

Standing Committee on
Private Bills and Private
Members' Public Bills

Final Report
Bill 220, *Employment Standards*
(Expanding Bereavement Leave)
Amendment Act, 2021

Thirtieth Legislature
Second Session
November 2021



Standing Committee on Private Bills and Private Members' Public Bills

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STANDING COMMITTEE ON PRIVATE BILLS AND PRIVATE MEMBERS' PUBLIC BILLS

November 2021

**To the Honourable Nathan Cooper
Speaker of the Legislative Assembly
of the Province of Alberta**

I have the honour of submitting, on behalf of the Standing Committee on Private Bills and Private Members' Public Bills, the Committee's final report containing recommendations on Bill 220, *Employment Standards (Expanding Bereavement Leave) Amendment Act, 2021*, for consideration by the Legislative Assembly of Alberta.

Sincerely,

(original signed by)

Brad Rutherford, MLA
Chair, Standing Committee
on Private Bills and
Private Members' Public Bills

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**MEMBERS OF THE STANDING COMMITTEE ON PRIVATE BILLS AND
PRIVATE MEMBERS' PUBLIC BILLS**

30th Legislature, Second Session

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Janis Irwin, MLA
Edmonton-Highlands-Norwood (NDP)

Lori Sigurdson, MLA
Edmonton-Riverview (NDP)

Martin M. Long, MLA
West Yellowhead (UC)

Substitutions pursuant to Standing Order 56(2.1-2.4):

Jordan Walker, MLA*
Sherwood Park (UC)

Members also in attendance on October 26, 2021:

Jordan Walker, MLA
Sherwood Park (UC)

* Substitute for Mickey Amery on November 1, 2021

1.0 INTRODUCTION

Bill 220, *Employment Standards (Expanding Bereavement Leave) Amendment Act, 2021*, was introduced and received first reading on June 15, 2021.

2.0 ORDER OF REFERENCE

Pursuant to Standing Order 74.11:

- (1) After a public Bill other than a Government Bill has been read a first time, the Bill stands referred to the Private Bills and Private Members' Public Bills Committee.
- (2) The Private Bills and Private Members' Public Bills Committee shall report back to the Assembly within 8 sitting days of the day on which the Bill was referred to the Committee.

3.0 COMMITTEE ACTIVITIES

As part of the Committee's review of Bill 220 a Committee meeting was held on October 26, 2021. At that meeting the sponsor of Bill 220, Jordan Walker, Member for Sherwood Park, made a presentation on the Bill to the Committee. On November 1, 2021, one stakeholder made an oral presentation to the Committee, and the Committee completed deliberations on Bill 220.

4.0 RECOMMENDATIONS

Pursuant to Standing Order 74.2 the Standing Committee on Private Bills and Private Members' Public Bills recommends

that Bill 220, *Employment Standards (Expanding Bereavement Leave) Amendment Act, 2021*, proceed.

APPENDIX A: LIST OF ORAL PRESENTERS

Organization	Name
Pregnancy-Loss-Healing and the Pregnancy and Infant Loss Support Centre	Ms Aditi Loveridge

APPENDIX B: MINORITY REPORT

NDP CAUCUS - MINORITY REPORT

Bill 220: *Employment Standards (Expanding Bereavement Leave) Amendment Act, 2021*

The NDP Caucus Members of the Standing Committee on Private Bills and Private Members' Public Bills (the "Committee") agree with the Committee's recommendation that Bill 220: *Employment Standards (Expanding Bereavement Leave) Amendment Act, 2021* proceed to the legislative assembly to be debated by all Members.

This bill, and the discussion surrounding it, can help break stigma and generate awareness and conversation about pregnancy loss. The bill is clear that the benefit and entitlement are held by the employee and based on their experience, and that of the employee's spouse, partner, and otherwise would-be parent. We share the objective of supporting people who experience pregnancy loss.

We do, however, believe that deliberations and stakeholder consultation around the bill have provided the need to discuss a number of aspects and nuances about pregnancy loss which the bill does not address.

We have to consider a broader and more inclusive definition of pregnancy loss, for example. To do this, it would be logical to consider having this benefit defined as Pregnancy Loss under the Personal and Family Leave section of the Employment Standards Code. Miscarriage, stillbirth, abortion, and termination are all different examples of pregnancy loss and are experienced differently by every person. This can include a range of emotional, mental, and physical health experiences. For these reasons, we believe the Legislative Assembly of Alberta should consider providing these days of leave under a different section of the Employment Standards Code, as stated above. Other jurisdictions such as Quebec and Portland, Oregon have provided a broader definition of pregnancy loss to include the experiences of more people and families. We can look to their laws when considering improvements and possible amendments to this bill.

In response to a question at a committee meeting about whether this bill covers abortion, Aditi Loveridge, Founder of the Pregnancy and Infant Loss Support Centre of Calgary said, "If that is not included in this bill, there will be a lot of people, a big number of our community, that are left unsupported."

We need to ensure all people who experience pregnancy loss are supported.

Another issue to consider is that Bill 220 provides unpaid leave. Aditi Loveridge emphasised that processing pregnancy loss often takes a substantial amount of time - at minimum three weeks. Therefore, we should examine the length of leave that Bill 220 prescribes and also consider making it paid and job protected leave so people processing pregnancy loss do not lose income or their job during that time. A time-limited benefit is both practical and supportive of many people who currently do not have paid leave in these circumstances.

It is also important to keep in mind that for pregnancy loss after 16 weeks, Maternity Leave under federal Employment Insurance provides 16-weeks of paid benefits and job protection.

Pregnancy loss is an important discussion for us to have as MLAs. We are grateful for the chance to break stigmas around pregnancy loss and hopefully move forward in providing substantial support for people who experience it.

Thomas Dang, MLA
Janis Irwin, MLA

Chris Neilsen, MLA
Lori Sigurdson, MLA