



Strengthening Bill C-35, An Act respecting early learning and child care in Canada

NUPGE Submission to the Standing Senate Committee on Social Affairs, Science and Technology

October 25, 2023





The National Union of Public and General Employees (NUPGE) is a family of 13 Component unions. Taken together, we are one of the largest unions in Canada. Most of our 425,000 members work to deliver public services of every kind to the citizens of their home provinces. We also have a large and growing number of members who work for private businesses.

The office of the National Union of Public and General Employees is on the traditional and unceded territory of the Algonquin peoples and is now home to many diverse First Nations, Inuit, and Métis peoples.

We recognize the crimes that have been committed and the harm that has been done and dedicate ourselves as a union to moving forward in partnership with Indigenous communities in a spirit of reconciliation and striving for justice.

Bert Blundon, President

Jason MacLean, Secretary-Treasurer



The National Union of Public and General Employees (NUPGE) represents over 425,000 workers across the country, including workers in the child care sector. Child care is also important to our members who are parents and grandparents. Many of our members know first-hand the need for, and value of, access to high-quality child care.

A universal public child care system for Canada, supported by legislation, is essential. It is well documented that high-quality child care provides an enriching environment for children, supports women's participation in the workforce, and contributes to a strong economy overall.¹ The COVID-19 pandemic made this clearer than ever.

We believe that, building on the bilateral funding agreements, national child care legislation will be an essential tool in supporting the creation of a truly universal, public, and high-quality child care system. It can ensure that provincial and territorial governments are held accountable to common standards for all aspects of the child care system.

Primarily, NUPGE wants to see legislation that outlines funding with strings attached. Much like the approach to health care, the federal government should use legislation to tie funding to certain principles and goals. NUPGE believes that legislation should ensure public funds go towards child care that is

- universally accessible
- publicly funded and managed
- not-for-profit
- inclusive
- high quality

We welcome amendments made by the House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities. We urge SOCI to retain and build on those changes, and not to roll them back.

Supporting a Universal Public System

NUPGE wishes to emphasize to the committee that federal funds must go towards child care that is public and not-for-profit. A survey commissioned by NUPGE in 2020 found that 86% of Canadians feel it is important that all Canadian families have access to quality child care, regardless of income.² The only way to guarantee this is through a universal public system.

There is no place for profit in child care. Private, for-profit entities, by their nature, must prioritize profit, not the quality of the service. When it comes to the care and well-being of human beings, the devastating consequences of prioritizing profits was evidenced by the crisis in for-profit long-term care facilities during the pandemic.³

In child care, research shows that public and non-profit child care is significantly more likely to be of higher quality than for-profit child care.⁴ And evidence shows that for-profit operation in child care is linked to poorer quality.⁵

We know that access to child care remains a significant barrier in Canada, with long wait-lists in many places. In addition to investing in expanding the number of child care spaces, keeping child care in the public sphere would contribute to accessibility. Research shows that public delivery of child care can play a major role in increasing the accessibility of child care, as well as equity of access.⁶

Safe, inclusive, accessible, and high-quality education and care must be priorities—never profit. This is an area where Bill C-35 can and should be strengthened. We are pleased to see the guiding principles for funding support the provision of child care that is accessible and high quality, with an emphasis on public and not-for-profit programs and services. However, on the latter, we urge that the legislation go further. We ask the committee to amend the legislation to require that funds go to public and not-for-profit child care—or, put another way, to prohibit public funds from going to for-profit providers.

We also echo the recommendation by Child Care Now, of which NUPGE is a member, to add a definition for early learning and child care. This definition must be consistent with the bilateral funding agreements and make clear that federal dollars will be used for programs or services that are licensed and regulated by provincial, territorial, or Indigenous government authorities.

Investing in the Workforce

The workforce is essential to high-quality early learning and child care.⁷ Research shows that workforce development, including the education and training of staff, and high standards for their working conditions, are integral to providing safe, healthy, and quality learning environments for children.⁸

However, Canada’s child care workforce—predominantly women, and with an overrepresentation of workers of colour and immigrant and migrant workers⁹—has long been undervalued and underfunded. Low wages, lack of benefits, and recruitment and retention challenges have long characterized the sector. The strain on child care services during the COVID-19 pandemic exacerbated these conditions and the sector is seeing widespread burnout. At present, there is a crisis in Canada’s child care workforce.¹⁰

To address this crisis, it is essential that we improve wages and working conditions and develop a workforce strategy. Governments must invest in today’s early childhood educators (ECEs) and child care workers. They must also invest in expanding the workforce to meet the growing demand for services as child care fees are, rightfully, reduced. Without a robust, qualified, and well-supported workforce, the entire system-building project is at risk of failing.

Bill C-35 must play a role in workforce development. We are pleased to see that the legislation refers to supporting high-quality early learning and child care through a qualified and well-supported workforce. We welcome HUMA’s amendments to expand the language on recruitment and retention and on working conditions. We urge the committee to keep the language related to workforce, and to examine whether the legislation can be strengthened in this regard, such as by outlining common standards or enshrining a commitment to decent work.

An Inclusive Child Care System

Crucial to universal accessibility and to inclusion is ensuring child care is available to children of all needs and abilities and that it is culturally appropriate.

NUPGE supports the legislation's recognition of the Indigenous Early Learning and Child Care Framework and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). We welcome the addition made by HUMA to recognize Indigenous peoples' right to free, prior, and informed consent.

We are also glad to see that the legislation recognizes the UN Convention on the Rights of the Child, the Convention on the Elimination of all Forms of Discrimination Against Women, and the Convention on the Rights of Persons with Disabilities. We support HUMA's amendments to add to the guiding principles for funding the provision of child care that is inclusive to systemically marginalized children, including children with disabilities. We urge the committee to ensure the legislation, and, in turn, the Canada-wide child care system, meaningfully deliver on these commitments and meet Canada's human rights obligations.

NUPGE also urges the committee to engage with migrant care workers and their representatives to ensure that their voices are heard. Migrant workers play a valuable role in our communities and our economy, including providing care, and yet, they don't have access to the same labour rights and employment standards.¹¹ All child care workers must have fair compensation and benefits, decent work, and safe and healthy working conditions. To achieve this, we need a universally accessible, publicly funded and delivered, not-for-profit, inclusive, and high-quality regulated child care system.¹²

Summary of Recommendations

NUPGE has long advocated for a national child care system, and one that is universally accessible, publicly funded and delivered, not-for-profit, inclusive, and high quality. We commend this government for taking important steps towards building a Canada-wide system, and we welcome federal legislation to support it. Strengthening Bill C-35 would contribute to making a truly universal and high-quality system a reality.

Below is a summary of our recommendations:

- Tie federal funding to child care services that are universally accessible, publicly delivered, not-for-profit, inclusive, and high quality.
- Amend the legislation to prohibit public funds from going to for-profit providers and add a definition of early learning and child care as advocated by Child Care Now.
- Facilitate investment in the workforce and support workforce development through the legislation.
- Ensure the legislation and child care system are consistent with Indigenous Early Learning and Child Care Framework and UNDRIP.
- Ensure the legislation and child care system are consistent with human rights obligations such as the UN Convention on the Rights of the Child.
- Engage with workers and communities to ensure their voices are reflected.



Notes

¹ Economic and Social Development Canada, *Defining and measuring the quality of Early Learning and Child Care: A literature review*, Reports, modified April 22, 2022,

<https://www.canada.ca/en/employment-social-development/programs/early-learning-child-care/reports/2019-defining-measuring-quality.html>; Jim Stanford, *The Role of Early*

Learning and Child Care in Rebuilding Canada's Economy after COVID-19, November 2020, The Centre for Future Work, <https://centreforfuturework.ca/wp-content/uploads/2020/11/ELCC-Report-Formatted-FINAL-FINAL.pdf>.

² “Overwhelming support for child care: NUPGE poll,” NUPGE, last modified November 27, 2020, <https://nupge.ca/content/affordable-child-care-canada-poll>.

³ NUPGE, *Neglecting the Most Vulnerable: The Privatization of Long-Term Care*, February 2021, <https://nupge.ca/sites/default/files/documents/Neglecting%20the%20Most%20Vulnerable%20Report%20-%202021%2002%2008.pdf>.

⁴ Childcare Resource and Research Unit, *What research says about quality in for-profit, non-profit and public child care*, BRIEFing Notes, Childcarecanada.org, November 2011,

<https://childcarecanada.org/sites/default/files/What%20research%20says%20about%20quality%20in%20fp%20np%20and%20p%20child%20care.pdf>.

⁵ Ibid.

⁶ Childcare Resource and Research Unit, *How publicly delivered child care services contribute to accessibility*, a series of papers on creating child care in Canada, based on *Moving from Private to Public Processes*, February 2022, <https://childcarecanada.org/sites/default/files/SERIES-Paper-4-How-publicly-delivered-contribute-to-accessibility.pdf>.

⁷ OECD, *Early childhood education and care workforce development: A foundation for process quality*, OECD Education Policy Perspectives, May 2022, <https://doi.org/10.1787/e012efc0-en>; Shani Halfon, *Canada's child care workforce*, Childcare Resource and Research Unit, Childcarecanada.org, November 2021, <https://childcarecanada.org/sites/default/files/OP35-Canadas-child-care-workforce.pdf>.

⁸ Ibid.; OECD, *Research Brief: Working Conditions Matter*, Encouraging Quality in Early Childhood Education and Care (no date), <https://www.oecd.org/education/school/49322250.pdf>.

⁹ Sharanjit Uppal and Katherine Savage, *Child care workers in Canada*, Insights on Canadian Society, Statistics Canada, June 2021, <https://www150.statcan.gc.ca/n1/pub/75-006-x/2021001/article/00005-eng.htm>.

¹⁰ Aniska Ali et al., *The Burnout Crisis: A Call to Invest in ECE and Child and Youth Workers*, Canadian Child Care Federation, in partnership with BCG Canada, Canadian Mental Health Association, and YWCA Canada, September 2022, <https://cccf-fcsge.ca/wp-content/uploads/2022/09/The-Burnout-Crisis-EN.pdf>.

¹¹ Uppal and Savage, *Child care workers in Canada*.

¹² Furthermore, NUPGE supports the calls for full and permanent immigration status for all.

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The National Union of Public and General Employees is an affiliate of the Canadian Labour Congress and a member of the Public Services International.