

## **Position Statement: Advancing the Rights and Opportunities of Children with Disabilities and Their Families in Canada**

**To:** The Honourable Patty Hajdu, Minister of Jobs and Families

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### **Position Statement**

This position statement urges the Canadian Minister of Jobs and Families, the Honourable Patty Hajdu, to advocate for the rights and enhance the socio-economic well-being of children with disabilities and their families across Canada. While Canada has committed to the United Nations Convention on the Rights of Persons with Disabilities (CRPD), significant disparities persist in employment, income security, and family support systems. These challenges not only impede the full participation of children with disabilities in society but also place immense economic and social burdens on their families, particularly impacting parental employment and financial stability. A comprehensive, rights-based approach, integrating robust job support, equitable family benefits, and inclusive social policies, is crucial to unlock the potential of all Canadian families and ensure a fair and prosperous future for children with disabilities.

### **Policy Context: Canada's Commitments and the Reality of Jobs and Families**

Canada's commitment to the United Nations Convention on the Rights of Persons with Disabilities (CRPD) underscores a foundational promise to ensure the full and equal

enjoyment of all human rights and fundamental freedoms by all persons with disabilities. This commitment extends directly to the portfolio of Jobs and Families, as the ability of individuals with disabilities and their families to participate in the workforce and achieve economic security is central to their overall well-being and inclusion. Despite this, significant gaps remain between policy aspirations and the lived realities of Canadian families raising children with disabilities. For instance, we know that families of children with disabilities face more financial constraints, have higher frequency of single-parent households, and in two-parents households one of the parents often reduced working hours or quits the job market to care for their child. The supports in early learning and childcare (ELCC) for children with complex care needs are scarce, and the needs of children with multiple disabilities and their caregivers are not addressed in the Canada-wide early learning and childcare (CWELCC) strategy, nor in the national caregiver strategies currently in place.

### **The CRPD and its Relevance to Jobs and Families**

The CRPD outlines several articles directly pertinent to the mandate of the Minister of Jobs and Families such as Work and Employment, and Adequate Standard of Living and Social Protection. Children with disabilities and their families are often caught in the intersection of these articles and require special consideration in the development of policies and programming.

### **Employment Barriers for Persons with Disabilities and Caregivers**

Evidence from the Canadian Human Rights Commission (CHRC) report [1] clearly indicates that persons with disabilities in Canada face profound barriers in employment. Employment rates for both women (45%) and men (49.8%) with disabilities are substantially lower compared to those without disabilities (70.1% for women, 77.1% for men) [1]. More than 30% of persons with disabilities report difficulties changing jobs or advancing their careers, and approximately 30% report being denied workplace accommodation [1]. Over 40% feel their employer considers them disadvantaged due to their disability [1]. These statistics underscore a significant untapped labor pool and highlight the urgent need for policies that foster inclusive workplaces and address systemic discrimination.

The impact on families, particularly mothers, is also severe. Our submission to the CRPD Special Rapporteur [2] reveals that caregiving responsibilities for children with disabilities fall disproportionately on mothers. In 2022, over half of women (52%) provided care to children and care-dependent adults, significantly more than men (42%) [2]. This often forces mothers to reduce work hours, adjust schedules, or leave paid employment entirely, leading to reduced contributions to the Canadian Pension Plan and affecting their

retirement pensions [2]. This gendered expectation creates significant economic and social inequities, impacting family income and long-term financial security.

### **Inadequacies in Financial Support and Social Protection Programs**

Despite the existence of programs like the Disability Tax Credit (DTC) and the Child Disability Benefit, their uptake and adequacy for the needs of families of children and youth with disabilities remain a concern. Research indicates that a vast majority of eligible Canadians with disabilities are not accessing these federal financial supports [3]. Barriers include complex application processes, limited awareness, and difficulties navigating the system [3] – which all contribute to administrative burdens. These burdens are usually especially pronounced for families already under financial and emotional strain, and disproportionately deter those with the greatest need [4]. For instance, over 60% of people with severe or very severe disabilities did not claim the DTC, and 84% of people with disabilities overall did not receive either the DTC or CPP/QPP disability benefits [3]. This gap represents a missed opportunity for financial relief and reflects broader issues of access and equity.

The financial burden on families caring for children with disabilities is substantial. The federal Child Disability Benefit maxes out at \$284.25 per month for the lowest income earners and while promises were made to double the benefit back in 2019, no action has been taken to increase the benefit to be more supportive. The Council of Canadians with Disabilities (2015) documented significant additional costs incurred by people with disabilities and their families [5]. The Maytree Welfare Report consistently shows that social assistance rates across Canada leave recipients, including families with children with disabilities, living below the poverty line [6]. The announced \$200 a month maximum for the forthcoming Canada Disability Benefit is also deemed insufficient to lift persons with disabilities out of poverty. As a nation, we spend less on child, youth, and family benefits than most rich countries. According to UNICEF Report Card 16, Canada ranks 30 out of 38 OECD countries, spending just 1.68% of GDP on children and families, compared to an average of 2.38% [7]. These financial shortfalls directly impact a family's ability to provide for their child's needs, affecting their overall well-being and access to essential services.

### **Gaps in Early Learning and Childcare**

The Accessible Canada Act (ACA) has been criticized for being adult-centric and failing to adequately address the needs of children with disabilities and their caregivers [2]. This oversight has direct implications for families, as it creates barriers for parents, particularly mothers, to re-integrate into the workforce [2]. Nearly half of parents of children with disabilities reported difficulty finding childcare arrangements, and approximately 10% reported their child had been denied a childcare space because of their disability [2]. Despite the federal commitment to an inclusive and accessible Canada-wide early learning

and childcare system, explicit policy commitments on disability inclusion and adequate funding to meet diverse requirements remain insufficient [2]. The recent review of Canada's progress on implementation of the CRPD recommended mainstreaming the CRPD into all policies, specifically including Bill C-35 An act respecting early learning and childcare. Exclusion of children with disabilities is all too common and barriers to access are plentiful. This lack of inclusive childcare options further limits parental employment opportunities and the child's access to crucial early development supports.

### **Intersectional Challenges and Vulnerabilities**

Children with disabilities from marginalized communities face compounded challenges. Indigenous children with disabilities, for instance, continue to face difficulties accessing funded health and social service support through programs like Jordan's Principle [2]. Despite the program's intent to provide timely access to essential services, thousands of requests remain unprocessed, and many experience significant backlogs or denials, hindering full implementation [2]. This directly impacts the well-being of Indigenous families and their children with disabilities, who are already disproportionately affected by poverty and lack of access to services. Women and girls with disabilities also face higher rates of violence, poverty, and multiple barriers to employment, further exacerbating family vulnerabilities [3]. These intersectional issues demand a nuanced approach within the Jobs and Families portfolio to ensure equitable outcomes for all.

### **The Need for Coordinated and Data-Driven Policy**

A recurring theme across the civil society reports [9] is the lack of coordinated implementation of the CRPD across federal, provincial, and territorial governments [3]. This fragmentation leads to inconsistencies in legal protection and social inclusion, impacting families differently depending on their location [3]. Furthermore, there is a critical absence of timely, comprehensive, and disaggregated data on the socioeconomic issues experienced by persons with disabilities [3]. For example, Canada's specific goal of ensuring the CWELCC system is inclusive and accessible, requires data driven, targeted transfers to the provinces that are tied to children's rights to access early learning and childcare along with their peers.

Without robust data, it is challenging for the Ministry of Jobs and Families to effectively identify specific needs, measure the impact of employment and social protection programs, and allocate resources efficiently to support children with disabilities and their families. Meaningful engagement with persons with disabilities and their representative organizations is also crucial to ensure that policies are informed by lived experience and truly responsive to community needs [3].

## Calls for Action

### Bridging the Gap Between Policy and Practice for Jobs and Families

The evidence presented across the various reports reviewed by our team paints a clear picture of the systemic challenges faced by children with disabilities and their families in Canada, particularly concerning their participation in the workforce and their economic security. These challenges are not merely individual struggles but are deeply rooted in legislative shortcomings, inadequate social support structures, administrative burdens, and a lack of coordinated effort across governmental levels.

To effectively address these systemic challenges and ensure that children with disabilities and their families can thrive, we urge the Honourable Patty Hajdu, as Minister of Jobs and Families, to consider the following immediate and concrete actions:

#### **1. Strengthen Employment Opportunities and Workplace Inclusion for Young people with Disabilities and Caregivers of children with disabilities:**

- Implement robust strategies to develop, adopt, and enforce standards for the employment of youth with all disabilities in the transition from school to work, increase employment rates for persons with disabilities, including targeted training programs, incentives for employers to hire and retain disabled employees, and enhanced support for workplace accommodations.
- Develop and promote policies that support caregivers, particularly mothers, in balancing caregiving responsibilities with paid employment, including flexible work arrangements, accessible childcare options, and recognition of caregiving contributions in pension and benefit calculations.
- Collaborate with employers and disability organizations to foster inclusive workplace cultures that actively combat stigma and discrimination against persons with disabilities and their families.

#### **2. Reform and Enhance Financial Support and Social Protection Programs:**

- Conduct a comprehensive review of existing disability benefit programs (e.g., DTC, Child Disability Benefit) to simplify application processes, increase awareness, and ensure adequacy to meet the actual costs of living with a disability and respecting the evolving capacities of children as they grow with a disability and change their support needs. Research has shown that reducing administrative burden through simplified eligibility rules, pre-filled forms, and automatic enrollment mechanisms can increase program uptake and equity [10,11].
- Ensure the Canada Disability Benefit is sufficient to lift recipients out of poverty and is implemented efficiently, reaching all eligible individuals without undue

administrative burden. Reducing administrative burden is not only an issue of program efficiency but also of justice, inclusion and equal opportunity.

- Advocate for policies that address the additional costs associated with disability, ensuring that families are not pushed into poverty due to caregiving responsibilities.

### **3. Invest in Inclusive Early Learning and Childcare:**

- Prioritize the development and funding of inclusive childcare spaces that are accessible to children with all types of disabilities, ensuring that no child is denied access due to their disability, and that comprehensive capacity building and awareness raising are mandatory and regulated.
- Implement explicit policy commitments on inclusion within the Canada-wide early learning and childcare system, providing adequate resources for specialized support and trained staff.
- Recognize the critical role of accessible childcare in enabling parental workforce participation and supporting the early development of children with disabilities.

### **4. Address Intersectional Disparities and Promote Equity:**

- Work collaboratively with Indigenous communities and other marginalized groups to develop and implement culturally appropriate and equitable employment and family support programs for children with disabilities and their families.
- Ensure that Jordan's Principle is fully and permanently implemented, with sufficient funding and streamlined processes to guarantee timely access to essential services for all Indigenous children with disabilities.

### **1. Foster Meaningful Engagement and Data-Driven Policymaking:**

- Establish consistent and accessible mechanisms for meaningful consultation with children with disabilities, their families, and Disabled Persons Organizations (DPOs) in the development and evaluation of all employment, social protection, and family-related policies and programs. Specifically, and urgently, this should include engagement on CWELCC and the proposed National Caregiving Strategy.
- Invest in robust, disaggregated data collection on the employment status, income security, and family well-being of children with disabilities and their families across Canada, including intersectional data, to inform evidence-based policymaking within the Jobs and Families portfolio.

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