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Potential Barriers to Aboriginal Teenaged Mothers' Access to Maternal and Parental Benefits

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Abstract

This chapter uses available data to examine the ways in which federal and provincial maternity, maternal, or parental benefits are likely to receive less income than others because of their lower income and parental leave programs may have a differential impact on Aboriginal teen mothers as compared to other Canadian parents. This is done through analysis of the employment and income characteristics of Aboriginal teen mothers in relation to the benefits and eligibility criteria for maternity and parental leave programs. It is concluded that Aboriginal teen mothers are less able to receive these benefits because they are less likely than others to meet the minimum requirements for hours of insured employment. In addition, those Aboriginal teens who meet the qualifying employment levels may be unable to take advantage of parental benefit options open to couples because they are more likely to be lone parents. It is also found that the Quebec Parental Income Plan is more generous and flexible than those in other provinces and its provisions would be especially beneficial to Aboriginal teen mothers. Recommendations for further research are provided.

French Abstract

OBSTACLES POSSIBLES À L'ACCÈS DES MÈRES ADOLESCENTES AUTOCHTONES AUX PRESTATIONS DE MATERNITÉ ET PARENTALES

Jeremy Hull

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Résumé

La présente étude se fonde sur les données disponibles pour examiner dans quelles mesure les programmes de congés parentaux et de maternité fédéraux et provinciaux peuvent avoir des répercussions différentes sur les mères adolescentes autochtones par rapport aux autres parents canadiens. Cette comparaison est le fruit d'une analyse des caractéristiques de l'emploi et du revenu des mères adolescentes autochtones réalisée d'après les prestations et les critères d'admissibilité aux programmes de congé parental et de maternité. Les résultats ont permis de conclure que les mères adolescentes autochtones sont moins à même de recevoir ces prestations, car elles sont moins susceptibles que les autres de satisfaire aux exigences minimales relatives au nombre d'heures d'emploi assurable. L'étude a également révélé que les adolescentes autochtones admissibles à des prestations parentales ou de maternité reçoivent un revenu inférieur à la moyenne en raison de leurs niveaux d'emploi et de revenu inférieurs et parce qu'elles sont plus susceptibles d'être des mères monoparentales et qu'elles ne peuvent donc pas bénéficier des prestations parentales offertes aux couples. L'étude a aussi établi que le Régime québécois d'assurance parentale est plus généreux et plus souple que les programmes similaires offerts par les autres provinces et que ses dispositions sont particulièrement avantageuses pour les mères adolescentes autochtones. L'étude comprend des recommandations pour de futures recherches.

Spanish Abstract

DIFICULTADES POTENCIALES EN EL ACCESO DE LAS MADRES INDÍGENAS ADOLESCENTES A LAS PRESTACIONES POR MATERNIDAD Y PARENTALES

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Resumen

En este artículo se emplean los datos disponibles para examinar las formas en que los programas de licencia por maternidad y parentales federales y provinciales pueden tener repercusiones diferentes en las madres indígenas adolescentes en comparación con los otros padres canadienses. Para ello, se analizan las características de empleo e ingresos de las madres indígenas adolescentes en relación con las prestaciones y los criterios de admisibilidad a los programas de licencia por maternidad y parentales. En el artículo se llega a la conclusión de que las madres indígenas adolescentes tienen más dificultades para recibir estas prestaciones porque tienen menos posibilidades que las otras mujeres de reunir las exigencias mínimas de horas de empleo asegurable. Además, se afirma también en el artículo, es más probable que las adolescentes indígenas que cumplen las condiciones para las prestaciones por maternidad y parentales reciban prestaciones menores que las otras debido a sus menores niveles de ingresos y de empleo y a que, con mayor frecuencia, son monoparentales y no pueden sacar partido de las opciones de las prestaciones parentales que se ofrecen a las parejas. También se constata en el artículo que el plan de ingresos parentales de Quebec es más generoso y flexible que los de las otras provincias y que sus disposiciones serían especialmente beneficiosas para las madres indígenas adolescentes. El artículo también sugiere que se realicen otras investigaciones.

Keywords

maternal and parental benefits, Aboriginal teenage mothers, early parenting, employment, lone parent

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Potential Barriers to Aboriginal Teenaged Mothers' Access to Maternal and Parental Benefits

Over the last few decades Canadians have received increasing support for new parents in the form of maternal, paternal, and parental leave and related benefits. Canadians as a whole recognize that healthy pregnancies, births, and child development over the first few years are crucial to the long-term health of individuals as well as their full social productivity. With this goal in mind, Canadian governments have established a suite of programs to support childcare, such as child tax benefits, universal child benefits, public health care services, nutritional support, and programs providing maternal and parental leave. This chapter concerns itself with the latter.

This paper was written as a direct result of the background research by Fonda, Eni, and Guimond (2013, in this issue). As part of their inquiry, it was learned that in the United Kingdom teen mothers are not eligible to receive maternal benefits until the age of 16, which dovetails with a legal requirement that all children must attend school until that age (Lawson, 1993). This finding raised questions about whether Aboriginal teen mothers have the same access to maternal and parental leave and benefits as other Canadians. Of course, the access issues in Canada will be different from those in the UK. As will be seen, in Canada, we found that limited access to maternal and parental benefits is a consequence of employment and income circumstances, as well as place of residence. The purpose of this brief paper, then, is to examine this question using available data to determine whether or not there is reason to believe that Aboriginal teen mothers and fathers may, in fact, experience problems accessing maternal and parental benefits.

Maternal and parental leave and other benefit support appear in two forms: financial support and employment standards legislation. Financial support is provided through the Employment Insurance (EI) program for all provinces in Canada with the exception of Québec, where the Québec Parental Insurance Program (QPIP) operates. Canada's federal Employment Insurance program provides partial income replacement for mothers leading up to the time of birth. It also provides support to both mothers and fathers following the birth of their child. In Québec, a parallel program was developed with the intention of providing similar benefits, but at a different level and using different eligibility criteria.

In addition, provincial governments have jurisdiction over employment standards for most employees within their provinces. However, the federal government has jurisdiction concerning employment standards for federal employees. Each of these levels of government passes employment standards legislation concerning when and how employers are required to provide maternal and parental leave to their employees within their jurisdiction. While collective agreements may also provide for maternal and parental benefits, a review of even a small sampling of collective agreements is well beyond the scope of this paper.

Research Questions

A number of research questions were generated to help direct the investigation into the relationship between being a teenaged Aboriginal woman and having access to maternal and parental benefits in Canada. They are as follows:

- a. Based on the program criteria, provisions, and logic, what factors are generally likely to affect participation and extent of benefits received by parents in the federal and Québec maternal and parental leave programs?

- b. How do the different employment standards within selected jurisdictions affect access to maternal and parental benefits?
- c. Do Aboriginal teen mothers differ from other mothers in ways that would affect their access to, or participation in, federal and Québec maternal and parental leave programs?
- d. Do Aboriginal teen mothers differ from other mothers in ways that would affect the benefits received under the federal and Québec maternal and parental leave programs?
- e. How are Aboriginal teen mothers who live in different provinces affected as a result of their place of residence?

Employment Insurance and Québec Parental Insurance Programs

In most of Canada, income replacement benefits are provided through the federal EI program under the heading of “special benefits,” which also includes provisions for adoption leave and sickness leave. In Québec, income replacement benefits are provided through the QPIP. These programs are summarized below. Note that these programs are the same in all provinces other than Québec.

Employment Insurance: Maternal Benefits

The purpose of the EI maternal benefits program (Service Canada, 2012) is to provide partial income replacement to working mothers before and after the birth of a child. Eligibility is limited to expecting or new mothers who meet the following criteria:

- a. Have accumulated 600 or more insurable hours over the past 52 weeks or from the time at which they last made an employment insurance claim, and
- b. Have experienced or will experience a reduction in income of at least 40 percent during the maternal leave period.

The benefits mothers can receive include salary replacement at 55 percent of average insured earnings, up to a maximum of \$485 per week. New and expecting mothers must undergo a two-week waiting period before they can receive their salary replacement. However, during the benefit period, any earned income is deducted from the benefit payments on a one-to-one or dollar-to-dollar basis. The payments can begin at any time during the eight weeks prior to the expected birth of the child, up to the actual week in which the child is born. In all cases, however, the mother must apply within four weeks of stopping work. Importantly, any delay in the application may result in reduced benefits. The maximum time period for these benefits is 17 weeks. One can apply for EI maternal benefits at Canada Service Centres, by phone, or email. When applying for EI maternal benefits, one needs to provide the following information:

- Social Insurance Number;
- Record of Employment (ROE) from all employers who issued ROEs in paper format during the 52 weeks prior to application;
- Personal identification, if applying in person;

- Complete bank information, if direct deposit is requested;
- Expected or actual date of child's birth;
- Detailed description of the facts related to any jobs the applicant quit or was dismissed from in the previous 52 weeks; and
- Details regarding the applicant's most recent employment.

Employment Insurance: Parental Benefits

The purpose of EI parental benefits (Service Canada, 2012) is also to provide partial income replacement to parents, but it only applies following the birth of a child. Eligibility is open to either parent, the mother or father, who meet the following criteria:

- a. Has accumulated 600 insurable hours over the past 52 weeks or since he or she last made an Employment Insurance claim, and
- b. Stands to experience a reduction in income of at least 40 percent during the parental leave period.

The benefits one can receive are much the same as offered through the maternal benefit program, described above. That is, successful claimants can expect to receive 55 percent of their average insured earnings, up to a maximum of \$485 per week. When parental leave benefits are combined with maternal leave benefits, no waiting period exists because parental benefits begin immediately after the period in which the maternal benefits were disbursed. Claimants for parental benefits can earn up to \$50 per week or 40 percent of their weekly salary, whichever is higher. Any monies earned above that amount will be deducted dollar-for-dollar from EI parental leave benefits. EI parental benefits last up to a maximum of 35 weeks and can be used by one parent or shared by both. The information required for successful application is the same as that required for EI maternal leave benefits. Generally, one is expected to apply at the same time as one makes the application for maternal leave benefits.

Québec Parental Insurance Plan (QPIP)

For various reasons, the province of Québec developed its own parental insurance plan to replace the federal EI maternal/parental leave provisions. Under QPIP parents have two options: the basic plan or the special plan. The first of the two parents who receives the benefits determines the choice and it binds the other parent, even in cases of shared custody following divorce or separation. This choice cannot be changed later; it is irrevocable and applies to all benefits for the same birth or adoption.

Table 1 describes the benefits available under each plan.

Table 1. QPIP Parental Benefits Plans

Type of Benefits	Basic Plan		Special Plan	
	Maximum number of benefit weeks	Percentage of average weekly income	Maximum number of benefit weeks	Percentage of average weekly income
Maternity (exclusively for the mother)	18	70%	15	75%
Paternity (exclusively for the father)	5	70%	3	75%
Parental (shared between parents)	7 25 (7+25=32)	70% 55%	25	75%

Source: Government of Quebec. (2009). *Parental benefits*. Retrieved from www.rqap.gouv.qc.ca/travailleur_salarie/types/parentales_en.asp

The purpose of the QPIP program is to provide partial income replacement to working parents around the time a child is born. Eligibility is restricted to either employed or self-employed individuals expecting a child or new parents who meet the following criteria:

- a. Have accumulated \$2,000 of insurable earnings over the past 52 weeks, and
- b. Have experienced a reduction in income of at least 40 percent during the maternal leave period.

The benefits that parents can receive include 55 to 75 percent of average insured earnings, up to a maximum of \$952 per week in 2012, adjusted annually, with the amount depending on the time period for payments and type of plan that is chosen. There is a two-week waiting period before benefits begin, but benefits may start any time from six weeks prior to the expected birth to the birth week itself. Benefits last for up to a maximum of 50 weeks for the mother and 37 weeks for the father (i.e., the mother is able to combine maternal and paternal benefits; however, the father is offered a paternal leave of five weeks that cannot be transferred to the mother). One should apply within four weeks of stopping work and delays in application may result in reduced benefits. All applicants are required to provide the following information, some of which is only available following birth (i.e., the child's identification):

- Social Insurance Number of the parent applicant, the other parent, and the spouse, if applicable;
- A user-specific ID to access the online application process;

- Date of birth of the parent applicant, the other parent, and the spouse, if applicable;
- Expected date of birth of child (as a written confirmation from a doctor);
- Child's identification;
- Banking information of the applicant(s); and
- Record of Employment of the applicant(s).

Under the basic plan, a mother may benefit from a maximum of 50 weeks of benefits, namely 18 weeks of maternal benefits and 32 weeks of parental benefits if, with the father's agreement, she alone accesses all parental benefits. Under the special plan, a mother may benefit from a maximum of 40 weeks of benefits, namely 15 weeks of maternal benefits and 25 weeks of parental benefits if, with the father's agreement, she alone will receive all parental benefits. Therefore, the choice for parents is whether they wish to receive higher incomes for a shorter time period or lower incomes for a longer time period. Both plans, however, provide a higher level of income than the EI program does.

Unlike the federal plan, the QPIP applies to self-employed workers, as well as wage earners, because in Québec self-employed workers pay into the employment insurance program, unlike in the rest of Canada. In order to qualify for QPIP, a wage earner's income must have declined by at least 40 percent or, in the case of a self-employed worker, the work hours must have declined by 40 percent. In addition, the parent(s) must have received \$2,000 in insurable earnings over the previous 52 weeks. It is worth noting, however, that the qualifying period may be extended to 104 weeks in some circumstances (i.e., if the applicant was unable to work and earn insurable income for the following reasons: receipt of Employment Insurance benefits, receipt of benefits under QPIP for a previous child, or receipt of compensation from the Commission de la santé et de la sécurité du travail or from Société de l'assurance automobile du Québec). No minimum amount of insurable earnings is specified for self-employed workers, but benefits are based on actual or estimated income as identified on the Québec income tax form.

Population Not Covered

There are several reasons for unemployed people to not receive EI benefits. These reasons were identified in a 1998 study for what was then the Canadian federal government department of Human Resources and Social Development. Below we have listed the reasons identified in the study, along with the number of people who did not receive benefits in 1998 based on each reason (Government of Canada, 1998).

- a. *Not having worked in the previous twelve months* (400,000 individuals or about 50% of the total unemployed population was not covered).
- b. *Not having accumulated enough hours to qualify* (132,000 individuals or about 16% of the total unemployed population was not covered).
- c. *Voluntarily leaving a job without just cause* (74,000 unemployed persons or about 9% quit their last job without just cause).
- d. *Being self-employed* (71,000 unemployed persons or just under 9% were self-employed prior to unemployment).

- e. *Quitting a job to return to school* (57,000 unemployed persons or 7% of individuals had quit a job to return to school).
- f. *Not claiming EI benefits* (30,000 or 4% of unemployed persons were eligible to receive benefits but did not claim them).
- g. *Having exhausted benefits or not receiving EI benefits for unknown reasons* (39,000 individuals or over 4% exhausted their benefits and a further 9,000 or just over 1% did not receive benefits for unknown reasons).

Once more, however, coverage is different in Québec. In particular, Québec has no requirement that an applicant must amass at least 600 insurable hours of work. In Québec, instead, a wage earner is required to have earned at least \$2,000 over the previous 52 weeks from which deductions for Employment Insurance were taken. Obviously, this is a less stringent requirement that requires fewer hours of work. For example, at a wage of \$10 per hour this represents 200 hours of work or approximately 5 weeks of work at 40 hours a week. At higher wage levels, a shorter period of employment is required to meet the minimum amount of insurable earnings. Moreover, and unlike the rest of the country, self-employed persons are also eligible to receive parental benefits from QPIP. In the study described above (Government of Canada, 1998), up to 200,000 individuals, or 25 percent of the population that was not covered, would have been covered if the QPIP eligibility criteria were adopted by the federal Employment Insurance parental benefits program.

Employment Standards Legislation

In addition to the provision of maternal and parental benefits through Employment Insurance, each federal and provincial jurisdiction has its own employment standards legislation. Such legislation governs when and for how long employers are required to provide maternal and parental leave to their employees. This legislation does not affect the amount or the terms of the payments described in the previous section. Instead, it governs the rights of employees to receive maternal or parental leave from their employers. It is designed to dovetail with provision of the financial support described above. However, employment standards legislation varies among jurisdictions, mainly in regard to the amount of time an employee must have worked for a given employer before requesting leave. The following table (Table 2), compiled by Labour Canada, summarizes this information.

Implications for Aboriginal Teenaged Mothers

Given the above information regarding the EI and QPIP parental leave programs, as well as employment standards legislation, there are several critical factors that could affect Aboriginal teen mothers differently than other mothers. These factors include the following: insurable hours of employment, job tenure (or time in the job), average weekly income, and the income of the spouse or income splitting. Each factor will be addressed separately.

Insurable Hours of Employment

Younger people and women tend to have fewer hours of employment than older people and men. This is probably the main reason for lower usage rates of regular EI benefits by young Canadians, as shown in Figure 1.

Table 2. Summary of Employment Standards Legislation Regarding Maternal and Parental Leave

Jurisdiction	Max. Leave (weeks)			Eligibility Requirements		Maintenance of Benefits
	Maternal	Parental	Total	Length of Service	Minimum Notice	
CANADA	17	37	52	6 months	4 weeks	Yes
AB	15	37	52	52 weeks	6 weeks	Not specified
BC	17	37	52	n/a	4 weeks	Yes
MB	17	37	54	7 months	4 weeks	Yes
NB	17	37	52	n/a	2 weeks (maternal) 4 weeks (parental)	Not specified
NL	17	35	52	20 weeks	2 weeks	No
NT	17	37	52	12 months	4 weeks	Not specified
NS	17	35	52	12 months	4 weeks	Employee pays
ON	17	37	52	13 weeks 20 continuous	2 weeks	Yes
PEI	17	35	52	weeks	4 weeks	No
QC	18	52	70	n/a	3 weeks	Yes
SK	18	37	52	20 of past 52 weeks	4 weeks	Yes
YK	17	37	54	12 continuous months	4 weeks	Not specified

Sources: Human Resources Development Canada. (2011). *Information on labour standards: Maternity-related reassignment and leave, maternity leave, and parental leave*. Retrieved from

http://www.hrsdc.gc.ca/eng/labour/employment_standards/publications/pdf/maternity.pdf

Alberta Government. (n.d.). *Employment standards guide*. Retrieved from http://humanservices.alberta.ca/documents/wrr-es-pub_esguide.pdf

Ministry of Jobs, Tourism, and Skills Training and Ministry Responsible for Tourism (British Columbia) (2012). *A guide to the Employment Standards Act*. Retrieved from <http://www.labour.gov.bc.ca/esb/esaguide/#14>

New Brunswick. (n.d.). Maternity leave and childcare leave. Retrieved from <http://www2.gnb.ca/content/dam/gnb/Departments/petl-epft/PDF/es/MaternityLeave.pdf>

Labour Relations Agency (Newfoundland & Labrador). (2012). *Parental leave*. Retrieved from http://www.gov.nl.ca/lra/faq/ls_parental.html#quest04

Employment Standards Act (Northwest Territories). (2008). Retrieved from http://www.ece.gov.nt.ca/Divisions/Labour/Laour_pdf/Regulations/Employment_Standards_Act_3-2011.pdf

Employment Standards (Manitoba). (2012). *Maternity leave*. Retrieved from <http://www.gov.mb.ca/labour/standards/doc/maternity-leave,factsheet.html>

Nova Scotia Labour and Advanced Education. (2012). *Guide to the Labour Standards Code of Nova Scotia*. Retrieved from <http://www.gov.ns.ca/lae/employmentrights/docs/LabourStandardsCodeGuide.pdf>

Ontario Ministry of Labour. (2009). *Pregnancy and parental leave*. Retrieved from <http://www.labour.gov.on.ca/english/es/pubs/guide/pregnancy.php>

Department of Environment, Labour, and Justice (Prince Edward Island). (2010). *Maternity/parental/adoption leave*. Retrieved from <http://www.gov.pe.ca/labour/index.php3?number=1022361&lang=E>

Commission des normes du travail (Québec). (2012). *Labour standards in Québec*. Retrieved from http://www.cnt.gouv.qc.ca/fileadmin/pdf/publications/c_0149a.pdf

The Labour Standards Act (Saskatchewan). (2012). Retrieved from <http://www.qp.gov.sk.ca/documents/English/Statutes/Statutes/L1.pdf>

Department of Community Services (Yukon). (2012). *Maternity and parental leave*. Retrieved from <http://www.community.gov.yk.ca/es/matpat.html#howmuch>

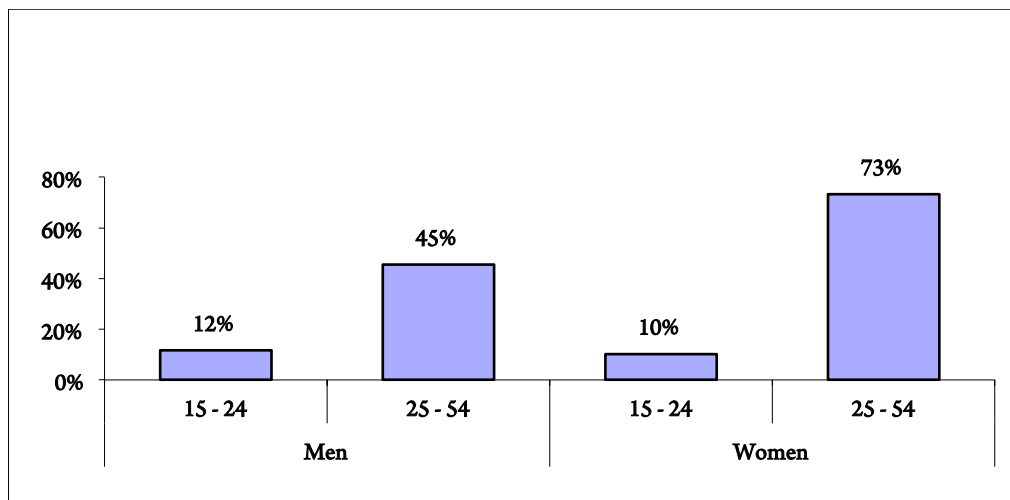


Figure 1. Regular EI beneficiaries as a percentage of the unemployed population, by age and sex, Canada, August 2008.

Sources: Statistics Canada. (2013). *Employment insurance beneficiaries receiving regular benefits by age, sex and province and territory*. Retrieved from <http://www.statcan.gc.ca/tables-tableaux/sum-som/l01/cst01/labor02a-eng.htm?sdi=employment%20insurance%20regular%20benefits%20age%20sex>

Statistics Canada. (2013). *Labour force characteristics by age and sex, 2008* (CANSIM Table 282-0002). Retrieved from www5.statcan.gc.ca/cansim/pick-choisir?lang=eng&p2=33&id=2820002

Adding to this difficulty is the fact that Aboriginal people often have lower rates of employment than the general Canadian population. As shown in Figure 2, teenagers are less likely than others to have paid employment. Aboriginal teenagers are especially unlikely to have paid employment, whether they are male or female. According to the 2001 Census, 59 percent of Aboriginal teenage girls had no paid employment in 2000 compared to 36 percent of Aboriginal women aged 20 to 24 years and 44 percent of non-Aboriginal girls aged 15 to 19 years. This is to say that Aboriginal teenaged girls are less likely to have employment income compared to either older Aboriginal women or non-Aboriginal teenaged girls. This finding suggests that the percentage of Aboriginal teen mothers eligible for maternal and parental income replacement programs is smaller than it is among other mothers, Aboriginal or not.

Job Tenure

As noted above, in most jurisdictions, employers are not required to provide maternal or parental leave to those employees who have been in their jobs for shorter time periods than stipulated by EI or QPIP parental benefits programs. For instance, the minimum required employment period in Ontario is 3 months, while it is 7 months in Manitoba and a full year in Alberta. In Saskatchewan, the employee must have worked for at least 20 continuous weeks with the same employer over the preceding year. However, in Québec there is no such requirement.

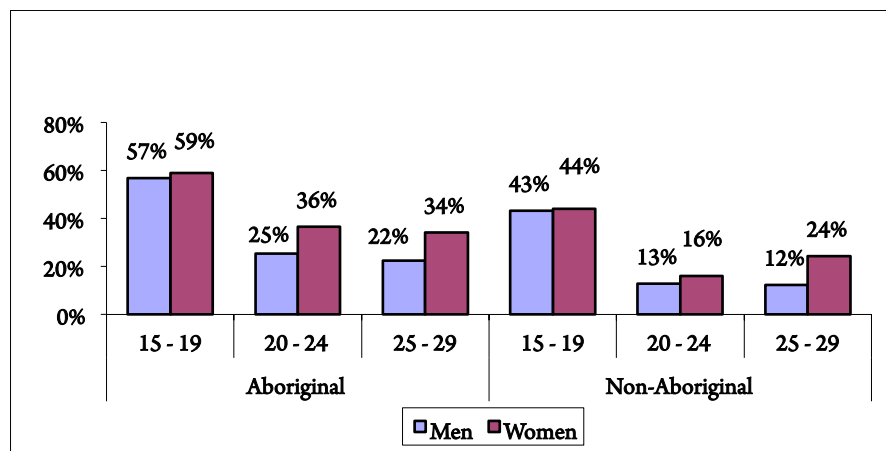


Figure 2. Percentage who did not work for pay in 2000, by identity, sex, and selected age groups, Canada.

Source: Census of Canada. (2001). Custom tables produced for Aboriginal Affairs and Northern Development Canada (formerly Indian and Northern Affairs Canada) labour force research project.

Job tenure and job turnover are related to age; that is, younger workers are likely to have been in their jobs for shorter time periods, thus reducing their possibilities of even qualifying for parental benefits. This is illustrated in Figure 3, where it can be seen that younger workers were more likely to have worked for fewer weeks in 2000 when compared to older workers, regardless of whether or not they were working full- or part-time. More important, however, within any given age group, Aboriginal workers were likely to have worked fewer weeks than non-Aboriginal workers. It should also be noted that, outside Québec, full-time employees working less than 15 weeks in a year do not qualify for maternal or parental benefits. Moreover, part-time workers working 25 or fewer hours per week also do not qualify if they worked less than 24 weeks during a year.

Although data are not available to provide precise numbers, it can be inferred that a substantial proportion of young Aboriginal workers are not in a position to qualify for these benefits. The proportion not qualifying is higher among young Aboriginal workers than among non-Aboriginal workers of the same age. It is also higher among older Aboriginal workers as compared to non-Aboriginal workers in the same age groups.

Complicating the situation is the fact that a relatively high proportion of young Aboriginal workers are working part-time rather than full-time. Again, the available data are not precise as to the actual number of hours worked, but it is known that, compared to older Aboriginal people, a higher percentage of Aboriginal teenagers work part-time (see Figure 4). In fact, only 14 percent of Aboriginal teenage girls worked full-time in 2000, while 27 percent worked part-time and the remaining 59 percent did not work at all (see Table 3).

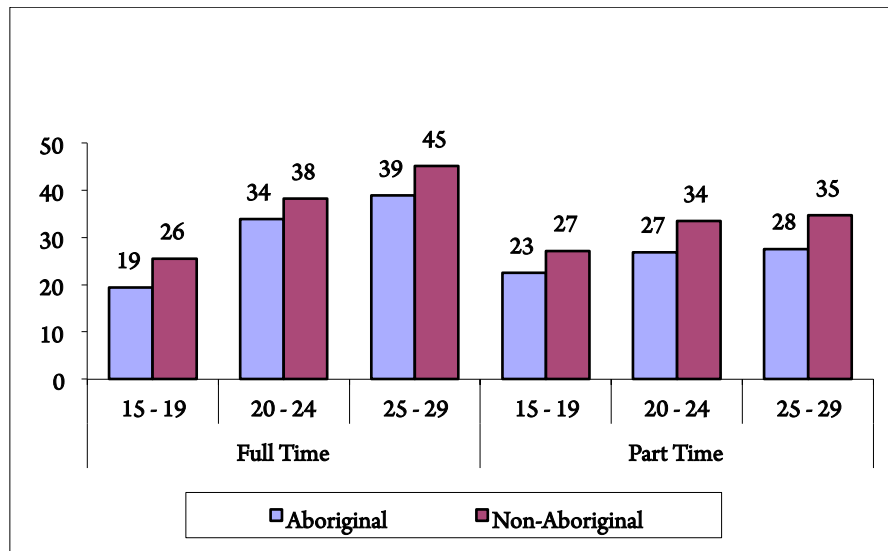


Figure 3. Average weeks worked in 2000 by age, identity, and full-time or part-time status, Canada.

Source: Census of Canada. (2001). Custom tables produced for Aboriginal Affairs and Northern Development Canada (formerly Indian and Northern Affairs Canada) labour force research project.

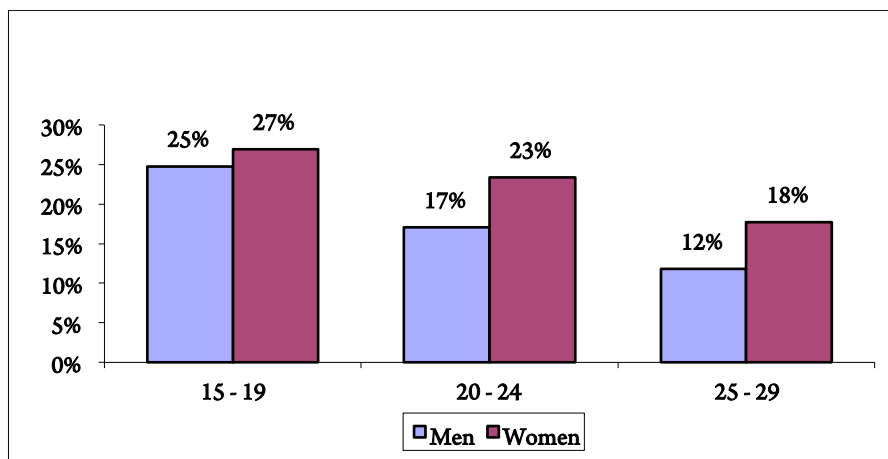


Figure 4. Percentage of the Aboriginal population working part-time by age and sex, Canada, 2000.

Source: Census of Canada. (2001). Custom tables produced for Aboriginal Affairs and Northern Development Canada (formerly Indian and Northern Affairs Canada) labour force research project.

Table 3. Percentage of Women who Worked by Full-Time or Part-Time Work, Identity, and Age Group, Canada, 2000

Identity and Age Group	Working Full-time (%)	Working Part-time (%)	Not Working (%)	Total (%)
Aboriginal				
15 - 19	14.2	26.9	58.9	100
20 - 24	40.2	23.4	36.5	100
25 - 29	49.5	17.7	32.7	100
Non-Aboriginal				
15 - 19	10.5	45.5	44.0	100
20 - 24	47.9	36.2	15.9	100
25 - 29	65.9	18.2	15.9	100

Source: Census of Canada. (2001). Custom tables produced for Aboriginal Affairs and Northern Development Canada (formerly Indian and Northern Affairs Canada) labour force research project.

Average Weekly Income

The relatively low employment rates of Aboriginal teenage girls means that only a small proportion of them have employment income. Family status and the presence of children also have an impact on the employment and employment income of Aboriginal teenaged mothers. As shown in Figure 5, there is a decline in the percentage of the population with employment income as we move from non-Aboriginal to Aboriginal, from men to women, from older age groups to younger, and from mothers in two-parent families to mothers in lone parent families. Therefore, while a small proportion of Aboriginal teen mothers have employment income, the proportion is lowest among Aboriginal teenaged lone parents.

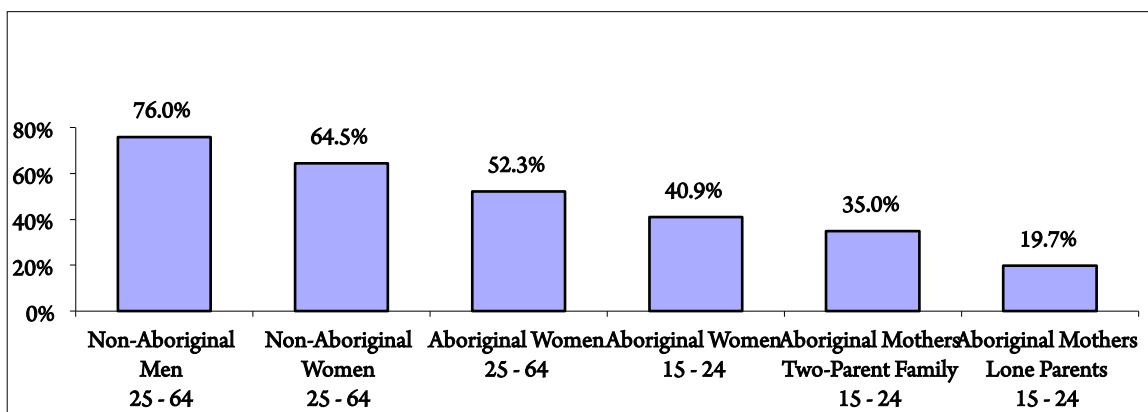


Figure 5. Percentage of population with income from wages or salaries by selected identity, age, sex, and family characteristics.

Source: Census of Canada. (2001). Custom tables produced for Aboriginal Affairs and Northern Development Canada (formerly Indian and Northern Affairs Canada) labour force research project.

We know that the proportion of teen mothers is much higher among Aboriginals than among Canada's non-Aboriginal population. Using 2006 Census data, this proportion has been calculated to be between 16 and 38 percent of young Aboriginal women, depending on Aboriginal identity group. However, the proportion is only 6 percent among non-Aboriginal women (see Garner, Guimond, & Senecal, 2013, in this issue).

As stated above, the EI maternal and parental leave programs provide for a maximum benefit of \$485 per week. If the average weekly income is less than \$880 per week, the employee stands to receive less than the maximum. For full-time workers, this cut-off point is more or less equivalent to an average wage of \$22 per hour; however, we know that the income of young workers tends to be much lower than that of older workers, with most receiving wages of less than \$22 per hour. Additionally, on average, Canadian women's incomes are lower than men's incomes and the incomes of Aboriginal workers are lower than those of non-Aboriginal workers (see Figure 6).

With average incomes below \$10,000 per year in 2005 and an average of roughly 20 to 30 weeks worked per year (as seen in Figure 3), young Aboriginal women could well be earning in the range of \$300 to \$400 per week. Given that the parental benefit is 55 percent of the average weekly wage in Canada, with the exception of Québec, young Aboriginal women who can actually qualify for maternal or parental leave under the EI program might receive only \$165 to \$220 per week. In Québec, where parents receive between 55 and 75 percent of their income, the range of benefits would be higher and more variable – between \$165 and \$300 per week. Of course, these estimates are based on rough averages and some people would receive more, while others would receive less.

Mothers, and especially lone mothers, have lower incomes than men or childless women, as was documented by Xuelin Zhang (2009). This increases the likelihood that young Aboriginal mothers will not qualify for maternal and parental benefits, and, if they do qualify, they are considerably more likely than others to receive lower payments.

Working Spouse and Income Splitting

If there are two working spouses in a family, the couple can maximize their benefits under either EI or QPIP by choosing which parent will stay home and receive the benefits. Normally, one might expect that it would be the person with less income who stays home, but, if only one person in the couple qualifies for parental benefits, it might be advantageous for that person to stay home with the child while the other parent continues to work. Katherine Marshall (2008) found that, in Québec where families stood to lose as much income by either the mother or father staying home, parents were more likely to split the parental leave benefit. Outside Québec, Marshall found that 18 percent of fathers filed for parental leave benefits when their spouse did not make a claim, compared to only 8 percent of fathers who filed when their spouse did.

Such options are only available to two parent families, and, as shown in Figure 7, a much higher proportion of young Aboriginal mothers are lone parents when compared to young non-Aboriginal mothers. Consequently, young Aboriginal mothers have less flexibility in accessing the program's benefits.

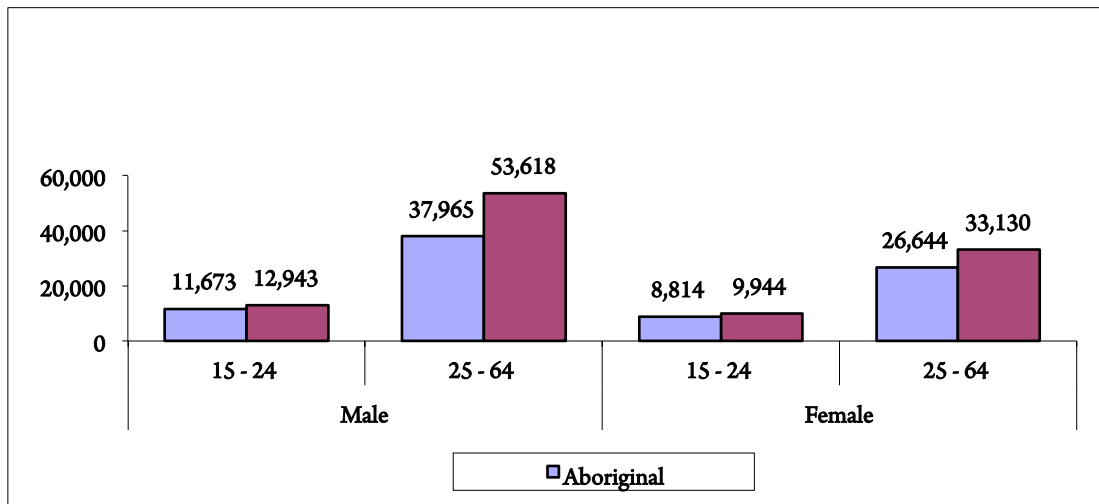


Figure 6. Average employment income by identity, sex, and age, Canada, 2005

Source: Census of Canada. (2001). Custom tables produced for Aboriginal Affairs and Northern Development Canada (formerly Indian and Northern Affairs Canada) labour force research project.

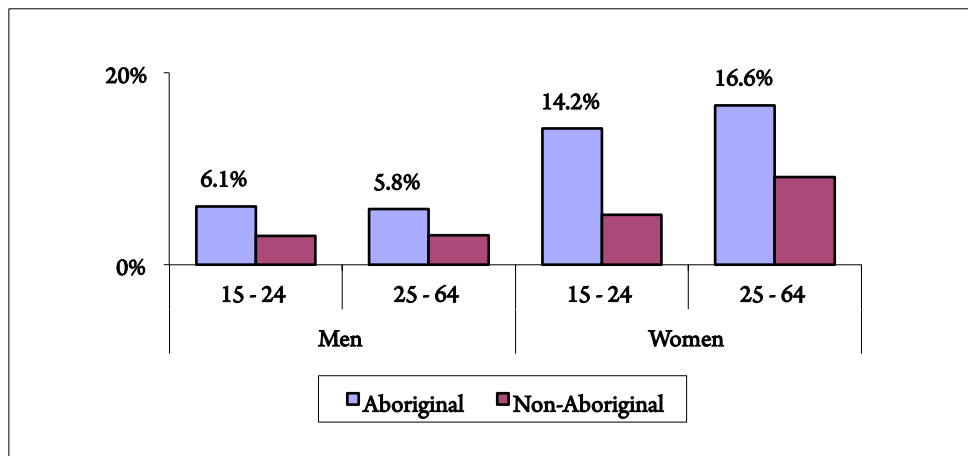


Figure 7. Lone parents as a percent of parents with children under the age of 15 whose major source of income is wages or salaries by identity, age, and sex, Canada, 2001.

Source: Census of Canada. (2001). Custom tables produced for Aboriginal Affairs and Northern Development Canada (formerly Indian and Northern Affairs Canada) labour force research project.

Other Issues

There are some aspects of the maternal and parental leave programs and their application processes that might also affect Aboriginal teen mothers differently, although there may not be data available to confirm these suppositions. First, it may be that Aboriginal teen mothers change jobs more frequently than others. If this is the case, it would affect their eligibility for maternal and parental support in the EI and QPIP programs. Typically, young people with incomplete educations find themselves in less secure, part-time employment. This has already been reflected in the data presented above. This fact means that many younger, less educated workers go through a greater number of short-term jobs than do others. This situation results in a greater administrative burden associated with their applications since more Record of Employment forms are required to support the application process. Moreover, the nature and number of these jobs potentially increase the likelihood of the employee having been dismissed for cause rather than having been laid off.

Another factor that needs consideration is the movement of young Aboriginal workers between school and employment. Generally, Aboriginal teenagers are likely both to leave school early and to return to school, resulting in an extended time period required to complete high school and other levels of education. This back-and-forth process is likely to interrupt their employment and increase the number of jobs they have held in a given year (Hull, 2005). An increased number of jobs again lead to an increased need for Records of Employment and other documentation, adding to the applicant's administrative burden.

Third, the location of a substantial portion of the Aboriginal population in rural and remote communities may make the program application process more difficult (Hull, 2005). While both the EI and QPIP programs have provisions for application via the Internet or telephone, it is usually easier to make applications directly to a government office or service centre. However, it is not clear whether proximity is actually a barrier to Aboriginal teenagers, given that most of them seem to be quite comfortable using the Internet (Theissen & Looker, 2008).

Lastly, it should be noted that Aboriginal teenagers generally have lower educational levels than others, and this may indirectly affect their ability to apply or qualify for maternal and parental leave programs (Hull, 2005). Relatively low educational levels certainly have an impact on employment and income. This factor is probably one of the main causes for the relatively low employment and income levels documented above. In addition, some individuals may lack the level of literacy required to complete application forms or to provide clear, written descriptions of their reasons for leaving various jobs.

Comparison of Employment Standards Between Jurisdictions

As noted above, there are some differences in employment standards legislation between jurisdictions, mainly in the area of job tenure; that is, the length of time a person must have worked for their current employer before the employer is required to provide maternal or parental leave. Focusing on five jurisdictions, the job tenure requirements are given in Table 4.

Table 4. Job Tenure Required to Obtain Maternal or Parental Leave from Employer

Jurisdiction	Job Tenure Requirement
Québec	None
Saskatchewan	20 weeks during past year
Canada	6 months
Manitoba	7 months
Alberta	52 weeks

Note: Canadian labour standards apply to employers in certain sectors including: inter-provincial and international pipeline and transport, air transport, radio and television, banking, protection of fisheries, most grain elevators, flour and seed mills, uranium mining and processing, First Nations governments and social services, as well as to the federal civil service.

Sources: Human Resources Development Canada. (2011). *Information on labour standards: Maternity-related reassignment and leave, maternity leave, and parental leave*. Retrieved from

http://www.hrsdc.gc.ca/eng/labour/employment_standards/publications/pdf/maternity.pdf

Alberta Government. (n.d.). *Employment standards guide*. Retrieved from http://humanservices.alberta.ca/documents/wrr-es-pub_esguide.pdf

Ministry of Jobs, Tourism, and Skills Training and Ministry Responsible for Tourism (British Columbia) (2012). *A guide to the Employment Standards Act*. Retrieved from <http://www.labour.gov.bc.ca/esb/esaguide/#14>

New Brunswick. (n.d.). Maternity leave and childcare leave. Retrieved from <http://www2.gnb.ca/content/dam/gnb/Departments/petlepft/PDF/es/MaternityLeave.pdf>

Labour Relations Agency (Newfoundland & Labrador). (2012). *Parental leave*. Retrieved from http://www.gov.nl.ca/lra/faq/ls_parental.html#quest04

Employment Standards Act (Northwest Territories). (2008). Retrieved from

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Employment Standards (Manitoba). (2012). *Maternity leave*. Retrieved from <http://www.gov.mb.ca/labour/standards/doc/maternity-leave,factsheet.html>

Nova Scotia Labour and Advanced Education. (2012). *Guide to the Labour Standards Code of Nova Scotia*. Retrieved from <http://www.gov.ns.ca/lae/employmentrights/docs/LabourStandardsCodeGuide.pdf>

Ontario Ministry of Labour. (2009). *Pregnancy and parental leave*. Retrieved from

<http://www.labour.gov.on.ca/english/es/pubs/guide/pregnancy.php>

Department of Environment, Labour, and Justice (Prince Edward Island). (2010). *Maternity/parental/adoption leave*. Retrieved from

<http://www.gov.pe.ca/labour/index.php3?number=1022361&lang=E>

Commission des normes du travail (Québec). (2012). *Labour standards in Québec*. Retrieved from

http://www.cnt.gouv.qc.ca/fileadmin/pdf/publications/c_0149a.pdf

The Labour Standards Act (Saskatchewan). (2012). Retrieved from <http://www.qp.gov.sk.ca/documents/English/Statutes/Statutes/L1.pdf>

Department of Community Services (Yukon). (2012). *Maternity and parental leave*. Retrieved from

<http://www.community.gov.yk.ca/es/matpat.html#howmuch>

This table demonstrates the wide variety of job tenure requirements in different jurisdictions. Québec has no tenure requirement (other than being a current employee); Saskatchewan's job tenure requirement is relatively short and flexible; Canada requires 6 months at a particular job; Manitoba requires 7 months; and Alberta is the most stringent, requiring a year's employment before an employee can be assured of maternity or parental leave.

In other respects, the employment standards laws in different jurisdictions are generally similar, at least for older workers, with the exception of Alberta where the legislation does not require the employer to maintain leave benefits during the period of maternal or parental leave. Finally, it should be kept in mind that all of the

above descriptions may be enhanced through collective bargaining contracts. These contracts often provide better or additional benefits than are required by law.

Conclusions

This paper provides evidence that, when trying to access EI and QPIP maternal and parental benefits, Aboriginal teen mothers face the following barriers:

- They are less likely to be employed;
- They are less likely to have accumulated enough insured hours of work;
- They are less likely to have worked for their current employer long enough to qualify for leave under employment standards legislation;
- They are more likely to receive lower benefits because of lower income levels;
- They are less likely to be able to take advantage of splitting parental benefits with a spouse because of higher rates of lone parenthood; and
- They are less likely to apply for benefits for which they are entitled because of their geographic location and educational levels.

There are also some differences between jurisdictions, most notably the differences between Québec and other provinces. Under Québec's QPIP, maternal and parental benefits are more easily available to everyone because of lower requirements regarding the amount of insured employment. In addition, QPIP benefits themselves are more generous and flexible with regard to how the mother and father can divide them up. This means that there will likely be a larger difference for those parents with lower levels of employment and income than others. Therefore, provisions of the Québec program would be especially beneficial to teenaged Aboriginal mothers. In addition, Québec's employment standards legislation eliminates the potential barrier of requiring a minimum length of employment with the current employer found in other jurisdictions.

With this said, it is now time to acknowledge that there are other programs, such as the child tax benefit and the universal child care benefits programs among others, that impact teenaged parents. These two programs and other relevant supports offered in various federal and provincial jurisdictions should become part of a broader conversation regarding the kinds and levels of support Canadian society could offer to young and teenaged parents, Aboriginal or not. Such a conversation would very quickly become complex given the variety of benefits, issues, challenges, and opportunities.

Research Needed

The discussion in this article is a preliminary attempt to assess the type and degree of possible barriers to Aboriginal teenaged mothers, who might want to receive maternal and parental benefits. It is based on data that were not originally created for this purpose. Accordingly, any discussion based on fact is limited and somewhat speculative. In order to better examine the research questions raised at the beginning of this paper, it would be useful to have more focused data, particularly administrative data from Human Resources and Skill Development Canada (HRSDC) identifying the extent to which Aboriginal teenaged mothers, or at least teenaged women, have received benefits.

The following types of data would be useful:

HRSDC Administrative Data

- Number of teenaged women who have obtained maternal and parental benefits by geography, family status, and Aboriginal identity.
- Insured hours of work of teenaged women by geography, family status, and Aboriginal identity.
- Benefits received by teenaged women by Aboriginal identity.
- Trends in numbers of teenage female beneficiaries by Aboriginal identity.

Note: Geographies could be designed to compare on- and off-reserve and across provinces.

Census Data

- Employment income of Aboriginal teen mothers by geography, family status, age of oldest child, and income categories, such as <\$2,000, \$2,000 - \$5,000, \$5,000 - \$10,000, etc.
- Weeks worked (in categories, such as < 10 weeks, 10 - 14 weeks, 15 - 19 weeks, etc.) by Aboriginal teen mothers by geography, family status, and age of oldest child.

Aboriginal Peoples Survey Data

- Number of jobs held over a one-year period by Aboriginal teen mothers by geography, family status, and age of oldest child.
- Hours of paid employment over a one-year period by Aboriginal teen mothers by geography, family status, and age of oldest child.

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