

available in a benefit period for pregnancy, adoption or illness, or any combination of these, is 15 weeks. The effect is that a pregnant woman who becomes ill during the maternity leave period can claim only 15 weeks of benefits in total. If she has had to use two weeks, for example, for sickness, these are subtracted from 15 weeks to determine the amount of maternity benefits available to her. Similarly, an adoptive parent who claims the full amount of adoptive benefits is unable to claim sickness benefits for any cause within the same benefit period. It is the Committee's view that this restriction is unduly harsh to parents, natural and adoptive, who become ill, and should be eliminated as a consequence of the other changes we recommend.

- 4. We recommend that section 22(3) of the *Unemployment Insurance Act* be amended to remove the present 15-week aggregate benefit limit so that the availability of sickness benefits is separate and distinct from any maternity, adoptive or parental benefits to which a person may be entitled.**

We note that a review of the *Unemployment Insurance Act* is now under way and that extensive changes may be made to the Act as a result of this review. We hope that our recommendations, made from the perspective of equality concerns, will be reflected in this process.

Consistency in the Federal Jurisdiction

A specific problem relating to maternity leave provisions in the Armed Forces was brought to our attention. While we have not dealt with the treatment of maternity leave by specific employers under federal jurisdiction, we note that there is great divergence in the coverage depending on whether an employee falls under the *Canada Labour Code*, Treasury Board or Armed Forces regulations, or collective agreements. This is particularly evident in relation to the availability of sick leave provisions to pregnant women or new mothers. We believe that, as much as possible, maternity leave provisions should be consistent within the federal jurisdiction.

- 5. We recommend that maternity leave provisions for employees under federal jurisdiction, including the Armed Forces and public service employees not covered by collective agreements, be brought into line with the provisions of the *Canada Labour Code*.**

Family Allowance Benefits

The family allowance program is designed to supplement the income of Canadian families by providing monthly benefits for children under the age of 18. In most cases the payment is made to the mother of the child. The child tax credit is claimed for income tax purposes by the parent entitled to receive the family allowance cheque.

Like the present maternity leave provisions under the *Unemployment Insurance Act*, which provide benefits only to women, the family allowance program has been criticized in that it grants a benefit only to mothers, except in fairly rare cases. Awarding family allowance benefits only to mothers, it is argued, implies that it is women who have the primary responsibility for child care. It is also argued that the *Family Allowances Act* grants a benefit to women that is not granted to men. Men could therefore argue that they are being denied equal benefit of the law.