**News Release**

For Immediate Release

More choice and flexibility for families and caregivers, starting December 3, 2017

**November 9, 2017 Ottawa, Ontario Employment and Social Development Canada**

Important changes announced in Budget 2017 will soon come into effect as part of the Government of Canada’s commitment to support parents and family caregivers with Employment Insurance benefits that are more flexible, inclusive and easier to access.

Beginning December 3, the following improvements will be made to the Employment Insurance (EI) program in order to better support workers who take time off work due to specific life events:

* Caregivers who provide care to a critically ill or injured adult family member will have access to a new benefit of up to 15 weeks. This will help more Canadians support loved ones when they need it most.
* Immediate and extended family members of children who are critically ill will, for the first time, have access to a new benefit that was previously available only to parents. It will replace the Parents of Critically Ill Children benefit and continue to provide up to 35 weeks of benefits.
* Both medical doctors and nurse practitioners will now be able to sign medical certificates for the exisiting and new family caregiving benefits, which will simplify the process.
* Parents will be able to choose the option that best meets their family’s needs: standard parental benefits (taken over 12 months) or extended parental benefits (taken over 18 months).
* Eligible pregnant workers will be able to receive EI maternity benefits earlier, up to 12 weeks before their due date. This increased flexibility will allow pregnant workers to consider their personal, health, and workplace circumstances when choosing when to begin their maternity leave.

These changes will apply to EI-eligible workers, as well as self-employed Canadians who opt into the EI program for access to EI special benefits, and who meet minimum income and other requirements to qualify for EI special benefits.

The *Canada Labour Code* has been amended to ensure employees in federally regulated sectors have job protection while they receive maternity, parental and caregiving benefits under the EI program. For employees under provincial or territorial jurisdiction, employment standards vary by province and territory.

The changes to EI caregiving benefits will apply to new claims across Canada, while the amendments to maternity and parental benefits offered under the EI program apply only to parents who reside outside of Quebec. The Québec Parental Insurance Plan provides maternity, paternity, parental and adoption benefits to Quebec residents.

These improvements were informed by last year’s consultations on EI maternity, parental and caregiving benefits and reaffirm the Government’s commitment to improving the EI program so that it is better aligned with the realities of today’s labour market and addresses the needs of Canadian families.

**Quote**

*“Every Canadian’s situation is unique, with different family and work needs. By making EI caregiving, maternity and parental benefits and leaves more flexible, inclusive and easier to access, we are providing Canadians with more options to better balance their work and life responsibilities.”*

– The Honourable Jean-Yves Duclos, Minister of Families, Children and Social Development

**Quick Facts**

* To be eligible for EI special benefits, including maternity, parental and caregiving benefits, individuals require 600 insurable hours of work in the 52 weeks preceding their claim. Self-employed workers may opt into the EI program and become eligible to collect special benefits. To be eligible, they must opt in at least one full year prior to claiming EI benefits and need to have earned a minimum of $6,888 in 2016 for claims in 2017.
* Parents will be allowed to choose between two options for receiving EI parental benefits at the time of applying:
	+ **Standard parental benefit**

Receiving up to 35 weeks of EI parental benefits over a period of up to 12 months, at the current benefit rate of 55 percent of average weekly earnings, to a maximum of $543 per week;

OR

* + **Extended parental benefit**

Receiving up to 61 weeks of EI parental benefits over an extended period of up to 18 months, at a lower benefit rate of 33 percent of average weekly earnings, to a maximum of $326 per week.

* Family Caregiver benefits for children and adults may be combined with the existing compassionate care benefits, which provide up to 26 weeks of benefits for those who leave work to care for a family member who has a serious medical condition with a significant risk of death in the next 26 weeks.

**Associated Links**

[Employment Insurance Improvements](https://www.canada.ca/en/employment-social-development/campaigns/ei-improvements.html?utm_source=canada-ca_ei-improvements&utm_medium=NewsRelease&utm_campaign=EiImprovementsCampaign&utm_term=en&utm_content=Web_SocialMedia_Video)

[Budget 2017](http://www.budget.gc.ca/2017/docs/plan/toc-tdm-en.html)

[EI – Information for employers](https://www.canada.ca/en/employment-social-development/programs/ei/ei-list/ei-employers.html)

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**Backgrounder**

**Information for EI claimants**

**EI maternity benefits and leaves**

The Employment Insurance (EI) program provides temporary income support to replace lost employment income to individuals who are off work due to pregnancy and childbirth, and caring for a newborn or newly adopted child.

* EI maternity benefits currently provide up to **15 weeks** of benefits to EI-eligible birth mothers, including surrogates, related to childbearing and to support physical and/or emotional recovery during the weeks surrounding the birth. These benefits are currently payable as early as 8 weeks prior to the expected week of birth of the child.

As of December 3, 2017, pregnant workers will be able to claim the existing 15 weeks of EI maternity benefits as early as 12 weeks before the expected week of birth of the child, up from the current 8 weeks. This will provide pregnant workers with more flexibility to better take into account their personal, health and workplace circumstances when choosing when to begin receiving their maternity benefits.

Maternity benefits will continue to be paid at the current benefit rate of 55 percent of average weekly earnings, up to a maximum of $543 per week in 2017.

**EI parental benefits and leaves**

* EI parental benefits currently provide up to **35 weeks** of support to EI-eligible parents (biological and adoptive parents) who leave the workforce to care for a newborn or newly adopted child. Parental benefits are offered per family and may be shared—they can be taken at the same time or separately by eligible parents. Benefits may be taken in the 52 weeks following the week of birth of the child or placement of a child for adoption. The benefit and corresponding leave under the *Canada Labour Code* are available to eligible opposite-sex and same-sex parents.

For children born or placed for adoption on or after December 3, 2017, claimants may choose the standard parental benefit, as originally provided in the *Employment Insurance Act*, or an extended parental benefit which provides a lower benefit rate over a longer duration (up to 18 months).

* **Standard parental benefit**:

Receiving EI parental benefits over a period of up to 12 months, at the current benefit rate of 55 percent of average weekly earnings, for up to 35 weeks, to a maximum of $543 per week in 2017.

These weeks of benefits are payable in the period that begins the week in which the child or children of the claimant are born or the child or children are placed with the claimant for the purpose of adoption, and end 52 weeks later.

* **Extended parental benefits**

Receiving EI parental benefits over a period of up to 18 months, at a lower benefit rate of 33 percent of average weekly earnings, for up to 61 weeks, to a maximum of $326 per week in 2017.

These weeks of benefits are payable in the period that begins the week in which the child or children of the claimant are born or the child or children are placed with the claimant for the purpose of adoption, and end 78 weeks later.

Parents will need to choose the same parental benefit (standard or extended) when applying for EI benefits and indicate how many weeks they each plan to take. Parents will be able to receive the benefits at the same time or separately. The choice of standard or extended benefits by the first claimant who completes the EI application’s selection (on a complete application) will be binding for the two claimants.

Once parental benefits have begun being paid on a claim, even as little as $1, the parent’s choice will be irrevocable and not subject to reconsideration or appeal under the *Employment Insurance Ac*t.

Part III of the *Canada Labour Code* provides corresponding unpaid job-protected maternity and parental leaves for employees under federal jurisdiction[[1]](#footnote-2). Corresponding changes were made to the *Canada Labour Code* to provide unpaid parental leave of up to 63 weeks and up to 78 weeks of unpaid leave combined with maternity and parental leaves. There are no changes to the job tenure or notification provisions related to these leaves for workers in federally regulated workplaces.

For employees working in provincial and territorial jurisdictions, employment standard protections for maternity and parental leaves and eligibility requirements vary.

Since 2006, the Québec Parental Insurance Plan offers maternity, parental, adoption and paternity benefits to residents of the province of Quebec. Accordingly, Quebec residents are not eligible for EI maternity or parental benefits.The Plan is the only federal–provincial agreement related to maternity and parental benefits currently in place.

**EI caregiving benefits:**

The EI program currently offers two caregiving benefits: the Parents of Critically Ill Children benefit, available to parents caring for a critically ill child; and the Compassionate Care benefit, available to individuals providing end-of-life care to a family member. As of December 3, 2017, there will be additional support for EI‑eligible caregivers who leave work to care for a family member: the Family Caregiver benefit for adults. The suite of caregiving benefits will be grouped into two categories: Family Caregiver benefits (for adults and children) and Compassionate Care benefits.

**Family Caregiver benefits**

* **Family Caregiver benefit for adults**

Starting December 3, 2017, the new Family Caregiver benefit for adults announced in Budget 2017 will allow eligible Canadians to receive up to 15 weeks of benefits to provide care or support to an adult family member 18 years of age or older who is critically ill (i.e. whose life is at risk as a result of illness or injury and has experienced a significant change in their baseline state of health).

* **Family Caregiver benefit for children**

Up to 35 weeks of benefits will continue to be available while providing care or support to a child under 18 years of age who is critically ill (i.e. whose life is at risk as a result of illness or injury and who has experienced a significant change in their baseline state of health).

Starting December 3, 2017, this benefit, formerly known as the Parents of Critically Ill Children benefit, will be renamed the Family Caregiver benefit for children. Eligibility will be extended to any eligible family member providing care to the child, rather than being limited to parents. The definition of family member will be broadened to include relatives beyond the immediate family and individuals who are not relatives but are considered to be like family. For example, an aunt or uncle could be eligible to receive the benefit to provide care to a critically ill child. These changes were introduced to accommodate the needs of diverse family situations and provide enhanced flexibility and access to this benefit.

Medical doctors and nurse practitioners will be allowed to sign a medical certificate to certify that a child is critically ill, rather than only specialist medical doctors.

Claimants can share these Family Caregiver benefits either concurrently or separately, and receive their benefits when most needed within a 52-week period.

**Compassionate Care benefit**

 The Compassionate Care benefit provides up to 26 weeks of benefits to individuals who are away from work to care for or support a family member who has a serious medical condition with a significant risk of death in the next 26 weeks.

 If the health condition of the family member deteriorates, caregivers could combine the Family Caregiver benefit with the existing Compassionate Care benefit.

Effective December 3, 2017, a medical certificate signed by a medical doctor or nurse practitioner will be acceptable when applying for the Compassionate Care benefit.

**Information for employers**

Employers should be aware of the changes to EI benefits and corresponding leave provisions under Part III of the *Canada Labour Code* proposed in Budget 2017, as they may have an impact on their supplementary benefits to EI maternity, parental and caregiving benefits, also known as top-ups. All the EI benefits and *Canada Labour Code* changes, and complementary adjustments to the *Employment Insurance Regulations,* will be brought into effect on December 3, 2017. Employers should review the terms of any collective bargaining agreements, employment contracts and benefit plans they hold or administer, to assess any implications they may have for their organization and members.

**EI Family Supplement**

The EI Family Supplement provides additional income support to low-income families with children, while they are receiving EI benefits. To be eligible, EI claimants must have an annual family net income of less than or equal to $25,921, have one or more children under the age of 18, and receive the Canada Child Benefit.

Budget 2017 includes enhanced support through the EI Family Supplement so that low-income families would receive the Family Supplement top-up amount while they are receiving EI benefits, i.e. up to 18 months of combined maternity and parental benefits.

1. Part III of the Canada Labour Code applies to about 904,000 employees (or 6 percent of all Canadian employees) working for 18,310 employers in industries such as banking, telecommunications, broadcasting and inter-provincial and international transportation (including air, rail, maritime, and trucking), as well as federal Crown corporations and certain activities on First Nations reserves. [↑](#footnote-ref-2)