



WORK-SHARING



An Adjustment Program of
Human Resources and Skills Development Canada

Work-Sharing is an Adjustment Program

- Employers retain staff and adjust their work activity during temporary, unexpected and unavoidable work shortages.
- Employees retain their skills and jobs and are paid Employment Insurance benefits for the days they do not work each week.
- Work-Sharing is not intended to support declining establishments or to retain seasonal workers during the slow season.
- Return to normal working hours must be a realistic expectation before the end of the agreement and there must be a strong recovery plan to bring in more work over the period of the agreement.
- The Work-Sharing Program will not be approved repeatedly thus a viable recovery plan must be in place.

Please read all the information provided including the eligibility criteria. Work-Sharing is a three-party agreement between employers, employees and Human Resources and Skills Development Canada. ALL EMPLOYEES OF THE WORK-SHARING UNIT MUST AGREE TO PARTICIPATE. The Work-Sharing Unit consists of a group of EI eligible non-seasonal employees, identified by the employer, which has agreed to reduce the number of regular working hours in order to share the reduced work available.

A formal application for Work-Sharing must be received by the Human Resource Centre at least 30 days in advance of the proposed effective date of the agreement.

Eligibility Criteria for Work-Sharing

Employer Responsibilities

- the Work-Sharing Unit must consist of 2 or more EI eligible employees. The program is intended to cover “core staff” only (the minimum number of year round permanent (full-time/part-time) employees as determined by the employer who are required to carry out the functions that will lead to a full recovery within the timeframe of the agreement);
- the employer must identify the hours usually worked by each employee in the Work-Sharing Unit.;
- Work-Sharing applications can not be put in place in instances where there is a labour dispute;
- the employer must maintain all existing employee fringe benefits for the duration of the WS Agreement;
- the shortage of work must be significant enough to warrant support of the program. The initial reduction in working time must be at least 20 % or one day per week;
- the maximum permissible reduction in the working time is 60 % or 3 days per week;
- the minimum duration of a Work-Sharing Agreement is 6 weeks and the maximum period for Work-Sharing is 26 weeks. Extensions beyond the maximum of 26 weeks may be considered in extenuating circumstances for up to a maximum of 12 weeks.
- a company is not allowed to increase its work force during a Work-Sharing Agreement, except for replacements of essential separating staff. This requires prior consent of the Commission;
- in order to minimize dependency on the Work-Sharing program, all second and subsequent applications will be critically reviewed. If it is determined that the work shortage has become permanent or is seasonal in nature, the application may not be approved. It is unlikely that applications requesting a third successive time on the program will be approved.

Employee Conditions

- the eligibility requirements for Work-Sharing Benefits are the same as for regular Employment Insurance Benefits. Employees must have 420 - 910 hours of insurable employment before the effective date of the agreement. The exact number of required hours depends on the unemployment rate in the EI economic region;
- the Work-Sharing benefits payable in any week is based on employees' loss in normal average weekly earnings. The benefit is also based on the regular weekly employment insurance benefit, as calculated at the start of the Work-Sharing Agreement. During the Work-Sharing Agreement, as work becomes available, the employer may request an employee to work on a Work-Sharing day and the employee is required to report to work;
- earnings received in any week by a Work-Sharing claimant from sources other than Work-Sharing Employment, in excess of an amount equal to 25% of the claimant's rate of weekly benefit, shall be deducted from the Work-Sharing benefits payable in that week;

- specific statutory holidays occurring within a Work-Sharing period are not compensated by Employment Insurance benefits and are the responsibility of the employer;
- outside sales staff, managers and those who assign workloads are generally not eligible for inclusion in the Work-Sharing Unit since the people in these positions are normally essential to the recovery of the business;

WAITING PERIOD

Participants do not have to serve a two week waiting period for Work-Sharing Benefits. Benefits are processed through the EI payment system, meaning it may take up to 28 days for the first cheques to arrive.

PLEASE NOTE

Weekly benefits are taxable and are often not taxed at source. As a consequence, many Work-Sharing participants will have to pay income tax on benefits received on their annual income tax return.

If you have questions regarding the Work-Sharing Program or the application, please consult your employee representative or call your local Human Resource Centre of Canada.

HOW TO COMPLETE YOUR CLAIMANT REPORT CARDS

You will receive your first bi-weekly set of report cards within approximately three weeks of the date HRSDC receives the completed Employment Insurance application forms accompanied with the original copy of the Record of Employment.

Both sides of the card must be completed. Your employer will **ONLY** enter the number of Work Sharing hours you had for each week. It is your responsibility to complete the remainder of the card and return it to your employer. It is then the responsibility of your employer to send in your report cards to the appropriate office for processing. Upon completion of the processing of the cards, a cheque will be issued and mailed directly to you.

For any Report Cards where WCB has been declared, or any other "out of the ordinary" declaration, please address these separately as follows:

- a. Employment Insurance questions of a general nature to be directed to the Insurance Officer through the employer or employee representative.
- b. Work-Sharing questions will be directed to the responsible WS Program Officer by the employer or employee representative.

Family Orders and Agreements Enforcement Assistance Act

The maintenance, alimony or family financial support orders and agreements, when unpaid, are deducted from the Work-Sharing benefits according to the Family Orders and Agreements Enforcement Assistance Act and its Regulations (FOEA).

SAMPLE/MODÈLE - How to complete a report card/Comment remplir une carte de déclaration du prestataire

I declare that the information given on both sides of this form is true and given to prove my entitlement to Employment Insurance Benefit. I am aware that I may be penalized or be liable to prosecution for making false or misleading statements knowingly.

Je déclare que les renseignements fournis des deux côtés de la présente formule sont exacts et ont pour objet d'établir mon droit aux prestations d'assurance-emploi. Je sais que des peines peuvent être imposées ou des poursuites engagées contre moi si je fais sciemment des déclarations fausses ou trompeuses.

Signature _____ Date _____

Complete side 1 first - Remplir côté 1 d'abord

3 S.J.N - N.A.S. 12 C.E.C* 15 CW-IS 93 WKS-SEM

Name-Nom **JANE SMITH** 000-000-000 5912 999 2

CPS/MPS CT-GD 46 OIP - T.P. 51 DD/E-1

	1ST WEEK - 1ÈRE SEMAINE				2ND WEEK - 2e SEMAINE					
	D-J	M	Y-A	DATES	D-J	M	Y-A	DATES		
A	10	03	97	23	11, 12, 13	17	03	97	16	19, 20, 21
B	EMPLOYER'S NAME AND ADDRESS				EMPLOYER'S NAME AND ADDRESS					
C	\$ 230.00				\$ 160.00					
D	\$ Pay 16 Hours		Hours-Heures		\$ Payer 16 heures		Hours-Heures			
E										
F	\$				\$ 80.00					

The combination of hours worked, Work Sharing (WS) hours and any other time reported under question # 4 must each week equal the normal work week as agreed upon (i.e. 40 hours)/La combinaison d'heures travaillées, d'heures de travail partagé(tp) et tout autre type d'heures indiqué à la question # 4 doit à chaque semaine égalier la semaine normale de travail tel qu'il a été convenu (i.e. 40 heures).

Example: 23 hrs worked, 1 hr absent, 16 hrs WS = 40 hrs. - Exemple 1: 23 h travaillées, 1h absent, 16 h tp = 40h

Example: 16 hrs worked, 8 hrs sick, 16 hrs WS = 40 hrs. - Exemple 2: 16h travaillées, 8 h congé de maladie, 16h tp=40h



Human Resources Development Canada

Développement des ressources humaines Canada

Protected when completed - B
Protégé une fois rempli

Answer all the following questions by shading the appropriate block. Provide additional details as requested.

1a Did you work during the period of this report? If "yes" complete A, B and C on side 2.

Yes / Oui

1b If you have stopped working, give reason (s) below.

No / Non

2 Did you start a full time job during the period of this report?

Yes / Oui

3 Did you attend a school or training course during the period of this report?

Yes / Oui

4 Were you ready, willing and capable of working each day?

Yes / Oui

5 Did you or will you receive money other than that already reported in C, D, and E on side 2?

Yes / Oui

PAID FOR SICK DAY - MAR 18/congé de maladie payé/18 mars

Employer uses this line to show how many hours were missed each week due to the Work Sharing only. EX: If employee missed 16 h due to Work Sharing, write "pay 16 h for that week".

L'employeur inscrit sur cette ligne le nombre d'heures manquant chaque semaine en raison du travail partagé uniquement. P. ex. s'il manquait 16 heures à l'employé en raison du travail partagé, inscrivez « payer 16 heures pour cette semaine ».

This should always be no while on Work Sharing. La case Non devrait toujours être cochée pendant la période de travail partagé.

This could be no due to reasons such as sick, holidays, doctor's appt. etc. La case Non pourrait être cochée en raison par exemple d'une maladie, de congés, d'un rendez-vous chez le médecin.

This could be earnings from another employer, W.C.B., holiday pay, paid sick leave etc. Il pourrait s'agir d'une rémunération provenant d'un autre employeur, d'une indemnité d'accident du travail, d'un congé de maladie

BE SURE TO READ, DATE AND SIGN SIDE 2
VEUILLEZ LIRE, DATER ET SIGNER LE CÔTÉ 2

