



POLICY STATEMENT

PAID PARENTAL LEAVE

The B.C. Federation of Labour is committed to a system which recognizes the bearing and raising of children as an individual responsibility as well as a major social responsibility. Such a system would include many features encompassing health, education and labour issues. Paid parental leave is integral to the full appreciation of an adequate child care system.

Today's children will be the leaders, workers, taxpayers and politicians of tomorrow. Few would disagree that the early years of a child's development are the most crucial. Yet, our present social policies do not reflect the importance of this fundamental knowledge. Instead, intricate legislation and costly programs are devised to rectify problems and social ills resulting from the inferior introduction to life given some children. The social costs of "band-aid" solutions are borne by all, regardless of who had the children. Paid parental leave is, by itself not a total answer to giving our children a more enriched beginning. But, it is a good base, essential to an improved social system. Enacting paid parental leave legislation would indicate government's recognition that children's initial years are a priority. Such legislation would benefit all Canadians.

Current legislation in this regard is discriminatory and inadequate. Paternity leave is rare and does not allow male workers to share equally in the care and raising of their children. Maternity leave legislation penalizes women and their families for having children.

The provision of fully paid parental leave is a fact of life in most European countries.

- Sweden has nine months leave at ninety percent of salary which can be shared between parents. Working hours can be reduced to six per day until the child is eight years old.
- East Germany allows one hundred percent earnings for twenty-six weeks.
- France has sixteen weeks at ninety percent.

Denmark, Finland, Germany, Italy, the Netherlands, Greece, and Spain have paid maternity leave provisions all far superior to any legislation in Canada. All European Economic Countries (EEC) have protective provisions for parental rights.

The United Nations recently passed a Convention on the Elimination of All Forms of Discrimination Against Women which outlines steps that must be taken to ensure equality for men and women. The Convention states:

- “2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:
- (a) to prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
 - (b) to introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;
 - (c) to encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child care facilities;
 - (d) to provide special protection to women during pregnancy in types of work proved to be harmful to them. To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.”

Canada, as a signator to this Convention has agreed to implement these measures.

The preamble to this Convention states that the States Parties, of which Canada is one, are:

“aware that a change in the traditional role of men as well as the role of women in society and the family is needed to achieve full equality between women and men.”

The International Labour Organization (ILO) has also recognized the responsibility of both partners in the raising of children. In 1981, the ILO amended a Convention passed in 1965 covering “Women with Family Responsibilities” to “Workers with Family Responsibilities”. This Convention states that:

“With a view to creating effective equality of opportunity and treatment for men and women workers, each Member should make it an aim of national policy to enable persons with family responsibilities who are engaged or wish to engage in employment to exercise their right to do so without being subject to discrimination and, to the extent possible, without conflict between their employment and family responsibilities.”

Both these and international bodies have altered their focus to recognize the role of both parents in family responsibilities. Canada, as a conscientious member of these organizations should be amending its national policies in this direction.

The B.C. Federation of Labour believes the following provisions are essential to any system of paid parental leave:

1. Nine months paid leave of absence at no loss of pay. The leave may be shared by both parents. This shall apply to adoptive as well as natural parents.
2. Accumulation of seniority and maintenance of benefits during the period of parental leave.
3. The right to return to the same job or its equivalent.
4. Protection of reproductive capacities for men and women and the fetus from potential workplace hazards - provision for temporary transfer to another job during the pregnancy without loss of seniority, pay or benefits.
5. Provision for minimum of ten days per year paid leave of absence for parental responsibilities.
6. Maximum eligibility requirement eight weeks reflecting labour force attachment not employer attachment.
7. Protection from dismissal because of pregnancy.
8. Provision for extension of parental leave.

The affiliates to this Convention believe legislation must reflect these provisions and recommend:

- (a) That the Canadian Labour Congress urge the federal government to amend the Unemployment Insurance Commission Act to provide paid parental leave benefits uniformly and universally for all Canadian workers;
- (b) That the provincial government make the appropriate amendments to Labour Standards legislation to provide parental leave; and
- (c) That the Canadian Labour Congress urge the federal government to amend the Canada Labour Code to provide parental leave.

Further, this Convention urges all affiliates to continue in their efforts to achieve paid parental leave at the bargaining table.

Adopted in Convention 1982
B.C. Federation of Labour