

Basic Income & The Care Economy

By Cee Strauss



LEAF
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WOMEN'S LEGAL
EDUCATION & ACTION FUND
FONDS D'ACTION ET D'ÉDUCATION
JURIDIQUE POUR LES FEMMES



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Published by

Women's Legal Education and Action Fund (LEAF)

180 Dundas Street West, Suite 1420

Toronto, Ontario, Canada M5G 1C7

www.leaf.ca

LEAF is a national, charitable, non-profit organization, founded in 1985. LEAF works to advance the substantive equality rights of women and girls in Canada through litigation, law reform and public education using the *Canadian Charter of Rights and Freedoms*.

This publication was created as part of LEAF's Basic Income Project. The Basic Income Project aims to assess the potential of a basic income to address longstanding issues of gender and racial socioeconomic inequality. The Project also supports and informs LEAF's law reform efforts and potential upcoming interventions concerning women and gender diverse people's economic and social rights.

Acknowledgements

Thank you to all those whose support and contributions made this publication possible.

This report was researched and written by **Cee Strauss**, Staff Lawyer at LEAF.

The report was overseen by **Pam Hrick**, Executive Director and General Counsel at LEAF; **Brea Hutchinson**, Director of Operations at LEAF; and **Megan Stephens**, former Executive Director and General Counsel at LEAF.

Special thanks to the **Basic Income Advisory Committee**. This report benefited significantly from their insights, suggestions, and expertise. Please note that the opinions and positions taken in this report are those of LEAF's and LEAF's alone. The past and present members of the Advisory Committee (in alphabetical order) are: **Gladys Ahovi, Elba Bendo, Debbie Douglas, Margo Greenwood, Janine Jan, Kerri Joffe, Elizabeth (Mandy) Kay-Raining Bird, Devorah Kobluk, Shalini Konanur, Kathleen Lahey, Raji Mangat, Shiva Mazrouei, Katherine Scott, Shalini Sharma, Wanda Wieggers, and Maryth Yachnin.**

Deep gratitude for research assistance and idea generation goes to (in alphabetical order): **Bronwen Agnew, Nicole Biros-Bolton, Morgan Cross, Charlotte Dalwood, Sarah Guergis, Heather Hayes, Joe-Ann Jean-Baptiste, Rosel Kim, Sally Kimpson, Ersida Kuci, Emily Lahey, JJ Levine, Elinor McNamee, Tracy Nguyen, Kat Owens, Rochelle Ross, Selena Ross, Maggie Schreiner, Dana Strauss, and Dora Tamas.**

Thank you to **Megan Cameron**, Fund Development Manager at LEAF, who martialed the resources to support this project.

Thank you to **Ed Kwong**, who designed the cover page of this report.

The Basic Income Project is supported by: the Government of Canada's Emergency Community Support Fund and Toronto Foundation; the Canadian Bar Association's Law for the Future Fund; and the Canado Foundation.

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Executive Summary

The COVID-19 pandemic brought long-existing inequalities into sharp relief. Among other things, it highlighted the fact that significant reforms to Canada's social protection systems are required. With respect to gender equality, the pandemic demonstrated that the care economy—those aspects of the care sector that have historically been understood to be “women's work”, such as health care, childcare, education, and cleaning services—requires significant investment and transformative change. This report seeks to determine whether a basic income program should be included in a feminist advocacy strategy for change in the care economy. It is a companion report to *Basic Income, Gender & Disability*, and is designed to contribute to the Women's Legal Education and Action Fund's larger Basic Income Project.

In this report, we conclude that a basic income program should be included in a feminist advocacy strategy for change in the care economy. As an income transfer sufficient to meet people's basic needs, a livable basic income is one of the ways in which Canada can respect its international human rights obligation to provide a social protection floor. This benefit should not come at the expense of other necessary components of a strong welfare state, including accessible, quality public services and programs for all.

In the context of the care economy, a basic income could provide compensation for unpaid caregiving labour. Unpaid acts of care labour fall disproportionately on low-income women and gender-diverse people—and single parents and Black, Indigenous, and racialized, disabled, and migrant women and gender-diverse people in particular—reducing their capacity to participate in the waged labour market to the extent that they otherwise would. This directly impacts the level of income they make, contributing to the feminization and racialization of poverty. Set at an adequate level, a basic income could supplement or replace employment income when low-income women and gender-diverse people are caring for their families, their communities, and themselves. This would contribute to their income security

and income stability, and would go some way to addressing the inequitable distribution of care labour.

A central concern that some feminists have had about basic income is its potential to encourage women to leave the labour market. If women and gender-diverse people have caregiving responsibilities and can receive an income untied to paid employment, they may choose to (or feel compelled to) stop or reduce their paid work in order to attend to their caregiving responsibilities. One of the promises of a basic income is autonomy: the freedom to choose how to spend one's money and time. This includes, of course, the freedom to use a basic income to do care work for one's close people. However, it is imperative that a basic income not increase the costs of paid work to such an extent that women and gender-diverse people are compelled to leave the labour market, to their own financial, social, and psychological detriment.

For this reason, a basic income program must be accompanied by three other components of care economy infrastructure: (1) high-quality, affordable, accessible public care services; (2) valuing paid caregiving work and other gendered occupations; and (3) a shift in workplace norms to allow for flexibility and part-time work arrangements without significant financial penalty. Without these elements in place, LEAF does not support implementation of a basic income, as it would risk entrenching gendered economic and social inequality. Flowing from these requirements, we make a number of further recommendations, discussed throughout the report and listed in full at its end.

Finally, this report explores the question of whether a basic income might provide a means to prevent gender-based violence or to assist those exiting abusive environments. The research on the former question is mixed. As for assisting those exiting abusive environments, we conclude that a basic income could assist survivors of gender-based violence by providing them with a steady stream of income.

Introduction

Through its Basic Income Project, the Women’s Legal Education and Action Fund (LEAF) aimed to determine whether implementing a basic income in Canada would advance the socioeconomic rights of people who face gender-based discrimination—including trans women, cis women, non-binary people, and Two-Spirit people—or whether, on the other hand, doing so would undermine those rights. In simpler terms, whether a basic income would be good for women and gender-diverse people.¹

The COVID-19 pandemic brought long-existing inequalities into sharp relief. In particular, it highlighted the gendered, racialized, and classed nature of the work that has been “essential” to keeping people in Canada healthy and fed during this pandemic—such as healthcare, caregiving, cleaning, and food provision. While the pandemic has highlighted how workers in these areas are essential to a healthy, functioning society, too many of these jobs are undercompensated and precarious. As a result, women and gender-diverse people, and particularly Black, racialized, Indigenous, disabled,² and migrant women and gender-diverse

¹ This report uses varying language to describe those who face gender-based discrimination. It alternates between formulations such as “women and gender-diverse people”, “trans women, cis women, non-binary people, and Two-Spirit people”, “women and non-binary people”, or “women”. When using the term “women”, the report is referring to both cisgender and transgender women. When using broader language, the report is still using it as a shorthand, this time to refer to women and those who identify within the trans umbrella, who are Two-Spirit, who are non-binary, and who otherwise identify as gender non-conforming (for more information, see “The 519’s Glossary of Terms” (February 2020), online: *The 519* <<https://www.the519.org/education-training/glossary>>). This language is not perfect, but is intended to signal a shift away from focusing only on cisgender women, or even only on cis- and trans women, in gender equality advocacy. Substantive gender equality is a goal to be reached for all those who are discriminated against based on gender.

There are very few statistics that distinguish adequately between genders. While this report intends to advocate for gender equality for all, it often relies on data that has only accounted for cisgender women’s experiences. Where this is the case, we use the language “women” to signal that the information refers only to women, though even using this language is incorrect, because the data likely does not include trans women.

² This report uses the term “disabled” rather than “people with disabilities” in order to “foreground the valued identity of disability”: see Sally Kimpson, “Basic Income, Gender & Disability” (2021) at 12, online (pdf): *Women’s*

people, live in poverty at rates that are disproportionate to their share of the Canadian population.

The pandemic has also highlighted the patchwork nature of our income replacement and social assistance programs. Part-time contract workers face real challenges in accessing Employment Insurance. While the federal government provided \$2,000 per month through the Canada Emergency Response Benefit (CERB) to people who stopped working due to COVID-19, the maximum rate for a single person on welfare anywhere in the country was barely above \$1,000 per month.³ Meanwhile, those with precarious or no immigration status had almost no access to income replacement programs.⁴ This has all occurred in the context of a substantial rise in income inequality over the last forty years.⁵ With growing calls for a basic income that could address the gaps in Canada's welfare state and redistribute wealth, LEAF set out to determine how a basic income would fare under an intersectional feminist analysis.

To answer this question, LEAF produced two companion reports: one focusing on disability and gender, and the other addressing the care economy. We identified disability as an area of focus because government transfers, and primarily provincial and territorial social

Legal Education and Action Fund <<https://www.leaf.ca/wp-content/uploads/2021/09/Basic-Income-Gender-Disability-Full-Report-Final.pdf>>.

³ See "Welfare in Canada" (November 2020), online: *Maytree* <<https://maytree.com/welfare-in-canada/canada/>>.

⁴ The eligibility of immigrants, migrants, and/or undocumented people for the programs discussed in this report varies depending on the program and the province or territory. Explanations of program eligibility requirements in this report do not always specify the immigration status required to be eligible. These rules are complex and are not the central focus of this report. LEAF is in solidarity with demands for full and permanent immigration status for all, without exclusions: see "Together for Full and Permanent Immigration Status for All" (last visited 27 August 2021), online: *Migrant Rights Network* <<https://migrantrights.ca/status-for-all/>>.

⁵ See David A Green, W Craig Riddell & France St-Hilaire, "Income Inequality in Canada: Driving Forces, Outcomes and Policy" in David A Green, W Craig Riddell & France St-Hilaire, eds, *Income Inequality: The Canadian Story*, The Art of the State vol 5 (Institute for Research on Public Policy, 2016) 1 at 5, online (pdf): <https://irpp.org/research/income-inequality-the-canadian-story/>.

assistance (i.e., welfare), constitute a significant source of income for disabled women in Canada.⁶ A basic income could replace some or all of these government transfers. If this were the case, then implementing a basic income program would impact the majority of low-income disabled women's lives by changing their source of income. The question then became: would a basic income be an improvement? We recognized that this question was so complex, so significant, and so understudied in basic income literature that it should be studied on its own.⁷ In the meantime, the federal government announced, and tabled legislation to implement, a targeted basic income for disabled people.⁸ We therefore chose to assess the intersectional feminist potential of both a basic income and a targeted disability benefit in the report on disability.

That report, titled “Basic Income, Gender & Disability” and authored by Dr. Sally Kimpson, concludes that any basic income program for disabled women and gender-diverse disabled people must: (1) be provided to all disabled people who meet the *Accessible Canada Act* definition of disability;⁹ (2) either ensure that the cost of both specific and general extraordinary disability-related supports and services are covered, or be generous enough to

⁶ For instance, in 2013, government transfers made up 75.5% of the income of low-income women with disabilities compared with 50.3% of the incomes of low-income women without disabilities: see Cameron Crawford, “Looking Into Poverty: Income Sources of Poor People with Disabilities in Canada” (2013) at 31, online (pdf): *Institute for Research and Development on Inclusion and Society (IRIS) and Council of Canadians with Disabilities* <<http://www.ccdonline.ca/media/socialpolicy/Income%20Sources%20Report%20IRIS%20CCD.pdf>>.

⁷ There are several other distinct groups of people who would be significantly and distinctly affected by the implementation of a basic income, and that have not been adequately considered by basic income advocates. The needs and concerns of Indigenous women and Two-Spirit people, for instance, as well as migrant and undocumented women and gender-diverse people, also warrant reports of their own.

⁸ See Bill C-35, *An Act to reduce poverty and to support the financial security of persons with disabilities by establishing the Canada disability benefit and making a consequential amendment to the Income Tax Act*, 2nd Sess, 43rd Parl, 2021 (first reading 22 June 2021). Note that this Bill was tabled on the second to last day of the Parliamentary session and provided little to no detail regarding the proposed benefit.

⁹ *Accessible Canada Act*, SC 2019, c 10, s 2 (“*disability* means any impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment — or a functional limitation — whether permanent, temporary or episodic in nature, or evident or not, that, in interaction with a barrier, hinders a person’s full and equal participation in society).

enable disabled people to purchase these on their own;¹⁰ (3) be portable across provinces and territories; and (4) set allowable earnings exemptions at a generous level, with minimal clawbacks of earned income above maximum allowable earnings. Further, neither a targeted disability benefit nor a basic income should be subject to any offset or clawback of Canada Pension Plan-Disability benefits, and the Disability Tax Credit should be made fully refundable. As between a targeted disability benefit or a basic income program, LEAF advocates for whichever program meets the above criteria. Without these elements in place, LEAF does not support implementation of either program.

This report focuses on the care economy. The care economy consists of those aspects of the care sector that have historically been understood to be “women’s work” (though people of all genders now work in these positions). It comprises health care (including elder care, care for disabled people, home care, and long-term care), childcare, education provision, and cleaning services. COVID-19 exposed the gaps in Canada’s care economy at the same time that it evidenced the necessity of an accessible, affordable network of public care services to keep women and gender-diverse people in the labour force. It is clear that the care economy requires significant investment and transformative change. LEAF’s report on basic income and the care economy seeks to determine whether a basic income program should be included in a feminist advocacy strategy for change in the care economy.

We conclude that it should be, because a basic income could provide compensation for unpaid caregiving labour.

To arrive at this conclusion, we first map out lessons from the pandemic for women and gender-diverse people to identify where a basic income program might assist in the

¹⁰ For an explanation of specific and general extraordinary disability-related costs, see Sally Kimpson, “Basic Income, Gender & Disability” (2021) at 31-34, online (pdf): *Women’s Legal Education and Action Fund* <<https://www.leaf.ca/wp-content/uploads/2021/09/Basic-Income-Gender-Disability-Full-Report-Final.pdf>>.

project of advancing economic gender equality. We then canvass the proposals that are currently on the table to reform, or transform, social protection in Canada. Next, we focus on the specific proposal of basic income—its key policy goals and principles, and the design features that we believe would characterize a basic income program most consistent with substantive equality principles. We then assess the potential of a basic income to value the unpaid work of caregiving.

We conclude that a basic income program would contribute to income security, income stability, and income equality for low-income women and gender-diverse people—and single parents and Black, Indigenous, and racialized, disabled, and migrant women and gender-diverse people in particular—by valuing the unpaid care work that they do. For this to be possible, however, a basic income must be accompanied by three other components of care economy infrastructure: (1) high-quality, affordable, accessible public care services; (2) valuing paid caregiving work and other gendered occupations; and (3) a shift in workplace norms to allow for flexibility and part-time work arrangements. Without these elements in place, LEAF does not support implementation of a basic income, as it would risk entrenching gendered economic and social inequality.

Many people across the political spectrum oppose basic income due to their concern that a basic income would (further) erode the social welfare state. The argument is as follows: governments cannot afford both to provide a basic income benefit at an adequate level and to supply high-quality public services—and even if they could afford to do so, they will not. If a basic income is implemented, governments and the private sector will divest themselves of responsibility for providing social infrastructure more than they already have. As a result, people will have to purchase goods such as housing and medical and other care services on the private market. Moreover, there is the potential that instituting a basic income will encourage provinces to cut other income support programs, such as workers' compensation.

In these two reports, LEAF advocates for policies that aim to advance the substantive equality of women, Two-Spirit, non-binary, and trans people from an intersectional feminist perspective. Our role is not to limit substantive equality goals based on a government's opaque budgeting process, or based on anticipating governmental efforts to shirk their human rights obligations. Rather, it is to ask for the set of policies and commitments that might best advance economic gender equality in our current environment. In our view, a targeted disability benefit and a basic income benefit can be a part of that set of policies and commitments, but only if they are accompanied by the other necessary elements of a strong social welfare state. If one has to choose between a cheque and a suite of services, there is no real choice. Accessible, quality public services and programs for all are vital to substantive and intersectional gender equality. LEAF's position is that a basic income is only desirable if it is feasible to deliver it alongside accessible, quality public services and programs for all.¹¹

¹¹ For discussion as to how to cost a basic income in Canada as well as for arguments for and against its economic feasibility, see: Chandra Pasma & Sheila Regehr, "Basic Income: Some Policy Options for Canada" (2019), online (pdf): *Basic Income Canada Network* <https://basicincomecanada.org/wp-content/uploads/2021/04/Basic_Income-_Some_Policy_Options_for_Canada.pdf> (presenting funding structures for three different types of basic income and arguing for its feasibility); Nasreddine Ammar, Carleigh Malanik-Busby & Salma Mohamed Ahmed, "Distributional and Fiscal Analysis of a National Guaranteed Basic Income" (7 April 2021), online (pdf): *Office of the Parliamentary Budget Officer* <<https://www.pbo-dpb.gc.ca/en/blog/news/RP-2122-001-S--distributional-fiscal-analysis-national-guaranteed-basic-income--analyse-financiere-distributive-un-revenu-base-garanti-echelle-nationale>> (a distributional analysis of Guaranteed Basic Income using parameters set out in Ontario's basic income pilot project and examining the impact across income quintiles, family types, and gender); David A Green, Jonathan Rhys Kesselman, & Lindsay M Tedds, "Covering All the Basics: Reforms for a More Just Society, Final Report of the British Columbia Expert Panel on Basic Income" (28 December 2020) at 371, online (pdf): <https://bcbasicincomepanel.ca/wp-content/uploads/2021/01/Final_Report_BC_Basic_Income_Panel.pdf> (concluding that, in the context of British Columbia, "every basic income design will create significant economic distortions, including disincentives to work"); Armine Yalnizyan, "Basic income solutions in an era of slow growth" in *Basic Income: Rethinking Social Policy*, Alex Himelfarb & Trish Hennessy, eds (Ontario: Canadian Centre for Policy Alternatives, 2016), online (pdf): <https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office%2C%20Ontario%20Office/2016/10/CCPA%20ON%20Basic%20Income_FINAL.pdf> (arguing that improving basic services can be done at half of the cost of a basic income and can help more people); Michael Mendelson, "Basic income or bait and switch?" in *Basic Income: Rethinking Social Policy*, Alex Himelfarb & Trish Hennessy, eds (Ontario: Canadian Centre for Policy Alternatives, 2016) 47 at 49-52, online (pdf): <<https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office%2C%20Ontario>

Finally, we explore the question of whether a basic income might provide a means to prevent gender-based violence or to assist those exiting abusive environments. The research on the former question is mixed. As for assisting those exiting abusive environments, we conclude that a basic income could assist survivors of gender-based violence by providing them with a steady stream of income.

A. Basic Income in the context of socioeconomic rights

The right of everyone to social security, or social protection,¹² is article 9 of the *International Covenant on Economic, Social and Cultural Rights*, a United Nations (UN) treaty to which Canada acceded (ratified) in 1976.¹³ It provides the scaffolding for the provision of a basic income.

The UN Committee on Economic, Social and Cultural Rights states that the core obligation of the right to social security is “to ensure access to a social security scheme that provides a minimum essential level of benefits to all individuals and families that will enable them to acquire at least essential health care, basic shelter and housing, water and sanitation, foodstuffs, and the most basic forms of education.”¹⁴ State parties have the additional obligation to ensure access to this social security system “on a non-discriminatory basis, especially for disadvantaged and marginalized individuals and groups.”¹⁵

%20Office/2016/10/CCPA%20ON%20Basic%20Income_FINAL.pdf> (arguing that a non-taxable basic income benefit is more complicated than is often presented by basic income advocates).

¹² Magdalena Sepúlveda & Carly Nyst for Ministry, “The Human Rights Approach to Social Protection” (2012) at 20-21, online (pdf): *Foreign Affairs of Finland* <<https://www.ohchr.org/documents/issues/epoverty/humanrightsapproachtosocialprotection.pdf>>.

¹³ See *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, 993 United Nations Treaty Series 3 art 9 (entered into force 3 January 1976, accession by Canada 19 May 1976) (“The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance”).

¹⁴ UN Committee on Economic, Social and Cultural Rights, *General Comment No. 19: The right to social security (Art. 9 of the Covenant)*, 4 February 2008, E/C.12/GC/19, para 59 (a), online: *refworld* <<https://www.refworld.org/docid/47b17b5b39c.html>>.

¹⁵ *Ibid*, para 59 (b).

In Canada, many of these benefits are provided as in-kind benefits—that is, as benefits received as goods and services rather than as cash. Food and housing are notable exceptions, and for the most part must be purchased on the private market, though people can qualify for social housing or rental subsidies through government programs. Public in-kind benefits provision is marred by discrimination, as exemplified by the continued lack of clean drinking water on reserves.¹⁶ For those essentials not provided in-kind, there are other facets of Canada’s social security system that may assist, such as public and private social insurance schemes (e.g., Employment Insurance, workers’ compensation benefits, and extended health and dental benefits through one’s employer), public social assistance schemes (welfare), and public and private disability benefits. Many of these public and private programs provide inadequate coverage and/or prioritize cost containment over social protection.¹⁷

A comprehensive, adequate social protection system that provides a minimum essential level of benefits was enshrined as a human rights obligation because it is vital to eliminating and preventing poverty, inequality, and social exclusion. As an income transfer sufficient to meet people’s basic needs, a livable basic income program could become one of the ways in which Canada respects its obligation to provide a “social protection floor.”¹⁸

¹⁶ See First Nations Information Governance Centre, “RHS Statistics for Shaping a Response to COVID-19 in First Nations Communities” (May 2020) at 13, online (pdf): <https://fnigc.ca/wp-content/uploads/2020/09/0ab2092ec4f6262599ed396de5db3cf0_FNIGC-RHS-Covid-19-Report1.pdf>

¹⁷ See e.g. Jeffrey Hilgert, Research Action Committee of the Ontario Network of Injured Workers’ Groups & Injured Workers Community Legal Clinic, “Deeming Laws and Practices as Violations of the Rights of People With Work-Acquired Disabilities in Canada” (2020) 29:4 *New Solutions: A Journal of Environmental and Occupational Health Policy* 536 (arguing that “[t]he human right to social security, specifically the right to income security for the contingency of employment injury, is not protected in Canada due to the conditions under which benefits may be suspended under the various provincial workers’ injury compensation laws, including in Ontario” at 538).

¹⁸ International Labour Organization, “Care Work and Care Jobs for the Future of Decent Work” (2018) at 146, online (pdf): <https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_633135.pdf>.

B. Guiding principles

To conduct its analysis of basic income and the care economy, LEAF first developed a set of guiding principles to frame the project of substantive economic gender equality in the Canadian context.

Gender equality refers to the foundational principle that people of all genders have the equal right to enjoy their economic, social, cultural, civil, and political rights.¹⁹ Ensuring that all genders have the “equal right” to the enjoyment of their human rights requires more than identical treatment. It requires policies that account for the structural and systemic discriminations that cisgender and transgender women, Two-Spirit people, non-binary people, and other trans people face. Sometimes, this will require different treatment. This is the concept of substantive equality in law.

Substantive economic gender equality is also *intersectional* and *anti-colonial*; it upholds and advances *dignity*, and it is rooted in the *recognition and valuing of care*.

i. Intersectionality

In addition to misogyny, women and gender-diverse people are subject to other systems of oppression depending on other aspects of their identities. These other systems of oppression foundationally shape the types of misogyny that they experience.²⁰ In the context

¹⁹ See *Convention on the Elimination of All Forms of Discrimination Against Women*, 18 December 1979, 1249 United Nations Treaty Series 13, preamble (entered into force 3 September 1981, accession by Canada 10 December 1981); *International Covenant on Civil and Political Rights*, 19 December 1966, 999 United Nations Treaty Series 171, preamble (entered into force 23 March 1976, accession by Canada 19 May 1976); see also *Canadian Charter of Rights and Freedoms*, Part I of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982* (UK), 1982, c 11, s 15.

²⁰ See Grace Ajele and Jena McGill, “Intersectionality in Law and Legal Contexts” (2020) at 4-5, online (pdf): *Women’s Legal Education and Action Fund* <<https://www.leaf.ca/wp-content/uploads/2020/10/Full-Report-Intersectionality-in-Law-and-Legal-Contexts.pdf>>; Kimberlé Williams Crenshaw, “Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politic” (1989) University of Chicago Legal Forum 139.

of this report, intersectionality helps to explain how gendered social relations, including experiences of work, care, and government programs, are bound up with white supremacy, colonialism, transphobia, ableism, classism, and other systems of oppression. For example, a discussion of paid domestic care work cannot occur without consideration of Canada's immigration system and the gendered racialization of caregiving labour.

ii. Anti-colonialism

Canada is a settler colonial state. Settler colonization “engage[s] in the destruction of existing cultures and peoples, both physically and structurally, and seek[s] to replace existing structures with [its] own.”²¹ The Canadian state systematically destroyed Indigenous economies by dispossessing Indigenous peoples of their lands and resources. Indigenous communities “are economically destitute by design.”²² The economic and social independence of Indigenous women and girls was particularly targeted and limited through disenfranchisement provisions in the *Indian Act*,²³ the church and government imposition of patriarchy, and the introduction of racist, dehumanizing stereotypes of Indigenous women.²⁴ Adopting the principle of anti-colonialism in this report entails recognizing the genocidal²⁵ role of colonization in undermining the safety, both physical and economic, of Indigenous

²¹ National Inquiry into Missing and Murdered Indigenous Women and Girls, “Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls” (2019) vol 1a at 233, online (pdf): <https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1a-1.pdf>.

²² Emma Paling, “Why MMIWG Inquiry Report Calls For A National Basic Income”, *HuffPost Canada* (11 June 2019), online: <https://www.huffingtonpost.ca/entry/mmiwg-report-guaranteed-annual-income_ca_5d0025eae4b0755103994b16> (statement by Qajaq Robinson, one of the commissioners of the National Inquiry into Missing and Murdered Indigenous Women and Girls).

²³ RSC 1970, c 106, s 12(1)(b) (“12(1) The following persons are not entitled to be registered, namely, (b) a woman who married a person who is not an Indian, unless that woman is subsequently the wife or widow of a person described in section 11”—repealed in 1985).

²⁴ See National Inquiry into Missing and Murdered Indigenous Women and Girls, “Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls” (2019) vol 1a at 313, online (pdf): <https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1a-1.pdf>.

²⁵ See *ibid* at 614.

women and girls, and attending to how present-day economic state policies may be “modern iterations of the same historical atrocities.”²⁶

At the same time, this report aims to take direction from Indigenous women on the subject of basic income. We note here that a basic income program is Call for Justice 4.5 of the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls; this will be discussed further below, in the context of considering basic income as a means to prevent gender-based violence or to assist those exiting abusive environments. At the same time, others have called for caution regarding basic income implementation in First Nations communities, advocating for further consultation and pilot testing.²⁷ LEAF’s central conclusion with respect to Indigenous women and Two-Spirit people is that a basic income should not be implemented without further consultation with Indigenous communities, and that self-governing Indigenous nations should determine their own approach to social protection and whether a basic income fits within it.²⁸

iii. Dignity

The inherent dignity of each human being is a central principle in international and Canadian human rights law.²⁹ In the context of this report, dignity for all signals a number of commitments:

²⁶ *Ibid* at 312.

²⁷ See Gayle Broad & Jessica Nadjiwon-Smith, “B.I.G and First Nations: Cautions for Implementation” (May 2017) at 11, online (pdf): *Northern Policy Institute* <https://www.northernpolicy.ca/upload/documents/publications/reports-new/broad-nadjiwon-smith_big-and-fn-en.pdf>.

²⁸ See *United Nations Declaration on the Rights of Indigenous Peoples*, GA Res 61/295, UNGAOR, 61st Sess, UN Doc A/RES/61/295 (2007), art 5 (“Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State”).

²⁹ See *Universal Declaration of Human Rights*, GA Res 217A (III), UNGAOR, 3rd Sess, Supp No 13, UN Doc A/810 (1948) 71, preamble; “About human rights” (last modified 23 December 2020), online: *Government of Canada* <<https://www.canada.ca/en/canadian-heritage/services/about-human-rights.html>> (“Human rights describe how we instinctively expect to be treated as persons. They define what we are all entitled to – a life of equality,

a. Anti-poverty and anti-austerity

Poverty is a human rights issue and a violation of human dignity.³⁰ Women are more likely than men to be poor in Canada.³¹ Gender discrimination intersects with other forms of oppression so that women living with multiple intersecting grounds of oppression are overwhelmingly poor. While data from 2019 state that 10% of the Canadian population lives in poverty, the numbers shift markedly when data gets more specific: by the same metrics, 34% of First Nations women (living off reserve); 21% of racialized women; 23% of women with disabilities; 30% of single mothers; and 16% of senior women live in poverty.³²

Poverty is a barrier to accessing other human rights, such as rights to health, adequate housing, food, and clean water. Access to all of these goods and services requires public or private subsidies, personal income, or both. People with lower incomes benefit the most from public services,³³ and it is for this reason that adequate, accessible public services are so important. This leads to a commitment to *anti-austerity* in the context of dignity and anti-poverty. When governments undertake policies of austerity—that is, when they slash public services as a way to manage debt—marginalized women and gender-diverse people are the

dignity and respect, to live free from discrimination and harassment”); *Carter v Canada (Attorney General)*, 2015 SCC 5 at para 64 (underlying the rights to liberty and security of the person in section 7 of the *Canadian Charter of Rights and Freedoms* is “a concern for the protection of individual autonomy and dignity”).

³⁰ See “Human rights dimension of poverty” (last visited 28 April 2021), online: *United Nations Human Rights Office of the High Commissioner* <<https://www.ohchr.org/en/issues/poverty/dimensionofpoverty/pages/index.aspx>>; Canada Without Poverty, “Submission for a Canadian Poverty Reduction Strategy” (30 June 2017), online (pdf): <https://cwp-csp.ca/wp-content/uploads/2017/06/CPRS-Report_CWP-Final-Merged.pdf>.

³¹ See Dan Fox and Melissa Moyser, “Women in Canada: A Gender-based Statistical Report, The Economic Well-Being of Women in Canada” (16 May 2018) at 13-16, online (pdf): *Statistics Canada* <https://www150.statcan.gc.ca/n1/en/pub/89-503-x/2015001/article/54930-eng.pdf?st=YZSEz_qA>.

³² See “The Facts about Women and Poverty in Canada” (last visited 9 June 2021), online: *Canadian Women’s Foundation* <<https://canadianwomen.org/the-facts/womens-poverty/>>.

³³ See Sheila Block, “Brief to the Standing Committee on Finance regarding study of Income Inequality in Canada” (April 2013) at 3, online (pdf): *Wellesley Institute* <https://www.wellesleyinstitute.com/wp-content/uploads/2013/04/Submission-for-Standing-Committee-on-Finance_April-20131.pdf>.

ones to suffer the most.³⁴ At the federal level, Canada adopted austerity policies in the 1980s and 1990s. The health and social transfer system—and our public services, as a consequence—has never recovered.³⁵ At the provincial and territorial levels, the political commitment to austerity has varied; but while timing differs across jurisdictions, deep cuts to social services have generally occurred across the country.

b. Affirmation of the rights of disabled people

This means that disabled people should enjoy full and effective participation and inclusion in society.³⁶ It means respecting disabled people’s autonomy and independence—that is, their ability to make and actualize life choices within networks of care.³⁷ Finally, and consistent with the above commitments to anti-poverty and anti-austerity, it means that while paid work may be a valuable and desirable part of social life, one’s humanity is not contingent on one’s “economic purchasing power” or “ability to compete and produce.”³⁸

c. Racial justice

Economic inequality in Canada is racialized. For example, in 2016, “racialized women earned 59 cents for every dollar that non-racialized men earned, while non-racialized women earned 67 cents for every dollar that non-racialized men earned.”³⁹ Systemic racism underlies

³⁴ See Shelagh Day & Gwen Brodsky, “Women and the Canada Social Transfer: Securing the Social Union” (March 2007) at 25-35, online (pdf): *Status of Women Canada* <<http://publications.gc.ca/site/eng/311960/publication.html>>.

³⁵ *Ibid.*

³⁶ See *Convention on the Rights of Persons with Disabilities*, 13 December 2006, 2515 United Nations Treaty Series 3 art 3(c) (entered into force 3 May 2008, accession by Canada 11 March 2010).

³⁷ Here, “independence” is conceptualized as self-determination rather than self-sufficiency, and as incorporating shared vulnerability and partnership within its frame of reference. See Sally Kimpson, “Basic Income, Gender & Disability” (2021) at 18-19, online (pdf): *Women’s Legal Education and Action Fund* <<https://www.leaf.ca/wp-content/uploads/2021/09/Basic-Income-Gender-Disability-Full-Report-Final.pdf>>.

³⁸ Sarah Jama, “The Need to Root Disability Justice into Movements” in Rodney Diverlus, Sandy Hudson, & Syrus Marcus Ware, eds, *Until We Are Free: Reflections on Black Lives Matter in Canada* (Regina: University of Regina Press, 2020) 179 at 188, 186.

³⁹ Sheila Block, Grace-Edward Galabuzi & Ricardo Tranjan, “Canada’s Colour Coded Income Inequality” (December 2019) at 5, online (pdf): *Canadian Centre for Policy Alternatives*

all life outcomes for racialized women in Canada. Anti-Black racism in particular has led to the reality that Black people have “higher unemployment rates and bigger wage gaps than the average for all racialized workers.”⁴⁰ In order to promote human dignity in a project studying basic income, a strong ethic of racial justice and equity must be foregrounded.

iv. Recognition and valuing of care practices

Care practices are “the quotidian concerns of meeting daily human needs.”⁴¹ As Joan Tronto explains, “all humans are at once both recipients and givers of care. While the typical images of care are that those who are able-bodied and adult give care to children, the elderly, and the infirm, it is also the case that all [...] adults receive care from others, and from themselves, every day.”⁴² Care practices have generally been left to women to perform.

Recognizing and valuing care practices requires acknowledging, socially respecting, and properly compensating them. Doing so would reject the model that makes “the current male life patterns of uninterrupted life employment the socially-rewarded norm.”⁴³ This opens up possibilities for shared social responsibility of care, and accordingly, for redistribution of the responsibility of care between the private and public spheres.⁴⁴ It also opens up the possibility of making more room for care work in everyone’s lives. In addition, by broadening understandings of care to recognize and value non-familial caring practices such as delivering food to a neighbour or starting an online fundraiser for someone in need,

<<https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2019/12/Canada%27s%20Colour%20Coded%20Income%20Inequality.pdf>>.

⁴⁰ *Ibid* at 5-6.

⁴¹ Joan Tronto, “Theories of care as a challenge to Weberian paradigms in social science” in Daniel Engster & Maurice Hamington, eds, *Care Ethics and Political Theory* (Oxford: Oxford University Press, 2015) 252 at 252.

⁴² *Ibid* at 263.

⁴³ Zuzana Uhde, “Caring Revolutionary Transformation: Combined Effects of a Universal Basic Income and a Public Model of Care” (2018) 13:2 Basic Income Studies 1 at 4.

⁴⁴ *Ibid* at 3.

one can move from a politics of care that focuses on one's personal relations to a politics of solidarity.

Lessons from COVID-19 regarding gender and poverty in Canada

The impacts of COVID-19 on women in Canada have been well-documented, thanks to gender equity organizations and policy experts that ensured that these issues remained on the public agenda.⁴⁵ Here, we will briefly discuss four lessons from the pandemic that have particular relevance for gender and poverty: 1) Gendered care work is undervalued; 2) High-quality, affordable basic services are inadequate for many, and are unevenly distributed across the country; 3) Employment Insurance is inadequate and inaccessible; and 4) Gender-based violence must be addressed immediately. In discussing these issues, the intent of this report is to understand where and in what ways a basic income program might be useful.

⁴⁵ See e.g. Anjum Sultana & Carmina Ravanera, "A Feminist Economic Recovery Plan for Canada: Making the Economy Work for Everyone" (28 July 2020), online (pdf): *The Institute for Gender and the Economy and YWCA Canada* <<https://static1.squarespace.com/static/5f0cd2090f50a31a91b37ff7/t/5f205a15b1b7191d12282bf5/1595955746613/Feminist+Economy+Recovery+Plan+for+Canada.pdf>>; Canadian Women's Foundation, "Resetting Normal: Building Gender Equality in the Pandemic Recovery" (last visited 14 June 2021), online: <<https://canadianwomen.org/resetting-normal/>>; Rosel Kim & Cee Strauss, "Canadian Response to the COVID-19 Pandemic: Brief by Women's Legal Education and Action Fund (LEAF) to the Standing Committee on Industry, Science and Technology" (19 June 2020), online (pdf): *Women's Legal Education and Action Fund* <<https://www.leaf.ca/wp-content/uploads/2020/06/2020-06-19-Submission-to-INDU-re-gendered-impacts-of-COVID-19-FINAL.pdf>>; Samantha Edwards, "5 activists on the alarming impacts of the pandemic on BIPOC women", *CBC News* (5 March 2021), online: <<https://www.cbc.ca/life/culture/5-activists-on-the-alarming-impacts-of-the-pandemic-on-bipoc-women-1.5937360>>; Katherine Scott, "Women, work and COVID-19: Priorities for supporting women and the economy" (March 2021), online (pdf): *Canadian Centre for Policy Alternatives* <<https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2021/03/Women%20work%20and%20COVID.pdf>>; House of Commons, *Impacts of the Covid-19 Pandemic on Women: Report of the Standing Committee on the Status of Women* (March 2021) (Chair: Marilyn Gladu).

A. Gendered care work is undervalued

i. Paid care work: “those at greatest risk are also those who earn the least”⁴⁶

Women have been at the forefront of containing the pandemic in “5 C” occupations: caring, clerical, catering, cashiering, and cleaning. Women who are racialized, migrants, and/or undocumented occupy the caring jobs, such as cleaning and disinfecting, that are the lowest paid and the most precarious.⁴⁷ These jobs are precarious in several ways: they carry a higher risk of contracting COVID-19; they are often part-time, contract, and/or non-unionized positions with no benefits;⁴⁸ and those who work in them may not have immigration status.

The “5 C” occupations generally reflect work that women performed in the household. They attract lower wages than male-dominated occupations at the same skill level. This “speaks to the devaluation of women’s work in both the private and public spheres.”⁴⁹ These lower wages due to occupational differences are an example of systemic discrimination, as they stem from a devaluation of work traditionally associated with women.

The pandemic has exposed these inequities to the broader public. One of the most tragic examples of this was in the context of long-term care homes. Canada’s three-decade

⁴⁶ The Canadian Women’s Foundation et al, “Resetting Normal: Women, Decent Work and Canada’s Fractured Care Economy” (July 2020) at 5, online (pdf): <<https://fw3s926r0g42i6kes3bxg4i1-wpengine.netdna-ssl.com/wp-content/uploads/2020/07/ResettingNormal-Women-Decent-Work-and-Care-EN.pdf>>.

⁴⁷ *Ibid* at 4; see also Eddy S Ng & Suzanne Gagnon, “Employment Gaps and Underemployment for Racialized Groups and Immigrants in Canada: Current Findings and Future Directions”, *SkillsNext2020* (January 2020) at 8, online: <<https://fsc-ccf.ca/wp-content/uploads/2020/01/EmploymentGaps-Immigrants-PPF-JAN2020-EN.pdf>>.

⁴⁸ The Canadian Women’s Foundation et al, “Resetting Normal: Women, Decent Work and Canada’s Fractured Care Economy” (July 2020) at 4, online (pdf): <<https://fw3s926r0g42i6kes3bxg4i1-wpengine.netdna-ssl.com/wp-content/uploads/2020/07/ResettingNormal-Women-Decent-Work-and-Care-EN.pdf>>; see also Eddy S Ng & Suzanne Gagnon, “Employment Gaps and Underemployment for Racialized Groups and Immigrants in Canada: Current Findings and Future Directions”, *SkillsNext2020* (January 2020) at 8, online: <<https://fsc-ccf.ca/wp-content/uploads/2020/01/EmploymentGaps-Immigrants-PPF-JAN2020-EN.pdf>>.

⁴⁹ Melissa Moyser, “Women and Paid Work” in Statistics Canada, *Women in Canada: A Gender-based Statistical Report*, 7th ed (Ottawa: Statistics Canada, 2017) at 28, online (pdf): <<https://www150.statcan.gc.ca/n1/en/pub/89-503-x/2015001/article/14694-eng.pdf?st=puVk-63o>>.

long commitment to austerity included the privatization and deregulation of the long-term care sector. As a result, long-term care workers have been asked to work harder for less pay, with devastating consequences both for both those who work in these homes, and for those who receive care in them:

for-profits tend to have poorer quality of care than non-profits or municipal long-term care homes, as measured by lower hours of direct care per resident, number of verified complaints and deficiencies, and resident transfers to hospital. With large private chains expanding across Canada to generate sizable profits through short staffing [thereby increasing the numbers of patients per worker], lower wages, fewer benefits, and fewer pensions, nationally for-profit facilities have 34% fewer staff and spend less on direct care than homes under public ownership.⁵⁰

The state of long-term care in Canada set the country up for devastating loss of life when the pandemic hit.⁵¹ There have been reports that residents in for-profit homes have had higher COVID-19 death rates than those in non-profit homes,⁵² though other analyses have cast doubt on this finding.⁵³ The people working in long-term care homes at lower wages with few benefits and fewer pensions are predominantly women, many of whom are racialized, Black, and migrants and/or undocumented.⁵⁴

⁵⁰ The Canadian Women's Foundation et al, "Resetting Normal: Women, Decent Work and Canada's Fractured Care Economy" (July 2020) at 25, online (pdf): <<https://fw3s926r0g42i6kes3bxg4i1-wpengine.netdna-ssl.com/wp-content/uploads/2020/07/ResettingNormal-Women-Decent-Work-and-Care-EN.pdf>>.

⁵¹ See e.g. Office of the Auditor General of Ontario, "COVID-19 Preparedness and Management: Special Report on Pandemic Readiness and Response in Long-Term Care" (April 2021) at 7-11, online (pdf): <<https://s3.documentcloud.org/documents/20692999/covid-19-preparedness-and-management-report.pdf>>.

⁵² See Nathan M Stall et al, "For profit long-term care homes and the risk of COVID-19 outbreaks and resident deaths" (2020) 192:33 Canadian Medical Association Journal E946; Kristin Annable et al, "For-profit care homes have higher COVID-19 death rates among Winnipeg nursing homes", *CBC News* (17 March 2021), online: <<https://www.cbc.ca/news/canada/manitoba/for-profit-care-homes-coronavirus-deaths-wfpcbc-cbc-1.5952171>>.

⁵³ See e.g. Janine Clarke, "Impacts of the COVID-19 pandemic in nursing and residential care facilities in Canada" (10 June 2021), online: *Statistics Canada* <<https://www150.statcan.gc.ca/n1/pub/45-28-0001/2021001/article/00025-eng.htm>>.

⁵⁴ The Canadian Women's Foundation et al, "Resetting Normal: Women, Decent Work and Canada's Fractured Care Economy" (July 2020) at 26, online (pdf): <<https://fw3s926r0g42i6kes3bxg4i1-wpengine.netdna-ssl.com/wp-content/uploads/2020/07/ResettingNormal-Women-Decent-Work-and-Care-EN.pdf>>.

This same patterning has occurred in other “investment friendly” areas of the care sector, including childcare and home care.⁵⁵

There is an urgent need to take profit out of care by creating quality, affordable, accessible public services. The federal government’s recent \$30 billion investment in a national early learning and childcare system, including Indigenous early learning and child care, is an important step in this direction.⁵⁶

ii. Unpaid care work

The gendered division of labour and the undervaluation of unpaid care work did not begin with the pandemic. The “gender contract” of the male breadwinner and the female homemaker dominated twentieth-century Canadian society (though it was a social formation to which Black, Indigenous, and People of Colour (BIPOC) and working-class families had more limited access).⁵⁷ In the logic of twentieth-century gender roles, “[f]amily care was women’s work, relegated to the (unpaid) sphere of social reproduction. Paid work was men’s work, generating the financial means to support the family.”⁵⁸

This gender contract has all but disappeared in the twenty-first century: in 2015, 82% of women between the ages of 25 and 54 participated in the labour market (compared to

⁵⁵ *Ibid* at 16.

⁵⁶ See Department of Finance Canada, “A Recovery Plan for Jobs, Growth, and Resilience: Budget 2021” (19 April 2021) at 101-105, online (pdf): *Government of Canada* <<https://www.budget.gc.ca/2021/pdf/budget-2021-en.pdf>>.

⁵⁷ Drucilla K Barker & Susan F Feiner, *Liberating Economics: Feminist Perspectives on Families, Work and Globalisation* (Ann Arbor: University of Michigan Press, 2004) at 28-29; Law Commission of Ontario, “Vulnerable Workers and Precarious Work” (December 2012) at 20, online (pdf): <<https://www.lco-cdo.org/wp-content/uploads/2013/03/vulnerable-workers-final-report.pdf>>.

⁵⁸ Elizabeth Shilton, “Family Status Discrimination: ‘Disruption and Great Mischief’ Or Bridge over the Work-Family Divide?” (2018) 14 *Journal of Law & Equality* 33 at 34.

90.9% of men).⁵⁹ Yet despite the participation of most working-age adults (and therefore, most parents) in the paid labour market, employers “continue to demand an ‘unencumbered worker’,” and at the same time, “[c]are work still needs to be done, and women still bear most of the practical responsibility for doing it.”⁶⁰ Moreover, public childcare continues to be unavailable and/or unaffordable for many families.⁶¹ The combination of these factors leads to the reality that women are more likely to work part-time than men (women comprised 75% of part-time workers in 2015);⁶² they are more likely to work in temporary employment; and generally, they are more likely to accept “precarious forms of work that typically come with lower wages, fewer benefits, fewer promotional opportunities, and minimal or no retirement pensions.”⁶³ In this way, the gendered division of labour, social norms about work that discriminate against caregivers, and public policy on parental benefits and childcare⁶⁴ all serve to contribute to the feminization of poverty.

All of this was exacerbated by the pandemic, as women’s unpaid care obligations skyrocketed. With the shutdown of daycares, schools, home care services, and adult day programming during the pandemic, those caring for young, elderly, or disabled relatives—

⁵⁹ See Melissa Moyser, “Women and Paid Work” in Statistics Canada, *Women in Canada: A Gender-based Statistical Report*, 7th ed (Ottawa: Statistics Canada, 2017) at 4, online (pdf): <<https://www150.statcan.gc.ca/n1/en/pub/89-503-x/2015001/article/14694-eng.pdf?st=puVk-63o>>.

⁶⁰ Elizabeth Shilton, “Family Status Discrimination: ‘Disruption and Great Mischief’ Or Bridge over the Work-Family Divide?” (2018) 14 *Journal of Law & Equality* 33 at 35; see also Melissa Moyser, “Women and Paid Work” in Statistics Canada, *Women in Canada: A Gender-based Statistical Report*, 7th ed (Ottawa: Statistics Canada, 2017) at 3, online (pdf): <<https://www150.statcan.gc.ca/n1/en/pub/89-503-x/2015001/article/14694-eng.pdf?st=puVk-63o>>.

⁶¹ See Martha Friendly et al, “Early Childhood Education and Care in Canada 2019” (December 2020; revised February 2021) at xiii, online (pdf): *Childcare Resource and Research Unit* <<https://childcarecanada.org/sites/default/files/ECEC-Canada-2019-full-publication-REV-12-2-21.pdf>>.

⁶² See Melissa Moyser, “Women and Paid Work” in Statistics Canada, *Women in Canada: A Gender-based Statistical Report*, 7th ed (Ottawa: Statistics Canada, 2017) at 16, online (pdf): <<https://www150.statcan.gc.ca/n1/en/pub/89-503-x/2015001/article/14694-eng.pdf?st=puVk-63o>>.

⁶³ Elizabeth Shilton, “Family Status Discrimination: ‘Disruption and Great Mischief’ Or Bridge over the Work-Family Divide?” (2018) 14 *Journal of Law & Equality* 33 at 35. See also *Fraser v. Canada (Attorney General)*, 2020 SCC 28.

⁶⁴ See Law Commission of Ontario, “Vulnerable Workers and Precarious Work” (December 2012) at 20, online (pdf): <<https://www.lco-cdo.org/wp-content/uploads/2013/03/vulnerable-workers-final-report.pdf>>.

overwhelmingly women—were forced to reduce their hours or leave their jobs altogether, greatly reducing their income and negatively impacting their mental health and well-being. While fathers who lost working hours recovered their losses by August 2020, working mothers with children still had not done so by the end of December 2020.⁶⁵ These challenges have been greater for lone mothers, mothers with disabilities [and mothers of children with disabilities], immigrant mothers, and low-income women,⁶⁶ as well as greater for Indigenous and Black caregivers than for white caregivers.⁶⁷

The fact that women shouldered additional care work burdens, and were slower to recover their working hours, is consistent with years of policy decisions on the part of provinces that “assume that families—and, more specifically, women in those families—are available to step in to pick up the slack” to their own financial detriment.⁶⁸ It is estimated that globally, unpaid care work performed by women amounts to \$10.8 trillion USD.⁶⁹ The significant value of unpaid care work to the Canadian economy continues to go unacknowledged, while women’s economic inequality deepens.

⁶⁵ See Katherine Scott, “Women, work and COVID-19: Priorities for supporting women and the economy” (March 2021) at 17-18, online (pdf): *Canadian Centre for Policy Alternatives* <<https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2021/03/Women%20work%20and%20COVID.pdf>>.

⁶⁶ *Ibid* at 17.

⁶⁷ “71 per cent of Canadian women feeling more anxious, depressed, isolated, overworked or ill because of increased unpaid care work caused by COVID-19: Oxfam survey” (18 June 2020), online: *OXFAM Canada* <<https://www.oxfam.ca/news/71-per-cent-of-canadian-women-feeling-more-anxious-depressed-isolated-overworked-or-ill-because-of-increased-unpaid-care-work-caused-by-covid-19-oxfam-survey/>>.

⁶⁸ Katherine Scott, “Women, work and COVID-19: Priorities for supporting women and the economy” (March 2021) at 47, online (pdf): *Canadian Centre for Policy Alternatives* <<https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2021/03/Women%20work%20and%20COVID.pdf>>.

⁶⁹ See Oxfam International, “Time to Care: Unpaid and underpaid care work and the global inequality crisis” (January 2020) at 10, online (pdf) <<https://oxfamilibrary.openrepository.com/bitstream/handle/10546/620928/bp-time-to-care-inequality-200120-en.pdf>>.

B. High-quality, affordable basic services are inadequate for many and are unevenly distributed across the country

The pandemic highlighted the inequities that already existed in securing life's most crucial necessities. Some of the starkest issues that have surfaced during the pandemic—other than the crises in long-term care, home care, and childcare, detailed above—are affordable housing, clean water, inadequate Internet access, and racism and ableism in healthcare provision. While access to these necessities are inadequate for many—most notably accessible, affordable housing—they are of particular concern in Indigenous communities.⁷⁰

⁷⁰ For more on these issues, see Angela Mashford-Pringle et al, “What we heard: Indigenous Peoples and COVID-19” (February 2021) at 13, online (pdf): *Waakebiness-Bryce Institute for Indigenous Health, Dalla Lana School of Public Health, University of Toronto* <<https://www.canada.ca/content/dam/phac-aspc/documents/corporate/publications/chief-public-health-officer-reports-state-public-health-canada/from-risk-resilience-equity-approach-covid-19/indigenous-peoples-covid-19-report/cpho-www-report-en.pdf>>; First Nations Information Governance Centre, “RHS Statistics for Shaping a Response to COVID-19 in First Nations Communities” (May 2020) at 13, online (pdf): <https://fnigc.ca/wp-content/uploads/2020/09/0ab2092ec4f6262599ed396de5db3cf0_FNIGC-RHS-Covid-19-Report1.pdf> (survey of First Nations adults on drinking water)>; Rosa Saba, “‘We need the internet now’: Advocates call on government to make internet accessible — and affordable — to everyone”, *Toronto Star* (16 March 2021), online: <<https://www.thestar.com/business/2021/03/16/we-need-the-internet-now-advocates-call-on-government-to-make-internet-accessible-and-affordable-to-everyone.html>> (on unaffordability of internet); Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec: listening, reconciliation and progress, Summary Report (2019) at 65-66, online (pdf): <https://www.cerp.gouv.qc.ca/fileadmin/Fichiers_clients/Rapport/Summary_report.pdf> (on anti-Indigeneity in health care system); Benjamin Shingler, “Joyce Echaquan's death lays bare, once again, problems in Quebec's health-care system”, *CBC News* (29 May 2021), online: <<https://www.cbc.ca/news/canada/montreal/quebec-joyce-echaquan-reaction-1.6044631>> (on anti-Indigeneity in health care system); Samantha Edwards, “5 activists on the alarming impacts of the pandemic on BIPOC women” *CBC News* (5 March 2021), online: <<https://www.cbc.ca/life/culture/5-activists-on-the-alarming-impacts-of-the-pandemic-on-bipoc-women-1.5937360>> (on pervasive ableism in healthcare).

C. Employment Insurance is inaccessible and inadequate

The inaccessibility and inadequacy of the Employment Insurance (EI) system is a longstanding issue that advocates called attention to for years prior to COVID-19.⁷¹ Because of eligibility requirements, EI excludes many low-wage and precariously-employed workers, more than half of whom are women.⁷² It also does not adequately support part-time workers more generally, 75% of whom were women in 2015 and who are often working part-time due to caregiving responsibilities.⁷³

While some women performed essential work in the “5 C” sector, 2.8 million other women lost their jobs or went down to less than half of their regular work hours in the wake of the lockdown in March 2020. Accommodation, food services, personal care services, and retail trade were some of the hardest hit sectors; these sectors comprise significant numbers of immigrants and racialized women workers.⁷⁴ People in these industries have very few

⁷¹ See e.g. “Canadians not eligible for EI after parental leave”, *CBC News* (9 April 2013), online: <<https://www.cbc.ca/news/canada/montreal/canadians-not-eligible-for-ei-after-parental-leave-1.1377784>> (discriminatory against women); *Fraser v Canada (Attorney General)*, [2005] OJ No 5580 (challenging exclusion of migrant agricultural workers from EI benefits).

⁷² See Ricardo Tranjan, “Towards an Inclusive Economy: Syncing EI to the Reality of Low-wage Work” (27 June 2019) 9, online (pdf): Canadian Centre for Policy Alternatives <<https://www.policyalternatives.ca/publications/reports/towards-inclusive-economy>> (Tranjan defines “precariously-employed” workers as those who are working in “contract, part-time, and on-demand service economy jobs” that are rarely unionized, at 19); see also “Leave no one behind: Principles for a new Employment Insurance and income support system” (6 August 2020), online (pdf): Workers’ Action Centre <https://workersactioncentre.org/wp-content/uploads/2020/08/Leave-no-one-behind_Principles-for-a-new-Employment-Insurance-and-income-support-system_Workers-Action-Centre.pdf>.

⁷³ See ACORN Canada & MASSE, “The Employment Insurance Act: A Sexist Law in Need of Reform” (2018) at 3, online (pdf): <https://www.lemasse.org/wp-content/uploads/2018/10/Feuillet_anglais_F_web.pdf>; see also Association féminine d’éducation et d’action sociale (AFEAS) et al, “Éliminer la discrimination à l’égard des femmes dans l’assurance-emploi : Mémoire adressé au gouvernement et partis politiques fédéraux” (March 2020), online (pdf): <<https://ciaft.qc.ca/wp-content/uploads/2020/10/Femmes-et-AE-mars-2020.pdf>>.

⁷⁴ See Katherine Scott, “Women, work and COVID-19: Priorities for supporting women and the economy” (March 2021) at 12-13, online (pdf): *Canadian Centre for Policy Alternatives* <<https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2021/03/Women%20work%20and%20COVID.pdf>>.

workplace protections, and are some of the least likely to be able to access EI to weather job losses.

The inability of EI to meet the pandemic moment induced the government to introduce the Canada Emergency Response Benefit (CERB), which was replaced in October 2020 by three other benefits, the Canada Recovery Benefit (CRB), Canada Recovery Caregiver Benefit (CRCB) and Canada Recovery Sickness Benefit (CRSB). At the time of this report, these latter benefits were ongoing. CERB was available to people residing in Canada who had a valid social insurance number, stopped working due to COVID-19, and who had employment income of at least \$5,000 in 2019 (or in the 12 months preceding their application). Many workers were able to access CERB, which provided much-needed income support.⁷⁵ Other workers, for example undocumented and migrant workers and sex workers, have not qualified for direct support, or have not felt safe seeking it.

In anticipation of a wind-down of emergency and recovery benefits, policy analysts and community organizations have produced a number of recommendations to improve EI and to make it more inclusive of low-income workers, racialized workers, migrant workers, young workers, and women.⁷⁶ Canada's Budget 2021 responded to some of these concerns,

⁷⁵ See Angela Mashford-Pringle et al, "What we heard: Indigenous Peoples and COVID-19" (February 2021) at 9, online (pdf): *Waakebiness-Bryce Institute for Indigenous Health, Dalla Lana School of Public Health, University of Toronto* <<https://www.canada.ca/content/dam/phac-aspc/documents/corporate/publications/chief-public-health-officer-reports-state-public-health-canada/from-risk-resilience-equity-approach-covid-19/indigenous-peoples-covid-19-report/cpho-wwh-report-en.pdf>>; Katherine Scott, "Women, work and COVID-19: Priorities for supporting women and the economy" (March 2021) at 36-37, online (pdf): *Canadian Centre for Policy Alternatives* <<https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2021/03/Women%20work%20and%20COVID.pdf>>.

⁷⁶ See Laurell Ritchie et al, "Protecting Workers and the Economy: Principles for a New Social Insurance System" (2020), online (pdf): *Atkinson Foundation* <https://atkinsonfoundation.ca/site/uploads/2020/07/Protecting-Workers-and-the-Economy_-Memo-to-the-PMO-and-PCO-1.pdf>; "Leave no one behind: Principles for a new Employment Insurance and income support system" (6 August 2020), online (pdf): *Workers' Action Centre* <https://workersactioncentre.org/wp-content/uploads/2020/08/Leave-no-one-behind_Principles-for-a-new-Employment-Insurance-and-income-support-system_Workers-Action-Centre.pdf>; see also Ricardo Tranjan, "Towards an Inclusive Economy: Syncing EI to the Reality of Low-wage Work" (27 June 2019) at 19, online (pdf):

notably keeping the entry requirement to 420 hours (rather than the 420-700 hour range that was in place pre-pandemic) for another three years.⁷⁷ While these measures were welcomed, they are temporary and do not yet contemplate the transformation needed for EI to adequately protect workers in Canada.⁷⁸

Meanwhile, individuals on welfare and disability benefits watched as CERB recipients received \$500 per week, substantially more than they receive. The current rates of social assistance across Canada are well below what individuals need to survive.⁷⁹ In some provinces and territories, employed people on social assistance lost their eligibility for social assistance, had provincial governments claw back their CERB payments, or had their rents increase commensurate with their CERB benefits.⁸⁰ In certain cases, these measures resulted in people on social assistance receiving less than other CERB recipients.

D. Gender-based violence is a significant issue that must be addressed immediately

The rise in gender-based violence (GBV) in the pandemic has been termed “the shadow pandemic” by the United Nations.⁸¹ Requirements to stay at home have confined

Canadian Centre for Policy Alternatives <<https://www.policyalternatives.ca/publications/reports/towards-inclusive-economy>>.

⁷⁷ See Department of Finance Canada, “A Recovery Plan for Jobs, Growth, and Resilience: Budget 2021” (19 April 2021) at 88-89, online (pdf): *Government of Canada* <<https://www.budget.gc.ca/2021/pdf/budget-2021-en.pdf>>.

⁷⁸ See Jacob Lorinc, “How will the federal budget affect your access to government aid? Some programs have been extended and eligibility requirements have been changed for others”, *Toronto Star* (19 April 2021), online: <<https://www.thestar.com/business/2021/04/19/federal-budget-extends-covid-income-support-programs-including-unemployment-sickness-benefits.html>>.

⁷⁹ See “Welfare in Canada” (November 2020), online: *Maytree* <<https://maytree.com/welfare-in-canada/canada/>>.

⁸⁰ For a breakdown of policy by province/territory current to August 2020, see Anne Tweddle & John Stapleton, “Canada Emergency Response Benefit (CERB) interactions with provincial and territorial social assistance and subsidized housing programs and youth aging out of care” (20 August 2020), online (pdf): *Maytree* <<https://maytree.com/publications/cerb-interactions/>>.

⁸¹ Phumzile Mlambo-Ngcuka, “Violence against women and girls: the shadow pandemic” (6 April 2020), online: *UN Women* <<https://www.unwom-en.org/en/news/stories/2020/4/statement-ed-phumzile-violence-against-women-during-pandemic>>.

some women, gender-diverse people, and children to abusive home environments.⁸² At the same time, shelters and transition houses for those facing domestic violence have had to reduce the number of people they accept due to physical distancing requirements, when they were already unable to house the number of people needing their services pre-pandemic. Shelters have also had difficulty reaching those in need, as people remained at home. Finally, state violence against Black and Indigenous women, girls, Two-Spirit, and non-binary people continues.⁸³

All of this has brought the crisis of GBV to the fore, underscoring the need to immediately develop a fully-funded, intersectional National Action Plan to End Gender-Based Violence (NAP),⁸⁴ as well as the need to fully implement the Calls for Justice flowing from the National Inquiry into Missing and Murdered Indigenous Women and Girls.⁸⁵ LEAF was pleased

⁸² See Anjum Sultana & Carmina Ravanera, “A Feminist Economic Recovery Plan for Canada: Making the Economy Work for Everyone” (28 July 2020) at 11, online (pdf): *The Institute for Gender and the Economy and YWCA Canada*

<<https://static1.squarespace.com/static/5f0cd2090f50a31a91b37ff7/t/5f205a15b1b7191d12282bf5/1595955746613/Feminist+Economy+Recovery+Plan+for+Canada.pdf>>; Angela Mashford-Pringle et al, “What we heard: Indigenous Peoples and COVID-19” (February 2021) at 17-18, online (pdf): *Waakebiness-Bryce Institute for Indigenous Health, Dalla Lana School of Public Health, University of Toronto*

<<https://www.canada.ca/content/dam/phac-aspc/documents/corporate/publications/chief-public-health-officer-reports-state-public-health-canada/from-risk-resilience-equity-approach-covid-19/indigenous-peoples-covid-19-report/cpho-wwh-report-en.pdf>>.

⁸³ See e.g. Travis Fortnum, “‘What has changed?’: Honouring Chantel Moore one year later”, *Global News* (3 June 2021), online: <<https://globalnews.ca/news/7918134/chantel-moore-death-one-year-later/>> (on the death of Chantel Moore); Rachel Ward, “SIU clears police officers in the death of Regis Korchinski-Paquet”, *CBC News* (26 August 2020), online: <<https://www.cbc.ca/news/canada/toronto/fifth-estate-regis-korchinski-paquet-siu-1.5699999>> (on the death of Regis Korchinski-Paquet).

⁸⁴ See Amanda Dale, Krys Maki & Rotbah Nitia, “A Report to Guide the Implementation of a National Action Plan on Violence Against Women and Gender-Based Violence” (30 April 2021), online (pdf): <<https://nationalactionplan.ca/wp-content/uploads/2021/06/NAP-Final-Report.pdf>>.

⁸⁵ See Crown-Indigenous Relations and Northern Affairs Canada, “2021 Missing and Murdered Indigenous Women, Girls and 2SLGBTQIA+ People National Action Plan: Ending Violence Against Indigenous Women, Girls and 2SLGBTQIA+ People”, *CISION* (3 June 2021), online: <<https://www.newswire.ca/news-releases/2021-missing-and-murdered-indigenous-women-girls-and-2slgbtqia-people-national-action-plan-ending-violence-against-indigenous-women-girls-and-2slgbtqia-people-898597144.html>>; Ka’nehsí:io Deer, “MMIWG national action plan is an inadequate response to the crisis, say Indigenous women's advocates”, *CBC News* (3 June 2021), online: <<https://www.cbc.ca/news/indigenous/mmiwg-national-action-plan-indigenous-women-advocates-1.6052156>>.

to see that Canada's Budget 2021 includes an investment of \$600 million over five years to advance a NAP,⁸⁶ which is grounded in the vital work of feminist organizations and advocates. This budget commitment includes a much-needed investment of over \$200 million to support gender-based violence organizations, who are on the front lines supporting survivors, day in and day out.

E. Significant reforms to social protection are required

In order to adequately address economic gender inequality in Canada, and in particular the issues described in this section, significant reforms to our social protection systems are required. *Everyone* in Canada needs a social protection floor. This requires access to accessible, affordable, high-quality public services and accessible, adequate income replacement and social assistance programs when needed. This report seeks to understand how and whether a basic income program should be included in these reforms.

With respect to the lessons described above, there are two areas where a basic income holds the most promise: first, in valuing unpaid care work, and second, in addressing gender-based violence. In the final section of this report, we will explore these two issues. We conclude that if a basic income program is accompanied by other policy and law reforms, then it would contribute to the longstanding feminist goal of valuing care work. If, however, basic income is introduced in the absence of the other required pieces of care economy infrastructure, it could result in increasing inequality for caregivers.

⁸⁶ See Department of Finance Canada, "A Recovery Plan for Jobs, Growth, and Resilience: Budget 2021" (19 April 2021) at 278-79, online (pdf): *Government of Canada* <<https://www.budget.gc.ca/2021/pdf/budget-2021-en.pdf>>.

In the next two sections, we canvass proposals currently being considered to reform the social security system (including basic income proposals), and then focus on a basic income model that would be most consistent with substantive gender equality.

Basic Income

A. Proposals currently being considered to reform social protection

Basic income programs have come in and out of policy conversations in Canada for decades.⁸⁷ The latest discussions radically shifted as a result of the pandemic and the federal government's emergency benefit response to the sudden collapse in employment. With CERB's implementation, anti-poverty advocates saw the federal government nimbly instituting an income security program that did not introduce stigma and humiliation through its eligibility criteria (as welfare often does—discussed below); that was not dependent on hours worked to determine eligibility (as EI is);⁸⁸ that was capable of fast adaptation and adjustment to expand its eligibility where required; that had a simple application process and simple administrative design; and that was relatively generous. While CERB is not the same as a basic income program, particularly as CERB's focus was on those

⁸⁷ See e.g. James Mulvale & Sid Frankel, "Next Steps on the Road to Basic Income in Canada" (2016) 43:3 The Journal of Sociology & Social Welfare 27 at 33-40 (a guaranteed income for single mothers was recommended by Canada's Royal Commission on the Status of Women in 1970).

⁸⁸ Though the CERB was dependent on employment income from the previous year.

who lost employment income, its advent led many to advocate that it should be transitioned into a basic income program post-pandemic.⁸⁹

In the short time that LEAF's Basic Income Project has been studying the question of basic income and gender equality (August 2020 – August 2021), two provincial committees on basic income have concluded—one recommending that basic income should not be implemented in British Columbia (B.C.), the other recommending that the Prince Edward Island (PEI) government begin immediate negotiations with the federal government for the development and implementation of a basic income guarantee program for PEI— and the government of Nunavut is beginning to study the question;⁹⁰ the Office of the Parliamentary Budget Officer has conducted two separate costings of a basic income program, and updated one of them;⁹¹ Liberal MP Julie Dzerowicz introduced a private member's bill “to establish a

⁸⁹ See e.g. “Will this pandemic's legacy be a universal basic income?”, *Maclean's* (19 May 2020), online: <<https://www.macleans.ca/opinion/will-this-pandemics-legacy-be-a-universal-basic-income/>>; Gregory C Mason, “How to build a better Canada after COVID-19: Transform CERB into a basic annual income program”, *The Conversation* (28 June 2020), online: <<https://theconversation.com/how-to-build-a-better-canada-after-covid-19-transform-cerb-into-a-basic-annual-income-program-140683>>; Premila D'Sa, “As CERB winds down, calls for universal basic income intensify”, *National Observer* (15 September 2020), online: <<https://www.nationalobserver.com/2020/09/15/news/cerb-winds-down-calls-universal-basic-income-intensify>>; Evelyn L Forget, “A guaranteed minimum income would be more effective than current government programs” (16 November 2020), online: *Policy Options* <<https://policyoptions.irpp.org/magazines/november-2020/a-guaranteed-minimum-income-would-be-more-effective-than-current-government-programs/>>.

⁹⁰ See David A Green, Jonathan Rhys Kesselman, & Lindsay M Tedds, “Covering All the Basics: Reforms for a More Just Society, Final Report of the British Columbia Expert Panel on Basic Income” (28 December 2020), online (pdf): <https://bcbasicincomepanel.ca/wp-content/uploads/2021/01/Final_Report_BC_Basic_Income_Panel.pdf>; Special Committee on Poverty in PEI, Legislative Assembly of Prince Edward Island, Final Report of the Third Session of the Sixty-sixth General Assembly, “Recommendations in response to Motion No. 36: Creation of a Special Committee of the Legislative Assembly on Poverty in PEI” (27 November 2020), online (pdf): <<https://docs.assembly.pe.ca/download/dms?objectId=ebb58bb4-b7db-43b9-9c69-fa59f27aac51&fileName=FINAL%20REPORT%20-%20Special%20Committee%20on%20Poverty%20in%20PEI%20-%20November%202020.pdf>>; Cody Punter, “GN plans to study true cost of guaranteed basic income”, *Nunavut News* (20 October 2020), online: <<https://www.nunavutnews.com/nunavut-news/gn-plans-to-study-true-cost-of-guaranteed-basic-income/>>.

⁹¹ See Nasreddine Ammar, Carleigh Malanik-Busby & Salma Mohamed Ahmed, “Costing a Guaranteed Basic Income During the COVID Pandemic” (7 July 2020), online (pdf): *Office of the Parliamentary Budget Officer* <https://www.pbo-dpb.gc.ca/web/default/files/Documents/Reports/RP-2021-014-M/RP-2021-014-M_en.pdf>;

national strategy for a guaranteed basic income,” which has passed first reading;⁹² NDP MP Leah Gazan introduced a private member’s motion for a “Guaranteed Liveable Basic Income”;⁹³ and Liberal delegates to the party’s policy convention endorsed a resolution calling for the federal government to implement a universal basic income.⁹⁴

In addition, the House of Commons Standing Committee on the Status of Women published a report examining the impacts of the pandemic on women, girls, and gender-diverse people, along with recommendations of actions that the federal government should take. One such action was “[t]hat the Government of Canada, with the goal of eliminating income insecurity and financially empowering women, consider replacing existing emergency benefits with a permanent universal basic income program.”⁹⁵ In a separate report on women’s unpaid work, the Committee recommended that a national early learning and childcare system include an option of “sufficient financial support to Canadians who wish to care for their children at home.”⁹⁶ This could be considered a targeted basic income for those who care for children.

“Update: Five-Year Cost Estimate of the Guaranteed Basic Income” (5 November 2020), online: *Office of the Parliamentary Budget Officer* <<https://www.pbo-dpb.gc.ca/en/blog/news/BLOG-2021-004--update-five-year-cost-estimate-guaranteed-basic-income--mise-jour-estimation-cinq-ans-cout-revenu-base-garanti>>; Nasreddine Ammar, Carleigh Malanik-Busby & Salma Mohamed Ahmed, “Distributional and Fiscal Analysis of a National Guaranteed Basic Income” (7 April 2021), online (pdf): *Office of the Parliamentary Budget Officer* <<https://www.pbo-dpb.gc.ca/en/blog/news/RP-2122-001-S--distributional-fiscal-analysis-national-guaranteed-basic-income--analyse-financiere-distributive-un-revenu-base-garanti-echelle-nationale>>.

⁹² Bill C-273, *An Act to establish a national strategy for a guaranteed basic income*, 2nd Sess, 43rd Parl, 2021 (private member’s bill, first reading 22 February 2021).

⁹³ See Motion 46, *Guaranteed livable basic income*, 2nd Sess, 43rd Parl, 2020 (private member’s motion, placed on notice 10 August 2020, reinstated 23 September 2020).

⁹⁴ See John Paul Tasker, “Liberal delegates endorse a universal basic income, reject capital gain tax hike”, *CBC News* (10 April 2021), online: <<https://www.cbc.ca/news/politics/liberal-universal-basic-income-1.5982862>>.

⁹⁵ House of Commons, *Impacts of the Covid-19 Pandemic on Women: Report of the Standing Committee on the Status of Women* (March 2021) (Chair: Marilyn Gladu), at 43.

⁹⁶ House of Commons, *Women’s Unpaid Work in Canada: Report of the Standing Committee on the Status of Women* (June 2021) (Chair: Marilyn Gladu), at 4.

In the midst of all this, the Trudeau government issued the Fall Economic Statement 2020⁹⁷ and Budget 2021,⁹⁸ neither of which mentioned a basic income. Justin Trudeau has stated that a basic income is “not something that we see a path to moving forward with right now.”⁹⁹ Instead, the federal government has tabled legislation to create a disability benefit.¹⁰⁰

The details of the benefit have not yet been released. Prior to tabling legislation, the government had stated that the benefit would be modelled on the Guaranteed Income Supplement (GIS)¹⁰¹ and based on three years of consultations.¹⁰² The GIS is a cash transfer available to individuals 65 years or older who fall below a certain income level,¹⁰³ and is widely considered to be a targeted basic income.¹⁰⁴ Therefore, it appears that the federal

⁹⁷ Department of Finance Canada, “Supporting Canadians and Fighting COVID-19: Fall Economic Statement 2020” (30 November 2020), online: *Government of Canada* <<https://www.budget.gc.ca/fes-eea/2020/report-rapport/toc-tdm-en.html>>.

⁹⁸ Department of Finance Canada, “A Recovery Plan for Jobs, Growth, and Resilience: Budget 2021” (19 April 2021), online (pdf): *Government of Canada* <<https://www.budget.gc.ca/2021/pdf/budget-2021-en.pdf>>.

⁹⁹ Zi-Ann Lum, “Trudeau Says He Sees No Path For Basic Income Right Now”, *HuffPost Canada* (3 December 2020), online: <https://www.huffingtonpost.ca/entry/basic-income-canada-trudeau_ca_5fc8efc3c5b6933ec7dd0116>.

¹⁰⁰ Bill C-35, *An Act to reduce poverty and to support the financial security of persons with disabilities by establishing the Canada disability benefit and making a consequential amendment to the Income Tax Act*, 2nd Sess, 43rd Parl, 2021 (first reading 22 June 2021).

¹⁰¹ See Governor General, “A stronger and more resilient Canada: Speech from the Throne to open the Second Session of the Forty-Third Parliament of Canada” (23 September 2020), online (pdf): *Privy Council Office* <https://www.canada.ca/content/dam/pco-bcp/documents/pm/SFT_2020_EN_WEB.pdf>.

¹⁰² See Department of Finance Canada, “A Recovery Plan for Jobs, Growth, and Resilience: Budget 2021” (19 April 2021) at 233-34, online (pdf): *Government of Canada* <<https://www.budget.gc.ca/2021/pdf/budget-2021-en.pdf>>.

¹⁰³ And with exceptions depending on immigration status. See “Guaranteed Income Supplement: Do you qualify” (last modified 11 August 2021), online: *Government of Canada* <<https://www.canada.ca/en/services/benefits/publicpensions/cpp/old-age-security/guaranteed-income-supplement/eligibility.html>>.

¹⁰⁴ See e.g. John Stapleton, “How can we improve income security in a post-CERB world?” (27 August 2020), online: *First Policy Response* <<https://policyresponse.ca/how-can-we-improve-income-security-in-a-post-cerb-world/>>; Office of Kim Pate, “Why a Guaranteed Livable Income? Our Perspective” (25 February 2020) at 3-4, online (pdf): <https://senCanada.ca/media/366455/senpate_glibi-perspective-document_08-15-2020_e.pdf>; David Macdonald, “A Policymaker’s Guide to Basic Income” (October 2016) at 12, 14, online (pdf): *Canadian Centre for Policy Alternatives* <https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2016/10/Policy_makers_Guide_to_Basic_Income.pdf>.

government intends to develop a targeted basic income for disabled people—either instead of, or in advance of, a basic income for all adults.

In order to ensure that a federal disability benefit effectively assists disabled people and does not replicate the problems that exist in the provincial systems, several factors need to be considered. This subject is taken up by Sally Kimpson in LEAF’s companion report. A cautionary tale is the path recently pursued in Quebec. The government of Quebec passed legislation establishing a basic income for working-age persons with “a severely limited capacity for employment” in 2017, to be fully implemented in 2023.¹⁰⁵ Quebec’s targeted basic income program for disabled people has been criticized for its strict eligibility criteria. To be eligible, one has to have been on provincial disability benefits for 66 out of the last 72 months. In addition, critics argue that the program’s definition of disability functionally excludes people with intellectual and developmental disabilities.¹⁰⁶ At the federal level, the government’s one-time pandemic payment of \$600 also used a restrictive definition of disability: it was disbursed only to those who qualified for the Disability Tax Credit, the eligibility criteria for which are stringent and preclude some individuals with mental health impairments and other episodic conditions.¹⁰⁷ If the government uses this same definition of disability for a federal disability benefit, it will be an inaccessible, under-inclusive benefit.

Aside from basic income program suggestions, policy experts advocate for transformative change to the systems that we already have. Ontario’s 2017 report “Income

¹⁰⁵ *An Act mainly to introduce a basic income for persons with a severely limited capacity for employment*, SQ 2018, c 11; see also Michael Mendelson et al, “A Basic Income Plan for Canadians with Severe Disabilities” (November 2010), online (pdf): *Caledon Institute of Social Policy, commissioned by Council of Canadians with Disabilities and the Canadian Association for Community Living* <<https://maytree.com/wp-content/uploads/906ENG-1.pdf>>; (researchers at the Caledon Institute of Social Policy recommended a basic income restricted to working-age persons with “severe disabilities” more than ten years ago).

¹⁰⁶ See “Campagne sur le ‘revenu de base’” (last visited 18 June 2021), online: *Collectif pour un Québec sans pauvreté* <<https://www.pauvrete.qc.ca/campagnes-2/campagne-sur-le-revenu-de-base/>>.

¹⁰⁷ For more information on the Disability Tax Credit, see Sally Kimpson, “Basic Income, Gender & Disability” (2021) at 44-48, online (pdf): *Women’s Legal Education and Action Fund* <<https://www.leaf.ca/wp-content/uploads/2021/09/Basic-Income-Gender-Disability-Full-Report-Final.pdf>>.

Security: A Roadmap for Change” aimed to “[m]ake social assistance simpler and eliminate coercive rules and policies,” as well as to “[c]reate an explicit focus on helping people overcome barriers to moving out of poverty and participating in society.”¹⁰⁸ Its recommendations speak to many of the goals of basic income—non-punitive, non-stigmatizing assistance at rates capable of eliminating poverty. Nova Scotia has been working on this type of change to its social assistance programming since 2016, as part of what it calls a “Department of Community Services transformation.”¹⁰⁹ The government’s project has been criticized by anti-poverty advocates for doing very little to transform the income security system, to the point where social assistance recipients’ purchasing power has in fact gone down.¹¹⁰ As the “Employment Support and Income Assistance transformation” is still

¹⁰⁸ Income Security Reform Working Group, First Nations Income Security Reform Working Group, & Urban Indigenous Table on Income Security Reform, “Income Security: A Roadmap for Change” (October 2017) at 9, online (pdf): *Government of Ontario* <https://files.ontario.ca/income_security_-_a_roadmap_for_change-english-accessible_0.pdf>; see also David A Green, Jonathan Rhys Kesselman, & Lindsay M Tedds, “Covering All the Basics: Reforms for a More Just Society, Final Report of the British Columbia Expert Panel on Basic Income” (28 December 2020), online (pdf): <https://bcbasicincomepanel.ca/wp-content/uploads/2021/01/Final_Report_BC_Basic_Income_Panel.pdf>; A.J. Withers & John Clarke, “What Basic Income Means for Disabled People” in OCAP, ed, *Basic Income in the Neoliberal Age* (Toronto: Ontario Coalition Against Poverty, 2017) 26 at 30; Louis-Philippe Rochon, “Basic income shouldn’t upend the goal of full employment” in *Basic Income: Rethinking Social Policy*, Alex Himelfarb & Trish Hennessy, eds (Ontario: Canadian Centre for Policy Alternatives, 2016) 39 at 40, online (pdf): <https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office%2C%20Ontario%20Office/2016/10/CCPA%20ON%20Basic%20Income_FINAL.pdf>; Anna Cameron & Lindsay Tedds, “Gender-Based Violence, Economic Security, and the Potential of Basic Income: A Discussion Paper” (30 April 2021) at 34-35, online (pdf): <<https://papers.lindsaytedds.ca/Gender-Based%20Violence,%20Economic%20Security,%20and%20the%20Potential%20of%20Basic%20Income%20Tedds%20Cameron%20April%2030.pdf>>.

¹⁰⁹ “Community Services Transformation” (last visited 10 September 2021), online: *Government of Nova Scotia* <<https://novascotia.ca/coms/transformation/>>.

¹¹⁰ See Michael Gorman, “Human rights lawyer calls out province over social assistance rates”, *CBC News* (9 April 2019), online: <<https://www.cbc.ca/news/canada/nova-scotia/community-services-kelly-regan-social-assistance-calderhead-1.5089896>>; see also Lesley Frank & Laura Fisher, “2019 Report Card on Child and Family Poverty in Nova Scotia: Three decades lost” (January 2020) at 36, online (pdf): *Canadian Centre for Policy Alternatives/Nova Scotia* <<https://www.policyalternatives.ca/sites/default/files/uploads/publications/Nova%20Scotia%20Office/2020/01/2019%20report%20card%20on%20child%20and%20family%20poverty.pdf>>.

underway, Nova Scotians on social assistance watch to see whether it will sufficiently improve social assistance.¹¹¹

Others concerned about our systems of social protection place emphasis on the importance of in-kind benefits and employment rather than focusing on income transfers. They advocate for achieving full employment with high-quality, stable jobs, as well as for raising taxes and establishing high-quality, affordable, accessible public services.¹¹² Armine Yalnizyan has argued that improving public services would be better than implementing a basic income:

The CCPA Alternative Federal Budget shows that for half the annual cost of a poverty-eliminating basic income (\$15 billion), we could permanently expand the stock of affordable housing, child care and public transit, as well as almost eliminate user costs for pharmacare, dental care and post-secondary schooling.

After a decade, we would have greater access to more high quality, affordable necessities of life — not just for the poor but for everyone.¹¹³

There are many reasons why policy analysts believe that it would be better to overhaul the systems that we already have, rather than implement a basic income program to replace them. In assessing the potential of a basic income program to advance gender equality in the care economy, this report addresses some, but not all, of these concerns.

¹¹¹ See Kendall Worth, “Kendall Worth: Community Services transformation is getting back up” (12 July 2021), online: *The Nova Scotia Advocate* <<https://nsadvocate.org/2021/07/12/kendall-worth-community-services-transformation-is-getting-back-up/>>.

¹¹² See e.g. Ontario Public Service Employees Union, “Understanding Basic Income: A position paper from the Ontario Public Service Employees Union” (31 January 2017) at 14-16, online (pdf): <<https://opseu.org/news/understanding-basic-income-an-opseu-position-paper/15601/>>.

¹¹³ Armine Yalnizyan, “Basic income solutions in an era of slow growth” in *Basic Income: Rethinking Social Policy*, Alex Himelfarb & Trish Hennessy, eds (Ontario: Canadian Centre for Policy Alternatives, 2016) 33 at 36, online (pdf): <https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office%2C%20Ontario%20Office/2016/10/CCPA%20ON%20Basic%20Income_FINAL.pdf>

B. Definition and description of a basic income

In LEAF’s view, a basic income most consistent with substantive equality principles would be an income-tested cash transfer that is permanent—as in, not a pilot—and that is delivered to individuals; that is adequate to meet basic needs, i.e., livable; that replaces social assistance, but only once a basic income has brought recipients to an adequate income level; that does not replace any other social supports that currently accompany social assistance; that is accessible to all individuals regardless of immigration status; that is portable across provinces and territories; that reduces or eliminates the surveillance that is present in social assistance and disability benefits; that sets allowable earnings exemptions at a generous level, with minimal clawbacks of earned income above maximum allowable earnings; that is not conditional on demonstrating work history, the fact that one is pursuing work, or participation in employment programs; that is not paid for by low-income people; and that is indexed to the cost of living. These elements will be discussed in further detail below.

i. Basic Income policy goals: income security, poverty elimination, income stability, income equality and gender equality

Basic income advocate Sheila Regehr describes basic income as “the provision of a stable income platform available to all that is adequate to meet basic needs and enable participation in society.”¹¹⁴ The provision of a stable income platform sufficient to meet basic needs and to participate in society encompasses the policy goals of **income security and poverty elimination** (an income adequate to meet basic needs, which will contribute to

¹¹⁴ Sheila Regehr, “Basic Income and Gender Equality: Reflections on the Potential for Good Policy in Canada” (2014) at 5, online (pdf): <https://basicincome.org/bien/pdf/montreal2014/BIEN2014_Regehr.pdf>; see also “The Basic Income We Want” (last visited 13 May 2021), online: *Basic Income Canada Network* <<https://basicincomecanada.org/wp-content/uploads/2021/04/The-Basic-Income-We-Want-BICN-Statement-of-Principals.pdf>> (Basic Income Canada Network similarly defines a basic income guarantee as “one that ensures everyone sufficient income to meet basic needs and live with dignity, regardless of work status.”)

poverty elimination), **income stability** (an income floor below which people cannot fall),¹¹⁵ and **social inclusion** promoting human dignity (available to all, enabling participation in society). If funded in part through tax increases on the wealthy, a basic income also advances the goal of **income equality**.¹¹⁶ Regehr also identifies what she calls “key **gender equality goals** of valuing care work and facilitating the sharing of care work by women and men, and society at large.”¹¹⁷ Tracy Smith-Carrier & Chloe Halpenny also reference gender equality as a goal of basic income, as it is intended to “offer women more choices and opportunities in many significant domains of their lives.”¹¹⁸

It is important to note that income security will contribute to poverty elimination, but will not, on its own, eliminate poverty. Employment and Social Development Canada, in its first ever Poverty Reduction Strategy, defines poverty as “[t]he condition of a person who is deprived of the resources, means, choices and power necessary to acquire and maintain a basic level of living standards and to facilitate integration and participation in society.”¹¹⁹ This definition is in line with an understanding of poverty as a human rights issue and as a

¹¹⁵ See Evelyn Forget, *Basic Income for Canadians: The Key to a Healthier, Happier, More Secure Life for All* (Toronto: James Lorimer & Company Ltd, 2018) at 16. Note that Forget does not use the terms “income stability” and “income security”, but rather refers to both states as “economic insecurity”. For an explanation of financial security and financial stability, see Anna Cameron & Lindsay Tedds, “Gender-Based Violence, Economic Security, and the Potential of Basic Income: A Discussion Paper” (30 April 2021) at 6, online (pdf):

<<https://papers.lindsaytedds.ca/Gender-Based%20Violence,%20Economic%20Security,%20and%20the%20Potential%20of%20Basic%20Income%20Tedds%20Cameron%20April%2030.pdf>>.

¹¹⁶ See Chandra Pasma & Sheila Regehr, “Basic Income: Some Policy Options for Canada” (2019) at vii, online (pdf): *Basic Income Canada Network* <https://basicincomecanada.org/wp-content/uploads/2021/04/Basic_Income-_Some_Policy_Options_for_Canada.pdf>.

¹¹⁷ Sheila Regehr, “Basic Income and Gender Equality: Reflections on the Potential for Good Policy in Canada” (2014) at 5, online (pdf): <https://basicincome.org/bien/pdf/montreal2014/BIEN2014_Regehr.pdf>.

¹¹⁸ Tracy Smith-Carrier & Chloe Halpenny, “Basic Income: Making the Case for Women & Gender Equity” (October 2020) at 7, online (pdf): *The Case for Basic Income for Women* <<https://www.ourcommons.ca/Content/Committee/432/FEWO/Brief/BR10938265/br-external/Jointly1-e.pdf>>.

¹¹⁹ Employment and Social Development Canada, “Opportunity for All: Canada’s First Poverty Reduction Strategy” (2018) at 7, online: <<http://www12.esdc.gc.ca/sgpe-pmps/servlet/sgpp-pmps-pub?lang=eng&curjsp=p.5bd.2t.1.3ls@-eng.jsp&curactn=dwnld&pid=64076&did=5346>>

violation of human dignity.¹²⁰ As Campaign 2000 points out, such a definition requires poverty elimination strategies to address more than income inequality. It requires the elimination of structural barriers to inclusion and participation in society that keep people from being able to earn the income they need not to be in poverty.¹²¹

ii. Key principles of a basic income

Basic income advocates believe that basic income design should be guided by the following principles: universality, non-conditionality, security, autonomy, dignity, stability/reliability, adequacy, rewarding work effort, valuing care, complementing social services, and economic and gender equality.¹²² From these principles, a number of key basic income design features emerge.

Universality, non-conditionality, and dignity require a basic income to be available on an unconditional basis to all members of society, such that there are no invasive tests either to acquire the benefit or to continue to receive it. In particular, a basic income should not be conditional on demonstrating work history, the fact that one is pursuing work, or participation in employment programs. These types of conditions are rooted in a “workfare paradigm” that stigmatizes welfare recipients for not working. This paradigm “aim[s] to

¹²⁰ See “Human rights dimension of poverty” (last visited 28 April 2021), online: *United Nations Human Rights Office of the High Commissioner* <<https://www.ohchr.org/en/issues/poverty/dimensionofpoverty/pages/index.aspx>>.

¹²¹ See “2020: Setting the Stage for a Poverty-Free Canada” (14 January 2020) at 12, online (pdf): *Campaign 2000* <<https://campaign2000.ca/wp-content/uploads/2020/10/campaign-2000-report-setting-the-stage-for-a-poverty-free-canada-updated-august-2020.pdf>>.

¹²² See “The Basic Income We Want” (last visited 13 May 2021), online: *Basic Income Canada Network* <<https://basicincomecanada.org/wp-content/uploads/2021/04/The-Basic-Income-We-Want-BICN-Statement-of-Principals.pdf>>; Sheila Regehr, “Basic Income and Gender Equality: Reflections on the Potential for Good Policy in Canada” (2014) at 6, online (pdf): <https://basicincome.org/bien/pdf/montreal2014/BIEN2014_Regehr.pdf>; “The basic income we want” (last visited 27 August 2021), online: *Coalition Canada Basic Income* <<https://basicincomecoalition.ca/en/what-is-basic-income/basic-income-we-want-for-canada/>>.

discourage reliance on social assistance and to improve the work ethic, attitudes, and self-esteem of welfare clients.”¹²³ As Regehr states,

[o]f all the valuable and essential “work” that humans do [...] it is “waged labour” that has come to signify worth, status and moral rectitude in our society and in policy, as the primary basis for distributing income. This has never worked well for people who have high time demands outside the market, such as caring for dependants or managing a disability. With the world of waged labour dramatically changing, we need to curb our moralizing and find better ways to distribute work and income.¹²⁴

For these reasons, basic income advocates reject work conditionalities on government assistance.¹²⁵

Despite advocates’ emphasis on universality and non-conditionality, basic income models most often discussed in Canada do not provide a cash transfer benefit to all members of a society (what is called a demogrant), but rather envision a non-taxable benefit granted to those whose income falls below a certain level.¹²⁶ This is called an “income-tested” benefit.¹²⁷

¹²³ Pierre-Marc Daigneault, “Three Paradigms of Social Assistance” (2014) 4:4 SAGE Open 1 at 4.

¹²⁴ Sheila Regehr, “Basic income: the time is now” in *Basic Income: Rethinking Social Policy*, Alex Himelfarb & Trish Hennessy, eds (Ontario: Canadian Centre for Policy Alternatives, 2016) 13 at 14, online (pdf): <https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office%2C%20Ontario%20Office/2016/10/CCPA%20ON%20Basic%20Income_FINAL.pdf>.

¹²⁵ See also Chloe Halpenny, “A ‘State’ of Possibility? Reconfiguring basic income’s feminist potential through the lens of the state” (Paper delivered at Basic Income Earth Network (BIEN) Congress 2019, Hyderabad, India, 22-25 August 2019), online: *Basic Income Earth Network* <https://basicincome.org/wp-content/uploads/2020/01/Chloe_Halpenny.pdf>.

¹²⁶ This is primarily because a cheque issued to everyone in Canada, even at an amount set below the poverty line such as \$10,000 a year, would be exorbitantly expensive while delivering funds to individuals who do not need them and would have to return them at tax time: see Margot Young & James P Mulvale, “Possibilities and Prospects: The Debate over a Guaranteed Income” (November 2009) at 18, online (pdf): *Canadian Centre for Policy Alternatives* <https://www.policyalternatives.ca/sites/default/files/uploads/publications/reports/docs/CCPA_Guaranteed_Income_Nov_2009.pdf> (“[w]hile a progressive tax-back rate can correct the regressive impact of such coverage, the optics of providing benefits to those who do not need them along with the initial budgetary impact of such universality may make it politically difficult to have a benefit level that is significant in alleviating and reducing poverty”); Citizens For Public Justice, “Towards a Guaranteed Livable Income” (March 2017) at 5, 9, online (pdf): <<https://cpj.ca/wp-content/uploads/Towards-A-Guaranteed-Livable-Income.pdf>>.

¹²⁷ See e.g. Evelyn Forget, *Basic Income for Canadians: The Key to a Healthier, Happier, More Secure Life for All* (Toronto: James Lorimer & Company Ltd, 2018) at 21. Income-tested benefits set two specific income

Basic income models may limit the provision to those in certain age groups as well (e.g., to individuals between 18 and 64).¹²⁸ Income-tested basic incomes, or basic incomes offered to a particular age group, are still understood by basic income advocates to constitute a ‘universal’ basic income, in the sense that “anyone who needs it, gets it.”¹²⁹

The principle of autonomy means that individuals are free to use the cash transfer as they see fit. Stability, or reliability, indicates that the basic income is a floor below which people’s income cannot fall. It means that basic income should be a permanent program with a benefit amount that does not fluctuate (though it should increase with the cost of living) and that is delivered on a regular schedule. Finally, stability and reliability means that a basic income is responsive to changes in income, and is gradually reduced as income increases.¹³⁰

thresholds—a floor and a ceiling. Individuals with incomes below the first threshold, the floor, receive the maximum benefit. As a person’s income rises, their benefit will phase out correspondingly—the rate at which it does so is called a benefit reduction rate, or clawback. At the point that a person’s income level reaches the ceiling, the benefit will be completely phased out. People above the ceiling income threshold are not eligible for the benefit at all: see Sherri Torjman, “Primer on a New Disability Benefit” (2020) at 6-7, online (pdf): *Institute for Research and Development on Inclusion and Society* <<https://irisinstitute.ca/wp-content/uploads/sites/2/2020/11/Primer-on-a-New-Disability-Income-Benefit-Nov-2020.pdf>>.

¹²⁸ Seniors already receive basic income-like benefits: Old Age Security (OAS) and the Guaranteed Income Supplement (GIS). Some basic income proposals, such as that put forward by PEI’s Special Committee on Poverty, suggest removing those benefits and including seniors in a basic income. Pasma & Regehr’s costings of basic income models reveals that including seniors in a basic income program will benefit lower-income seniors, while higher-income seniors will lose income with the loss of OAS (which is not income-tested). Including seniors in a basic income model such as the one put forward by Pasma & Regehr results in poverty among seniors being almost entirely eliminated. Pasma & Regehr state, “[t]here is an argument to be made on the grounds of fairness that it is better to target money to low-income seniors than to higher-income seniors, but that argument may be difficult politically. As recent policy proposals have demonstrated, proposing even minor variances to OAS/GIS can create a public backlash”: Chandra Pasma & Sheila Regehr, “Basic Income: Some Policy Options for Canada” (2019) at 41, online (pdf): *Basic Income Canada Network* <https://basicincomecanada.org/wp-content/uploads/2021/04/Basic_Income_-_Some_Policy_Options_for_Canada.pdf>.

¹²⁹ Tracy Smith-Carrier & Chloe Halpenny, “Basic Income: Making the Case for Women & Gender Equity” (October 2020) at 4, online (pdf): *The Case for Basic Income for Women* <<https://www.ourcommons.ca/Content/Committee/432/FEWO/Brief/BR10938265/br-external/Jointly1-e.pdf>>.

¹³⁰ See Sheila Regehr, “Basic Income and Gender Equality: Reflections on the Potential for Good Policy in Canada” (2014) at 5, online (pdf): <https://basicincome.org/bien/pdf/montreal2014/BIEN2014_Regehr.pdf>; “The basic income we want” (last visited 27 August 2021), online: *Coalition Canada Basic Income* <<https://basicincomecoalition.ca/en/what-is-basic-income/basic-income-we-want-for-canada/>>.

Gradually reducing the benefit as income increases is also a feature of the principle of “rewarding work effort”, a principle that means that income earned through employment should not be reduced at a rate that disincentivizes working. The idea of rewarding work effort, while not objectionable on its own, echoes austerity policies such as the workfare paradigm that tie benefits to work effort. Another way to express this principle is that a basic income benefit should not create a “benefit trap” that keeps people poor by making it impossible for them to increase their incomes past the benefit amount they receive.

Current social assistance and disability benefits create benefit traps, or ‘welfare walls’, in that welfare and disability recipients would often be worse off financially if they attempted to enter the paid workforce. This is because their social assistance/disability benefits and related supports decrease sharply at the same time that their work-related expenses and tax burdens rise.¹³¹ In order to prevent basic income from repeating this process, a basic income benefit should set allowable earnings exemptions¹³² at a generous level. It should also ensure a gradual phase out of benefits so that the financial penalty of working is not too steep. A gradual phase-out of benefits can also be called a minimal clawback of earned income, or a low benefit reduction rate. The lower the benefit reduction rate or clawback, however, the higher the cost of the basic income program. The discussion of a precise reduction rate is complex and outside the scope of this report.¹³³ In their modeling, Regehr and Pasma set a

¹³¹ While the rates vary between provinces and territories, all social assistance programs reduce the amount of the benefit that people receive once they begin to earn income from employment (though there is a certain amount of earnings that one can keep prior to this benefit reduction rate kicking in—this is called an allowable earnings exemption). As earned income increases, many of the tax credits and supplementary benefits (such as rental subsidies, affordable childcare, and health and dental benefits) available to people on social assistance also become unavailable. At the same time, work-related expenses such as transportation, childcare, and clothing increase, and some recipients begin having to pay taxes. If social assistance benefits and related supports decrease too sharply or significantly while work-related expenses and tax burdens rise, it becomes financially infeasible to take up paid work. See Sherri Torjman, “Dismantling the Welfare Wall for Persons with Disabilities” (May 2017) at 11, online (pdf): *Caledon Institute of Social Policy* <<https://maytree.com/wp-content/uploads/1112ENG.pdf>>.

¹³² The amount of earnings from paid income that one can keep prior to their benefits being reduced.

¹³³ For a detailed discussion of this issue, see David A Green, Jonathan Rhys Kesselman, & Lindsay M Tedds, “Covering All the Basics: Reforms for a More Just Society, Final Report of the British Columbia Expert Panel on

benefit reduction rate (i.e., a clawback) of 40%.¹³⁴ There could also be certain savings vehicle exemptions to basic income clawbacks to assist working poor families, such as exemptions for funds put into a Registered Education Savings Plan.

The principle of valuing care speaks to the idea that a basic income decouples income from paid employment, opening up space for people to perform necessary care work and other activities.

Finally, the principle of security points to the need for a livable benefit amount. The PEI Working Group for a Livable Income (WGLI) has gone farther than most in detailing what this would be, stating that a basic income guarantee sufficient to meet basic needs “means enough to pay rent or mortgage and monthly utility bills, to buy nutritious food and medicine, to use transportation, to continue learning, to access childcare or eldercare, to participate in the community, and to cover emergencies.”¹³⁵ In its consultation with the Special Committee on Poverty in PEI (the provincial committee tasked with studying basic income), the WGLI elaborated on this point: “A livable income very importantly, supports people to live in good health and dignity. So as you can guess, with a definition that [... comprehensive] there isn’t a poverty line or measure of poverty that meets that bar for providing a livable income.”¹³⁶ This statement points to some of the obstacles to establishing “adequacy” or “livability” for the purposes of a basic income.

Basic Income” (28 December 2020) at 139-53, 356-58, online (pdf): <https://bcbasicincomepanel.ca/wp-content/uploads/2021/01/Final_Report_BC_Basic_Income_Panel.pdf>.

¹³⁴ Chandra Pasma & Sheila Regehr, “Basic Income: Some Policy Options for Canada” (2019) at 9, online (pdf): *Basic Income Canada Network* <https://basicincomecanada.org/wp-content/uploads/2021/04/Basic_Income_Some_Policy_Options_for_Canada.pdf>.

¹³⁵ “Basic Income Guarantee” (last visited 14 May 2021), online: *Cooper Institute* <<https://www.cooperinstitute.ca/Basic-Income-Guarantee>>.

¹³⁶ Special Committee on Poverty in PEI, Legislative Assembly of Prince Edward Island, Second Report of the First Session of the Sixty-sixth General Assembly, “Motion No 36: Interim Report on Committee Activities” (8 July 2020) at 5, online (pdf): <<https://docs.assembly.pe.ca/download/dms?objectId=3be1bf1e-77ac-4f54-8cb7-a4ec92ed9ba0&fileName=Second%20report-committee%20activities-interim%20report-spring%202020.pdf>>.

In November 2020, the Special Committee on Poverty in PEI (Special Committee) issued a recommendation to the Government of PEI to work with the federal government to develop and implement a basic income guarantee program for PEI. The PEI government has asked the federal government to contribute funding for a basic income pilot project, as yet unsuccessfully.¹³⁷ In its set of recommendations, the Special Committee essentially reproduced the WGLI's definition of basic needs, adding that it must also be recognized that not everyone has the same basic needs, and that both dignity and self-determination are to be touchstones for sufficiency.¹³⁸ The Special Committee then suggested that a basic income guarantee be fixed at a minimum of 85% of the Market Basket Measure threshold, with a 50% benefit reduction rate.¹³⁹

It will not be easy to establish consensus as to what constitutes an adequate benefit amount. Doing so will require consultation with anti-poverty advocates who have been demanding increases in social assistance rates for decades. For the purposes of this report, the basic income must be sufficient to meet basic needs, consistent with WGLI's definition of what this entails (though not necessarily with the numbers that the Special Committee put forward).

For basic income advocates, all of the above principles and features position a basic income program in contrast to social assistance schemes, which are anything but universal

¹³⁷ See Kerry Campbell, "For 3rd time in 18 months, P.E.I. government asks Ottawa to fund basic income pilot", *CBC News* (17 December 2020), online: <<https://www.cbc.ca/news/canada/prince-edward-island/pei-basic-income-guarantee-pilot-1.5844092>>; see also Diane Griffin, Brian Francis & Mike Duffy, "P.E.I. Senators: Basic income is an idea whose time has come", *Saltwire* (10 February 2021), online: <<https://www.saltwire.com/nova-scotia/opinion/pei-senators-basic-income-is-an-idea-whose-time-has-come-550641/>>.

¹³⁸ See Special Committee on Poverty in PEI, Legislative Assembly of Prince Edward Island, Final Report of the Third Session of the Sixty-sixth General Assembly, "Recommendations in response to Motion No. 36: Creation of a Special Committee of the Legislative Assembly on Poverty in PEI" (27 November 2020) at 21, online (pdf): <<https://docs.assembly.pe.ca/download/dms?objectId=ebb58bb4-b7db-43b9-9c69-fa59f27aac51&fileName=FINAL%20REPORT%20-%20Special%20Committee%20on%20Poverty%20in%20PEI%20-%20November%2027,%202020.pdf>>.

¹³⁹ *Ibid* at 14.

and unconditional. For example, in contrast to a basic income which would be income-tested, social assistance programs are “needs-tested”. Needs-tested programs include both income and assets in eligibility evaluation. Including assets in eligibility evaluation means that people are required to drain their savings, such as Registered Retirement Savings Plans, prior to being eligible for benefits. This increases their risk of being in poverty in the future. In addition, while the types of monies included in “income” vary across the country, income is considered in several provinces to include unearned income such as disability support or child support payments, and so applicants may have their benefits denied or reduced if they do not pursue those avenues of payment.¹⁴⁰

Further, a needs-tested payment is granted “when the household’s non-exempted financial resources are less than the government approved cost to the household for food, shelter and other acceptable recurring needs.”¹⁴¹ Determining the value of “government-approved cost” for a household’s needs requires extensive surveying of the applicant and their family, as the applicant’s needs must be determined based on their personal circumstances such as health status, age of household members, head of household employability, and other factors.¹⁴² This surveying takes on a gendered, patriarchal disciplining of women’s intimate lives, as, for instance, benefits can be cut off if one is

¹⁴⁰ See Sherri Torjman, “Dismantling the Welfare Wall for Persons with Disabilities” (May 2017) at 9, online (pdf): *Caledon Institute of Social Policy* <<https://maytree.com/wp-content/uploads/1112ENG.pdf>>.

¹⁴¹ Jennifer Robson, “Wealth, Low-Wage Work and Welfare: The Unintended Costs of Provincial Needs-Tests” (April 2008) at 6, online (pdf): *SEDI* <<https://prospercanada.org/getattachment/b704caf8-7bbb-4aca-b710-87c67261b18f/Wealth,-Low-Wage-Work-and-Welfare-The-Unintended-C.aspx>>.

¹⁴² See Sherri Torjman, “Dismantling the Welfare Wall for Persons with Disabilities” (May 2017) at 10, online (pdf): *Caledon Institute of Social Policy* <<https://maytree.com/wp-content/uploads/1112ENG.pdf>>.

determined to be in a spousal relationship.¹⁴³ Caseworkers are permitted to make exceptions to many of these rules in the event of special circumstances.¹⁴⁴

When needs tests were first introduced, they were considered to be a more progressive way of ensuring a minimum standard of living for all. Income tests (as opposed to needs tests) were associated with the principle of “less eligibility”—the principle that benefits should always be lower than the lowest-wage work that able-bodied recipients could find.¹⁴⁵ Today, however, needs-tested programs are considered to be invasive, patronizing, and arbitrary, given both the high level of scrutiny that individuals are subjected to in order to meet eligibility requirements, and the high level of administrative discretion that caseworkers have in the process. Basic income advocates seek to replace the “conditional, humiliating and stigmatizing” system of social assistance with a basic income.¹⁴⁶

The experience of welfare delivery on First Nations reserves is distinct from that described above, and is also not homogeneous across reserves. Gayle Broad and Jessica Nadjiwon-Smith describe welfare offices in First Nation communities in Ontario not as places of last resort but as places of “first response” that provide a host of services to support employment and community social development, all of which are “culturally appropriate and responsive to local needs.”¹⁴⁷ With respect to the amount of income assistance provided, a

¹⁴³ See Janet Mosher, “Intimate Intrusions: Welfare Regulation and Women’s Personal Lives” in Shelley AM Gavigan & Dorothy E Chunn, eds, *The Legal Tender of Gender: Welfare, Law and the Regulation of Women’s Poverty* (London: Hart Publishing, 2010) 165.

¹⁴⁴ See Sherri Torjman, “Dismantling the Welfare Wall for Persons with Disabilities” (May 2017) at 10, online (pdf): *Caledon Institute of Social Policy* <<https://maytree.com/wp-content/uploads/1112ENG.pdf>>.

¹⁴⁵ See Jennifer Robson, “Wealth, Low-Wage Work and Welfare: The Unintended Costs of Provincial Needs-Tests” (April 2008) at 6, 4, online (pdf): *SEDI* <<https://prospercanada.org/getattachment/b704caf8-7bbb-4aca-b710-87c67261b18f/Wealth,-Low-Wage-Work-and-Welfare-The-Unintended-C.aspx>>.

¹⁴⁶ Basic Income Canada Network, “Submission to the 2021 Federal Pre-Budget Consultations” (2021) at 2, online (pdf): <<https://basicincomecanada.org/wp-content/uploads/2021/04/2021-Pre-Budget-Brief.pdf>>.

¹⁴⁷ Gayle Broad & Jessica Nadjiwon-Smith, “B.I.G and First Nations: Cautions for Implementation” (May 2017) at 9, online (pdf): *Northern Policy Institute* <https://www.northernpolicy.ca/upload/documents/publications/reports-new/broad-nadjiwon-smith_big-and-fn-en.pdf>.

2018 Indigenous Services Canada evaluation of the On-Reserve Income Assistance Program calls attention to the significant expenses of living in Northern communities on reserves, as well as to several differences between off-reserve and on-reserve income assistance programming. Due to these distinctions, the evaluators recommend co-developing a new Income Assistance policy with First Nations to improve the efficacy of the program and to advance reconciliation in Canada.¹⁴⁸

iii. Other Key Design Features of a Basic Income

In addition to the above, a basic income most consistent with substantive equality must be available to all adults in Canada regardless of immigration status. This is because any provision of a basic income should not deepen the divide between those with and without immigration and citizenship status. While permanent residency for all is not a precondition to a basic income, it would make it administratively less complicated. In the absence of a full regularization program, and despite the administrative complexity that would come with providing a basic income to people who are living in Canada but are not legally residents of Canada (e.g., workers in the Temporary Foreign Worker program), LEAF's support for basic income is contingent on its being available to all regardless of immigration status. We acknowledge, however, that it will be functionally impossible to include undocumented people.¹⁴⁹ In order to design a system that will successfully include people with precarious immigration status, there should be consultation with migrant justice advocates and unions.

¹⁴⁸ See Indigenous Services Canada, "Evaluation of the On-Reserve Income Assistance Program" (October 2018), online (pdf): <https://www.sac-isc.gc.ca/DAM/DAM-ISC-SAC/DAM-AEV/STAGING/texte-text/ev_oria_1557320422981_eng.pdf>.

¹⁴⁹ In the absence of a full regularization program, undocumented individuals are effectively excluded from the program by virtue of their inability to disclose their identities for fear of deportation: see Yogi Acharya & AJ Withers, "Intentional Neglect or Callous Oversight?: How 'Progressive' Basic Income Proposals Fail Migrants" in *Basic Income in the Neoliberal Age*, OCAP, eds (Toronto: The Socialist Project, 2017) 31 at 35, online (pdf): <<http://pinguet.free.fr/basicocap.pdf>>.

As mentioned, a concern regarding a basic income is that other vital benefits would be eliminated or reduced in order to make room for basic income in the fiscal and policy landscape.¹⁵⁰ Receiving a basic income should not leave any low-income people worse off. The intent of a basic income is to expand, rather than contract, the social safety net.¹⁵¹ Public programs are still required, and in fact require expansion, as discussed elsewhere in this report. Income replacement programs like EI and workers' compensation should remain in place, as should Old Age Security and the Guaranteed Income Supplement (if the basic income is provided only to people under 65) and the Canada Child Benefit.

Social assistance would be eliminated. People on social assistance receive myriad supplementary benefits in the form of both cash payments and in-kind benefits.¹⁵² Typically, basic income advocates recommend maintaining these benefits, even as social assistance itself is phased out.¹⁵³ The PEI Special Committee made this choice, recommending the elimination of social assistance but the “maint[enance of] all other social programs and services that support people with low income, regardless of the implementation of any basic income guarantee in the province.”¹⁵⁴ Leah Gazan's Motion 46 advocates for this as well. It is

¹⁵⁰ See e.g. Jennefer Laidley, “The devil's in the details” in *Basic Income: Rethinking Social Policy*, Alex Himelfarb & Trish Hennessy, eds (Ontario: Canadian Centre for Policy Alternatives, 2016) 28 at 30-31, online (pdf): <https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office%2C%20Ontario%20Office/2016/10/CCPA%20ON%20Basic%20Income_FINAL.pdf>.

¹⁵¹ See Evelyn Forget, *Basic Income for Canadians: The Key to a Healthier, Happier, More Secure Life for All* (Toronto: James Lorimer & Company Ltd, 2018) at 21.

¹⁵² These differ by province, but may include prescription drug coverage, dental care, special diet allowances, transition to employment allowance, funeral expense coverage, and home repairs/maintenance coverage.

¹⁵³ See “The Basic Income We Want” (last visited 13 May 2021), online: *Basic Income Canada Network* <<https://basicincomecanada.org/wp-content/uploads/2021/04/The-Basic-Income-We-Want-BICN-Statement-of-Principals.pdf>> (“A good basic income design for Canada is one that [...] leaves no one receiving income support worse off than before a basic income program was implemented, substantially improves the wellbeing of those in deepest poverty, and to these ends changes services currently tied to social assistance receipt to ones that are geared to income”).

¹⁵⁴ Special Committee on Poverty in PEI, Legislative Assembly of Prince Edward Island, Final Report of the Third Session of the Sixty-sixth General Assembly, “Recommendations in response to Motion No. 36: Creation of a Special Committee of the Legislative Assembly on Poverty in PEI” (27 November 2020) at 16, online (pdf): <<https://docs.assembly.pe.ca/download/dms?objectId=ebb58bb4-b7db-43b9-9c69->

worth noting that gearing existing benefits and programs to income rather than to social assistance receipt would likely require provinces to create new administrative systems. This is not simply a question of “maintaining” benefits, then, but rather one of creating new administrative systems to provide benefits.

Questions as to whether federal and provincial/territorial governments will agree to continue funding supplementary benefits, as well as whether they will agree to create new systems to administer them, are a concern. As stated above, it is LEAF’s position that a basic income program is only desirable if it is feasible to deliver it alongside accessible, quality public services and programs for all. This includes continuing to provide the benefits and programs, aside from social assistance and disability benefit cash transfers, that currently support people with low income.

Implementing a basic income in the context of a strong welfare state would partially address concerns that a basic income would result in increased market burdens. If governments aggressively address housing insecurity, for instance, in tandem with providing a basic income, then a person’s basic income cheque will not simply end up in their landlord’s pocket. If governments increase minimum wages, institute strong employment standards and labour legislation, and expand eligibility for EI, then a basic income cannot act as a subsidy for low-wage work.¹⁵⁵

fa59f27aac51&fileName=FINAL%20REPORT%20-

%20Special%20Committee%20on%20Poverty%20in%20PEI%20-%20November%2027,%202020.pdf>.

¹⁵⁵ See Unifor, “Unifor’s Road Map for a Fair, Inclusive and Resilient Economic Recovery” (June 2020), online (pdf):

<https://d3n8a8pro7vhmx.cloudfront.net/unifortheunion/pages/3081/attachments/original/1592946015/Build_Back_Better-final-en-sm.pdf?1592946015> (UNIFOR puts forward a worker-centred recovery plan that includes an income floor—a basic income—alongside labour protections); Navjeet Sidhu, “A Universal Basic Income: Too Good to be True?” (5 October 2020), online: *UNIFOR* <<https://www.unifor.org/news/all-news/universal-basic-income-too-good-be-true>> (“*While not opposing measures that would create a livable income floor, we must be cautious of not abandoning existing policies and programs that have been deliberately dismantled over time, and which can be easily fixed to bring about improvements in the quality of life of workers and families. This is why Unifor developed a comprehensive list of policy recommendations as part of our Build Back Better*

Implementing a basic income in the context of a strong welfare state would also partially address the criticism that a basic income would not account for heterogeneity of need, as many of the programs and benefits that are tailored to individual needs would remain in place—but they would no longer be predicated on receipt of social assistance, opening up their availability to low-income people who do not qualify for social assistance as well. The design of a basic income program should also occur with consultation of directly affected communities to ensure that diverse needs are being taken into account. In the context of gender equality, this means consultation with women (both cis and trans), Two-Spirit, transgender, and non-binary people who are disabled, Black, First Nations (both on- and off-reserve), Métis, Inuit, otherwise racialized, on social assistance, precariously housed, lone parents, and/or have precarious immigration status (and/or with advocates for those who have precarious immigration status, such as migrant justice advocates).

While the question of how a basic income would be funded is not canvassed in detail in this report, it is LEAF's position that offsetting the cost of a basic income should not come at the expense of anyone who is poor or low-income. The most recent costing of a basic income by the Office of the Parliamentary Budget Officer (OPBO) offset the cost of a basic income by eliminating refundable and non-refundable tax credits relied upon by low-income individuals and families. In doing so, the OPBO's modeling significantly increased the disposable household income of those in deep poverty, but it decreased the income of single individuals in the second-lowest income category—the category that comprises what is called

campaign, that we believe will achieve greater income security and economic resiliency for people. For example, for a majority of those in Canada, employment is the main source of income. As such, policy interventions such as a higher minimum wage rates, strong employment standards and labour laws (that are enforced) and access to unionization and collective bargaining need to be on the table. Combined with other key social policies, such as rent control measures, construction of affordable housing, free public post-secondary education and transit, and a national child care program and pharmacare, we can foster greater opportunities to strengthen the working-class and move beyond mere survival and towards dignity, opportunity and economic justice for all" (emphasis added)).

the “working poor”.¹⁵⁶ While it is crucial to assist people living in deep poverty, this should not be achieved at the expense of other low-income individuals. The focus must be on both poverty relief and reducing income inequality. Basic income has redistributive potential. The costs of a basic income should be shouldered by high-income earners and corporations.¹⁵⁷ This is especially so given the fact that corporations will benefit from workers receiving another form of income in addition to employment income.

Some basic income proposals contemplate additional supports for disabled people, while others do not.¹⁵⁸ If there is no supplement for disabled people provided by a basic income, the additional costs of living with disability would likely continue to be administered as they are now.¹⁵⁹ As Kimpson writes in “Basic Income, Gender & Disability”, this is one of the reasons why the Canada Disability Benefit may be preferable for disabled women and gender-diverse disabled people.¹⁶⁰

¹⁵⁶ See Nasreddine Ammar, Carleigh Malanik-Busby & Salma Mohamed Ahmed, “Distributional and Fiscal Analysis of a National Guaranteed Basic Income” (7 April 2021) at 8, online (pdf): *Office of the Parliamentary Budget Officer* <<https://www.pbo-dpb.gc.ca/en/blog/news/RP-2122-001-S--distributional-fiscal-analysis-national-guaranteed-basic-income--analyse-financiere-distributive-un-revenu-base-garanti-echelle-nationale>>; Mohy Tabbara & Garima Talwar Kapoor, “Developing a costing for a basic income is not a neutral exercise: Summary and analysis of the Office of the Parliamentary Budget Officer’s report, *Distributional and Fiscal Analysis of a National Guaranteed Basic Income*” (June 2021) at 1, online (pdf): <<https://maytree.com/wp-content/uploads/basic-income-not-neutral.pdf>>.

¹⁵⁷ See Chandra Pasma & Sheila Regehr, “Basic Income: Some Policy Options for Canada” (2019) at 2, online (pdf): *Basic Income Canada Network* <https://basicincomecanada.org/wp-content/uploads/2021/04/Basic_Income-_Some_Policy_Options_for_Canada.pdf>.

¹⁵⁸ See e.g. “Archived - Ontario Basic Income Pilot” (8 April 2019) online: *Government of Ontario* <<https://www.ontario.ca/page/ontario-basic-income-pilot>> (Additional \$500/month top-up for people with disabilities); Special Committee on Poverty in PEI, Legislative Assembly of Prince Edward Island, Final Report of the Third Session of the Sixty-sixth General Assembly, “Recommendations in response to Motion No. 36: Creation of a Special Committee of the Legislative Assembly on Poverty in PEI” (27 November 2020) at 21, online (pdf): <<https://docs.assembly.pe.ca/download/dms?objectId=ebb58bb4-b7db-43b9-9c69-fa59f27aac51&fileName=FINAL%20REPORT%20-%20Special%20Committee%20on%20Poverty%20in%20PEI%20-%20November%202020.pdf>> (“[i]t is believed that many social programs and service should be maintained, including disability supports”).

¹⁵⁹ For a discussion of the additional costs of living with disability, see See Sally Kimpson, “Basic Income, Gender & Disability” (2021) at 31-34, online (pdf): *Women’s Legal Education and Action Fund* <<https://www.leaf.ca/wp-content/uploads/2021/09/Basic-Income-Gender-Disability-Full-Report-Final.pdf>>.

¹⁶⁰ *Ibid* at 84-88.

Another site of debate in the basic income sphere has been the method of delivery of a basic income. The income-tested model discussed here is referred to as a ‘negative income tax’, and would be delivered through the tax system. The current income tax system adjusts benefits on an annual basis. To be appropriately flexible and responsive to changes in income throughout the year, it would have to be restructured. We do not address the feasibility of doing so in this report.¹⁶¹

The tax system is also currently insufficient as a delivery mechanism, given the number of people who do not file tax returns—around 12% of working-age Canadians do not file taxes, many of whom would be eligible for benefits.¹⁶² For example, only 3% of homeless people receive the GST/HST credit, a credit automatically assessed upon tax filing, while on-reserve First Nations communities are estimated to have an average non-filing rate of 25% (though this rate varies widely among communities).¹⁶³

¹⁶¹ For more information on this issue, as well as a discussion of how a non-taxable basic income benefit is more complicated than is often presented by basic income advocates, see Michael Mendelson, “Basic income or bait and switch?” in *Basic Income: Rethinking Social Policy*, Alex Himelfarb & Trish Hennessy, eds (Ontario: Canadian Centre for Policy Alternatives, 2016) 47 at 49-52, online (pdf): <https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office%2C%20Ontario%20Office/2016/10/CCPA%20ON%20Basic%20Income_FINAL.pdf>.

¹⁶² See Jennifer Robson & Saul Schwartz, “Dear Canada Revenue Agency, Please File My Taxes For Me!” (22 April 2020), online: *First Policy Response* <<https://policyresponse.ca/dear-canada-revenue-agency-please-file-my-taxes-for-me/>>. Factors influencing the non-filing of tax returns largely have to do with multiple marginalization, as well as “a lack of financial literacy, complex and invasive application procedures, tax-exempt status and general distrust of the federal government”: Office of Kim Pate, “Why a Guaranteed Livable Income? Our Perspective” (25 February 2020) at 9, online (pdf): <https://sencanada.ca/media/366455/senpate_glibi-perspective-document_08-15-2020_e.pdf>.

¹⁶³ See Anna Cameron & Lindsay Tedds, “Gender-Based Violence, Economic Security, and the Potential of Basic Income: A Discussion Paper” (30 April 2021) at 31-32, online (pdf): <<https://papers.lindsaytedds.ca/Gender-Based%20Violence,%20Economic%20Security,%20and%20the%20Potential%20of%20Basic%20Income%20Tedds%20Cameron%20April%2030.pdf>>. The tax filing system could be improved in ways that would address some of these factors. For instance, a qualitative study by the Canada Revenue Agency (CRA) on the negative experiences that Indigenous people have with the CRA recommends, among other things, including developing more user-friendly forms, having a specific tax form for Indigenous peoples, and providing assistance for those filing on-reserve: see Phoenix Strategic Perspectives Inc, Qualitative Research, prepared for Canada Revenue Agency, “The Experiences of Indigenous Communities with Tax Filing, Canada Revenue Agency” (June 2017) at 19, online (pdf): <http://epe.lac-bac.gc.ca/100/200/301/pwgs-tpsgc/por-ef/canada_revenue_agency/2017/040-16-e/report.pdf>. In addition, the federal government’s 2020 throne speech “promised to implement free

The issue of non-filing is not restricted to the question of basic income. Marginalized, low-income individuals who do not file taxes are currently excluded from benefits, and even with improvements to the tax filing system, non-filing will occur. Campaign 2000 recommends that the government research and develop a parallel community-based income benefit delivery system.¹⁶⁴ A basic income could be delivered both through the tax system and through a parallel community-based income benefit delivery system.

One final design question is whether the benefit should be issued to individuals or to households. This issue seems to position different feminist priorities against each other. On the one hand, providing benefits to individuals, irrespective of their household status, speaks to the promise of a basic income to strengthen women's economic independence, in particular for those women who may be otherwise dependent on their male partner's (likely higher) income.¹⁶⁵ Further, some argue that an independent source of income could provide people experiencing abuse (overwhelmingly women and gender-diverse people at the intersection of multiple systems of oppression¹⁶⁶) with an exit option that was not previously available.¹⁶⁷ Finally, feminists have long criticized taxation and social assistance systems for

automatic filing for simple returns, which would eliminate a major barrier to filing taxes, improving the effectiveness of these programs and any future income supports": Angella MacEwen et al, "Basic Income Guarantee: A Social Democratic Framework" (October 2020) at 4, online (pdf): *Broadbent Institute* <https://d3n8a8pro7vhmx.cloudfront.net/broadbent/pages/7803/attachments/original/1603225261/Basic_Income_Guarantee--A_social_democratic_framework.pdf?1603225261>.

¹⁶⁴ See Campaign 2000 End Child & Family Poverty, "Creating an intersectional, feminist, recovery budget that invests in our most marginalized community members" (February 2021) at 5, online (pdf): <https://campaign2000.ca/wp-content/uploads/2021/02/Budget-2021-submission_Campaign2000.pdf>.

¹⁶⁵ See Caitlin McLean & Ailsa McKay, "Beyond Care: Expanding the Feminist Debate on Universal Basic Income" (2015) WiSE Working Paper No 1 at 8, online: <https://www.gcu.ac.uk/media/gcalwebv2/theuniversity/centresprojects/wise/90324WiSE_BriefingSheet.pdf>.

¹⁶⁶ See Anna Cameron & Lindsay Tedds, "Gender-Based Violence, Economic Security, and the Potential of Basic Income: A Discussion Paper" (30 April 2021) at 16-18, online (pdf): <<https://papers.lindsaytedds.ca/Gender-Based%20Violence,%20Economic%20Security,%20and%20the%20Potential%20of%20Basic%20Income%20Tedds%20Cameron%20April%2030.pdf>>.

¹⁶⁷ See Caitlin McLean & Ailsa McKay, "Beyond Care: Expanding the Feminist Debate on Universal Basic Income" (2015) WiSE Working Paper No 1 at 8, online: <https://www.gcu.ac.uk/media/gcalwebv2/theuniversity/centresprojects/wise/90324WiSE_BriefingSheet.pdf>.

assuming that households equally pool their resources when this may not be the case in practice,¹⁶⁸ and for creating financial dependency in romantic relationships by cutting benefits off if someone is deemed to be in a spousal relationship.¹⁶⁹

At the same time, issuing cash benefits on an individual basis means that couples would receive more money than single individuals, as a couple's expenses are not twice as much as those of an individual. Moreover, in cases where a low-income person lives with a high earner, the combined income of the household may be quite high and yet they may receive a significant basic income based on the low income individual's status. This would have the consequence of enriching a household that is already high income, potentially increasing economic inequality.

Anna Cameron and Lindsay Tedds explore this issue in detail. They cite one study in particular that finds that a basic income guarantee is likely to give women a greater sense of autonomy, but may not necessarily increase their bargaining power in the household.¹⁷⁰ They further argue that a regularly-delivered cash benefit is more likely to be spent on daily expenses, and therefore a person seeking to exit an abusive situation quickly is unlikely to have saved up enough via a basic income to leave. For this reason, Cameron and Tedds suggest that lump sum benefits for people exiting abusive relationships is preferable to a basic income benefit.¹⁷¹ Finally, Cameron and Tedds note that individuals in abusive

This argument will be addressed later in the report when discussing the potential of a basic income to support those facing gender-based violence.

¹⁶⁸ *Ibid.*

¹⁶⁹ See Janet Mosher, "Intimate Intrusions: Welfare Regulation and Women's Personal Lives" in Shelley AM Gavigan & Dorothy E Chunn, eds, *The Legal Tender of Gender: Welfare, Law and the Regulation of Women's Poverty* (London: Hart Publishing, 2010) 165.

¹⁷⁰ See Sara Cantillon & Caitlin McLean, "Basic income guarantee: The gender impact within households" (2016) 43:3 *Journal of Sociology & Social Welfare* 97 at 114-116; Anna Cameron & Lindsay Tedds, "Gender-Based Violence, Economic Security, and the Potential of Basic Income: A Discussion Paper" (30 April 2021) at 28-29, online (pdf): <<https://papers.lindsaytedds.ca/Gender-Based%20Violence,%20Economic%20Security,%20and%20the%20Potential%20of%20Basic%20Income%20Tedds%20Cameron%20April%2030.pdf>>.

¹⁷¹ *Ibid* at 32.

households will rarely have control over financial resources, and therefore any benefit directed to them is likely to be controlled by their abuser.¹⁷²

The question as to whether benefits should be issued at the household or individual unit requires further costing to adequately understand the increased fiscal burden of providing individual benefits. To the extent that it has been shown that women gain a sense of autonomy from a basic income issued directly to them, an individual benefit appears to be positive. While women and gender-diverse people in abusive environments may not be able to access the benefits, many others will be able to access them. In addition, the administrative difficulty imposed on individuals who must modify their Canada Child Benefit after a change in household income and who must redirect the benefit to their own bank accounts¹⁷³ foreshadows a similar burden for those fleeing violence who must find a way to have their basic income benefit disentangled from their abuser's. On the whole, an individual benefit appears preferable, in spite of the fact that some high-income households will be enriched as a result. Though it would not address concerns of the misconception of pooled resources or the difficulty of defining what constitutes a "household" and the state surveillance that that entails, it may be beneficial to consider a middle ground position in which the amount of the benefit is calculated by household, but benefits are issued to each individual.

C. The promise of a basic income

A basic income program aims to transform the economic and social lives of people living in poverty by reducing poverty and income inequality. In its ideal state, a basic income provides the following: financial security, economic independence, recognition of unpaid care work, freedom to engage in activities outside of waged work and care work, freedom

¹⁷² *Ibid* at 30.

¹⁷³ *Ibid* at 31.

from state scrutiny and accompanying stress, freedom from the labour of securing and maintaining benefits eligibility, equality of opportunity, autonomy, improved mental health and physical well-being, improved bargaining power at home and at work, and improved civic ties.¹⁷⁴

Many of these impacts were evident in surveys of individuals who received a basic income through the Ontario Basic Income Pilot (OBIP).¹⁷⁵ A survey of 217 basic income recipients in Hamilton, Brantford, and Brant County found that “[s]urvey respondents and individuals interviewed consistently reported improvements in their health, housing

¹⁷⁴ See Chandra Pasma & Sheila Regehr, “Basic Income: Some Policy Options for Canada” (2019) at 2-3, online (pdf): *Basic Income Canada Network* <https://basicincomecanada.org/wp-content/uploads/2021/04/Basic_Income_Some_Policy_Options_for_Canada.pdf>; Brian Hyndman & Lisa Simon, “Basic Income Guarantee: Backgrounder” (October 2015) at 7-8, online (pdf): *Ontario Public Health Association* <<https://opha.on.ca/getmedia/bf22640d-120c-46db-ac69-315fb9aa3c7c/alPHA-OPHA-HEWG-Basic-Income-Backgrounder-Final-Oct-2015.pdf>>; Chloe Halpenny, “A ‘State’ of Possibility? Reconfiguring basic income’s feminist potential through the lens of the state” (Paper delivered at Basic Income Earth Network (BIEN) Congress 2019, Hyderabad, India, 22-25 August 2019), online: *Basic Income Earth Network* <https://basicincome.org/wp-content/uploads/2020/01/Chloe_Halpenny.pdf>; Tracy Smith-Carrier & Chloe Halpenny, “Basic Income: Making the Case for Women & Gender Equity” (October 2020) at 4, online (pdf): *The Case for Basic Income for Women* <<https://www.ourcommons.ca/Content/Committee/432/FEWO/Brief/BR10938265/br-external/Jointly1-e.pdf>>; Evelyn L Forget, “The Town with No Poverty: The Health Effects of a Canadian Guaranteed Annual Income Field Experiment” (2011) 37:3 Canadian Public Policy 283; Almaz Zelleke, “Institutionalizing the Universal Caretaker Through a Basic Income?” (2008) 3:3 Basic Income Studies 1; Caitlin McLean & Ailsa McKay, “Beyond Care: Expanding the Feminist Debate on Universal Basic Income” (2015) WiSE Working Paper No 1 at 5-6, online: <https://www.gcu.ac.uk/media/gcalwebv2/theuniversity/centresprojects/wise/90324WiSE_BriefingSheet.pdf>; Katie Cruz, “Unmanageable Work, (Un)liveable Lives: The UK Sex Industry, Labour Rights and the Welfare State” (2013) 22:4 Social & Legal Studies 465 at 483.

¹⁷⁵ The 2017-2019 Ontario Basic Income Pilot (OBIP) provided 4,000 low-income individuals with a guaranteed annual income of \$16,989 for single people and \$24,027 for couples. These amounts constituted 75% of the Low Income Measure (LIM)—one way of measuring poverty—at the time. A top-up amount of up to \$500 per month for people with disabilities was also available. The benefit reduction rate was 50%, as in, the amount of the basic income provided was reduced by 50 cents for each dollar earned above the basic income amount. This means that with an OBIP benefit of \$16,989, a recipient would have had to have an income of \$33,978 before the benefit was eliminated entirely. See Michael Mendelson, “Lessons from Ontario’s Basic Income Pilot” (October 2019) at 9, online (pdf): *Maytree* <<https://maytree.com/wp-content/uploads/Lessons-from-Ontario%E2%80%99s-Basic-Income-Pilot.pdf>>.

situation, financial status, family relations and labour market experiences while participating in the basic income pilot program.”¹⁷⁶

The data produced is striking. Respondents were less fatigued; they were more energized and “excited about life”; they smoked less often, they drank alcohol less often; their self-confidence increased; they went to food banks less often, they skipped meals less often, and they ate more nutrient dense food; they felt that they could finally “dream”. A sample of first-person accounts provides a picture of some of the changes that were possible:

One woman used her time on basic income to enter a treatment program for alcoholism and has been attending Alcohol Anonymous meetings ever since.

*“Having BI and not working and being away at a treatment centre gave me peace of mind because my daughter was able to stay at home. [...] That gave me comfort knowing I can go away, the mortgage will be paid, the bills will be paid, I don’t have to worry about anything. She’ll have food. And then I can go look after myself and then come back.”*¹⁷⁷

[...]

During an interview, a 57-year-old man, who was accessing ODSP [Ontario Disability Support Program] before the pilot, recalled struggling to pay off his debt. With the help of basic income, he not only paid it off, but was also able to build up his credit rating.

*“My credit score now has gone up. Basic income helped make it better. On ODSP I went bankrupt. On BI, I got out of my bankruptcy. On BI, my credit score is up to 660 now. It was poor before. It was 550 and now it’s over 600 after basic income.”*¹⁷⁸

¹⁷⁶ Mohammad Ferdosi et al, “Southern Ontario’s Basic Income Experience” (March 2020) at 6, online (pdf): <<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwj43a2izabxAhVkrN8KHYVGDC8QFnoECAQQA&url=https%3A%2F%2Flabourstudies.mcmaster.ca%2Fdocuments%2Fsouthern-ontarios-basic-income-experience.pdf&usg=AOvVaw00tVe10tcjclcfFWFdwAMk>>. Of the 217 respondents, 56% were women, 10% were racialized, 10% had immigrated to Canada (but had Canadian citizenship), and 5% were Indigenous. All were low-income.

¹⁷⁷ *Ibid* at 41.

¹⁷⁸ *Ibid* at 23.

Of particular note for this report is the impact that a basic income had on individuals' abilities to better integrate caregiving in their lives:

We heard from one couple, who live with their dependents, including one child who is differently abled. During the pilot, they were able to go out and do things together, which strengthened their family bonds. "On basic income we actually went to a movie together, the kids and us. It was great to have the whole family go and watch a movie and talk about it afterwards," said the male partner who was employed in the retail sector before receiving basic income. "We could also go out for a drive, without worrying about the gas. We are our own support system in many ways, but the basic income allowed our family's social fabric to flourish."

During another interview, an older woman who was previously on ODSP told us how she was able to afford a small trip with her granddaughter. The ability to "go away on a trip with her and do something for her and me at the same time, it was the best feeling ever. We bonded a lot during that trip." She noted that basic income allowed her to be "generous with my family and still you know take care of myself."¹⁷⁹

Another survey of 424 OBIP recipients found that participants had increased feelings of agency, relief from anxiety, increased social connection, improved investments in education, and improved employment outcomes.¹⁸⁰ Respondents also discussed the ways a basic income helped in their caregiving:

"I was able to stay at home with my infant daughter while my fiancé went back to school and this March when she finishes, I am going back to work."

"It changed my life, I was able to pay rent and child care much easier."

¹⁷⁹ *Ibid* at 24.

¹⁸⁰ See Basic Income Canada Network & Ontario Basic Income Network, "Signposts to Success: Report of a BICN Survey of Ontario Basic Income Recipients" (2019) at 5, online (pdf): <https://89fab459-6c2c-4043-b667-ad60b876de26.filesusr.com/ugd/728fdf_e7081cf1105d4fc0a637e5d2bbbc42c3.pdf>. Of the respondents, 68% were women and 2 % self-identified as either transgender, non-binary, or "LGB"; and 3% identified as Indigenous. There was no other information with respect to racial identity categories.

“I could afford a proper home for our newborn baby and be able to provide for her while working a 50 hour a week full-time job.”¹⁸¹

Sherry Mendowegan, an Indigenous woman and a mother of two living in Thunder Bay, Ontario, was featured by HuffPost Canada regarding her experience with the OBIP. Both Ms. Mendowegan and her husband received a basic income. Because of the OBIP, Ms. Mendowegan went back to school and passed the equivalent of Grade 12, got her driver’s licence, moved into a bigger home, and bought a car. She was able to provide her children with healthier food and more living space. She received a scholarship to go back to school, and because she was no longer on social assistance, Ms. Mendowegan did not have to spend the scholarship before continuing to receive government funds. On discussing her experience in school, Ms. Mendowegan said, “Oh, I just love going to school. I love that I could afford to go to school. I love that I could afford to do all this stuff being on the basic pilot program.”¹⁸²

These accounts are compelling and provide concrete information as to how individuals were helped by a basic income. The survey results do not, however, provide an indication of how a basic income would fare if instituted as a permanent, Canada-wide program. This is because participation in the OBIP was voluntary, and a majority of the participants were likely identified as people who would benefit from the program (for instance, because they would not be adversely impacted by losing the myriad social supports tied to social assistance that OBIP no longer provided).¹⁸³ In addition, because the majority of survey respondents were white (as were the majority of OBIP participants¹⁸⁴), there is

¹⁸¹ *Ibid* at 17.

¹⁸² HuffPost Canada, (June 2018) embedded in Emma Paling, “Why MMIWG Inquiry Report Calls For A National Basic Income”, *HuffPost Canada* (11 June 2019), online: <https://www.huffingtonpost.ca/entry/mmiwg-report-guaranteed-annual-income_ca_5d0025eae4b0755103994b16>.

¹⁸³ See Mike Moffatt, “The Ontario Basic Income Pilot Shows the Real World Problems with a Basic Income” (4 September 2020), online: <<https://mikepmoffatt.medium.com/the-ontario-basic-income-pilot-shows-the-real-world-problems-with-a-basic-income-c117e62d98fc>>.

¹⁸⁴ See blueprint, Ontario Basic Income Pilot Baseline Survey: Preliminary Analysis (6 July 2018) at 7, online (pdf): <<https://hamiltonpoverty.ca/preview/wp-content/uploads/2019/01/OBIP-Baseline-Survey-Preliminary-Analysis-1.pdf>>.

insufficient data on how racialized low-income people experienced, or would have experienced, being in the OBIP program.

Survey results from the 2017-2018 basic income experiment in Finland were similarly compelling, and the data is more reliable than that coming out of Ontario because it was nationwide, mandatory, and based on a randomized field experiment. Survey respondents in Finland who received a basic income “were more satisfied with their lives and experienced less mental strain, depression, sadness and loneliness” than the individuals in the control group. Basic income recipients “had a more positive perception of their income and economic wellbeing,” and also had greater trust in other people, in societal institutions, and in their own abilities and futures.¹⁸⁵

Basic Income & The Care Economy

A. Investing in a care economy

As discussed above, the pandemic has highlighted the importance of care work and what some call the care economy, and has exposed the tremendous gaps in our social infrastructure. Feminists have been mobilizing around the issue of undervalued care work for decades. As COVID-19 took hold, gender equity organizations and feminist policy experts studied this issue, wrote about it, and advocated for policymakers to pay attention.¹⁸⁶ Among these initiatives is a team of five feminists who have come together under the name “The Care

¹⁸⁵ Kela, “Results of Finland’s basic income experiment: small employment effects, better perceived economic security and mental wellbeing” (5 June 2020), online: <https://www.kela.fi/web/en/news-archive/-/asset_publisher/IN08GY2nIrZo/content/results-of-the-basic-income-experiment-small-employment-effects-better-perceived-economic-security-and-mental-wellbeing>. While the researchers could not definitively state that these improvements in mental well-being were a result of the basic income, they did note that “regional and local basic income experiments in other countries have also shown similar results of improved wellbeing.”

¹⁸⁶ See e.g. RISING TOGETHER webinars, online: *Ontario Equal Pay Coalition* <<http://equalpaycoalition.org/past-webinars/>>.

Economy Initiative.”¹⁸⁷ The Care Economy Initiative’s core principles include the assertions that “[a] well-functioning care economy is key to the functioning of all the other parts of the economy;” that a care economy requires public investment in public services; and that the design of a care economy must be rooted in feminism, intersectionality, anti-colonialism, and anti-racism.¹⁸⁸

On the basis of these principles, several conclusions emerge. For instance, it is clear that investing in the care economy requires taking profit out of care by creating quality, affordable, and accessible public care services. Quality public services in the context of a care economy also requires the full implementation of Jordan’s Principle: services for First Nations children cannot be sacrificed to jurisdictional payment disputes, and must be culturally appropriate.¹⁸⁹

Investing in a care economy also requires that people working in care have decent, stable, high-quality jobs. Governments “need to immediately increase both the quantity and quality of paid work, and ensure that these workers are appropriately trained and compensated.”¹⁹⁰ This requires, at minimum: “a minimum wage that reflects a living wage,

¹⁸⁷ “About Us” (last visited 15 June 2021), online: *The Care Economy Initiative* <<https://thecareeconomy.ca/about-us/>>.

¹⁸⁸ “The Care Economy Statement” (last visited 15 June 2021), online: *The Care Economy Initiative* <<https://thecareeconomy.ca/statement/>>; see also Katherine Scott, “Women, work and COVID-19: Priorities for supporting women and the economy” (March 2021) at 50-52, online (pdf): *Canadian Centre for Policy Alternatives* <<https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2021/03/Women%20work%20and%20COVID.pdf>>

¹⁸⁹ See First Nations Child & Family Caring Society of Canada, “Jordan’s Principle: Ensuring First Nations Children Receive the Services They Need When They Need Them” (January 2021), online (pdf): <https://fncaringsociety.com/sites/default/files/jordans_principle_information_sheet_january_2021.pdf>.

¹⁹⁰ “The Care Economy Statement” (last visited 15 June 2021), online: *The Care Economy Initiative* <<https://thecareeconomy.ca/statement/>>.

paid sick days, permanent residency for migrant workers, access to family leave, and labour protections such as proactive pay equity and pay transparency.”¹⁹¹

Finally, investing in the care economy requires recognizing the value of unpaid care work. As Canadian Women’s Foundation et al. write, “[t]ransformative policies that support both paid and unpaid caring labour will be crucial to stopping the erosion of women’s [and gender-diverse people’s] economic and social rights.”¹⁹² Supporting unpaid caring labour requires a complex mix of policy solutions. It requires adequate funding for child welfare services for First Nations on reserve to help prevent the apprehension of Indigenous children into care.¹⁹³ In the same vein, it requires decarceration strategies to stem the endemic separation of Black and Indigenous women from their children.¹⁹⁴ It requires universally accessible, affordable housing and clean water.¹⁹⁵ Supporting unpaid caring labour also requires expanding EI coverage and adequacy of coverage for part-time and migrant workers. It requires granting secure permanent residency status to women on arrival in Canada to

¹⁹¹ Katherine Scott, “Women, work and COVID-19: Priorities for supporting women and the economy” (March 2021) at 51, online (pdf): *Canadian Centre for Policy Alternatives* <<https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2021/03/Women%20work%20and%20COVID.pdf>>.

¹⁹² The Canadian Women’s Foundation et al, “Re-Setting Normal: Women, Decent Work and Canada’s Fractured Care Economy” (July 2020) at 13, online (pdf): <<https://canadianwomen.org/wp-content/uploads/2020/07/ResettingNormal-Women-Decent-Work-and-Care-EN.pdf>>.

¹⁹³ See Naiomi Walqwan Metallic, Hadley Friedland & Sarah Morales, “The Promise and Pitfalls of C-92: An Act respecting First Nations, Inuit, and Métis Children, Youth and Families” (4 July 2019) at 8-9, online (pdf): *Yellowhead Institute* <<https://yellowheadinstitute.org/wp-content/uploads/2019/07/the-promise-and-pitfalls-of-c-92-report.pdf>>; Eva Jewell & Ian Mosby, “Calls to Action Accountability: A 2020 Status Update on Reconciliation” (December 2020) at 9, online (pdf): *Yellowhead Institute* <<https://yellowheadinstitute.org/wp-content/uploads/2020/12/yi-trc-calls-to-action-update-full-report-2020.pdf>>.

¹⁹⁴ Thank you to Charlotte Dalwood for suggesting the link between incarceration and caregiving.

¹⁹⁵ Indigenous women and girls are far more likely than non-Indigenous women and girls to live in poor housing conditions (such as crowded homes or homes in need of major repairs). Living in poor housing conditions is “associated with a number of health problems such as the spread of infectious diseases and respiratory tract infections in infants, as well as [with] social problems such as violence and low achievement in school”: see Paula Arriagada, *Women in Canada: A Gender-based Statistical Report: First Nations, Métis and Inuit Women* (Ottawa: Statistics Canada, 2016) at 11, online (pdf): *Statistics Canada* <<https://www150.statcan.gc.ca/n1/pub/89-503-x/2015001/article/14313-eng.pdf>>. Managing these types of health and behavioural issues requires increased care labour. Thank you to Charlotte Dalwood for raising this point.

speed up their ability to sponsor their children to join them. Finally, in its list of recommendations, the Canadian Women’s Foundation et al. calls for the introduction of “care-friendly, gender-responsive policies and programs, including tax measures, targeting women living on low incomes and their families to assist with costs of caregiving.”¹⁹⁶ LEAF suggests that a basic income could be such a program and would complement the other necessary social changes outlined above.

B. Basic Income as transformative care policy

Care policy is public policy that aims to recognize, fairly compensate, reduce, and redistribute unpaid or undervalued care.¹⁹⁷ Care policy becomes transformative care policy when it “guarantee[s] the human rights, agency and well-being of caregivers, both paid and unpaid, as well as those of care receivers, by avoiding potential trade-offs and bridging opposing interests.”¹⁹⁸ To achieve these objectives, transformative care policies should satisfy four core principles: policies should be gender-responsive and human rights-based, meaning that they aim to advance substantive gender equality and human rights at home, at work, and in society more broadly; benefits should be universal, adequate, and equitable; the state should be primarily responsible for designing, funding, and implementing the policies; and care recipients and unpaid caregivers should have meaningful input into the design and implementation of policy.¹⁹⁹

¹⁹⁶ The Canadian Women’s Foundation et al, “Re-Setting Normal: Women, Decent Work and Canada’s Fractured Care Economy” (July 2020) at 31, online (pdf): <<https://canadianwomen.org/wp-content/uploads/2020/07/ResettingNormal-Women-Decent-Work-and-Care-EN.pdf>>.

¹⁹⁷ See Laura Addati et al, “Care Work and Care Jobs for the Future of Decent Work” (2018) at 113, online (pdf): *International Labour Organization* <https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_633135.pdf>.

¹⁹⁸ *Ibid.*

¹⁹⁹ *Ibid* at 116-17.

One way to create a gender-responsive basic income program would be to ensure that it supports what Nancy Fraser has called “the universal caregiver model”.²⁰⁰ In the universal caregiver model, the end goal is not to maintain divisions of labour, where some individuals exclusively perform unpaid care work, and others exclusively work for a wage. Nor is the end goal to have everyone perform waged work to the exclusion of their unpaid caregiving requirements, such that all of our care work is performed by public services or other paid caregivers. Instead, a basic income should sit within a broader set of policies that values unpaid caregiving and that enables all those who do waged work to also perform unpaid care labour. Policies would therefore aim to support the unpaid work that all people do, both by structuring waged labour to allow people to do their unpaid care work while remaining in paid employment, and by indirectly compensating low-income people for hours spent doing unpaid care work via a basic income.

C. A snapshot of unpaid care work in Canada

Unpaid care work in Canada is primarily performed by women. In 2015, women performed 54 minutes more housework than men per day, and were more likely than men to perform routine tasks related to childcare (76% of women versus 54% of men). 3% of women reported caring for adults on any given day, while 1% of men did.²⁰¹ Disabled women are “more likely than disabled men to assume more responsibility for childrearing, elder care, and household chores.”²⁰² Statistics Canada’s report on time use provides further insight into the work of caring:

²⁰⁰ Nancy Fraser, “After the Family Wage: Gender Equity and the Welfare State” (1994) 22:4 *Political Theory* 591 at 612-613.

²⁰¹ See House of Commons, *Women’s Unpaid Work in Canada: Report of the Standing Committee on the Status of Women* (June 2021) (Chair: Marilyn Gladu), at 8-9. This data was not disaggregated further, for instance by race, ethnicity, or culture, which Statistics Canada is working to improve.

²⁰² Sally Kimpson, “Basic Income, Gender & Disability” (2021) at 36, online (pdf): *Women’s Legal Education and Action Fund* <<https://www.leaf.ca/wp-content/uploads/2021/09/Basic-Income-Gender-Disability-Full-Report->

Qualitative research also highlights women's retention of ultimate responsibility for the coordination of children's lives; the smooth functioning of the household (e.g., planning meals; scheduling medical, dental, and other appointments; and arranging for repairs or deliveries); "emotion work" (i.e., the enhancement of relatives' emotional well-being and provision of support); and "kin keeping" (i.e., the maintenance of relationships with immediate and extended family by keeping in touch; remembering and acknowledging birthdays and other milestones; and planning and organizing family celebrations and vacations)—even as their economic roles have expanded. Although women often spend substantial amounts of time doing such mental and emotional work, it is largely invisible to others (except in its absence), typically lacks social recognition, and goes unmeasured in time-use surveys.²⁰³

Caregiving burdens are not distributed equally across women. Accessing high-quality childcare pre-pandemic was more difficult for "Indigenous communities, people with disabilities, racialized groups, rural communities and women and their families reliant on precarious employment,"²⁰⁴ as well as for newcomer women, poor women, and single mothers.²⁰⁵ The unaffordability of childcare services is a central factor. Another is the fact that daycare centres are concentrated in urban space.

Final.pdf>, citing Amanda Burlock, "Women with Disabilities" (2017) at 15, online (pdf): *Statistics Canada* <<https://www150.statcan.gc.ca/n1/en/pub/89-503-x/2015001/article/14695-eng.pdf?st=f9lBHcGw>>.

²⁰³ Melissa Moyser & and Amanada Burlock, "Time use: Total work burden, unpaid work, and leisure" (2018) at 4, online (pdf): *Statistics Canada* <<https://www150.statcan.gc.ca/n1/pub/89-503-x/2015001/article/54931-eng.htm>>.

²⁰⁴ Katherine Scott, "Women, work and COVID-19: Priorities for supporting women and the economy" (March 2021) at 40, online (pdf): *Canadian Centre for Policy Alternatives* <<https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2021/03/Women%20work%20and%20COVID.pdf>>.

²⁰⁵ See House of Commons, *Women's Unpaid Work in Canada: Report of the Standing Committee on the Status of Women* (June 2021) (Chair: Marilyn Gladu), at 12-13 (BIPOC women), 16-17 (immigrant and refugee women); Melissa Moyser, "Women and Paid Work" in Statistics Canada, *Women in Canada: A Gender-based Statistical Report*, 7th ed (Ottawa: Statistics Canada, 2017) at 13, online (pdf) : <<https://www150.statcan.gc.ca/n1/en/pub/89-503-x/2015001/article/14694-eng.pdf?st=puVk-63o>> (lone parents).

In addition to the inaccessibility of childcare services, Indigenous women's caregiving roles are impacted by the fact that Indigenous women and girls are more likely than non-Indigenous women and girls to live in poor housing conditions (such as crowded homes or homes in need of major repairs).²⁰⁶ Living in poor housing conditions is “associated with a number of health problems such as the spread of infectious diseases and respiratory tract infections in infants, as well as [with] social problems such as violence and low achievement in school.”²⁰⁷ Managing these types of health and behavioural issues requires increased care labour.

State violence against Black and Indigenous women also increases their caregiving roles. The 2015 revelations in Val D'Or, Quebec, of at least two decades of police sexual and other abuses against Indigenous women,²⁰⁸ as well as the recent identification of well over a thousand unmarked graves in residential schools across Canada,²⁰⁹ are painful examples of these types of state violence. For Indigenous women, “the seizing of children [by social

²⁰⁶ See Paula Arriagada, *Women in Canada: A Gender-based Statistical Report: First Nations, Métis and Inuit Women* (Ottawa: Statistics Canada, 2016) at 11-12, online (pdf): <<https://www150.statcan.gc.ca/n1/pub/89-503-x/2015001/article/14313-eng.pdf>>. Poor housing conditions are partially a result of ongoing colonial practices on First Nations reserves. Because homeowners on reserves do not own the land on which their houses are situated (instead, the Crown holds it in trust), they cannot apply for an ordinary mortgage from a bank. Rather, they have to apply for a ministerial guarantee of their mortgage, which can take up to a year to receive. This makes it extraordinarily difficult to raise the financing required to maintain one's home: see Kazi Stastna, “First Nations housing in dire need of overhaul”, *CBC News* (November 28, 2011), online: <<https://www.cbc.ca/news/canada/first-nations-housing-in-dire-need-of-overhaul-1.981227>>. In addition, federal funding required to build housing is often insufficient and unreliable: see Senate, *Housing on First Nations Reserves: Challenges and Successes: Report of the Standing Senate Committee on Aboriginal Peoples* (February 2015) (Chair: Dennis Patterson), at 26-27. Thank you to Charlotte Dalwood for raising the link between housing and caregiving, as well as the link between colonialism and poor housing conditions.

²⁰⁷ See Paula Arriagada, *Women in Canada: A Gender-based Statistical Report: First Nations, Métis and Inuit Women* (Ottawa: Statistics Canada, 2016) at 11, online (pdf): <<https://www150.statcan.gc.ca/n1/pub/89-503-x/2015001/article/14313-eng.pdf>>.

²⁰⁸ See “Abus de la SQ: les femmes brisent le silence”, *Enquête* (22 October 2015), online: <<https://ici.radio-canada.ca/tele/enquete/2015-2016/episodes/360817/femmes-autochtones-surete-du-quebec-sq>>; “March held in Val-d'Or for aboriginal women alleging Quebec police sex abuse”, *CBC News* (25 October 2015), online: <<https://www.cbc.ca/news/canada/montreal/val-dor-police-aboriginal-women-march-1.3287744>>.

²⁰⁹ See Tristin Hopper, “How Canada forgot about more than 1,308 graves at former residential schools”, *National Post* (13 July 2021), online: <<https://nationalpost.com/news/canada/how-canada-forgot-about-more-than-1308-graves-at-former-residential-schools>>.

workers] forms a continuum with the residential school system [...] and the incarceration of Indigenous women who now make up over 42% of women in the federal prison population.”²¹⁰ According to the 2016 census, Indigenous children under the age of 4 years old represented over 50% of children in care, while they were 7% of the total population.²¹¹ Black girls are hypersexualized, labelled as disobedient, and overdisciplined. As El Jones writes, “[f]or both Black and Indigenous women, girls, and Trans women under colonization, sexuality and reproduction themselves are criminalized.”²¹² These realities, in addition to other types of extreme state violence (such as police killings) against people who are Black and Indigenous,²¹³ mean that Black and Indigenous women must spend a significant amount of their time caring for themselves and their communities that have been and are living through trauma.²¹⁴

While describing these conditions that increase caregiving duties and needs for Black and Indigenous women, we also recognize the danger of “creat[ing] narratives of risk and

²¹⁰ El Jones, “The Policing of Black and Indigenous Women in Canada” (December 18, 2020), online: *Community Foundations of Canada* <<https://communityfoundations.ca/the-policing-and-racial-profiling-of-black-and-indigenous-women-in-canada/>> (citations omitted).

²¹¹ See Angelyn Francis, “Why Indigenous children are overrepresented in Canada's foster care system”, *Maclean's* (29 November 2017), online: <<https://www.macleans.ca/politics/why-indigenous-children-are-overrepresented-in-canadas-foster-care-system/>>.

²¹² El Jones, “The Policing of Black and Indigenous Women in Canada” (December 18, 2020), online: *Community Foundations of Canada* <<https://communityfoundations.ca/the-policing-and-racial-profiling-of-black-and-indigenous-women-in-canada/>> (citations omitted); see also Robyn Maynard, “It’s long-past time to talk about policing of Black women in Canada”, *Toronto Star* (29 May 2020), online: <<https://www.thestar.com/opinion/contributors/2020/05/29/its-long-past-time-to-talk-about-policing-of-black-women-in-canada.html>> (police disproportionately surveilling Black women); National Inquiry into Missing and Murdered Indigenous Women and Girls, “Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls” (2019) vol 1b at 154, online (pdf): <https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1b.pdf> (police discrimination against Indigenous women, including racial profiling, harassment, and sexual abuse); see generally Robyn Maynard, *Policing Black Lives: State Violence in Canada from Slavery to the Present* (Black Point, N.S.: Fernwood Publishing, 2017).

²¹³ See Ryan Flanagan, “What we know about the last 100 people shot and killed by police in Canada”, *CTV News* (June 19, 2020), online: <<https://www.ctvnews.ca/canada/what-we-know-about-the-last-100-people-shot-and-killed-by-police-in-canada-1.4989794>>.

²¹⁴ Thank you to Charlotte Dalwood for suggesting the link between state violence and caregiving.

harm separated from the stories of strength, resiliency and survivance”²¹⁵ and we look to the work of, for instance, Robyn Maynard and Leanne Betasamosake Simpson, to listen and learn of visions for “Black and Indigenous Futures on Turtle Island.”²¹⁶

At the same time that women and gender-diverse people bear a significant amount of caregiving responsibility, they are also in need of care, and incur costs to get it. As Kimpson writes, “43.7% of disabled women living in low income households report having ‘one or more unmet needs for disability-related help.’ This includes needing ‘help getting to appointments, with housework, and with heavy household chores.’”²¹⁷ Further, “[t]hose with mental health disabilities, cognitive or intellectual impairments may need assistance with personal care, managing finances, or other activities of daily living.”²¹⁸ If provincial programs do not subsidize (or subsidize inadequately) these support services, disabled women and gender-diverse people have to hire support workers themselves, or go without.²¹⁹

Finally, the blurring of paid and unpaid labour performed by many in the care sector, but particularly immigrant women of colour in the childcare, cleaning, and catering sectors—

²¹⁵ Natalie Clark, “Red Intersectionality and Violence-informed Witnessing Praxis with Indigenous Girls” (2016) 9:2 *Girlhood Studies* 46 at 54.

²¹⁶ Robyn Maynard & Leanne Betasamosake Simpson, “Towards Black And Indigenous Futures On Turtle Island: A Conversation” in Rodney Diverlus, Sandy Hudson, & Syrus Marcus Ware, eds, *Until We Are Free: Reflections on Black Lives Matter in Canada* (Regina: University of Regina Press, 2020) 75.

²¹⁷ Sally Kimpson, “Basic Income, Gender & Disability” (2021) at 36, online (pdf): *Women’s Legal Education and Action Fund* <<https://www.leaf.ca/wp-content/uploads/2021/09/Basic-Income-Gender-Disability-Full-Report-Final.pdf>>, citing “Gender, Disability and Low Income” (2011), online: *Council of Canadians with Disabilities* <<http://www.ccdonline.ca/en/socialpolicy/poverty-citizenship/demographic-profile/gender-disability-low-income>>; Amanda Burlock, “Women with Disabilities” (2017) at 15, online (pdf): *Statistics Canada* <<https://www150.statcan.gc.ca/n1/en/pub/89-503-x/2015001/article/14695-eng.pdf?st=f9lBHcGw>>.

²¹⁸ Sally Kimpson, “Basic Income, Gender & Disability” (2021) at 31, online (pdf): *Women’s Legal Education and Action Fund* <<https://www.leaf.ca/wp-content/uploads/2021/09/Basic-Income-Gender-Disability-Full-Report-Final.pdf>>.

²¹⁹ *Ibid* at 33.

from informal “volunteer” arrangements to unpaid overtime in formal jobs—has resulted in a widespread “shadow economy” in certain parts of Canada.²²⁰

The above is a snapshot of some of the ways in which unpaid caring labour occurs (or does not occur) across Canada. There is still much that is not known about unpaid care, and we echo the YWCA’s recommendation to “[e]xpand the collection of time use data to track time spent on all forms of unpaid work during the pandemic by gender, identities, racialization, Indigenous, rural vs urban, family composition, occupation, age, and education, including costs or time for child care, on an annual basis, on uniform terms for continuity over time.”²²¹

The costs of performing caring labour are high. Employment-related costs of caregiving have been called a ‘motherhood penalty’. Research on this penalty demonstrates that “gaps in women’s participation in paid work compounds the gender wage gap over their lifetimes. This is especially true for women from marginalized communities who face the highest barriers to employment and who are over-represented in low wage, precarious work.”²²² Women who perform unpaid care work have lower levels of labour force participation and are under-represented among managers and leaders at work. They face economic insecurity as a result of income losses, receive lower pensions from working fewer

²²⁰ Stephanie Premji et al., “Precarious Work Experiences of Racialized Immigrant Women in Toronto: A Community-Based Study” (2014) 22 *Just Labour: A Canadian Journal of Work and Society* 122.

²²¹ Anjum Sultana & Carmina Ravanera, “A Feminist Economic Recovery Plan for Canada: Making the Economy Work for Everyone” (28 July 2020) at 23, online (pdf): *The Institute for Gender and the Economy and YWCA Canada*

<<https://static1.squarespace.com/static/5f0cd2090f50a31a91b37ff7/t/5f205a15b1b7191d12282bf5/1595955746613/Feminist+Economy+Recovery+Plan+for+Canada.pdf>>. A similar call for increased data was also recently issued by the House of Commons Standing Committee on the Status of Women House of Commons, *Women’s Unpaid Work in Canada: Report of the Standing Committee on the Status of Women* (June 2021) (Chair: Marilyn Gladu), at 4-5.

²²² The Canadian Women’s Foundation et al, “Re-Setting Normal: Women, Decent Work and Canada’s Fractured Care Economy” (July 2020) at 12, online (pdf): <<https://canadianwomen.org/wp-content/uploads/2020/07/ResettingNormal-Women-Decent-Work-and-Care-EN.pdf>>

hours, and incur out-of-pocket expenses of caregiving.²²³ Unpaid caregivers are also impacted in terms of their mental and physical health due to, among other things, stress, social isolation, and guilt.²²⁴ Finally, working in waged labour can offer both personal fulfillment and a feeling of being valued in society. Exclusion from the labour market therefore impacts a group's social inclusion,²²⁵ which in turn impacts the power that they hold in society.

D. The case for a basic income program to value unpaid care work

A basic income would assist in compensating for the types of unpaid caregiving described above, and for the many other small acts of care that happen every day. These acts of care fall disproportionately on women and gender-diverse people, and in particular on low-income and otherwise marginalized women and gender-diverse people, and often mean that they cannot participate in the waged labour market to the extent that they otherwise would. This has a direct impact on the level of income they make, contributing to the feminization and racialization of poverty. Set at a livable level, a basic income could supplement, or even replace, employment income when low-income women and gender-diverse people are caring for their families, their communities, and themselves. This would contribute to their income security and income stability, and would go some way to addressing the inequitable distribution of care labour.

Even taking into account the limitations of the OBIP, the first-person testimonials in the previous section demonstrate that a basic income did support OBIP participants'

²²³ See House of Commons, *Women's Unpaid Work in Canada: Report of the Standing Committee on the Status of Women* (June 2021) (Chair: Marilyn Gladu), at 1, 14; Janice Keefe, "Supporting Caregivers and Caregiving in an Aging Canada" (November 2011) at 1, 7-8 online (pdf): *Institute for Research on Public Policy* <<https://irpp.org/wp-content/uploads/assets/research/faces-of-aging/supporting-caregivers-and-caregiving-in-an-aging-canada/IRPP-Study-no23.pdf>>.

²²⁴ *Ibid* at 1; House of Commons, *Women's Unpaid Work in Canada: Report of the Standing Committee on the Status of Women* (June 2021) (Chair: Marilyn Gladu), at 21.

²²⁵ See Department of Economic and Social Affairs, "Leaving no one behind: the imperative of inclusive development: Report on the World Social Situation 2016" (2016) at 18, online (pdf): *United Nations* <<https://www.un.org/esa/socdev/rwss/2016/full-report.pdf>>.

caregiving responsibilities, and more broadly contributed to their income stability and income security. People were able to go to school while caring for their children; they could afford childcare; they could afford better living spaces for themselves and their children; they could spend time with their families in more fulfilling ways. A basic income allowed people to leave the labour market for periods of time to re-organize their lives and to seek better opportunities for themselves and their families. Similar results occurred in the 1970's basic income field experiment in Manitoba known as Mincome, as documented by Evelyn Forget.²²⁶

As discussed earlier, Sarah Cantillon and Caitlin McLean, looking at basic income pilots across the world as well as at child benefit programming in the United Kingdom and Europe, concluded that a basic income guarantee is “likely to have a direct effect on [women’s] psychological well-being and feelings of economic autonomy [...] via the guarantee of an independent income, regardless of labor force participation.”²²⁷ The likelihood of increased psychological well-being would be even greater for women who are responsible for the financial health of their household, and who are low-income.²²⁸

While Cameron and Tedds ultimately concluded that a basic income is not the most appropriate mechanism for reducing the risk and prevalence of gender-based violence (GBV) or for supporting those encountering or recovering from GBV, their recent study of GBV and basic income articulates well the beneficial impact that a basic income would have for women made poor through care work: “[a] basic income—particularly one that is both paid and calculated on an individual basis—would make it so responsibility for care work in its

²²⁶ Evelyn L Forget, “Do We Still Need a Basic Income Guarantee in Canada?” (May 2017) at 6, online (pdf): *Northern Policy Institute Research Paper No 22* <https://www.northernpolicy.ca/upload/documents/publications/reports-new/forget_do-we-need-a-big-en.pdf>.

²²⁷ Sarah Cantillon, & Caitlin McLean, “Basic Income Guarantee: The Gender Impact within Households” (2016) 43:3 *Journal of Sociology & Social Welfare* 97 at 115.

²²⁸ *Ibid* at 113.

myriad forms does not result in destitution, particularly for those who experience more imposing constraints on how time is balanced across participation activities.”²²⁹

Even in a social model that provides high-quality, stable employment and high-quality public care programs for all, there will still be unpaid care work to be performed for one’s close people and communities. This is both because some care work is simply not possible to outsource—as with the “emotion work” and the “kin keeping” work described above—and because there are many people who perform unpaid care labour because they want to do so.²³⁰ Some may have a high enough income (and a flexible enough workplace) to allow them to work fewer hours to perform that unpaid care work and still maintain the standard of living to which they aspire. However, it will never be the case in Canada’s market economy that everyone in society will have an income and benefits high enough to indirectly compensate for their unpaid care work. This is the place for the state to step in to compensate for the hours that individuals cannot, or choose not to, work.²³¹

²²⁹ Anna Cameron & Lindsay Tedds, “Gender-Based Violence, Economic Security, and the Potential of Basic Income: A Discussion Paper” (30 April 2021) at 27, online (pdf): <<https://papers.lindsaytedds.ca/Gender-Based%20Violence,%20Economic%20Security,%20and%20the%20Potential%20of%20Basic%20Income%20Tedds%20Cameron%20April%2030.pdf>>.

²³⁰ While it is not possible to conceive of pure “choices” under the systems of oppression in which we live today, it remains the case that there are many in society who can and would “choose” to perform unpaid care labour for the people they care about and for, even while acknowledging the myriad ways in which their choices are constrained by power structures. These choices must be respected.

²³¹ See also Vanessa Olorenshaw, “Women, motherhood and care” in Amy Downes & Stewart Lansley, eds, *It’s Basic Income: The global debate* (Bristol: Bristol University Press, 2018) 45 at 46, 46-47 (“A universal basic income goes some way to answer the question: what do we do about inevitable dependency work without rendering the carer (usually women) financially dependent on men or stigmatised as ‘welfare scroungers’ and thereby vulnerable and marginalised? It could address the dilemma of: ‘How can we ensure that women who work as carers outside the paid economy have full citizenship, economic autonomy and the right to self-determination?’ It could reflect the wishes of many women: ‘How can we enable women who would like to care for their children but are financially prevented from doing so to retain an income in order to do so?’ [...] The only answer is for the state, finally, to catch up to its responsibilities to those who currently work for free, risking personal and financial vulnerability to do important work for the benefit of society. Whether it does so by granting a living wage for carers, as advocated by The Wages for Housework Campaign for decades, or whether it accepts the basic income perspective as a first step, the state must at last recognise the need for carers to receive an income for the valuable work they do”).

Ultimately, it is our hope that the gendered division of labour is dismantled and that care work—both paid and unpaid—does not primarily fall on women and non-binary people. In our current reality, such work is gendered. Therefore, providing an income-tested cash transfer decoupled from employment would be one way to reduce the income inequality that affects women and non-binary people—and single parents and BIPOC, disabled, and migrant women and non-binary people in particular—who are performing vast amounts of care work in Canada with little to no monetary compensation. While a basic income would not singlehandedly usher in social valuing of unpaid care work, it would ease the burden of performing it, to the benefit of the most marginalized women in society.

A basic income program would be a better way to recognize unpaid caring labour than a federally administered, national cash-for-care subsidy (which may be what the House of Commons Standing Committee on the Status of Women was contemplating when it recommended that the government provide “sufficient financial support to Canadians who wish to care for their children at home”²³²). Cash-for-care subsidies (CFCs) typically either help to purchase care services, or subsidize caregivers directly. Often called caregivers’ allowances, they are sometimes available through insurance programs. For example, Quebec’s public automobile insurance program reimburses personal home assistance, including care provided by a loved one, friend, or neighbour, for people who have been injured in a car accident and can no longer care for themselves at home.²³³

CFCs are targeted programs. They provide monies or subsidies for a particular form of care (for example, care for an injury after a car accident), and assume a specific relationship between caregiver and care receiver. So targeted, CFCs are unable to account for the many

²³² House of Commons, *Women’s Unpaid Work in Canada: Report of the Standing Committee on the Status of Women* (June 2021) (Chair: Marilyn Gladu), at 4.

²³³ See “Personal Home Assistance” (last modified 11 December 2020), online: *Société de l’assurance automobile du Québec* <<https://saaq.gouv.qc.ca/en/traffic-accident/public-automobile-insurance-plan/covered-how/personal-home-assistance/>>.

ways that women and gender-diverse people give and receive care, and for which they need to be compensated. As an unconditional cash transfer tested only by income and age, a basic income would not place a direct value on type of care, or on type of relationship between caregiver and care receiver. In addition, CFC schemes often have other eligibility criteria, such as refusing eligibility to people who use public services to fulfill the same care needs.²³⁴ With a basic income, caregivers can decide when to perform caring labour, and when to engage public services for that caring labour. In this way, a basic income would provide an income to those who perform unpaid care work without trapping them in this role.

A basic income program is also preferable to the Canada Caregiver Credit, a non-refundable tax credit for caregivers supporting a family member with a “physical or mental impairment.” While the list of family members for whom one can care is expansive, it remains limited to family.²³⁵ In addition, the tax credit is not refundable, which means that people with taxable income below the basic personal amount—\$13,229 for the 2020 tax year—do not benefit from it. Therefore, as with any non-refundable tax credit, it does not benefit the poor.

E. How to avoid entrenching the feminization of poverty due to women exiting the labour market

One central feminist concern with providing compensation for unpaid care work is that, due to the gendered division of labour and the gender wage gap, more women than men will either choose to, or feel financial pressure to, reduce hours or leave paid work entirely in order to perform care work that is now being compensated. If, with the aid of a basic income,

²³⁴ For example, in Finland, parents are only eligible to receive a CFC to care for their children if they are not using public daycare facilities: see Organisation for Economic Co-operation and Development, “Babies and Bosses - Reconciling Work and Family Life (Vol. 4): Canada, Finland, Sweden and the United Kingdom” (27 May 2005) at 114, online (pdf): <https://www.oecd-ilibrary.org/social-issues-migration-health/babies-and-bosses-reconciling-work-and-family-life-volume-4_9789264009295-en>.

²³⁵ “The Canada caregiver credit” (last modified 18 January 2021), online: *Government of Canada* <<https://www.canada.ca/en/revenue-agency/services/tax/individuals/topics/about-your-tax-return/tax-return/completing-a-tax-return/deductions-credits-expenses/canada-caregiver-amount.html#who>>.

a household can now afford to care for their child(ren) or their disabled family member(s) themselves, paying for such a service makes far less financial sense. In a two-income, heterosexual partnership, a man is more likely to be the high-income earner. It will therefore be the woman who leaves her job or reduces her hours to perform the care work that is now being compensated by the state. Single women who are caregivers will also likely leave the labour market to perform their care duties.²³⁶

The spectre of women exiting the labour market is a well-grounded concern. The consequences of leaving one's job or reducing one's paid work hours to perform care work are many, and have been described above. That said, waged labour is not an unqualified good, and we do not advocate for labour market participation for its own sake. As affirmed in our guiding principles, a person's worth is not defined by their ability to compete in the labour market. Waged labour is beneficial for individuals to the extent that it contributes to their income security, income stability, life satisfaction, participation and social inclusion, substantive equality, autonomy, and the ability to meet their basic needs. The question, then, is not how to prevent women and gender-diverse from leaving the labour market, but rather how to ensure that a basic income does not increase the costs of working to such an extent that women and gender-diverse people are compelled to leave the labour market, to their own financial, social, and psychological detriment.

In order to implement a basic income program without entrenching gendered economic and social inequality, the basic income amount must be livable, so that people who reduce their working hours to perform other duties are not made poor. In addition, the following must also be in place: high-quality, affordable, accessible public care services; valuing paid caregiving work and other gendered occupations; and a shift in workplace

²³⁶ See e.g. Ingrid Robeyns, "Introduction: Revisiting the Feminism and Basic Income Debate" (2008) 3:3 Basic Income Studies 1 at 1-3; Anca Gheaus, "The Feminist Argument Against Supporting Care" (2020) 8:1 Journal of Practical Ethics 1 at 8-9, 11; Camila Vollenweider, "Domestic Service and Gender Equality: An Unavoidable Problem for the Feminist Debate on Basic Income" (2013) 8:1 Basic Income Studies 19 at 20.

norms to allow for flexibility and part-time work arrangements without significant financial penalty. If these conditions are in place, then the decision to leave the labour market to attend to one's other priorities—be they caregiving or otherwise—would be a choice, and not a fate. Without all of these elements in place, LEAF does not support implementation of a basic income, as it would risk entrenching gendered economic and social inequality.

i. Accessible and affordable public care services

The concern that compensating care work will impoverish women and gender-diverse people has, in some sense, already been proven true. The International Labour Organization (ILO) criticizes cash-for-care subsidies (CFCs) for their lack of gender responsiveness. According to the ILO, CFCs often provide insufficient benefit amounts that do not replace full earnings, while at the same time removing women—and in particular low-income women or women with low educational attainment—from the labour market.²³⁷

Some of the most dramatic effects of CFCs on women's labour market participation have been in Finland, and to a lesser extent in Norway as well. In both jurisdictions, CFCs were made available at the same time that public daycare provision was very low, or in fact restricted. Indeed, parents in Finland were ineligible for CFCs if they were also using public daycare programs.²³⁸ CFCs were widely taken up, with corresponding impacts on women's

²³⁷ See Laura Addati et al, "Care Work and Care Jobs for the Future of Decent Work" (2018) at 149, online (pdf): *International Labour Organization* <https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_633135.pdf>. At the same time, CFCs have been shown to improve disabled people's independent living in Finland, Sweden, and the United Kingdom, as hiring personal assistants proved to be more beneficial than receiving care through public programs: *Ibid.*

²³⁸ See Guðný Björk Eydal, Tine Rostgaard & Heikki Hiilamo, "Family policies in the Nordic countries: aiming at equality" in Guðný Björk Eydal & Tine Rostgaard, eds, *Handbook of Family Policy* (Northampton, MA: Edward Elgar Publishing, 2018) 195 at 205; Guðný Björk Eydal & Tine Rostgaard, "Gender Equality Revisited – Changes in Nordic Childcare Policies in the 2000s" (2011) 45:2 *Social Policy and Administration* 161 at 171-72; Organisation for Economic Co-operation and Development, "Babies and Bosses - Reconciling Work and Family Life (Vol. 4): Canada, Finland, Sweden and the United Kingdom" (27 May 2005) at 114, online (pdf): <https://www.oecd-ilibrary.org/social-issues-migration-health/babies-and-bosses-reconciling-work-and-family-life-volume-4_9789264009295-en>.

labour market participation. None of this came as a surprise, as the institution of CFCs in Finland was reportedly the result of a right-wing political effort to reduce demand for public childcare services, thereby reducing public expenditure.²³⁹

Another significant feature of the Finnish CFC model is that it constructs a benefit trap because it is not gradually phased out. Switching to formal childcare results in an immediate loss of the entire benefit at the same time that one takes on the additional expense of childcare fees. As noted by the Organisation for Economic Co-operation and Development, “Finnish mothers who are paid less than their spouses must have either high potential earnings or a very strong career commitment to decide to go to work under these circumstances.”²⁴⁰

The lesson to draw from the model employed by Finland is that “[i]f CFC is chosen because of lack of alternatives, this seriously questions the promotion of CFC as a real ‘choice’.”²⁴¹ While LEAF advocates for a basic income to value unpaid care work, we do not advocate for the equivalent of a ‘welfare wall’ to trap women in their caregiving roles. In order to ensure that increased caregiving is as real a choice as possible, high-quality, affordable, and accessible childcare must also be made available, and benefits need to be gradually phased out.

ii. Valuing paid caregiving work

²³⁹ See Wim Van Lancker, *To whose benefit? An empirical and comparative investigation into the (un) intended consequences of family policy in the social investment state* (PhD Thesis, University of Antwerp, 2014) at 7, online (pdf): <https://www.wimvanlancker.be/?page_id=7#monographs>.

²⁴⁰ Organisation for Economic Co-operation and Development, “Babies and Bosses - Reconciling Work and Family Life (Vol. 4): Canada, Finland, Sweden and the United Kingdom” (27 May 2005) at 152, online (pdf): <https://www.oecd-ilibrary.org/social-issues-migration-health/babies-and-bosses-reconciling-work-and-family-life-volume-4_9789264009295-en>.

²⁴¹ Ann-Zofie Duvander & Anne Lise Ellingsæter, “Cash for childcare schemes in the Nordic welfare states: diverse paths, diverse outcomes” (2016) 18:1 *European Societies* 70 at 86.

In addition, in order for basic income recipients to have a meaningful choice between performing paid work or unpaid caregiving, the working conditions in the care sector (and other gendered occupations) require significant improvement. The demographics of who has taken up the CFC across the Nordic countries is telling: low-income and migrant parents are more likely to take up the CFC than middle- and upper-income parents.²⁴² This follows from the fact that CFC benefit amounts are often low, and therefore would only be seen as income replacement for people whose incomes were low to begin with.

This is the point at which it cannot be said that labour participation should be valued for its own sake. If labour conditions are such that women and gender-diverse people are earning below minimum wage and have no job security, health benefits, or pension benefits, why would they choose to do waged work? These conditions characterize far too many workplaces, and as discussed above, many of the jobs in the care economy.²⁴³ Paid work in gender-segregated occupations such as the care sector must be valued.²⁴⁴ This requires putting strong labour protections in place, including unionization protection, paid sick days, access to family leave, proactive pay equity, and pay transparency. Because of the intersections between care work and migrant work,²⁴⁵ there must be clear and fast pathways

²⁴² See Guðný Björk Eydal & Tine Rostgaard, “Gender Equality Revisited – Changes in Nordic Childcare Policies in the 2000s” (2011) 45:2 *Social Policy and Administration* 161 at 176.

²⁴³ See Camila Vollenweider, “Domestic Service and Gender Equality: An Unavoidable Problem for the Feminist Debate on Basic Income” (2013) 8:1 *Basic Income Studies* 19 at 27; see also Caregivers’ Action Centre et al, “Behind Closed Doors: Exposing Migrant Care Worker Exploitation during COVID-19” (October 2020), online (pdf): *Migrant Rights Network* <https://migrantrights.ca/wp-content/uploads/2020/10/Behind-Closed-Doors_Exposing-Migrant-Care-Worker-Exploitation-During-COVID19.pdf>.

²⁴⁴ See House of Commons, *Women’s Unpaid Work in Canada: Report of the Standing Committee on the Status of Women* (June 2021) (Chair: Marilyn Gladu), at 3.

²⁴⁵ See Amelita King-Dejardin, “The Social Construction of Migrant Care Work: At the intersection of care, migration and gender” (2019) at 77-83, online (pdf): *International Labour Organization* <https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_674622.pdf>.

to permanent residence that allow for better working conditions and labour market outcomes for people with no or precarious immigration status.

The availability of high-quality, stable employment for all will reduce the likelihood that low-income women leave the labour force as a result of a lack of alternatives. It will also address the concern that a basic income removes pressure on governments and industry to improve working conditions.

iii. Shift in workplace culture and norms: A four-day work week as a starting point

Work sharing or reduction of waged labour time for everyone would assist in reducing the inequities that result from caregivers having to take time out of paid work to perform unpaid care work. These measures would assist in dismantling the gendered division of labour.²⁴⁶ To facilitate a work-life balance, Unifor recommends that governments work with employers, workers, and their unions to take measures to implement a four-day work week.²⁴⁷ Instituting a four-day work week (or a similar reduction in hours for those who do shift work) would be a move toward the universal caregiver model, and would reduce the impacts of the ‘motherhood penalty’. A recent large-scale, four-year pilot in Iceland reduced workers’ hours without reducing their pay. The results demonstrated that workers were both happier and more productive.²⁴⁸

Finally, for those caregivers who do leave the labour market, there must be job re-training programs in place to assist in their return to work when they choose to do so.

²⁴⁶ See Ursula Barry, “Feminist Reflections on Basic Income” in Amy Downes & Stewart Lansley, eds, *It’s Basic Income: The global debate* (Bristol: Bristol University Press, 2018) 39 at 42-43.

²⁴⁷ See Unifor, “Unifor’s Road Map for a Fair, Inclusive and Resilient Economic Recovery” (June 2020) at 17, 20, online (pdf): https://d3n8a8pro7vhmx.cloudfront.net/unifortheunion/pages/3081/attachments/original/1592946015/Build_Back_Better-final-en-sm.pdf?1592946015.

²⁴⁸ See “Why Iceland’s 4-day workweek pilot was an ‘overwhelming success’”, *CBC News* (5 July 2021), online: <https://www.cbc.ca/radio/asithappens/iceland-four-day-work-week-pilot-1.6090605>.

F. Basic Income as a means to prevent gender-based violence or to assist those exiting abusive environments

A basic income program is Call for Justice 4.5 of The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) Report:

4.5 We call upon all governments to establish a guaranteed annual livable income for all Canadians, including Indigenous Peoples, to meet all their social and economic needs. This income must take into account diverse needs, realities, and geographic locations.²⁴⁹

One of the MMIWG inquiry's commissioners, Qajaq Robinson, explained in an interview that "[i]t was pretty much everywhere in the country that we heard about how poverty and economic insecurity played a role in the violence [against Indigenous women, girls, and 2SLGBTQQIA—Two-Spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex and asexual—people]."²⁵⁰ A basic income would provide "a chance to move out of survival mode and live a life of dignity," Robinson continued. "It would allow space to breathe."²⁵¹

Cameron and Tedds' discussion paper "Gender-Based Violence, Economic Security, and the Potential of Basic Income" examines (1) the capacity of a basic income to reduce both the risk and the prevalence of GBV, and (2) whether a basic income would effectively support people experiencing or recovering from GBV. They conclude that a basic income is not advisable because, among other reasons, the government does not have fiscal capacity both to expand basic services and to

²⁴⁹ National Inquiry into Missing and Murdered Indigenous Women and Girls, "Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls" (2019) vol 1b at 182, online (pdf): <https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1b.pdf>.

²⁵⁰ Emma Paling, "Why MMIWG Inquiry Report Calls For A National Basic Income", *HuffPost Canada* (11 June 2019), online: <https://www.huffingtonpost.ca/entry/mmiwg-report-guaranteed-annual-income_ca_5d0025eae4b0755103994b16>.

²⁵¹ *Ibid.*

implement a basic income. Instead, Cameron and Tedds recommend significant reforms to current provincial social assistance programs that they believe would mirror basic income principles, for instance relaxing eligibility conditions.²⁵²

While Cameron and Tedds concluded that basic services are more appropriate to address GBV than a basic income, they were also operating under the assumption that one has to choose between the two. In a scenario in which both are possible, the question of whether a basic income could reduce the risk of GBV merits further research. Economic vulnerability, including poverty and/or lack of economic independence, increases GBV risk,²⁵³ and a basic income reduces poverty. Therefore, a basic income has the potential to decrease GBV risk. Cameron and Tedds point to studies showing that when women receive social assistance benefits, or when they earn more than their male partners, the risk of intimate partner violence increases.²⁵⁴ There is, however, evidence from both Kenya and Ecuador that cash transfer programs are associated with “significantly reduced” intimate partner violence.²⁵⁵

In addition to the question of increased or decreased risk of GBV in an abusive home, there are also those who are at risk of GBV but not yet in an abusive environment. A basic income may assist in granting economic independence such that the risk of entering into an abusive situation is decreased. As stated, this question merits further research.

²⁵² Anna Cameron & Lindsay Tedds, “Gender-Based Violence, Economic Security, and the Potential of Basic Income: A Discussion Paper” (30 April 2021), online (pdf): <<https://papers.lindsaytedds.ca/Gender-Based%20Violence,%20Economic%20Security,%20and%20the%20Potential%20of%20Basic%20Income%20Tedds%20Cameron%20April%2030.pdf>>.

²⁵³ *Ibid* at 18.

²⁵⁴ *Ibid* at 30.

²⁵⁵ Mary Ellsberg et al, “Prevention of Violence against Women and Girls: What Does the Evidence Say?” (2015) 385 *The Lancet* 1555 at 1563-64.

As for whether a basic income could assist women when exiting and recovering from GBV, Cameron and Tedds argue that a lump sum is preferable because it is best suited to respond to the “extreme income shock” that exiting an abusive situation entails.²⁵⁶ We echo their call for lump sums to be offered to individuals exiting from abusive environments. A basic income could also assist those exiting and recovering from GBV as they seek to establish the type of “regular stream [...] of income” that a basic income benefit represents.²⁵⁷

Recommendations for federal, provincial, and territorial governments

Based on the above analysis, LEAF recommends the following:

1. The federal government should work with provinces and territories to implement a basic income program for all working-age adults who do not qualify for a Canada Disability Benefit. LEAF only supports a basic income that has the below characteristics:
 - an income-tested cash transfer that is permanent (i.e., not a pilot);
 - delivered to individuals;
 - adequate to meet basic needs (i.e., livable);
 - replaces social assistance, but only once a basic income has brought recipients to an adequate income level;
 - does not replace any other social supports that currently accompany social assistance;
 - accessible to all individuals regardless of immigration status;
 - portable across provinces and territories;
 - reduces or eliminates the surveillance that is present in social assistance and disability benefits;
 - sets allowable earnings exemptions at a generous level, with minimal clawbacks of earned income above maximum allowable earnings;

²⁵⁶ Anna Cameron & Lindsay Tedds, “Gender-Based Violence, Economic Security, and the Potential of Basic Income: A Discussion Paper” (30 April 2021) at 32, online (pdf): <<https://papers.lindsaytedds.ca/Gender-Based%20Violence,%20Economic%20Security,%20and%20the%20Potential%20of%20Basic%20Income%20Tedds%20Cameron%20April%2030.pdf>>.

²⁵⁷ *Ibid* at 32.

- not conditional on demonstrating work history, the fact that one is pursuing work, or participation in employment programs;
 - not paid for by low-income people;
 - indexed to the cost of living.
2. The federal government should work with provinces and territories to implement a targeted basic income for people with disabilities (a Canada Disability Benefit). LEAF only supports a disability benefit that has the below characteristics:
 - includes all of the elements of a basic income discussed above, except for those that necessarily do not apply;
 - provided to all disabled people who meet the *Accessible Canada Act* definition of disability;
 - ensures that the cost of both specific and general extraordinary disability-related supports and services are covered, or is generous enough to enable disabled people to purchase these on their own.
 - *for an explanation of these elements, see LEAF's companion report on **Basic Income, Gender & Disability**.*
 3. A basic income should not be implemented without further consultation with Indigenous communities.
 - members of First Nations, Métis, and Inuit communities must be full participants in the design of programs and services.
 - First Nations, Métis, and Inuit leaders and governments must be consulted regarding the development of a basic income program.
 4. Recognize the authority of Indigenous governments, such as First Nations communities and Inuit regional governments, to create and implement their own models of income security that may or may not include a federally-funded basic income.
 5. The design, implementation, and evaluation of a basic income program must be led by the most marginalized.
 - basic income program and disability benefit program design, implementation, and evaluation must be led by women (both cis and trans), Two-Spirit, transgender, and non-binary people who are disabled, Black, First Nations (both on- and off-reserve), Métis, Inuit, otherwise racialized, on social assistance, precariously housed, lone parents, and/or have precarious immigration status (and/or by advocates for those women and gender-diverse people who have precarious immigration status, such as migrant justice advocates).

6. In order to advance gender equality, any basic income program **must** be accompanied by the following policies and commitments at the federal, provincial, and territorial levels:
 - clear and fast pathways to permanent residence that allow for better working conditions and labour market outcomes for people with no or precarious immigration status;
 - stable, high quality jobs (including part-time jobs) with appropriate training, living wages, and benefits for people with diverse needs—in particular in the care economy;
 - strong labour protections in the care sector and other gendered occupations, including unionization protection, paid sick days, access to family leave, proactive pay equity, and pay transparency;
 - work with employers, workers, and unions to create a shift in workplace culture and norms to allow for flexibility and part-time work arrangements without significant financial penalty, such as a move to a four-day work week (and comparable reduction in hours for shift work);
 - labour re-entry programs for caregivers;
 - high-quality, affordable, and accessible public programs across the country, including: childcare; a national housing strategy; fully-subsidized, appropriate, individualized home support services; and a national Pharmacare program, modelled after the one currently available in B.C.;
 - expanded eligibility for all public programs including healthcare to include migrant workers and others with precarious immigration status;
 - elimination of clawbacks of Canada Pension Plan-Disability benefits [*see LEAF's companion report on **Basic Income, Gender & Disability***];
 - a fully refundable Disability Tax Credit [*see LEAF's companion report on **Basic Income, Gender & Disability***].

7. Any basic income program **should** be accompanied by the following policies and commitments at the federal, provincial, and territorial levels:
 - permanent residence on arrival to support better labour market outcomes;
 - equitable funding for child welfare services on reserve;
 - decarceration policies, in particular for Black and Indigenous women;
 - lump sums available to people exiting abusive relationships;
 - expanded EI coverage for part-time workers and migrant workers;
 - a fully-funded, intersectional National Action Plan to end gender-based violence, and a National Action Plan to end gender-based violence against Indigenous

women, girls, and 2SLGBTQQIA+ that responds to the Calls for Justice flowing from the National Inquiry into Missing and Murdered Indigenous Women and Girls;

- other public policy to address effects of discrimination including racism, misogyny, ableism, and colonialism.