they are forced to put themselves through this ordeal, they often end up traumatized as a result.

- (0955)

It really affects their ability to properly heal. We have to fix this situation. We have to look at ways that we can provide a benefit that will allow parents a little time to grieve. We have to find a way to make it so they don't have to suffer and fight through the system. Many are not in a position to do that. That's just not something that they're in a mental or emotional state to do. We shouldn't force them to do it.

In the absence of government support, many parents have turned their sorrow into action. They've taken opportunities to advocate for better support and compassion for the thousands of other families affected by this situation every year. They raise funds. They organize walks. They speak up and courageously share their stories.

You'll hear from the Cormiers, who are one of those families. They do that over and over and over again, but they shouldn't have to do that. We should be there for them and provide what they need. The emotional turmoil a family is going through when they discover that they've lost a newborn is difficult enough; when we force these parents to visit Service Canada and make these phone calls to banks and other institutions to find out what's available to them, it is not something they should have to do. That's clearly a flaw in our system. It's a problem that we can and must fix.

It's time for us as parliamentarians to join in helping the families that have suffered through this tragedy of pregnancy and infant loss. We believe we can do more to stand up and find better ways to support Canadian families by listening to the parents who have lost an infant.

I want to thank all of those who've helped to get this motion to the point where we're studying it here in committee. People have written letters, signed petitions and called their members of Parliament. I want to thank the MPs from all sides who've helped to push this issue along, but we aren't done yet. Having a study at committee isn't enough. There can't be any excuses. Words aren't enough. Symbolism isn't enough. We can't just stand by and have this study and then let it gather dust on a shelf somewhere. We actually have to take action.

Please, please, committee members, I urge you to make some recommendations and to be forceful about the fact that you expect the government to take action.

Please, we need to do this.

Thank you.

• (1000)

The Chair: Thank you, Mr. Richards.

We will now hear from Lee and Sarah Cormier.

The next seven minutes are yours.

Mr. Lee Cormier (Chair, Quinn's Legacy Run Society): Thank you. We'll take our quick seven minutes here just to give you an idea of our story.

Picture yourself the day after you've lost your four-month-old child. What does that look like? What goes through your mind? Your child is gone. You have to tell your friends and family. You have to explain death to your other child and why her sister is gone. A husband has to tell his work why he can't come in. Your wife's breasts ache to feed your baby, because that doesn't end with the death of a child.

What do you do now? Why don't I feel like getting out of bed? Did we eat today? What day is it? How do we get through the next few minutes, let alone weeks or months? Is there someone else like me? This hasn't happened to anyone else I know.

What doesn't go through your mind is: Who do I call about parental benefits? Do I need to inform anyone? What happens if I get another payment now that my child is gone? How do I pay my bills?

I can't answer the first questions for you. I still don't have all of the answers, but I'd like to talk to you about the things you don't think of.

When your child dies, parental benefits are cut off. If you do not inform the federal government of the loss and you receive any other payment, you'll be required to repay it. In 2014, we had to pay back January's child tax credit. Quinn died on December 28. On January 3 we had her funeral and on January 5 we stood in line at Service Canada. The employee told us we were lucky that we didn't have to pay back the next week's benefit. The words she used were "Your child ceases to exist, so therefore the benefits will cease to exist."

Your bills will continue to come to you. The world doesn't stop. This means that most Canadian families will be required to return to work long before they're ready.

We are personally blessed with an amazing support system. Our family and friends rallied around us and cared for us. We had people to ask the right questions and sit on hold with Service Canada to get the answers, and still we had to go to the office. I personally know families that had to pay back one, two, three, or even more months of benefits. We have family members who would pay our bills out of their own pocket so that we could have the time to grieve. I know of families that have had to return to work the next week because they couldn't afford to be off.

The trauma of losing a child is not something that should be taken lightly. The victim of an accident is covered by disability insurance and someone who has lost a limb is covered, but someone who is not in their right mind because of their loss has nothing.

We're asking for a commitment of 12 weeks out of the lifetime that should have been spent. The federal government is already committed to funding 12 months of dirty diapers and sleepless nights. We're asking for a commitment of 12 weeks of tears and sorrow, remembering and grieving.

The Chair: First up is MP Barlow, please.

Mr. John Barlow: Thank you very much, Mr. Chair.

I want to thank the Cormiers for coming here and telling us your story. I can't imagine how difficult that is, but all of us are touched. What our colleague Mr. Kmiec also went through brings it much closer to home as well, as it does when one of your good friends has to experience it, as I'm sure your family and friends know.

To my colleague Mr. Richards, I appreciate the work you've done on this issue.

I honestly didn't realize the obstacles and hurdles that you as parents had to face. The testimony we had today from you and from the officials shows that we have a significant gap in our system when we are asking parents to go through this process. Whether it's the language that was used at Service Canada or the fact that your child passing away on a Tuesday was more beneficial than a Thursday, it can be quite frustrating.

Sarah and Lee, from your own experiences—and you heard the officials here this morning as well—what would you like to see come from this? What are some of the obstacles or hindrances that you would like to see changed as part of this study, to make that very difficult situation at least a little easier for you and your family?

•(1005)

Mrs. Sarah Cormier (Vice-Chair, Quinn's Legacy Run Society): I can answer that. For me, the sickness benefits were mentioned quite often this morning. I had used the sickness benefits prior to the birth of Quinn because the pregnancy was considered high risk, so I wasn't entitled to that. I believe I'm not the only person who would use those sickness benefits prior to the birth of a child. I know I had used them previously, again, with our most recent birth of a child. The biggest hindrance, I guess, is just as Lee said. There we were on the Monday, just two days after we had laid Quinn to rest, at the Service Canada office, standing in line with everyone else, holding that death certificate, just shaking, not knowing what to do. That was the first time we had to tell the story, and we were telling it very publicly. That's a huge hindrance.

We had family and friends try to call on our behalf, but they needed to hear from us, so that's why we ended up down there.

We looked online. Obviously, our generation looks online automatically, and there was nothing online on the Service Canada website that directed us as to what to do. There was information on what you should do if you lost a parent or you lost your spouse, but not on what you should do if you lost your child.

He spoke this morning about cancelling cards. Quinn was four months old. We had just received her birth certificate and we had just received her health care card, and now we were receiving a death certificate. We got the death certificate way faster, within minutes, versus getting a birth certificate. We kept them both. It's so painful to hold them both in your hands and know that someone else holds that in their hands, not knowing what they're going to do next.

Mr. John Barlow: Thank you.

Blake, maybe it's a bit easier for you to talk about some of the things. I know you've had lots of discussions with lots of families who have experienced this. I know the work you've done on this. Maybe you can articulate a little on what you're hoping to achieve. From the stories from people like the Cormiers, what are some of the things that you'd like to see changed as part of this study, and some of the recommendations? Are there some specific things you'd like to see come out of this study?

Mr. Blake Richards: I think the key to this whole thing is that we have to find a way to recognize the grief that these parents are suffering with a special benefit that applies to them. We're hearing, and we heard it this morning from the Service Canada officials, that this or that might work or maybe could apply, and everything is about trying to find a way to put it in another place where it doesn't belong.

Sarah correctly mentioned that many people going through a difficult pregnancy might use those sick leave provisions that are available during the pregnancy, so then they're not eligible to access them. That's most frequently cited here as something that could be used, but it won't be possible if someone's used them already.

I can tell you the story of Paula Harmon, in Nova Scotia, and how she went through a whole process. These are the people who are strong enough to be able to even go through the process. You heard Sarah just now talk about how difficult that was. Some people just aren't able to bear putting themselves through the numerous phone

calls and visits that are required to do this stuff. If they can bear to do that, if they have the strength, they still may not be able to get the sickness benefits. Her story was that the Service Canada person came back and said, "Look, bereavement of a child does not qualify you for sickness benefits, but maybe if you could get back to the doctor and get them to write something else, like stress, maybe you could get them then." Could you imagine being told that by a government official?

I think what is needed here is the ability. There are other examples of similar situations in which we provide benefits like this for specific situations. Anyone who's a parent should be able to appreciate and understand that losing a child would be the most difficult situation that any of us could ever go through. Could we not show a little compassion and provide some kind of benefit to allow people a little time to grieve and get over this terrible, tragic circumstance, and not force them to spend that time dealing with Service Canada agents, banks, and other institutions, with numerous phone calls?

I can tell you stories of people who had to share their story 10 or 12 times with government officials in order to try to fight for benefits. Why are we doing that to these people? Let's make this something that they can receive automatically that will be tailored for their needs. I think it's the least we can do.

•(1010)

The Chair: Thank you.

Now we'll go to MP Boissonnault. Welcome to our committee, sir.

Mr. Randy Boissonnault (Edmonton Centre, Lib.): Thank you very much, Mr. Chair, and thank you, everybody.

Mr. and Mrs. Cormier, thank you for being here and for your story.

I experienced what you experienced as a sibling and as a child. When I came into the world, my parents had already lost one infant in 1969. I was born in 1970. I saw my dad cry for the first time in 1975 when we lost my sister, Lisa, and then Gilles didn't come home from the hospital. He was hydrocephalic. He was missing a ventricle in his heart and died 10 days after he was born. That's when I started my battle with faith and God, because how do you take a 10-day-old baby away? Then we lost my sister at 20 years old.

I don't know how a marriage survives after losing four kids, but they did it. The government wasn't there. Nobody was there. We had family. We had faith. We had friends. I remember days and weeks of food just arriving, because nobody was cooking. You don't know what day of the week it is. You don't even want to get up.

This was as a sibling. When I took my sister's books back to MacEwan and they asked me why I wanted to take the books back, I just looked at them with steely eyes and said, "Death." I wasn't Mr. Nice Guy. I was still grieving over the loss of my sister.

We don't need a piece of legislation to go to see Minister Duclos today and tell him that his people in Service Canada need better training. You don't talk about a human being ceasing to exist and so your benefits cease to exist. That's just wrong. We can do that today.

You are here, and you're very brave. I want to thank you both. My condolences to you for your loss.

Mr. Richards, thanks for putting this on our radar screen. I know you've been in politics a lot longer than I have. Is employment insurance the best place for this idea? I'm not sure that it captures the full Venn diagram of who you're intending to catch and who I would want to catch, as an uncle.

You don't have to agree politically with the CCB, but it's clean. If you're on the tax rolls, you get the benefit. I wonder if this is a similar thing, so that if you're a parent and you have a child and that child passes away, the death certificate at Service Canada is all you need. It doesn't go through the EI system. It's automatic that if your child dies, and they're 18 or younger—because they would qualify for the benefits otherwise—those benefits should go to you for the 12 weeks that the guests are proposing.

You could do it out of the maternal/paternal benefits for the first zero to 12 months, but that won't cover everybody from one to 17. Maybe there is a CCB parallel here that's just a child bereavement benefit program. We could run it through finance and run it through the tax rolls, because people won't qualify through EI. There are two million claims. People are going to get lost in the shuffle. Quite frankly, they're not going to fight to the same degree that somebody's going to fight for in the case of the weekly benefits, because they don't have their full wits about them.

I know how difficult it is to get to where you are with your piece of legislation. I'm not suggesting that you're going to change the whole world about this. Would you be prepared to look at whether there was a cleaner way to get the benefits to the people who were asking for them? I'd be happy to go talk to Minister Morneau and his team to say that this seems to me to be a cleaner way to get to this end state.

• (1015)

Mr. Blake Richards: First of all, that's the purpose of the study—for the committee to look at the options that are available and make some recommendations in terms of what this would look like. The key for me in this and in my thoughts, having talked to many of these parents and families all across the country, is that it's a fairly widely held belief that the crucial aspect is that something be done that will provide a reasonable period of time to grieve. Through the course of your study, we'll certainly hear from experts in grief and medical experts and others who can give us some suggestions on how long that should be.

Then there must be something that would replace the income so someone doesn't have to return to work. Also, it would be automatic, or very close to it, so that the parents don't have to go and fight for it and they don't have to tell their stories over and over again. I'm

certainly not married to how that would be delivered, but that it be done. Those are the key principles in that.

Mr. Randy Boissonnault: I don't sit at HUMA, so I'm coming in with fresh eyes. If you can have a clean way.... It seems to me that one of the cleanest things we've done is the CCB. It's automatic. Nine out of 10 families get it.

I have a question for Mr. and Mrs. Cormier. You mentioned that the 12 months of diapers were going to get paid for anyway, so why couldn't we have three months? Does it make sense to you to have one benefit—whether it's the maternity benefit or the Canada Child Benefit—for three months, or should both be in place? Does it matter to you? What would have helped you?

Mr. Lee Cormier: Really, again, we're kind of of the same intent, the same attitude, as Mr. Richards. At that point in a family's grief, they're not really concerned with where the benefits are coming from or who is supporting them. It's just that there is a place for the government to support these families, no matter which way it comes.

Mr. Randy Boissonnault: I appreciate that, because the bills pile up and you don't want to open the mail.

Mr. Lee Cormier: They do.

Mr. Randy Boissonnault: You just want to make sure that at the end of the couple of months, everything's going to balance—

Mr. Lee Cormier: Right.

Mr. Randy Boissonnault: —and you're not going to be in the hole.

I appreciate your sharing your story with us today. Thank you both.

Thanks, Blake.

The Chair: Thank you very much.

MP Sansoucy is next.

[*Translation*]

Ms. Brigitte Sansoucy: Thank you very much, Mr. Chair.

I would like to thank my colleague Mr. Richards for getting us to reflect on this issue.

I would also like to thank you, Mr. and Mrs. Cormier. I understand all the courage it took for you to come and live these moments before us and share your story with us. Thank you for doing so on behalf of all the parents who have experienced the same situation as you.

As MPs, we have heard stories from fellow citizens in our respective ridings, and I find it interesting to see how our questions go in much the same direction.

In the first hour, Service Canada officials told us that we could consider excluding special benefits from the employment insurance program, and I found that interesting. I think the employment insurance program is not the right vehicle for special benefits, as your testimony has shown. A person experiencing bereavement or illness cannot be asked to navigate the same path as a person who has just lost their job.

The senior official told us that it would be possible to have government programs that are not funded from the employment insurance fund, which, in any case, is already insufficient to meet the benefit demands of those who lose their jobs.

You made it clear: women, especially those living in provinces where there is no preventive withdrawal system as there is in Quebec, find themselves in situations where they no longer have access to benefits. To access other benefits, they would have to return to work to accumulate enough hours.

As you said, it is difficult to access or navigate Service Canada programs. In Quebec, organizations such as the Mouvement action-chômage help people navigate the employment insurance program. These organizations receive many requests, but they are underfunded. The Government of Quebec gives little recognition to their contribution because they are linked to a federal law.

These advocacy organizations are therefore the least funded of all community organizations. Senior officials told us that it is not just a matter of benefits. There is also all the support that can be given to those who make requests.

While we were preparing our study, we found that there were benefits for victims of crime. It is a full-fledged program that allows the recipient to return to work part time while continuing to receive benefits, under terms and conditions specific to the program. This is really a smart way to avoid having to use the employment insurance fund. It is a dedicated program that takes into account the particularities of what people in this situation experience.

In your opinion, should we consider implementing a program similar to the one that exists for victims of crime and that is not part of the employment insurance program?

• (1020)

[English]

Mr. Blake Richards: Again, I'll reiterate that I'm not married to how the benefit would be delivered. I think the key principles here are that it be something that allows the correct period of time for parents to grieve and deal with the situation that they're suffering through, that it be something that replaces income so they don't have to worry about work when they're not in a position to be able to do that, and that it be something that be automatic, or close to automatic, so that they don't have to deal with all the bureaucratic hurdles and nightmares that we're putting families and parents through right now. I believe it certainly could work under the EI system because there are other special types of benefits that are available under the EI system and we've proven that it could work that way, but I don't think that's the only way it could be done, certainly. If there are other ways this could work that can be suggested.... As long as those principles are intact in terms of the three things I've outlined there, I believe that it could work in other ways as well.

[Translation]

Ms. Brigitte Sansoucy: I also think that our committee must have the necessary openness to explore various avenues. If we think, for example, of the Service Canada system, could we make a recommendation that the government, which stopped contributing to the employment insurance fund in the early 1990s, should make a

contribution that reflects our willingness, as parliamentarians, to help these people?

[English]

The Chair: Thank you.

Wayne, you're up.

Mr. Wayne Long: Thank you, Mr. Chair.

To the Cormiers, I'm so sorry for your loss, and I do thank you for the courage to come in and tell us your story so that we can learn and we can work together. As Mr. Richards said, this isn't a partisan issue. This is an issue on which all parties should come together and do what's right.

Lee, one thing you talked about when you were speaking to us was that you couldn't have gotten through it without the support of family, friends and what have you. It's quite obvious that a lot of people who go through this don't have that family support system. Can you just share with us what's out there for support through non-government organizations and other organizations? I want to focus on the support available.

I'm so sorry about what happened to you at Service Canada. As MPs, we deal with that day in and day out. People are calling and complaining that they were treated like a number and weren't treated with any compassion on many issues. Not to defend the Service Canada workers at all, but I think after a certain amount of time they almost become dehumanized because the phone calls just keep coming and coming. You see it all the time.

I guess this is where my head is right at this moment: Are there organizations out there across the country that potentially government could work with and support—whether it's financially or what have you—to offer that personal touch and show compassion to people who need it? Can you share with us your opinions?

Blake, I'll get your opinion on that afterward.

• (1025)

Mr. Lee Cormier: Sure. Thank you.

All I can speak of is our own experience, really.

Mr. Wayne Long: Sure.

Mr. Lee Cormier: The organization that we've put together, Quinn's Legacy Run Society, is specifically to support families with a bursary that they can use in any way they feel they need to: to pay bills, to use for the funeral or anything like that.

Mr. Wayne Long: I'll just jump quickly. Is it family-specific, or is it a set amount? How does it...?

Mr. Lee Cormier: It's a set amount.

Mrs. Sarah Cormier: It's a one-time financial payment that we have set up in trust. We raise funds, and then it's given in the amount of \$2,000 to the family. We felt that it was what we needed to get through the first couple of weeks to pay for a funeral. We thought if someone gave us that, it would be sufficient, so we decided to start to do that for other unexpected or SIDS losses.

Mr. Wayne Long: Are there a lot of families, a lot of people, applying?

Mrs. Sarah Cormier: There are. We have supported six families since 2015. We are only doing Calgary and area, but there are lots of families that have reached out to us across the country.

Mr. Wayne Long: To your knowledge, are there other organizations prominently doing a good job across the country that are there for families to reach out to?

Mrs. Sarah Cormier: Yes. We reached out to Baby's Breath here in Ottawa. I'm also the chair of SIDS Calgary Society. We provide peer support to families and are focused on research into SIDS and undetermined deaths in Canada.

We access the Rotary Flames House in Calgary for counselling. I believe the family of almost every child who dies at the Alberta Children's Hospital in Calgary is entitled to access the Rotary Flames to see a grief counsellor specifically.

However, to the best of my knowledge—

Mr. Wayne Long: It's not adequate.

Mrs. Sarah Cormier: That's right.

There definitely isn't that in Edmonton. We have met lots of families just north of us that don't have that same access. It's very specific, town to town. We've supported families just outside Calgary that didn't have access to that support.

Mr. Wayne Long: Then it's safe to say that it's in pockets of the country—

Mrs. Sarah Cormier: Yes.

Mr. Wayne Long: —and that's the case for maybe most of the country.

Mrs. Sarah Cormier: I would say that those pockets came from bereaved parents such as ourselves who are fighting for their child.

Mr. Wayne Long: Yes.

Mrs. Sarah Cormier: For us, it's a way to parent our child, so that Quinn is never forgotten. It brings us great joy to say her name and say that there's a legacy.

Mr. Wayne Long: Absolutely. You're making a difference.

Mrs. Sarah Cormier: Yes. That's what you see. You see The Vaughn Sawchuk Foundation in Cochrane, and Hazel's Heroes in Calgary.

Mr. Wayne Long: Just to follow that, I'll go to Mr. Richards, if it's okay.

There are these organizations that are coming up, mainly from bereaved parents, parents who have lost someone. Is there an opportunity to do something with an NGO across the country, that we as government could partner with to offer that, to offer more personal care? Instead of there being one here, one there and none there, do you think there is an opportunity to do something such as that? I'm more focused on the support.

• (1030)

The Chair: Could we have a quick response, please?

Mr. Blake Richards: Yes, potentially it's something that could be looked at. Certainly it would need a little more exploration, no question.

Sarah has laid it out well. This does exist in some places. There are organizations such as Quinn's Legacy Run Society and others that I'm aware of all across the country. Some are focused more on providing support or counselling, these kinds of things. Some are providing assistance of some type. There are a variety of different focuses of these various organizations, but many of them do exist, and it's always parents who have been through this themselves and understand how hard it is.

If something could be looked at in terms of partnering with them, I would certainly be open to seeing what that might look like.

The Chair: Thank you.

Mr. Blake Richards: However, the key again is that whatever is done here has to be something that can apply to all families and provide them with what they need. That might be the difficulty in this, but certainly it could be something that the committee might want to explore.

Mr. Wayne Long: Thank you very much.

The Chair: Mr. Ruimy is next, please.

Mr. Dan Ruimy: Thank you very much for coming today. I can't even imagine what it takes to get on a plane and come down here and open yourselves up to this.

I suspect that as we go through this, we have to ask questions and try to understand, especially if you're looking at the EI system. It's a very complicated system because, as you heard today, two million people apply for claims throughout the year. I don't know if the EI system is going to be as empathetic to these types of challenges, but I think we all agree that we can do other things through different venues. That's where we're going to continue asking those questions: What works, what makes sense, how can we move forward?

When my colleague mentioned the CCB, my eyes just sparkled, and I thought that makes sense, because you're already getting funding. If there's a grace period in there, it could be a seamless thing. My dad passed away last year, and as much as we knew he was going, nobody prepared anything—no funeral costs, nothing. In your case, it's a surprise. I can't even imagine, because we went through quite a bit just to figure out how we were going to pay for the funeral. I think we're all very empathetic.

I'm blown away by your efforts with Quinn's Legacy. I think that's part of how you're trying to heal yourselves and your families. I think there's potential for us to support something like that. How do we take what you do, and what others have done and support it? Clearly a healing process is involved. I think you need that, more than some bureaucrat telling you to give them a piece of paper.

We're going to have to keep asking hard questions. Nobody wants to ask those questions. At some point, you have to bring a certificate to Service Canada and let them know. I don't know how you get away from that, but it doesn't have to happen in that same week. That's clear. When you heard that your EI runs out in the same week, it's hard. There should be a built-in grace period while you don't have to engage. I don't know how we do that. Part of what we're doing is asking those types of questions and relying on the experts and the folks who are going through these challenges.

I don't have questions for you, because you've laid it out quite clearly for us. It's more a question of where we go from here. There are a couple of minutes; if there's anything else you want to share with us, I'll leave that up to you.

I hope we can find constructive ways to move forward with this.

•(1035)

Mr. Lee Cormier: I think what we're looking for here today—it's been said a couple of times—is the seamless transition, the ability for families to not have to discuss this immediately with people, whether it's Service Canada agents or however it starts to unfold. I think that's the key for us: that there is that time, that grace period, given to families so they can find a way to cope, to figure out what new life looks like for them.

Some people will take longer, some people less time, but we just have to find a good overall offering that we can give to the Canadian people.

Mr. Blake Richards: I'll just add a couple of comments as well.

First of all, you mentioned the idea of a grace period, rather than having it cut off in that week. You commented that you didn't know how that would look. I don't think it would be that difficult to do. It would simply be a recommendation from this committee that there be a change to a period of time after which the benefits cease to exist. That would be a very easy change to make to allow people a little time before they have to start to approach Service Canada and things like that. That would be simple, very easy, for this committee to recommend, and very easy to do.

The other thing I'll point out is—and it's been raised a number of times by different members—whether there are other ways this can be done. The idea has been raised about the CCB. I'm not certain that this is going to be something that will replace the income of people so they don't have to go back to work. I'm not sure that particular program is necessarily the one that's going to do it unless you're going to increase it significantly in the period of time at that point.

If these questions are being asked and the ideas are being circulated that way with a genuine belief that we have to make sure we meet those principles, I'm certainly supportive of other ways that this can be done. The EI system is the one that was identified previously as one that was set up in the best way. It's something that exists already.

Having said that, if out of a genuine place people are looking for other avenues, fine, as long as it's something that will allow people the amount of time they need to grieve and as long as it is going to replace the income so they don't have to consider going back to work.

There are a lot of people who don't have family, friends or support. Organizations like Quinn's Legacy Run Society are very helpful for people who are aware that they exist, but it's not something that they're going to be necessarily aware of, unfortunately, so we have to make sure that whatever we do meets those principles.

I urge the committee to make sure you're thinking about it that way and not just simply trying to find a way to put it somewhere else. Make sure it's done with the principle in mind that we have to ensure that we're providing something that's going to be possible for everyone to access. It should be able to replace a little bit of income so that people don't have to consider going back to work within days of their child passing away.

As you very correctly pointed out, Mr. Ruimy, it's not something that people ever expect. We prepare for the idea that our parents at one point are going to pass away. We prepare for the fact that our spouse might pass away at some point and we have life insurance and savings to deal with that, but nobody's ever thinking about that when they're about to have a child, so we're not prepared. Most times, of course, it's people early in their life, and there aren't savings yet because they're just getting started, so this is not something that most people are prepared for. Financially, it can put people in a very difficult position, and we have to consider that as well.

The Chair: Thank you.

MP Falk is next, please.

Mrs. Rosemarie Falk: First of all, I want to thank you for sharing your story and for being a voice and an advocate, especially because we're hearing that people don't have that. Some people don't have advocates by their side, so I want to thank you for taking that torch and doing that.

There are a couple of things I want to touch on. One question is with the CCB. Some families don't receive CCB, so we would have to make sure that those children who aren't part of that program aren't overlooked, if that's the way this committee decides to make a recommendation.

I heard some things in your opening statement, and I just want confirmation on them to make sure I'm not making any assumptions.

There was nothing on the Service Canada website. Was there any direction on any government website on what to do after the loss of a child?

•(1040)

Mrs. Sarah Cormier: No. I was just going to jump in there at the end. It's just that ease of information. There was a ton of information, such as on preparing a will—

Mrs. Rosemarie Falk: For everybody else.

Mrs. Sarah Cormier: Yes, but it just wasn't there for an infant child.

Mrs. Rosemarie Falk: They could have even a recommendation of some areas where someone could be directed, contacted, that type of thing, on their website.

Mrs. Sarah Cormier: Yes, absolutely. It would be useful information.

Mrs. Rosemarie Falk: Service Canada....

Being on this committee is interesting, with my past work experience. I was a social worker in the past. It is very easy to become immune to terrible situations, to death, to people. When I was doing my training, there were practices that they would have us do for ourselves—some of it included self care and that type of thing—so that people didn't become inhumane. People are people, people have feelings, and it's too easy to treat somebody like a number.

I've been through the EI system myself, having children, and so has my husband. My husband took parental leave with our youngest.

I want you to correct me, but do you think that Service Canada workers should have some type of compassionate training or some type of training that emphasizes the humanity of humans, that makes them think, “Yes, I do have another call that I need to make, but right now you're here, you're my client, and I need to be a human too”?

Do you think that Service Canada employees would benefit from some type of compassionate training in such matters?

Mr. Lee Cormier: I think it's definitely something that is overlooked. To treat people like numbers is also a coping mechanism for them. They are bombarded with many different issues and they're expected to know everything about every different situation they're put in. I think it just becomes a coping mechanism for them to treat everything as being in the same situation—this is how we deal with it, this is what the book says, and this is how it is dealt with.

Any kind of training they could take to be able to deal with some of these specific situations would be beneficial.

Mrs. Rosemarie Falk: In my experience, working with bureaucracy is very black and white; there is no grey, there is no grace. There is none of that. It's either that you're here right now, or if you're not, then you're not here.

You made a very good point, Sarah, about sick leave. When I was pregnant with my kids, I wasn't overly sick and didn't have to take sick leave, but I think it is something that this committee needs to be aware of in the future, especially with many women going into trades fields and various types of workplaces that could be hazardous, women who aren't able to work while they're pregnant. If they're paying into EI, this gives them the opportunity to take the sick leave benefits. I think the committee should be mindful that some women aren't working up until the end of their pregnancy because they can't, because it's unsafe, or because it's a high-risk pregnancy such as you had.

Again, I want to thank you guys for being here today and sharing your story and carrying the torch on this very difficult topic.

The Chair: Thank you very much.

This brings us to the end of this first meeting on this study. I want to thank both of you for coming here today and sharing your story with us. I'd like to thank Mr. Richards for authoring this study to encourage us to do this work.

As a housekeeping matter before we break, let me say, so that you can prepare questions and so on, that we will likely be having to cut short our meeting of a week from Thursday as a result of being addressed in the House by the Dutch prime minister.

Thank you very much, everybody. We will adjourn.

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