

EMPLOYMENT INSURANCE (EI)

WORKERS' RESOURCE CENTRE

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What is Employment Insurance (EI)?

EI is a program run by the federal government of Canada through Service Canada to assist workers who are unable to work through not fault of their own

This is something every employer will deduct from a worker's cheque while they are working

I NO LONGER HAVE A JOB... NOW WHAT?!?!

There may be a number of reasons you are unable to work for your employer:

- * Quit
- * Laid off (downsizing, shortage of work, end of season, end of contract etc.)
- * Fired
- * Too ill or injured to work
- * Having a baby or adopting a child under the age of 18
- * Someone in your family has a critical or life threatening illness or injury
- * Apprenticeship training
- * Fishing

And this may be a permanent situation or just a temporary one

Depending on the circumstance it is possible to combine these benefits

**** the most important thing with EI
is to apply within 4 weeks of last day of work ****

What if I want to quit my job?

To receive EI after quitting your job you have to prove to EI that you had **no reasonable alternative (no other choice)** but to quit your job.

For example:

- * Relocation of a family member (depending on the distance required to move)
- * Doctor states you need to quit for medical reasons

If you just don't like your job anymore and quit you will not get EI

Before quitting your job, please consider calling the WRC and explain why you want to quit your job. The last thing you want to do is quit and not qualify for EI because it wasn't a "good reason" according to EI

What if I get fired from my job?

If you are fired from your job, EI and your employer have to be able to show **misconduct**... meaning you did something on purpose and you did something you should not have done (i.e. stealing from the company)... you **will not get EI**

EI understands sometimes things happen so depending on what led to you getting fired from your job you **may get EI**

EI does have a benefit of doubt clause and if EI cannot determine if the employer or the employee is more credible then EI will side with the employee

Record of Employment (ROE)

When you are unable to work your employer needs to create a Record of Employment (ROE)

- * Company contact information
- * Worker's contact information
- * First day of work
- * Last day of work
- * Reason for no longer working
 - * This will be a letter code
- * Insurable hours
 - * All hours worked in last **52 weeks**
- * Insurable earnings
 - * All earnings earned in last **26 weeks**

If you worked for multiple employers in the last 52 weeks, EI may take all of those into consideration depending on why you stopped working for the different employers.

Why apply within 4 weeks of last day of work?

If you apply within 4 weeks of your last day of work, EI will use your last day of work as the reference date to determine your insurable hours

May 31, 2020 <----- May 31, 2021 June 28, 2021
Last day of work/Reference date Applied for EI

Qualifying Period for insurable hours

Why apply within 4 weeks of last day of work?

If you apply within 4 weeks of your last day of work, EI will use your last day of work as the reference date to determine your insurable earnings

November 30, 2020 <----- May 31, 2021 June 28, 2021
Last day of work/Reference date Applied for EI

Qualifying Period for insurable earnings

What if I apply for EI more than 4 weeks after my last day of work?

If you apply after 4 weeks of your last day of work, EI will use the day you applied for EI as the reference date to determine your insurable hours

July 31, 2020 <----- May 31, 2021 <----- July 31, 2021
Last day of work Applied for EI/Reference date

Qualifying Period for insurable hours

What if I apply EI more than 4 weeks after my last day of work?

If you apply after 4 weeks of your last day of work, EI will use the day you applied for EI as the reference date to determine your insurable earnings

January 31, 2021 <----- May 31, 2021 <----- July 31, 2021
Last day of work Applied for EI/Reference date

Qualifying Period for insurable earnings

What if I apply EI more than 4 weeks after my last day of work?

If you apply after 4 weeks of your last day of work, EI may approve an **antedate request**, which is a form explaining to EI why you waited more than 4 weeks after your last day of work

An antedate request is asking EI to use your last day of work as the reference date for your insurable hours and insurable earnings, not the date you actually applied for EI

- * If you have a good reason for the delay, EI may approve this request

Do I qualify for EI?

EI will use the **reason you are no longer working** and the **insurable hours** worked in last 52 weeks from reference date will determine if you get EI and how long you will get EI for

How much will I get from EI?

EI will use your **insurable earnings** from the 26 weeks before your reference date to determine your benefit rate

You will get 55% of your insurable earnings to a maximum of \$595/week (whichever is less)

- * Minimum weekly rate will be \$500/week until October 25, 2021
- * Exception is for extended parental benefits

This is taxable

- * You will receive a T4E slip for your EI received for the year

The amount you will get on EI is the same regardless of the type of EI you are receiving

Waiting period

Any claim between September 27, 2020 and October 25, 2021 will not have to serve the normal 1-week waiting period

Any additional money you receive from your employer when you stop working (i.e. if you receive any termination pay, vacation pay, overtime pay etc.) will not impact when you are entitled to your first payment for any claim between September 27, 2020 and October 25, 2021

Types of EI Benefits: Regular

There is nothing stopping you from working, you just don't work for your employer anymore (i.e. quit, fired, laid off, end of season)

Requirements for Regular EI

- * minimum of 420 total insurable hours to qualify
 - * need to have a minimum of 120 insurable hours in the last 52 weeks as EI will give a one-time credit of 300 hours to reach the 420 hours required to qualify
- * will receive 50 weeks of benefits for any claims between September 27, 2020 and September 27, 2021
- * expected to be ready, willing and available for work and actively seeking employment
- * **must** be in Canada Monday – Friday to collect benefits

Types of EI Benefits: Medical/Sickness

This is when a doctor states you are too ill or injured to work. Your illness may be physical or psychological or emotional

This is usually just temporarily and then you will go back to work for your company when you are better again or the doctor may say you have to stop working for your employer due to medical reasons

Requirements of medical/sickness EI

- * 600 hours to qualify
 - * need to have a minimum of 120 insurable hours in the last 52 weeks as EI will give a one-time credit of 480 hours to reach the 600 hours required to qualify
- * maximum 15 weeks of benefits
- * no medical documentation is required
- * do not need to be looking for a job during this benefit period
- * **must** be in Canada entire time to collect benefits **unless** doctor states need to leave Canada for medical reasons

Types of EI Benefits: Maternity

This is when a someone is going to give birth or has already given birth

Requirements of maternity EI

- * 600 insurable hours to qualify
 - * need to have a minimum of 120 insurable hours in the last 52 weeks as EI will give a one-time credit of 480 hours to reach the 600 hours required to qualify
- * maximum 15 weeks of benefits
- * pregnant people only
- * medical documentation is required with due date or birth date of the child
- * can begin as early as 12 weeks before due date of child
- * do not need to be in Canada to collect benefits

Types of EI Benefits: Parental

This is after you have a child or if you are adopting a child under the age of 18

Requirements of parental EI

- * 600 insurable hours to qualify
 - * need to have a minimum of 120 insurable hours in the last 52 weeks as EI will give a one-time credit of 480 hours to reach the 600 hours required to qualify
- * maximum 35 weeks of benefits (although this can be extended to 61 weeks however weekly rate will be lower than if taken in 35 weeks)
 - * whether you receive 35 weeks of benefits or 61 weeks of benefits in the end it will be the same amount of money received
- * can be one parent gets all 35/61 weeks **OR** the other parent gets all 35/61 weeks **OR** both parents share the 35/61 weeks
 - * one parent may take 5 weeks of benefits without it impacting the other parent's weeks of benefits
- * can be for birth child or adopted child
- * documentation is required with either the birth date of the child or placement date of the child
- * do not need to be in Canada to collect benefits **but** if leaving Canada, the child **MUST** be with the parent collecting benefits

Types of EI Benefits: Compassionate Care

This is when you would take time off from your job because someone in your family or who is like family has a life-threatening illness or injury and the doctor states they only have 6 months left to live

Requirements of compassionate care EI

- * 600 insurable hours to qualify
 - * need to have a minimum of 120 insurable hours in the last 52 weeks as EI will give a one-time credit of 480 hours to reach the 600 hours required to qualify
- * maximum 26 weeks of benefits
- * medical documentation is required
- * if the person dies before the 26 weeks of compassionate care benefits is complete the benefits end
 - * you may be able to convert to medical benefits
- * it is only 26 weeks per dying person – these 26 weeks can be split between 2 or more people but they cannot each take 26 weeks of benefits
- * if the person with the life-threatening illness or injury is in another country you may leave Canada and collect benefits

Types of EI Benefits: Family Caregiver Benefits for Adults

This is when you would take time off from your job to care of a family member or someone who is like family who has a illness or injury that is not life threatening but you need to be there for provide emotional, physical or psychological support (i.e. surgery)

Requirements of family caregiver benefits for adults EI

- * 600 insurable hours to qualify
 - * need to have a minimum of 120 insurable hours in the last 52 weeks as EI will give a one-time credit of 480 hours to reach the 600 hours required to qualify
- * maximum 15 weeks of benefits
- * medical documentation is required
- * if the adult improves before the 15 weeks of this benefit has occurred the benefits end
- * it is only 15 weeks assigned to the adult who needs the care – these 15 weeks can be split between 2 or more people but they cannot each take 15 weeks of benefits
- * if the adult with the critical illness or injury is in another country then you may leave Canada and collect benefits

Types of EI Benefits: Family Caregiver Benefits for Children

This is when you would take time off from your job to care of your child (under the age of 18) who has a illness or injury that is not life threatening but you need to be there for provide emotional, physical or psychological support (i.e. surgery)

Requirements of family caregiver benefits for children EI

- * 600 insurable hours to qualify
 - * need to have a minimum of 120 insurable hours in the last 52 weeks as EI will give a one-time credit of 480 hours to reach the 600 hours required to qualify
- * maximum 35 weeks of benefits
- * medical documentation is required
- * if the child improves before the 35 weeks of this benefit is complete the benefits end
- * it is only 35 weeks per critically ill or injured child – these 35 weeks can be split between parents but it is only 35 weeks of total benefits
- * if your child with the critical illness or injury is in another country then you may leave Canada and collect benefits

I have applied for EI... What Happens Next?

About a week after you apply for EI you will receive a brown envelop in the mail which will contain your **access code**

- * If WRC is assisting you with your EI, please contact your caseworker and give them your access code so they can follow up with EI on your behalf to ensure everything is happening properly
- * This access code **does not** mean you have been approved for EI, it is created the day you apply for EI

It will also state the 2 week period for which you can do your **EI report**

How to I do an EI report?

You must do your EI report every **2 weeks**

- * There are some exceptions to having to complete reports such as maternity or parental benefits

Even if you have not been approved for EI yet continue to do your EI reports

If you do not do your report you will not get EI money, even if they approved your application

- * If you do not do your reports your claim could be closed

You can do your report online or over the phone

- * If you choose to do it over the phone though please note that it is an automated system and there is no confirmation number when you are complete
- * WRC suggests all EI reports be done online as you will receive a confirmation number at the end and you can print off your report

What is in an EI report?

EI reports ask you several yes/no questions:

- * **Have you moved, changed your mailing address or your banking information?**
 - * If EI mails you something they want to make sure you will get it
 - * If EI directly deposits the money into your bank account they want to make sure you get it
- * **Were you outside of Canada Monday to Friday?**
- * **Did you attend school or a training course?**
- * **Were you ready willing and available to work?**
 - * If you are on Regular EI ensure that you say yes because that is one of the requirements
 - * If you are on any other kind of EI you may say no to this question because there is something stopping you from working at that time – i.e. medical
- * **Did you work or earn wages?**
- * **Is there any other money you received that you haven't previously told us (EI) about?**
 - * This would be money related to employment and income
 - * Tax returns are not considered income

Based on the answer to these questions you may be asked follow up questions

ALWAYS ANSWER THESE QUESTIONS TRUTHFULLY

Working While on EI

You can work while you are in EI but you must tell EI about the earnings

Your earnings will have an impact on your EI rate for the time you worked

You must claim the earnings when you earned them **NOT** when you were paid the money

What happens if I lie to EI?

If you lie to EI and collect money when you should have been given it and keep the money and EI discovers this, EI can:

- * Request that **you pay them back** 100% of the money you received which you should not have
- * They could ask you **to pay them additional money** as a penalty
 - * 50% the first time
 - * 100% the second time
 - * 150% the third time
- * They could **increase the number of hours** you need to work to qualify for EI next time you want to apply
 - * This number can increase each time you lie to EI and will be based on the severity of the lie

All the money you owe EI will be collecting interest and the bill for this money can be sent to you up to **six (6) years later!**

Also you could be charged criminally for fraud

What can I do if EI denies me?

If you have been denied EI you can do a request for reconsideration

This request must be done within **30 days** of receiving the denial letter

If you do not have enough hours to qualify for EI, you **can not** request a reconsideration of the decision because you do not qualify for EI

If you would like WRC to assist you with this request please contact our office as soon as you receive the denial letter

If you are still denied after the request for reconsideration then you may be able to file a formal appeal with the Social Securities Tribunal

What should I do if I need help with EI?

If you need assistance with EI, please contact

Workers' Resource Centre

at 403-264-8100

to make an appointment with one
of the WRC caseworkers