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**Supporting
Multiple Births
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Supreme Court of Canada Decision *Parental Leave Benefits will not be argued in court*

NEWS RELEASE

July 2, 2013

OTTAWA, ONTARIO – Multiple Births Canada (MBC) is disappointed by a recent Supreme Court of Canada decision regarding the Christian Martin case focusing on Employment Insurance (EI) parental leave for a family with twins.

Martin began his battle with EI in April 2009 after becoming a father to twins and being denied parental benefits to care for his daughter. He argued the Employment Insurance Act was inconsistent as it allowed parents having two singleton babies to claim one parental leave per child, but would not allow parents of twins the same benefits. Initially, in September 2009, a board of referees of the Canada Employment Insurance Commission agreed with the couple and awarded them 35 weeks each – one for each child. However, in May 2011, an arbitrator overturned that decision, forcing Martin, with his lawyer Stephen Moreau, to continue arguing the case. In January 2013, the Federal Court of Appeal dismissed the case. Now, the Supreme Court of Canada rendered what is the final decision. There will be no appeal.

MBC members understand the demands of caring for two or more newborns at a time: babies often born prematurely and with low birth weight, and a high need for care. Recognizing that it takes more time for parents to bond with each individual baby and to understand each infant's needs and personality, MBC supported Martin's argument throughout his four year battle. The chronological history of the case is posted at <http://multiplebirthscanada.org/index.php/about-us/media-inquiries/>.

QUOTES

"It saddens me the judges failed to see the unfairness of treating parents of multiple births exactly the same as people that have one child. I took time off work to care for a newborn child just like any other parent, yet I was denied the same benefits other parents get to care for a newborn child. For those who believe the difference between singletons and multiples shouldn't result in additional parental leave and benefits, I invite them to consider caring for newborn twins or triplets alone and see how they would do under those circumstances. Lending a second pair of hands is not only the right thing to do, but it is also the humane thing to do too. I hope that people in positions of power can realize this one day."
Christian Martin, father of twins

"I am disappointed the Court did not agree to hear this appeal. There are potentially other avenues of legal redress here that I will explore with my client and the many other parents of multiples who are no doubt equally saddened by the result. Christian and his case have accomplished a lot to bring public awareness to this issue and to bring Parliament very close to amending the laws to ensure that the birth of multiples is properly recognized for EI purposes. We should not lose sight of the great things accomplished here, and that may still yet be accomplished."
Stephen Moreau, Cavalluzzo Shilton McIntyre Cornish LLP

QUICK FACTS

- Decision: <http://scc.lexum.org/decisia-scc-csc/scc-csc/news/en/item/4349/index.do> Christian Martin v. Attorney General of Canada (F.C.) (Civil) (By Leave) (35281) – Dismissed, with costs. Coram: Fish / Rothstein / Moldaver
- Multiple Births Canada is the only national organization focusing on the needs of multiple-birth children, their families, and the professionals who care for them

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