



HOW EMPLOYERS CAN SUPPORT A GRIEVING EMPLOYEE RETURNING TO WORK

Pregnancy and infant loss are profound and painful experiences. Bereaved parents commonly feel overwhelming and complicated grief feelings over the short and long term, including shock, sadness, anger, anxiety, confusion, guilt, and self-blame. These feelings are natural and normal. Sadly, because pregnancy and infant loss are not widely discussed or understood in our society, the grief and needs of parents bereaved in this way can sometimes go unrecognized, leaving griever feeling invisible and misunderstood.

WE KNOW THAT THE VALUE OF A LIFE IS BASED ON THE LOVE AND CONNECTION FELT WITH THAT CHILD - INSIDE OR OUTSIDE THE WOMB, AT ANY GESTATION OR AGE. The dreams and hopes for that child's presence and future, and the new identity people begin to take on as they parent a baby in the womb, or prepare to parent the baby when it is born, are lost when a pregnancy ends or a baby dies. In seeking to offer care and support to grieving parents, it is essential that we offer an open space for their story and validate what it means to them. In that way, we can then offer support for their feelings and ways of expressing those feelings. Each grieving person is unique in the way they carry and express their grief, and most griever need compassion and encouragement over time from their community for the unfolding of their own grief process.

YOUR LEGAL RESPONSIBILITIES

Following a pregnancy or infant loss, a grieving parent may choose to take an extended leave from work or may choose to return to work. Employment leave can assist with grieving, physical healing, accessing healthcare services, and making various types of arrangements (eg. funeral, financial, travel). The decision to temporarily step away from work will depend on many factors, including the bereaved parent's eligibility, financial situation and personal history and preferences. It is helpful for employers and Human Resources personnel to be familiar with the options available to employees of their organization in order to provide clear information and support to families facing these challenging decisions during an already difficult time.



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Employees who have been employed by their employer for at least six consecutive months and who are covered by the Employment Standards Act, 2000 (ESA) are entitled to child death leave if a child of the employee dies, except in events where the child died as a result of a crime in which the parent is implicated.

Employment Insurance (EI) Employees who meet certain criteria are eligible for temporary financial assistance if they are unable to work due to pregnancy or infant loss. Sickness and/or maternity benefits may apply to these circumstances.

Employment Standards Act (ESA) The Employment Standards Act (ESA) provides minimum standards, rights and responsibilities for most employees and workplaces in Ontario. There is a section dedicated to pregnancy leave, which includes information specific to pregnancy loss. Employees who have had a pregnancy loss at a gestational age of approximately 23 weeks or more are entitled to pregnancy leave. If parents do not qualify for pregnancy leave they may be entitled to time away from work through another type of ESA allowance, such as the personal emergency leave (PEL). Parents who have experienced infant loss may be eligible for child death leave, crime-related child disappearance leave, or Federal Income Support grant.

Other types of leave/time off There may also be agreements or policies in place within your organization that qualify parents for time off and/or paid leave in addition to federal or provincial allowances, such as sick time, short-term disability (STD), and long-term disability (LTD). Employers might also decide to provide parents with time off due to unforeseen or exceptional circumstances, outside of existing policies.

PAIL Network has produced three documents outlining information about leave entitlements specifically for parents who have experienced a loss (Time Away From Work After Your Pregnancy Loss, Time Away From Work After Your Stillbirth, and Time Away From Work After Your Infant Loss). **Please refer to these resources for your own information and share them with parents.**



How to Offer Care & Support

As an employer, in addition to your employment responsibilities toward your employee, you may feel sadness and concern for the pain of your employee. During any period of absence, unless prohibited by the terms of an employee's leave, there are many ways that employers can be in touch to express their condolences and care. When the bereaved parent returns to work, continuing to acknowledge their loss is important. Some bereaved parents may feel supported by openly sharing their grief feelings and exchanging active support with those around them during this difficult time, while others may need you to be a listener, or may need you to respect their wish for space and privacy to mourn without feeling influenced or responsible for the feelings of others. In particular, it is helpful to avoid situations that lead grieving parents to feel that they also need to manage the grief or discomfort of others around them.

Because the meaning of this kind of event and the needs and wishes of grieving parents may not initially be clear, many employers can feel uncomfortable or unsure what to say. While there are no guidelines that will fit for all individuals' needs, the following guidance will be helpful for many grieving parents:

1. **DO acknowledge the loss with kindness.** Many people will defer to saying nothing, afraid of upsetting the grieving individual or "reminding them" of their sadness. Be assured that you are not reminding them of something they have put out of mind; their grief is present, and most people appreciate having their experience and difficulty acknowledged with expressions of care and concern. If you wish to offer personal support, do so in a way that is genuine and reflects your true capacities and interests; for many families, it may be helpful for offers of help to be specific, or to provide some choices (i.e. food, childcare, a shoulder to lean on, distraction and laughter) and for them to be offered in a way that makes it easy for the parents to decline if that feels best for them. Even if they don't wish to take you up on your offer, they will appreciate the kindness in it.



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2. **DON'T expect their grief to look a certain way.** There is no right or wrong way to feel in the aftermath of this kind of event and each grieving person will find their own way of navigating their needs for expression and privacy, togetherness and solitude. The flows of different intense emotions may be consistent or unpredictable, steady or stormy, and grieving parent(s) are often working hard to manage their own inner and outer experience. Listen carefully and take your lead from the grieving parent(s), showing up and showing care that creates safety for sharing if the parent(s) wish.
3. **DON'T make it about yourself.** Pregnancy and infant loss are sadly common experiences, but this doesn't make the experience the same for all who go through it. While the disclosure of a loss of your own may make the bereaved parent feel less alone, don't assume their feelings are similar to yours, and don't share your story or advice based on your own experience unless invited. Focus your care and attention on their experience and give space to the myriad ways that they may be thinking and feeling about this death. Likewise, many individuals offer platitudes out of their own discomfort and a wish to ease the suffering of a bereaved parent, but ultimately such comments reflect the views and beliefs of the speaker, and can feel minimizing, dismissing or misattuned. Grievers do not need additional pressure to be cheerful and look on the bright side of their experience; they need encouragement and support to be with their own experience fully and authentically, both the pain and any gifts that may arise over time.
4. **UNDERSTAND that the loss of this child may have many pieces.** Whether the child was a sibling or first child, whether fertility struggles were part of conception, whether this was a wanted pregnancy, whether there were prior pregnancy or infant losses for this family, whether there were external factors related to parental health or medical care involved in the pregnancy or infant loss, all of these factors can complicate and compound the grief parents feel. Many parents can blame themselves and feel like it's their fault and such a loss can activate previous losses or traumas. It's also normal for a grieving family to question their beliefs, faith and life purpose. Listening patiently, over time, and balancing realistic reassurance with understanding for the complex feelings and meanings bereaved parents are struggling through, is a significant contribution.



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5. **KNOW that grief cannot be “fixed,” that this loss will last forever and that it will change over time.** The feelings and meaning of an event of this magnitude may change with time as the grieving parent processes the many losses inherent in the death of their child. Grief does not pass quickly, but can morph over time, and hopefully becomes manageable. Grief can last months and years, depending on the bereaved individual. Care and presence over the long term is invaluable, as many people mean well, but forget and move on within a few months following a death. Grieving parents will appreciate the remembrance of special days and anniversaries such as birth and death anniversaries, or a due date in the case of pregnancy loss. Know that Mother’s and Father’s Days and other triggers around the loss may be difficult. Offer small gestures of kindness. Sit in silence. Ask how they are feeling. Listen. Continue to show up. Check in regularly. Validate and normalize their feelings and thoughts.
6. **KNOW that grieving parents may need their workplace to be a place of safety.** For many people following a major loss, their grief is so intense that they may want or need spaces where it is not front and centre, where they can perform the way they did before this loss. Others may need their grief to be acknowledged and openly held in their work environment. Grief naturally challenges a person’s focus, concentration, memory, their identity and sense of stability, and bereaved individuals may not be able to perform work duties at the same level that they did before this major event in their lives. Compassion, respect, accommodation and support are key as they reorient their lives and tend to other priorities. Take your cues from the bereaved parent, acknowledging their loss and then finding out from them whether they wish to discuss it or not, or whether they would like you to check in about it or not. You can let them know, for example, that you wish to be a support and are willing to talk about it with them, but that if they would prefer you not inquire unless they mention it, you are happy to support them in this way.
7. **OFFER practical supports and accommodations.** It is common for both the emotional and practical capacities of bereaved parents to be understandably altered for a period of time. You can support their process and recovery by actively engaging them in considerations of how they can best be supported in the performance of their job duties. Discuss their responsibilities and workload, offering accommodations such as reduced or altered work hours, additional supportive oversight or check-ins, or sharing or redistribution of tasks and responsibilities in order to minimize pressure and unrealistic expectations during their period of recovery. Knowing that you care, are emotionally and practically available, and will respect and cooperate with their process, provides helpful information for them to care for their needs in a dignified way that feels best for them. Bereaved individuals rarely forget those who “showed up” for them in their time of sorrow.

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GRIEF IS NOT AN ILLNESS. Although the intense pain of the loss is unpredictable and can last years, with caring support, bereaved parents usually find that the loss eventually becomes an experience they can carry with them, and that while they may be changed forever, they can still find joy and pleasure and engage fully in work and life.

If you need more specific information about your responsibilities or employee eligibility for employment leave, please consult with the appropriate federal or provincial standards.

