



CUPE Newfoundland and Labrador Submission to the Department of Child, Youth and Family Services

Review of *Child Care Services Act* and Regulations

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CUPE NEWFOUNDLAND and LABRADOR

President Wayne Lucas

St. John's Area Office,
36 Austin Street, Box 8745, Station A,
St. John's, NL, A1B 3T2
Tel: (709) 753-0732, Fax: (709) 753-2313
Cell: (709) 727-2509
wlucas@nl.rogers.com

Carol Ferguson
CUPE Research Representative
cferguson@cupe.ca

Introduction

CUPE Newfoundland and Labrador, of the Canadian Union of Public Employees, represents more than 6,000 members working in school boards, health care, post-secondary education, public housing, provincial libraries, municipalities, child care, social services and other sectors in communities throughout the province.

We welcome the opportunity to respond to a review of the *Child Care Services Act* and Regulations being conducted by the Department of Child, Youth and Family Services. However, we want to register our disappointment with the 25-day turn around for responses to the government's discussion document. Such an extremely short timeline limits the opportunities for wider engagement and a more detailed submission on this important issue.

CUPE has a longstanding commitment to early childhood education and child care (ECEC). First of all, many of our members are parents who need child care in order to participate in the workforce or pursue training and educational opportunities. Second, CUPE represents early childhood educators at child care centres across the country including two child care centres in Newfoundland and Labrador, namely CUPE Local 3017 (Daybreak Parent Child Centre) and CUPE Local 4554 (Campus Childcare). Finally, universal, high quality, publicly-funded, public and not-for-profit child care is a key component in furthering a social justice agenda, one recognized in multiple United Nations agreements addressing poverty, women's equality and the rights of the child.

CUPE is part of a coalition of Canadian unions and child care advocates that recently launched a new campaign to put child care back on the political and public agenda. The first phase of "Let's Rethink Child Care" invites Canadians to tell their child care stories at Kitchen Table conversations or to share these stories through YouTube videos.

We invite you to learn more about the campaign or contribute your own child care story here: <http://rethinkchildcare.ca/>.

A Long-Term Vision for Child Care

CUPE is encouraged by recent initiatives taken by the provincial government to increase financial support for child care and to commit to a long-term child care strategy with the release of *Caring for Our Future* earlier this year.¹ Generally, CUPE supports the strategy's goal to provide a "well-developed system of quality and affordable regulated child care" but CUPE differs with parts of the government's roadmap to reach this goal.

Instead, CUPE Newfoundland and Labrador has urged the provincial government to seize the opportunity to build a child care legacy for future generations beginning with two main principles: ⁱⁱ

Principles

Universal accessibility: All families have access to an affordable program in their community that supports their employment needs and is appropriate for them.

High quality: All programs would be of quality high enough to enhance children's development and to provide a good quality of life for children.

To meet these principles:

Early Learning and Child Care (ELCC) programs would be:

- staffed by qualified, well-paid early childhood-educated teachers, and would be educational in a non-didactic, play-based sense;
- based on the most forward-thinking early childhood education pedagogy (broadly educational in the “whole child” sense, not narrowly restricted to “school readiness” goals);
- multifunctional in that they would provide care in parents' absence, early childhood education, and family support at the same time (for example, by incorporating child care, nursery school, kindergarten and family resource programs);
- available to children in families with a parent at home (perhaps for a shorter day) and those with parents in the labour force, training or education;
- offer parents a reasonable choice of high-quality, centre-based or well-supported family child care services (these would be non-compulsory, available on a full-day or part-time basis, full-year basis and would offer flexible hours within reason, as the parents choose); and
- be part of a planned, sustained, well-resourced, publicly-funded, publicly-managed and provincially-organized system everywhere in Newfoundland and Labrador.

There would probably be parent fees (at least for portions of programs or for certain age groups) but programs would be affordable and accessible to all, supported through a global funding approach, not by subsidies on behalf of individual families, or vouchers.

Rather than relying on parents, volunteers or entrepreneurs to initiate, fund and operate programs, ELCC would be publicly managed and primarily publicly delivered.

Programs would be responsive to and involve parents and would be shaped and delivered at the local level.

In order to ensure public accountability for public funds and ensure that programs are most likely to be high quality, expansion and public funding would be directed only to public- and community-based not-for-profit ELCC programs.

Consistent with Canadian values, programs would include families and children across the socio-economic spectrum and cultural diversity would be respected.

Children with disabilities would be fully included.

ELCC programs—whether in the public education system or under another public or quasi public auspice—would constitute a flexible, multifaceted “system” rather than a loose collection of free-standing programs.

The ELCC system for children aged 0-12 years would be under the auspice of one government department—preferably Education, in an Early Learning and Care division.

The ELCC system would be supported by ongoing data collection and analysis, research and evaluation of policies and services.

These principles inform CUPE’s response to the Department’s review of the *Child Care Services Act*.

Our Concerns with the *Caring for Our Future* Strategy

The for-profit sector has long dominated child care in Newfoundland and Labrador and accounts for 74 per cent of total spaces in the province.ⁱⁱⁱ While the provincial experience to date has been with regional chains and small-scale for-profit operators, this could shift quickly to big-box child care corporations if well-financed companies decide to come in. The experience in the US, Australia and the UK suggests that this can happen quickly and, once large child care corporations are well established, they exert influence on government regulations and policies such as parental leave and parent fees. As well, we believe it is inappropriate that public funds for child care are used to create profits and real estate acquisition for owners and shareholders.

Nova Scotia’s experience with increased funding to commercial operators underscores the limits of public monies subsidizing private ventures; between April 1, 2011 and March 31, 2012, 18 centres closed (16 commercial, two non-profit) and 16 centres opened (11 commercial, five non-profit).^{iv}

The Nova Scotia government's own data shows that the supported child care grant is significantly higher in budgets for non-profit centres (this grant is intended for special needs children). This raises some troubling questions regarding the ability for commercial operators to include children with a range of abilities and it's a policy quagmire for the government because it indicates that the non-profit centres are more inclusive; the commercial operators, not so much.

As spelled out in the *Caring for Our Future* document, the new provincial strategy in Newfoundland and Labrador is to include a voluntary operating grant program that will set "child care rates." If parents' fees are capped without also implementing a provincial wage grid for salaries, in the context of a predominantly commercialized sector, then profits will be derived from wages and exclusivity.

A strong commercial presence also brings the potential of challenges under trade agreements. Foreign corporate providers could insist on equal treatment with public and community providers, requiring schools and other public sponsors to accept a corporate presence.

Quality Child Care is Public or Non-profit Child Care

Caring for Our Future names quality child care as one of the three strategic directions underpinning the Department's 10-year child care strategy.

Considerable research throughout Canada and internationally indicates that quality is likely to be higher when the operator is a public or non-profit agency. Staffing is the "backbone" of quality child care. When owners or shareholders seek higher profits, cost cutting is primarily in the area of staffing, whether wages, benefits or ratios, and this impacts the quality of care.

In many Canadian jurisdictions, child care has been moving towards becoming part of education ministries. The widely-respected *Early Years* studies by lead authors Dr. Fraser Mustard and the Hon. Margaret Norrie McCain advocate breaking down the silos to blend early childhood education and child care into one seamless program.

CUPE believes that systems that are both publicly funded and publicly delivered are those most likely to achieve this goal. Local public authorities – in education, municipal government or ELCC-specific authorities – are in the best position to deliver high-quality early-learning services in an equitable and affordable way to parents.

A public system is more likely to navigate the complex funding and legislative arrangements with First Nations and federal and provincial governments to address inequities in Aboriginal programming. Further, a public system will lead to a decrease in the over-representation of Aboriginal children in state care, which should be a priority for all provincial governments.

A public system lends itself to solid planning, target setting, accountability, ongoing quality improvement and evaluation.

Finally, well-designed public ELCC systems can support diversity of approach and innovative programming through local delivery, a democratic approach that includes parents, and various program options.

The evidence shows clearly that public and public-managed systems are not about “one size fits all” but about doing the very best for children and families.

Public Spending on High-Quality Child Care More Than Pays for Itself

Early childhood education is economic development with a high rate of return.

Economist Robert Fairholm concluded in 2009 that government investments in early childhood programming pay for themselves:

- **Biggest job creator:** Investing \$1 million in child care would create at least 40 jobs; 43 per cent more jobs than the next highest industry and four times the number of jobs generated by \$1 million in construction spending.
- **Strong economic stimulus:** Every dollar invested in child care increases the economy’s output (GDP) by \$2.30. This is one of the highest GDP multipliers of all major sectors.
- **Tax generator:** Earnings from increased employment would send back 90 cents in tax revenues to federal and provincial governments for every dollar invested, meaning investment in child care virtually pays for itself.

In a 2011 report looking at Nova Scotia, Fairholm again confirmed that expansion in the early learning and care sector would provide more short-term economic stimulus than other major sectors of the economy.^v

Economist Pierre Fortin and colleagues from the Université de Sherbrooke studied Quebec’s popular, universal \$7-a-day child care program and concluded that the tax revenues from mothers who are able to work because of low-cost children’s programming pay for the entire cost of Quebec’s system.

Employment figures for Quebec show an increase of as much as nine per cent in the number of mothers of who found employment in the years following the 1997 introduction of Quebec’s publicly-funded child care program, a rate of increase far greater than in the rest of Canada for the same period.

Fortin's analysis found that in 2008, 70,000 more Quebec women were at work because of low-cost child care. As of 2008, more than 60 per cent of Quebec children ages 1–4 years had access to \$7-a-day, state-subsidized child care. By comparison, in other provinces in 2006, only 18 per cent of children in this age group were in a licensed program.

The employment benefits of public child care are particularly compelling for those with lower levels of education and for single parents, where the social benefits of increased employment and incomes are significant. More specifically, the median after-tax income of single-mother families in Quebec shot up by 81 per cent.

For every dollar Quebec spends on child care programs, \$1.05 is returned in the form of higher tax revenues and lower spending for the provincial government, with an additional 44 cent benefit returned to the federal government.

More recently, a 2012 study by TD Economics recommended that public spending on child care become a top priority. It concluded that the widespread and long-lasting economic, social, and health benefits for children and society far outweighed the costs. It also noted that Canada is last among its peer countries in public spending on child care.^{vi}

In polling and public consultations, parents say that the difficulty of arranging child care and the high cost have prevented them from taking full-time work or pursuing education/training. Clearly this is a model that is not working well for parents or children. CUPE recommends that the province invest public dollars in public early child care services.

Certification

Caring for Our Future acknowledges that the “Availability of qualified staff to develop and deliver programs in child care settings is essential to a strong and effective system of regulated child care.”

CUPE could not agree more.

Multiple studies over the last two decades have demonstrated that there is a strong link between early childhood educator wages, staff stability and the quality of services.^{vii} While the Department's Discussion Guide raises a number of questions around certification, research shows that the surest way to improve program quality is to ensure that early childhood educators are adequately compensated.

Low ECE salaries in Newfoundland and Labrador have resulted in poor morale, job dissatisfaction and high staff turnover. Early childhood educators are leaving the child care field

and replacements cannot be recruited which has had an on-going negative impact on staff consistency and stability, and program quality.

CUPE recommends that the province consider establishing a minimum salary grid to raise the salaries of early childhood educators. This would need to be constructed so as not to negatively impact the collective bargaining rights of unionized workers in the sector or the wages and benefits they have negotiated and with full consideration of the current ELCC Supplement.

Manitoba and Prince Edward Island have Early Childhood Educator (ECE) salary grids that could guide the Department in the development of a Newfoundland and Labrador salary grid. The Association of Early Childhood Educators (AECENL) Early Childhood Education Human Resource Council (ECEHRC), Family Child Care Connections (FCCC) and Provincial Association of Childcare Administrators Licentiate (PACAL) have offered proposals for how such a minimum wage grid could be constructed.^{viii}

Indeed, Prince Edward Island (PEI) could be a model for the provincial government on how to transition from a for-profit to a more publicly managed system of child care and kindergarten. Until 2010, kindergarten in PEI was delivered by child care centres under child care legislation. This has moved to the public education system, becoming a compulsory full-school-day program for five year olds.

Regulated child care has been under the Department of Education and Early Childhood Development since 2007. Centres, delivered by for-profit and non-profit operators, now include Early Years Centres, which are governed by new provincial policies. These policies include provincially-set parent fees, required spaces for infants and children with special needs, mandatory parent-advisory committees, established staff wages and benefits, new early-learning (curriculum) framework, revised certification and training requirements, and a formula-based, unit funding approach.

When the new policy was introduced, existing centres were given the option to apply for designation as Early Years Centres, remain regulated private centres, or retire their licences. Government determines the number of Early Years Centres based on demonstrated community need. Private centres include those that do not wish to or were not selected to become Early Years Centres.

The Department's Discussion Guide is seeking feedback on regulation of the new "Trainee" certification which replaces the Entry Level certification. CUPE is concerned that this new category sets the goals for ECE training too low and focuses the discussion narrowly on regulation of minimum levels to the exclusion of discussions around how regulation can help raise the bar of education and skills to higher levels. We are also disappointed that a full review

of educational requirements will not occur until 2017-2018, the half-way mark of the 10-year strategy.

As the Department acknowledges, there is a significant shortage of qualified individuals to work in regulated child care settings, exacerbated by lack of a post-secondary program in the province able to deliver a one-year ECE certificate (a one-year equivalency can currently be granted). Given the recent provincial austerity budget that included deep cuts to education and training, CUPE wants to take this opportunity to emphasize that as the Department revises the training and certification for ECEs, training must continue to be delivered by public educational institutions, not private companies.

ECEs also need on-going professional development and mentoring opportunities, particularly in the area of special needs.

CUPE recommends that providers of family child care be brought under a certification system. Minimum training levels should be set as a condition of licensing.

Licensing

The Department has asked for comments on streamlining the licence application process. The licensing requirements of the *Child Care Services Act* should be reviewed, but this should not be seen as an endeavour to lower standards or to cut costs.

Parents need to know that when they leave their children at child care they can rest assured not only that their children are safe, but they are thriving in a nurturing, stimulating and educational environment. Properly licensed and inspected child care centres help ensure that.

CUPE would remind the Department that the Auditor General has twice reported ongoing issues around monitoring and licensing of child care services. Parents want to be confident that licensed child care providers deliver appropriate programs, have police background checks, required immunizations, CPR and first-aid training, insurance coverage, etc. so that the onus is not on them to ensure those safety basics are in place.^{ix}

On the question of what if any services for school-aged children should be licensed and regulated, CUPE recommends that the Department undertake a separate and full review. We are not aware of good data and information on what currently exists in the province or what parents of school-aged children have identified as their needs for out-of-school-hours programming.

Physical Child Care Centre Environment

We applaud the Department's recognition of the important role that a child care centre's physical environment plays in children's health and safety, and the well-being of staff, and as an element influencing program delivery. In addition, there is increasing recognition of how physical space impacts children's cognitive and social development.

There is a great deal of literature on the physical environment. We would draw the Department's attention to the resources of the Quality by Design Project of the Childcare Resource and Research Unit at <http://www.childcarequality.ca/sys/penv.html>.

Assessing Quality

Caring for Our Future identifies quality as both a strategy and an outcome in the 10-year plan to improve child care in Newfoundland and Labrador. But quality is not defined and therefore impossible to assess.

Newfoundland and Labrador needs to develop a definition of quality in early learning and child care, goals for quality and an ongoing quality improvement strategy. As well, the province should establish a province-wide curriculum framework and adopt a quality assessment tool to be used regularly in all early childhood settings. There are a number of well-recognized tools for assessment, used internationally and in various provinces. Assessment and ongoing monitoring is essential to making improvements where they need to be made.

Conclusion

CUPE hopes that the views put forward in this response will be considered as Newfoundland and Labrador moves forward in building early learning and child care services. We are hopeful that the Department will continue to provide opportunities for input on the provincial child care strategy. CUPE looks forward to continuing to work with our partners in the child care community, social justice groups, teachers, nurses and other unions to achieve universal access, public funding, public management and not-for-profit ownership of child care programs in Newfoundland and Labrador.

ⁱ Government of Newfoundland and Labrador, Department of Child, Youth and Family Services, *Caring for Our Future: Provincial Strategy for Quality, Sufficient and Affordable Child Care in Newfoundland and Labrador, 2012-2022*, February 13, 2013 and *Review of Child Care Services Act and Regulations, Discussion Guide*, 2013.

ⁱⁱ CUPE Newfoundland and Labrador, *Submission to the Government of Newfoundland and Labrador, Meeting with Department of Children, Youth and Families*, October 20, 2010.

ⁱⁱⁱ See the “Early Childhood Education Profile” for Newfoundland and Labrador, November 2011 prepared as part of the *Early Years* reports available on their website at: <http://earlyyearsstudy.ca/en/>. See also the child care profile prepared for CUPE’s “A Great Place to Grow” public child care campaign at : <http://cupe.ca/child-care/newfoundland-labrador-profile> and

^{iv} “Making Life Better for Families,” Deputy Minister of Community Services Rob Wood’s public presentation to the Nova Scotia’s Standing Committee on Community Services February 5, 2013.

^v Robert Fairholm, *Short-term impact analysis of an expansion of regulated early learning and care in Nova Scotia*, Centre for Spatial Economics, December 2011 accessed at : <http://childcarecanada.org/documents/research-policy-practice/11/12/short-term-impact-analysis-expansion-regulated-early-learn>

^{vi} TD Economics, *Special Report, Early Childhood Education Has Widespread and Long Lasting Benefits*, November 27, 2012 accessed at: http://webcache.googleusercontent.com/search?q=cache:_0TfhhNcNtMJ:www.td.com/document/PDF/economics/special/di1112_EarlyChildhoodEducation.pdf+&cd=2&hl=en&ct=clnk&gl=ca

^{vii} The Childcare Resource and Research Unit has an excellent searchable document database on their website at <http://www.childcarecanada.org/> as does The Atkinson Centre for Society and Child Development at <http://www.oise.utoronto.ca/atkinson/Main/index.html>.

^{viii} See for example the *Joint Response Paper to the Department of Child, Youth and Family Services 10-Year Child Care Strategy - Consultation Discussion Guide* submitted by the Association of Early Childhood Educators (AECENL), Early Childhood Education Human Resource Council (ECEHRC), Family Child Care Connections (FCCC) and Provincial Association of Childcare Administrators Licentiate (PACAL), February 2012 accessed at the AECENL website <http://www.aecenl.ca/>

^{ix} Auditor General, *Report to the House of Assembly on Reviews of Departments and Crown Agencies*, “Child Care Services”, 2009 accessed at <http://www.ag.gov.nl.ca/ag/deptreports.htm>