

Brown's Economic Damages Newsletter

September/October 2012

Volume Nine Issue 8

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Time Use:

Average Time Spent on Activities & Utilization for the Housekeeping Damages CalculatorTM ("HDC")

The time estimates in this newsletter issue show the average amount of time spent by Canadians on various activities *other than* unpaid work, such as the time devoted to paid work, sleeping, meals, personal care, socializing, television viewing, reading, attending entertainment events, and "active" leisure (sports, computer use, video games). These general time estimates were published in Statistics Canada's catalogue entitled *General Social Survey – 2010 Overview of the Time Use of Canadians*, the most recent time use data for Canadians from the GSS (published in July 2011).

It is important to remember that these estimates are AVERAGES, computed across a whole population in Canada. An *individual's allocation of time may well differ from these averages*, at least in the *distribution across activities* (i.e., an individual may work more and sleep less than cited in Table A, or spend more time on leisure than on meals at home/personal care as shown in Table A below). The data is simply being used in the absence of any concrete information from the plaintiff about her distribution of time in the absence of the incident, or as a "sanity check" on the inputs provided by the plaintiff when s/he is asked an open-ended question such as: "How much time do you spend on X activity?"

[continued page 2]

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Prior issues of Brown's Economic Damages Newsletter related to this month's topic:

- ♦ "Housekeeping Claims: Time Use Data from Statistics Canada's 2010 *General Social Survey* (GSS), cycle 24" July/August 2011, vol. 8, issue #6
- "Housekeeping claims: 2010 hourly replacement rates"
 March 2010, vol. 7, issue #3
- "Housekeeping award by Ontario Court of Appeal: McIntyre v. Docherty [2009]"
 May 2009, vol. 6, issue #4
- "Reduction in housework due to disability (2001 PALS & 1991 HALS)"
 February 2007, vol. 4, issue #2
- "Housekeeping Claims: Time Use Statistics from Statistics Canada's 2005 General Social Survey (GSS), cycle 19"
 October 2006, vol. 3, issue #9

Average time utilization across activities

The time estimates in Table A below make it easier for users to complete the 1-page "Diary of Household Activities – In the Absence of the Incident" form that initiates the *Housekeeping Damages Calculator* TM ("HDC") at www.browneconomic.com. For instance, when we click on "LAUNCH CALCULATOR" on the webpage for the HDC, we are shown the screen entitled "Diary of Housekeeping Activities (Personal Injury): In the Absence of the Incident". On this screen, after choosing the gender, inputting the date of birth and the date of incident, and choosing the province in which the plaintiff experienced the incident and resides (in this case, we used Nova Scotia), we input the data from Table A as follows: That the plaintiff spent 38.5 hours on paid work per week before the incident, when she was working; that she slept 8.4 hours per night; that she spent 2.6 hours combined per day on meals at home and on personal care; that she spent 2.3 hours per day on leisure per working (week) day; and spent 5.2 hours per day on leisure for each of the two weekend days.

¹ To request back issues of our newsletter, go to: www.browneconomic.com > Research & Publications > Brown's Economic Damages Newsletter > click on "Newsletter index" to view issues back to 2000, by topic. To request prior issues, click on the "Back issues" on the left-hand side menu and complete the email request.

² This screen initiates the HDC *after* the user chooses whether the estimate is for "personal injury" or "fatal accident"; and after agreeing to the "Terms and Conditions" attached to the HDC.

³ For our example, we used the time use data in Table A for females.

⁴ For this estimate, we combined the "meals at home" (1.0 hour per day) and "personal care" (1.6 hours per day) under the category PERSONAL ACTIVITIES from Table A below.

⁵ For leisure time during the week, when it is assumed the plaintiff would spend the bulk of her time on paid work, we only used the "Television viewing & reading" estimate of 2.3 hours per day, as we assumed that there was a constraint on time during the week, given the time devoted to paid work and sleeping.

⁶ For this estimate, when we assume the plaintiff would have more time (since she would not be working), we combined the three activities of: "Socializing & dining out" (1.7); "Television viewing & reading" (2.3); "Entertainment events" (0.2); and "Active leisure (sports, computer use, video games)" (1.0).

Table A: Time per day/week on Various Activities, Canadians, 2010⁷

Activity	Time spen	t <i>per</i> day	Time spent per week		
	MALES	FEMALES	MALES	FEMALES	
Paid work ^a	8.6	7.7	43.0	38.5	
Personal activities:					
Night sleep	8.2	8.4	57.4	58.8	
Meals at home	1.1	1.0	7.7	7.0	
Personal care	1.3	1.6	9.1	11.2	
Socializing & dining out	1.5	1.7	10.5	11.9	
Television viewing & reading	2.7	2.3	18.9	16.1	
Entertainment events ^b	0.1	0.2	0.7	1.4	
Active leisure (sports, computer use, video games)	1.5	1.0	10.5	7.0	
TOTAL time (sum of activities listed above)			157.5	151.2	
Time available for household chores (unpaid work) ^c			10.6	16.8	

^a This category includes approximately one hour per day of commuting time to and from work. Note these estimates pertain strictly to people who are working, i.e., it excludes people who do not engage in paid work.

Notably, the table above yields a "lower-bound" estimate for unpaid work; we know this because the *same* source used for the table above shows that the 81% of males who spend time on household work each week devote 3 hours per day to it (21.50 hours per week); 91% of females who spend time on household work devote slightly more than 4 hours per day to it (29.75 hours per week). These estimates are almost twice as high as the "lower-bound" estimates in the table above; and do *not* even include time spent on child care and shopping for goods and services, which add another 4 to 5 hours per day, respectively, for males and females who engage in these unpaid work activities. (The people who are devoting this much time to unpaid work sacrifice time on other activities listed in the table).

^b Refers to time spent as spectators at sports events, movies & concerts. Only 6% of the Canadian population reported time spent on these activities. The time estimates reflect the small percentage of the population who participate in such events (i.e., the <u>actual</u> time spent is higher than the estimates above).

^c These estimates are shown only for weekly time (not daily time) because we cannot combine the "paid work" figures (which are for only 5 days per week) with the remaining figures (which are for 7 days per week) to obtain a realistic daily total.

⁷ It is important to note that the total time estimates for all activities other than unpaid work per week (157.5 for males, 151.2 for females) reflect participation in *all* activities listed in the table and on *every day of the week;* but the average Canadian only participates in *some* of these activities, and only on *some* of the days of the week. (For instance, the "paid work" hours show 8.6 and 7.7 hours for males and females, respectively. But these estimates are *only* for the males and females who claimed to be on the job: in the *GSS*, this constituted only 49% of male respondents and only 39% of female respondents). Therefore, the totals per week of 157.5 hours for males and 151.2 hours for females *overstate* the allocation of an individual Canadian's time in any given week and thereby *understate* the time remaining for housework (10.6 and 16.8 hours, males and females, respectively).

Brown Economic Consulting Inc.

Quantifying economic damages when wages or profits are interrupted by the negligence of others

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Diary of Housekeeping Activities (Personal Injury)

In the Absence of the Incident

Note that this record-keeping form pertains to the hours of work the plaintiff used to do or was capable of doing had the incident not occurred.

Name:	Newsletter example		
Gender:	Female Male		
Date of Birth (mm/dd/yyyy):	Jan ▼ / 16 / 1960		
Date of Incident (mm/dd/yyyy):	Nov ▼ / 7 / 2007		
Number of Children at Home;	None One or more		
Province of residence:	Nova Scotia ▼		
Date of Calculation:	November-09-12		
Province in which incident occurred:	Nova Scotia ▼		

		Hours Per Day	Hours Per Week
1.	How many hours did you spend at paid work PER WEEK (or planned to spend if you were not yet in the work force, were changing jobs, or were on a leave of absence)?		38.5
2.	How many hours did you sleep ON AVERAGE, per night?	8.4	58.8000
3.	How much time did you spend, PER DAY, on personal care, personal growth, or replenishment(i.e., showering, getting dressed, eating meals, exercising, volunteering, spirituality)?	2.6	18.2
4.	How much time did you spend each WORKDAY (i.e., whatever days on which you worked, which could have been on a weekend or at night if you worked shift work) on all leisure activities (e.g., television, movies, dining out, sporting events, visiting friends and family, etc.)?	2.3 hours per day multiplied by 5 days per week	11.5
5.	How much time did you spend each DAY OFF (i.e., whatever days you had off work) on all leisure activities (e.g., television, movies, dining out, sporting events, visiting friends and family, etc.)?	5.2 hours per day multiplied by 2 days per week	10.4
6.	TOTAL #1 to #5	137.4	
7.	Regular housekeeping hours = 168 hours per week less total	30.59999	
8.	Percentage of household work you could do immediately aft	25 %	
9.	If you expect your condition to improve, when do you expect steady level, and what percentage of household work do you able to do at that time? (Please leave blank if you do not expect your condition to in	Condition will reach a steady level on January 1, 2015 to 75 %	

Submit

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Comparing HDC result with Canadian time use statistics (2010 data)

The result of inputting the hours above from Table A is that the plaintiff is left with 30.59 hours which we assume she devoted to housework every week, in the absence of the incident. A "snapshot" of our *Housekeeping Damages Calculator* TM input form is reproduced above to show how the information in Table A was input into the *Diary* form.

The estimate of 30.59 hours per week (in the absence of the incident) "jives" with the time use data from Statistics Canada. We know that in 2010, all women between the ages of 25 and 54 spent 36.4 hours per week on "core & non-core housework" + "child care". If we tailor categories to more specific characteristics, we find the following estimates of time spent on domestic work/child care per week are: 9

- o Females employed, partner employed, children < 5 spent 29.1 hours on domestic work and childcare;
- o Females keeping house, partner employed, children < 5 spent 52.6 hours on domestic work and childcare;
- o Females keeping house, lone parent, children < 5 spent 55.3 hours on domestic work and childcare;
- o Females employed, partner employed, NO children spent 14.8 hours on domestic work; and
- o Females keeping house, partner employed, NO children spent 28.4 hours on domestic work.
- o **Females employed,** *living alone* spent only 11.7 hours on domestic work.
- o Males employed, living alone spent only 9.7 hours on domestic work.

Calculating the housekeeping damages award from the time use data

The remaining questions (#8 and #9 above) ask the user to estimate the percentage of total housework in #7 that the plaintiff could do, immediately after the incident (#8); and the percentage she could do once her health plateaued (#9). In these answers, we entered 25% for the plaintiff's capacity for household work immediately following the incident; then we estimated that her ability to do housework would increase (as her health would likely improve with treatment after the incident) and so she could do 75% of her without-incident capacity by Jan. 1, 2015.¹⁰

⁸ To see this estimate, please go to **Brown's Economic Damages Newsletter**, "Housekeeping Claims: Time Use Data from Statistics Canada's 2010 General Social Survey (GSS), cycle 24" July/August 2011, vol. 8, issue #6, Table A (p. 3). The original data source underlying the data in Table A is from two sources: Marshall, K. "Converging gender roles", *Perspectives in Labour and Income*, Statistics Canada's catalogue #75-001-XPE, Autumn 2006, vol. 18, no. 3, Table 1, p. 10 (for data from 1986 until 2005); and Statistics Canada's *General Social Survey – 2010 Overview of the Time Use of Canadians*, July 2011, catalogue no. 89-647-X, Table 1.1 (p. 10) for 2010 data.

⁹ To see these estimates, please go to **Brown's Economic Damages Newsletter**, "Housekeeping Claims: Time Use Data from Statistics Canada's 2010 General Social Survey (GSS), cycle 24" July/August 2011, vol. 8, issue #6, Tables B and C (pp. 4-5). The original data source underlying the data in Tables B and C are from a special tabulation purchased by Brown Economic Consulting from the 2010 GSS cycle 24 data. (Note that to derive the totals shown above, the relevant figures for domestic work + child care must be summed from Tables B and C. The last three estimates are from Table B only (which shows domestic work time only, not time spent on child care, like in Table C).

¹⁰ The reader can see that changing the capacity for housework by 2015 reduces the *annual* notional value for lost housekeeping from \$16,972 to \$5,657.

Data pertinent to Canadians needing assistance with housework (General Social Survey, 2007)

Brown Economic obtained Statistics Canada's "Public-Use Microdata File" (PUMF) from their 2007 *General Social Survey,* cycle 21, on *Family, Social Support and Retirement*. This questionnaire targeted Canadians who were 45 years or older. The sample size of the final culled responses was 23,404 units, signifying a 57.7% response rate.¹¹ (This response rate is typical of the GSS surveys).

The GSS cycle 21, carried out in 2007, asked questions of 45-year-old Canadians regarding their involvement in assisting friends or family with unpaid work. In 2007, 32% of respondents affirmed that they do provide assistance to someone "because of a long-term health condition or physical limitation", like individuals impaired from motor vehicle accidents or slip and fall incidents. Of those who provided (unpaid) help, the following statistics were tallied from the GSS cycle 21:

76% said they provided assistance with "transportation, shopping for groceries, banking and bill-paying"

46% said that they provided assistance with "meal preparation, meal clean-up, house cleaning, laundry or sewing"

41% said they provided assistance with "house maintenance or outdoor work"

39% said they provided assistance with "making appointments or managing his or her finances"

25% said they provided assistance with personal care activities¹²

Interestingly, when asked about their relationship to the person receiving the care, *more than half* of the caregivers were women: spouses, daughters, mothers, sisters, mothers-in-law, sisters-in-law, or aunts. When we add caregivers who are close friends and neighbours to this group, the percentage rises to 80%.

The snapshots below, also from the HDC, summarizes the key values that underlie the estimate above. Note that we only show the last page of the HDC output; prior to the section on "economic assumptions", the user can choose to click on "View Details" above and show the annual loss calculation, both for the past loss (to the date of valuation (the current date is used) and then the future loss, from 2012 until age 80, in this case until 2040. When the user selects the "View Details" option, s/he will see that there are two further negative adjustments that reduce the losses considerably: the "Health adjustment"¹³ and the "Mortality adjustment";¹⁴ and then of course the present value factors reduce the annual losses for interest that would accrue on any lump sum calculated in 2012.

¹¹ Source: Statistics Canada, Social and Aboriginal Division. April 2009. General Social Survey Cycle 21: Family, Social Support and Retirement – Public Use Microdata File Documentation and User's Guide. Ottawa, ON: Minister of Industry, catalogue no. 12M0021G, pp. 3, 9, 10, and 21.

¹² The personal care activities were defined as "bathing, toileting, care of toenails/fingernails, brushing teeth, shampooing and hair care, and dressing."

¹³ This negative contingency reduces the annual loss in 2012 by 17%, and by 2040 the annual loss is reduced by 29%.

¹⁴ This negative contingency reduces the annual loss in 2012 by less than 1% (since the plaintiff is only 51 years old in 2012) but increases to -32% by 2040, when the plaintiff would be 79 years old. Note that ceasing the calculation at age 80 is not because of the end of life expectancy; if this plaintiff lived to age 79, she could expect to live until 83.7 years of age. We cease the calculation at age 80 because we assume the plaintiff would have required assistance at this age regardless of the incident in question.

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- Print this report by clicking on the print button of your browser. It is recommended that you preview the report (print preview) prior to printing to ensure that your print margins are not too large.
- If you would like to adjust your input parameters and calculate additional scenarios, click on the "Revise Inputs & Recalculate" button below.
- Closing this report page will end your session. If you would like to print this report page or revise your inputs and recalculate, do so prior to closing this page.

Housekeeping Damages Calculator (Personal Injury)

Calculated on: November-09-12 Reference ID: 0-1352489719

Name: Newsletter example

Gender of the injured: Female

Date of Birth: January 16, 1960
Date of Incident: November 7, 2007

Age at time of incident: 47
Age at time of calculation: 52

Province of residence: Nova Scotia
Province of incident: Nova Scotia

Value at age 47 (2007 \$): \$15,922

(22.95 hours/week lost based on

25% capacity)

Value at age 52 (2012 \$): \$16,972Value at age 55 (2012 \$): \$5,657

(Changed to 75% capacity)

Past Loss (from date of incident to the date this calculation is made): \$84,251

Present Value of Future Loss (from the date this calculation is made to when the plaintiff is 80 years old): \$98,973

Total Loss of Housekeeping Capacity

\$183,224

Revise Inputs & Recalculate

View Details

[continued page 8]

Please note that this estimate is a preliminary result only. It has not been verified or attested to by Brown Economic Consulting and as such no representative of Brown Economic Consulting will support this estimate for litigation purposes. It is intended only as an estimated potential loss of housekeeping capacity of the plaintiff, and as such depends entirely on the user's input data.

The estimate was calculated based on the following economic assumptions:

- · This estimate represents lifetime cost as of the date of incident;
- Annual Cost is calculated using a rate of \$14.79 per hour in 2012 dollars (based on replacement rates used in Nova Scotia, as well as statistical averages obtained from Statistics Canada's 2006 Census and Service Canada's "Working in Canada" website);
- The 2012 rate has been adjusted for prior year dollars for the past lost using Statistics Canada's wage inflation index for "Services to Buildings and Dwellings", NAICS code 5617;
- Annual loss is assumed to cease at age 80 (based on research regarding participation rates of seniors in housekeeping activities);
- The estimate is based on a mandated real discount rate of 2.50%, which pertains to the province in which the incident occurred (Nova Scotia);
- The annual estimate assumes housekeeping duties for 50 weeks per year, to allow for 2 weeks of vacation per year;
- Annual costs are assumed to increase at a rate of inflation of 2% (based on forecasts from various economic agencies in Canada, as summarized in C.L. Brown, Damages: Estimating Pecuniary Loss loose-leaf (Aurora, Ontario: Canada Law Book, 2011), Appendix 8-1);
- A mortality contingency is included (as per Statistics Canada's <u>Statistics Canada's Life Tables, Canada, Provinces and Territories</u>, 2000 to 2002, Tables 2a & 2b.);
- A health adjustment is included (based on Expectancy Data <u>Healthy Life Expectancy: 2006 Tables</u>, Shawnee Mission, Kansas, 2010, Table 2 or 3).

For further information on the methodology and assumptions, see the associated working papers and also see C.L. Brown, *Damages: Estimating Pecuniary Loss* loose-leaf (Aurora, Ontario: Canada Law Book, 2011), Chapter 9.

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The Housekeeping Damages Calculator [™] ("HDC") can be found directly from the home page at:

www.browneconomic.com

The fee for using the HDC is \$190.00 + GST.

UPDATING NON-PECUNIARY AWARDS FOR INFLATION (SEPTEMBER 2012, CANADA)

		Non-Pecuniary Damages - Sample Awards				
Year of Accident/	"Inflationary"	\$10,000	\$25,000	\$50,000	\$75,000	\$100,000
Year of Settlement or Trial	Factors*					
September 2011-September 2012	1.019	\$10,195	\$25,487	\$50,974	\$76,461	\$101,948
Avg. 2010-September 2012	1.042	\$10,422	\$26,056	\$52,112	\$78,168	\$104,224
Avg. 2009-September 2012	1.061	\$10,608	\$26,521	\$53,041	\$79,562	\$106,082
Avg. 2008-September 2012	1.066	\$10,659	\$26,646	\$53,293	\$79,939	\$106,585
Avg. 2007-September 2012	1.089	\$10,892	\$27,230	\$54,459	\$81,689	\$108,919
Avg. 2006-September 2012	1.112	\$11,124	\$27,811	\$55,622	\$83,433	\$111,245
Avg. 2005-September 2012	1.135	\$11,347	\$28,367	\$56,735	\$85,102	\$113,470
Avg. 2004-September 2012	1.160	\$11,599	\$28,996	\$57,993	\$86,989	\$115,985
Avg. 2003-September 2012	1.181	\$11,814	\$29,535	\$59,071	\$88,606	\$118,141
Avg. 2002-September 2012	1.214	\$12,140	\$30,351	\$60,701	\$91,052	\$121,402
Avg. 2001-September 2012	1.241	\$12,415	\$31,037	\$62,073	\$93,110	\$124,146
Avg. 2000-September 2012	1.273	\$12,727	\$31,817	\$63,635	\$95,452	\$127,270
Avg. 1999-September 2012	1.307	\$13,074	\$32,684	\$65,369	\$98,053	\$130,738
Avg. 1998-September 2012	1.330	\$13,300	\$33,250	\$66,500	\$99,751	\$133,001
Avg. 1997-September 2012	1.343	\$13,433	\$33,581	\$67,163	\$100,744	\$134,326
Avg. 1996-September 2012	1.365	\$13,650	\$34,125	\$68,250	\$102,375	\$136,501
Avg. 1995-September 2012	1.387	\$13,865	\$34,663	\$69,326	\$103,989	\$138,652
Avg. 1994-September 2012	1.416	\$14,163	\$35,407	\$70,814	\$106,222	\$141,629
Avg. 1993-September 2012	1.419	\$14,186	\$35,465	\$70,930	\$106,395	\$141,860
Avg. 1992-September 2012	1.445	\$14,451	\$36,128	\$72,256	\$108,384	\$144,512
Avg. 1991-September 2012	1.467	\$14,666	\$36,665	\$73,330	\$109,995	\$146,659
Avg. 1990-September 2012	1.549	\$15,491	\$38,728	\$77,457	\$116,185	\$154,913
Avg. 1989-September 2012	1.623	\$16,233	\$40,582	\$81,165	\$121,747	\$162,329
Avg. 1988-September 2012	1.704	\$17,042	\$42,605	\$85,210	\$127,815	\$170,420
Avg. 1987-September 2012	1.773	\$17,726	\$44,316	\$88,632	\$132,948	\$177,263
Avg. 1986-September 2012	1.850	\$18,499	\$46,247	\$92,495	\$138,742	\$184,989
Avg. 1985-September 2012	1.927	\$19,274	\$48,186	\$96,372	\$144,558	\$192,744
Avg. 1984-September 2012	2.004	\$20,038	\$50,095	\$100,190	\$150,285	\$200,380
Avg. 1983-September 2012	2.090	\$20,900	\$52,251	\$104,502	\$156,754	\$209,005
Avg. 1982-September 2012	2.213	\$22,127	\$55,318	\$110,636	\$165,954	\$221,272
Avg. 1981-September 2012	2.451	\$24,508	\$61,271	\$122,542	\$183,813	\$245,084
Avg. 1980-September 2012	2.757	\$27,570	\$68,925	\$137,849	\$206,774	\$275,698
Avg. 1979-September 2012	3.036	\$30,363	\$75,907	\$151,813	\$227,720	\$303,627
Jan. 1978-September 2012	3.458	\$34,584	\$86,460	\$172,920	\$259,380	\$345,840

\$88,632=\$50,000 x 1.773 represents the dollar equivalent in September 2012 of \$50,000 based on inflation increases since 1987. Similarly, \$345,840 (=\$100,000 x 3.458) represents the dollar equivalent in September 2012 of \$100,000 in 1978 based on inflationary increases since the month of January 1978

* Source: Statistics Canada, Consumer Price Index, monthly CPI release, rolling average (except for Jan. 1978).

Consumer Price Index Unemployment Rate					
From Sept 2011 to Sept 2012*		For the month of Sept 2012			
(rates of inflation)					
Canada**	1.2%	Canada:	7.4%		
Vancouver:	0.8%	Vancouver:	7.0%		
Toronto:	0.7%	Toronto:	8.5%		
Edmonton:	1.3%	Edmonton:	4.5%		
Calgary:	1.4%	Calgary:	4.7%		
Halifax:	1.4%	Halifax:	5.7%		
St. John's, NF:	1.8%	St. John's, NF:	7.1%		
Saint John, NB:	1.4%	Saint John, NB:	9.1%		
Charlottetown:	1.9%	Charlottetown (PEI):	11.2%		
* Using month-over-month indices. Source: Statistics Canada					
** 12 month rolling average up to September 2012 is 1.9% (see table above).					



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