

Regular Benefits



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Enquiries Centre

Human Resources and
Skills Development Canada
140 Promenade du Portage
Phase IV, Level 0
Gatineau QC
K1A 0J9
Fax: (819) 953-7260

E-mail: publications@hrsdc-rdhcc.gc.ca

Internet access:

Human Resources and Skills Development Canada: <http://www.hrsdc.gc.ca>
Employment Insurance: <http://www.hrsdc.gc.ca>
Job Bank: <http://www.jobbank.gc.ca>

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Section I

Introduction

This booklet outlines the rules for **regular** Employment Insurance (EI) benefits. If you need more information, contact the nearest Human Resources and Skills Development Canada (HRSDC) office.

These offices are also a good place to start if you are looking for work or planning to change jobs. They have computerized job banks that post openings available in the area, display a collection of publications, including information on other EI benefits, how to prepare a résumé and how to look for jobs.

If you want to reach us via the Internet, please check the inside cover of this publication for applicable sites.

Quick answers

Q. Where do I apply?

A. Apply on the Internet at www.hrsdc.gc.ca or at any Human Resources and Skills Development Canada (HRSDC) office.

Q. When should I apply?

A. Fill out your application immediately you are out of work (see page 4).

Q. When should I expect my first payment?

A. If you provide us with all the information and documents we require when you apply and if you qualify for benefits, you should receive your first payment within 28 days from the date we receive your application (see page 5).

Q. How much should I receive?

A. The basic benefit rate is 55% of your average weekly insured earnings for most claimants. For claimants who have low family income and who are in receipt of the Canada Child Tax Benefit from Canada Revenue Agency (CRA), your rate could be higher (see page 13).

Q. How long do I have to work before I am eligible to collect benefits?

A. In most cases you must have worked a minimum of 420 to 700 hours. In some instances, however, you will need 910 hours to qualify (see page 7).

Q. How long can I receive benefits?

A. Between 14 and 45 weeks (see page 11).

Section II

Who is eligible?

You can receive regular benefits if you lose your job through no fault of your own and you can't find work, provided you apply and meet these requirements:

- you have paid into the EI account;
- you have been without work and without pay for at least seven consecutive days; and
- you have worked the required number of hours based on where you live and the unemployment rate in your area.

Where to apply

Apply on the Internet at www.hrsdc.gc.ca or go to your local HRSDC office. Check the telephone directory under Human Resources Development Canada (old name) or Human Resources and Skills Development (new name) for the office nearest you. All HRSDC offices and addresses are also listed on the HRSDC website.

How and when to apply for EI

If you have received your Record of Employment (ROE)¹ from your last employer, you should apply immediately you are out of work. If you have not received your ROE from your employer within 14 days of your last day of work, then you can submit your

¹ This is a form your employer must give you. It tells how long you worked and how much you earned with that employer. If you have more than one ROE (because, for example, you have worked for more than one employer within the last 52 weeks or since your last claim), you must provide all your ROEs with your application.

application **after** the 14 days are over but you will need to provide proof of work including pay stubs. **Delaying** in filing your claim for benefits beyond 4 weeks after your last day of work may cause loss of benefits. As well as your ROE you will also need your Social Insurance Number (SIN) and, a voided personalized cheque, so your EI payment can be deposited directly into your bank account (Direct Deposit).

Social Insurance Number: Important message

It is important to remember that your Social Insurance Number (SIN) is not a piece of identification. It is a file identifier for some federal programs such as EI and Income Tax. Your SIN card should be kept in a safe place where it is least likely to be lost or stolen.

Waiting period

When you claim regular benefits, there is a two-week period at the start of your claim for which no benefits are paid. Any earnings made during the two-week period will be deducted in the first three weeks of payable benefits.

How to get paid

You must complete a claimant's report by Internet, telephone or by mail every two weeks. These reports are very important as regular payments cannot be issued without them.

Shortly after submitting your application for benefits, you will receive a notice in the mail indicating the date your first report is due, along with step by step instructions on how to complete your claimant's report via Internet **<http://www.hrsdc.gc.ca>** or by using the toll-free automated telephone reporting service **1 800 531-7555** (select Option 1 for a demonstration or Option 2 to complete your report).

Along with this information you will receive a personal Access Code. This code, when used in combination with your Social Insurance Number (SIN), is needed each time you enquire about your claim or complete your reports by telephone. Be sure to keep it confidential and store your Access Code in a safe place, separate from your SIN. Your Access Code combined with your SIN makes you responsible for the information provided.

Regardless of whether you report via the Internet or by using a touch-tone phone, you will be required to answer a series of questions about your employment status. After you complete your report, you will be advised that your report has been completed successfully and you will be told when your next report is due. Mark this date on your calendar.

If you cannot complete your reports via the Internet or by using the telephone you will need to complete claimant's reports by mail. If this is the case, you will receive claimant's reports in the mail, along with step-by-step instructions on how to complete them. Be careful not to date or send the reports in before the date shown as this could delay your claim.

Payments

A payment cannot be issued to you without completing your claimant's report. Our standard way of paying benefits is by Direct Deposit. If we have all the required information and you are eligible, your first payment should be issued within 28 days from the date we receive your application. Subsequent payments are deposited into your bank account two business days after you complete your report (Internet or telephone).

If you report by mail, payment will be deposited into your bank account two business days after your report is processed. If you are unable to use Direct Deposit, your payment will be mailed to you.

If you have already filed for benefits and have not yet supplied your complete bank account information (from a cheque or bank statement) call our toll free line **1 800 206-7218** and provide the information to a representative.

Detailed information about your payment can also be obtained 24 hours a day by calling the same number and selecting option 1.

It is extremely important that you notify us prior to changing your bank information and before you move.

Access Code

Your Access Code is printed in the red shaded area at the bottom of the first statement mailed to you after you file a claim. You will need this code and your Social Insurance Number (SIN) to make a telephone enquiry about your claim. The Access Code is your electronic signature. It must be kept safe and should be stored separate from your SIN. Do not let others have it because they could get information or take action on your Employment Insurance (EI) claim without you knowing, but for which you will be held responsible.

Don't forget, if you need to call us, have your Access Code and SIN handy.

EI Claim Information

If you want information about your EI claim, or general information about EI, call our toll-free number 1 800 206-7218. This toll free service is available 24 hours a day, 7 days a week. Your file is updated every weekday morning.

To enquire about your claim through Telemessage you will need your Access Code and your SIN.

Number of hours of work required to qualify

The Employment Insurance system is based on hours of paid work and responds to variations in work situations such as part-time, extended hours and compressed weeks.

The principle of the hours system is simple: regardless of whether you work full-time, part-time, as a seasonal worker or on and off throughout the year, the hours that you work and for which you are paid are accumulated toward eligibility for EI benefits. This approach applies to overtime, which is calculated hour for hour no matter what the rate of pay. As well, paid leave of any type is insured for the number of hours that normally would be worked in that period, regardless of rate of pay.

Depending on the unemployment rate in the region, most people will need between 420 and 700 hours of insurable employment within the last 52 weeks, or since the start of their last claim — whichever is shorter — to qualify for Employment Insurance benefits. In some instances, 910 hours will be needed to qualify. As well, violations from previous EI claims may increase the number of hours required to qualify for EI benefits (see Section IV). Some exceptions are listed after Table 1.

Table 1

Regional rate unemployment	Required number of hours of insurable employment in the last 52 weeks
6% and less	700 hours
6.1% to 7%	665 hours
7.1% to 8%	630 hours
8.1% to 9%	595 hours
9.1% to 10%	560 hours
10.1% to 11%	525 hours
11.1% to 12%	490 hours
12.1% to 13%	455 hours
13.1% and over	420 hours

There are exceptions to the above.

- If you are in the work force for the first time, you are considered a new entrant and will require more hours of insurable work. You will need a minimum of 910 hours in the last 52 weeks to qualify.
- If you apply for sickness, maternity or parental benefits or compassionate care benefits, you will need 600 hours of work. For further information see our publication *Employment Insurance: NEW Maternity, parental and sickness benefit* or *Employment Insurance: Compassionate care benefits*.

- If you are re-entering the work force after an absence of two years² you are considered a re-entrant and will, in most instances, need a minimum of 910 hours of insurable work in the last 52 weeks to qualify — EXCEPT if you have collected at least one week of maternity-parental benefits — see example on page 9.
- If you are a re-entrant and do not have enough hours to qualify for regular EI benefits in the current “look back” or work history period, we will look for at least one week of maternity or parental benefits in the new extended four-year “look back” or work history period.

Example

Year 1996	1997	1998	1999	2000	2001
Claimant works	Claimant claims 25 weeks of maternity or When the benefits finish claimant does not return to job but decides to stay home and look after the family.	Claimant stays home and looks after family and does no paid work.	Claimant stays home and looks after family and does no paid work.	Claimant stays home and looks after family and does no paid work.	Claimant re-enters the workforce for the first time since 1997 (re-entrant) and accumulates some insured work before being laid off.
Extended “look back” period for parents				Current “look back” period	

In this example, at last one week of **Maternity** or **Parental** benefits (1997) has been received. This means that you would not be considered a re-entrant and, therefore, the 910 hours you needed is not applicable. To be eligible for regular EI benefits, you will now need to meet the minimum number of hours required, based on your regional rate of employment (see page 8) just like any regular claimant.

² In some circumstances, even though you may not have been absent from the work force for a full two years, you may still need a minimum of 910 hours of work to qualify. Please check with your local HRDC office.

Premiums

You will pay premiums on all your earnings up to the annual maximum salary of \$39,000. This means that deductions will be made at \$1.98 for every \$100 of salary until the \$39,000 has been reached. After that you will not pay any premiums. For example, if you earn \$52,000 a year you will pay premiums on the first \$39,000. If your earnings are regular weekly amounts of \$1,000 per week, you will pay premiums from January through September but will pay no premiums for the remainder of the year.

Section III

How long can you receive benefits?

How long you can draw benefits depends on:

- the unemployment rate in your region, and
- how long you have worked in the last 52 weeks or since your last claim started - whichever is shorter.

The more hours you work the more weeks of EI you can get.

Your weeks of benefits depend on the amount of insurable hours you have and the rate of unemployment that is applicable to your area when your claim started. The length of time you can receive benefits is from 14 to a maximum of 45 weeks within a 52 week period.

Maternity, parental and sickness benefits combined with regular EI benefits

You may receive up to 50 weeks when regular EI benefits are combined with maternity, parental or sickness benefits. If you are in that situation and want to know more, call 1 800 206-7218 or go to your local HRDCC office.

Table 2

Number of weeks of entitlement

Unemployment rate in claimant's region												
Hours of work	6% and under	over 6% to 7%	over 7% to 8%	over 8% to 9%	over 9% to 10%	over 10% to 11%	over 11% to 12%	over 12% to 13%	over 13% to 14%	over 14% to 15%	over 15% to 16%	over 16%
420-454									26	28	30	32
455-489								24	26	28	30	32
490-524							23	25	27	29	31	33
525-559						21	23	25	27	29	31	33
560-594					20	22	24	26	28	30	32	34
595-629				18	20	22	24	26	28	30	32	34
630-664			17	19	21	23	25	27	29	31	33	35
665-699		15	17	19	21	23	25	27	29	31	33	35
700-734	14	16	18	20	22	24	26	28	30	32	34	36
735-769	14	16	18	20	22	24	26	28	30	32	34	36
770-804	15	17	19	21	23	25	27	29	31	33	35	37
805-839	15	17	19	21	23	25	27	29	31	33	35	37
840-874	16	18	20	22	24	26	28	30	32	34	36	38
875-909	16	18	20	22	24	26	28	30	32	34	36	38
910-944	17	19	21	23	25	27	29	31	33	35	37	39
945-979	17	19	21	23	25	27	29	31	33	35	37	39
980-1014	18	20	22	24	26	28	30	32	34	36	38	40
1015-1049	18	20	22	24	26	28	30	32	34	36	38	40
1050-1084	19	21	23	25	27	29	31	33	35	37	39	41
1085-1119	19	21	23	25	27	29	31	33	35	37	39	41
1120-1154	20	22	24	26	28	30	32	34	36	38	40	42
1155-1189	20	22	24	26	28	30	32	34	36	38	40	42
1190-1224	21	23	25	27	29	31	33	35	37	39	41	43
1225-1259	21	23	25	27	29	31	33	35	37	39	41	43
1260-1294	22	24	26	28	30	32	34	36	38	40	42	44
1295-1329	22	24	26	28	30	32	34	36	38	40	42	44
1330-1364	23	25	27	29	31	33	35	37	39	41	43	45
1365-1399	23	25	27	29	31	33	35	37	39	41	43	45
1400-1434	24	26	28	30	32	34	36	38	40	42	44	45
1435-1469	25	27	29	31	33	35	37	39	41	43	45	45
1470-1504	26	28	30	32	34	36	38	40	42	44	45	45
1505-1539	27	29	31	33	35	37	39	41	43	45	45	45
1540-1574	28	30	32	34	36	38	40	42	44	45	45	45
1575-1609	29	31	33	35	37	39	41	43	45	45	45	45
1610-1644	30	32	34	36	38	40	42	44	45	45	45	45
1645-1679	31	33	35	37	39	41	43	45	45	45	45	45
1680-1714	32	34	36	38	40	42	44	45	45	45	45	45
1715-1749	33	35	37	39	41	43	45	45	45	45	45	45
1750-1784	34	36	38	40	42	44	45	45	45	45	45	45
1785-1819	35	37	39	41	43	45	45	45	45	45	45	45
1820-	36	38	40	42	44	45	45	45	45	45	45	45

How much will you receive?

The basic benefit rate is 55% of your average insured earnings up to a maximum payment of \$413 per week. Depending on your personal circumstances, your benefit rate could be higher than 55%, however, the maximum payment will not change.

Higher benefit rates

If you are in a low-income family (a net income of less than \$25,921) with children and you receive the Canada Child Tax Benefit (CCTB) from CRA, your benefit rate may be as high as 80%. Please see our fact sheet Employment Insurance and the Family Supplement.

How we calculate your average insured earnings

The amount of your weekly benefit payment will depend on your earnings in the last 26 continuous weeks.

Your weekly benefit will be calculated in the following manner.

1. We look at the total earnings you have been paid in the last 26 continuous weeks ending with your last day of work.
2. We take into consideration the number of weeks in which you have worked in the last 26 continuous weeks.
3. We determine the unemployment rate in your area and the minimum divisor that applies at that unemployment rate (see table on page 14).

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4. To determine your average weekly insured earnings, we divide your total earnings in the last 26 continuous weeks by the greater of:
- a) the number of weeks you have worked in the last 26 continuous weeks, or
 - b) the minimum divisor number.
5. We then multiply the result by 55% or 80% (whichever applies to you) to obtain your weekly benefit. The maximum amount is \$413 per week.

Divisor table

Unemployment rate in your region	Minimum divisor
6% and less	22
6.1% to 7%	21
7.1% to 8%	20
8.1% to 9%	19
9.1% to 10%	18
10.1% to 11%	17
11.1% to 12%	16
12.1% to 13%	15
13.1% and over	14

Example A

1. In the last 26 continuous weeks you worked for 26 weeks and earned a total of \$10,400.
2. You live in an area where the unemployment rate is 13.1% so the divisor is 14.
3. To determine your average weekly earnings, your total earnings (\$10,400) will be divided by 26 (the number of weeks worked) as it is greater than the divisor (\$10,400 divided by 26 = \$400).
4. If your basic benefit rate is 55%, then you could receive \$220 per week in benefits (55% of \$400).

Example B

1. In the last 26 continuous weeks you worked for 12 weeks and earned a total of \$3,600.
2. You live in an area where the unemployment rate is 13.1% so the divisor is 14.
3. To determine your average weekly earnings, your total earnings (\$3,600) will be divided by 14 (the minimum divisor) as it is greater than the number of weeks worked (\$3,600 divided by 14 = \$257).
4. If your basic benefit rate is 55%, then you could receive \$141 per week in benefits (55% of \$257).

Example C

1. In the last 26 continuous weeks you worked for 17 weeks and earned a total of \$5,100.
2. You live in an area where the unemployment rate is 11.5% so the divisor is 16.
3. To determine your average weekly earnings, your total earnings (\$5,100) will be divided by the number of weeks you have worked (17) as it is greater than the divisor (\$5,100 divided by 17 = \$300).
4. If your basic benefit rate is 55%, then you could receive \$165 per week in benefits (55% of \$300).

Small weeks

Previously a pilot project, “small weeks” is now a permanent feature of EI. When you qualify for EI and we calculate your benefit rate we will, where possible, ignore the small weeks of work (earnings of less than \$225). This will result in your benefit payment being higher than you may otherwise have received. (For further information see our information sheet — Small weeks)

Sources of income

There are two types of earnings at the time of receiving EI which affect your benefits: money you earn at the same time as you are collecting EI benefits and money you get from your employer when you leave your job (separation payments). As well, don't forget that any earnings made during the waiting period will be deducted dollar for dollar in the first three weeks of payable benefits.

Earnings while on claim

Most people know that you can't work full time and receive EI regular benefits. You can, however, receive some benefits if you work part time. If you are receiving regular benefits, you can earn 25% of your weekly benefit or \$50, whichever is higher, without changing the amount of benefits you will receive for that week.

All earnings above that limit will be deducted dollar for dollar from your weekly benefits.

Don't forget, you must declare all gross earnings in the weeks they are earned. (Earnings are declared through your claimant report see page 7.) (Also, see the information sheet – Declaring your Earnings while on EI)

Money received while on EI that could affect the amount of benefits you receive includes:

- a payment for wrongful dismissal,
- return to work and call-back pay,
- retaining fees,
- self-employment earnings, and
- retirement income from an employment pension, military or police pension, Canada or Quebec Pension Plan or provincial plan based on employment.

Pension income that does not affect your regular benefits includes:

- pension payments received from private RRSPs,
- disability pensions, and
- survivor's or dependant's pensions.

Separation payments

You may have received severance pay, vacation pay or separation money paid into your RRSP when you left your job. These monies may affect the date you start to receive benefits. Nonetheless, even if you have such earnings, it is important to apply for benefits as soon as you become unemployed.

Example

If you receive 12 weeks of severance pay, in a lump sum or weekly, regular benefits will be delayed for 12 weeks.

You may also receive severance pay, vacation pay or separation money after you are on claim, these monies must be declared when you complete your claimant reports.

If you are in a situation where you do not know whether you will receive separation payments (for example if your employer has gone bankrupt), some or all your EI benefits may have to be paid back if you eventually receive separation payments. If you think you might be in this situation you should ask for more information at your local HRSDC office.

If you received vacation pay or wages in lieu of notice when you were laid off, these earnings are insurable and are included in the calculation of your average insured earnings as described on page 13. If these payments are very large, relative to your other earnings, some restrictions might apply and you should ask for more information at your local HRSDC office about your particular circumstances.

Voluntarily leaving your job or being dismissed for misconduct

If you voluntarily leave your job without just cause or if you are dismissed because of your own misconduct, you will not receive benefits. The following are some of the most common circumstances that we may consider as just cause:

- sexual or other harassment;
- needing to move with a spouse or dependant child to another place of residence;
- discrimination;
- working conditions that endanger your health or safety;

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- having to provide care for a child or another member of your immediate family;
 - reasonable assurance of another job in the immediate future;
 - major changes in the terms and conditions of your job affecting wages or salary;
 - excessive overtime or an employer's refusal to pay for overtime work;
 - major changes in work duties;
 - difficult relations with a supervisor, for which you are not primarily responsible;
 - your employer is doing things which break the law;
 - discrimination because of membership in an association, organization or union of workers; and
 - pressure from your employer or fellow workers to leave your job.

Other reasonable circumstances could be considered as just cause to leave a job. Some of the examples listed on page 18 may provide proof of just cause for leaving a job but may then raise doubt as to availability for work. If you are unsure, check with your local HRSDC office.

Corporate downsizing

When companies reduce the size of their work force, Employment Insurance will help them and their employees get through the process. If your employer is downsizing and offers you the opportunity to leave your job to protect another person's job, you can leave your job without penalty. However, the company must show that the layoff is permanent and that your departure protects another person's job.

When faced with downsizing, it is best to consult first with an EI officer to ensure that all conditions which might affect you are considered. Don't take anything for granted.

Labour disputes

If a strike, a lockout or other form of labour dispute where you work causes you to lose your job or prevents you from going to work, you will generally not be eligible for EI benefits. This applies whether you are a union member or not and whether your job is part or full time.

You may, however, be eligible to receive benefits if:

- you are not taking part in the dispute (i.e. refusing to work, picketing, etc.);
- you are not giving money directly to support the dispute; and
- you are not directly interested in the dispute (i.e. your wages or working conditions, etc., are not affected by the outcome of the dispute).

If you are taking part in a labour dispute, you are not eligible for EI until:

- the strike or lockout is over; or
- you have found another regular job where you pay EI premiums.

If you had already arranged for an approved absence from work before the work stoppage started — such as sick leave, maternity leave, parental leave or authorized training — you may still be eligible for EI benefits.

Repayment of benefits at income tax time (clawback)

It is important to remember that clawback is based on a **taxation** year and EI benefits paid in that taxation year.

Depending on your net yearly income you may be required to repay some or all the EI benefits you have received. This repayment would be made at income tax time as part of your tax filing.

There are three changes that have been made to the repayment of benefits, these changes are effective as of the 2000 taxation year.

- If you made less than \$48,750 (net income) in the previous taxation year, you will not have to repay EI benefits. If you made more than this amount you will be limited to repaying 30 per cent of your net income above \$48,750.
- If you are a first-time claimant, you are exempt from benefit repayment. (A first-time claimant is defined as a person who has received less than a week of regular or fishing benefits in the last ten taxation years).
- If you only received maternity, parental or sickness benefits you will not have to repay those benefits.

Section IV

Protecting Employment Insurance - with your help

Human Resources and Skills Development Canada takes its responsibility seriously when administering the EI fund. Protecting the funds from misuse is a large part of that responsibility. With your help, we can reduce the incidences of misuse and ensure that the EI system is used as it should be used — a temporary support measure when people find themselves out of a job.

To make certain that the EI fund is protected, and to discourage misuse, we work with employers and claimants to ensure accuracy of information.

Mistakes can happen

Mistakes can happen when filing your report over the phone or filling out claimant's reports. We have found that some of the most common errors made are:

- estimating weekly earnings instead of putting in the actual amount earned;
- forgetting to declare all the earnings received;
- writing/entering the wrong number when reporting earnings; and
- adding up the number of hours wrongly.

Some mistakes can cause a delay in payment and others could cause an error in the amount of benefits you receive — either higher or lower than your entitlement.

For example, estimating earnings can have the following effects.

-
- If you estimated your earnings in any one week and your estimate was higher than the earnings you actually received, you may receive less benefits than you are entitled to have. LET US KNOW, and we'll adjust your file and ensure that you receive all the benefits to which you are entitled.
 - If you estimated your earnings in any one week and your estimate was lower than the earnings you actually received, you may receive more benefits than you are entitled to have (an "overpayment"). LET US KNOW. The overpayment will have to be paid back, but we'll ensure that the repayment causes no undue hardship. As well we can adjust your file to reflect your true status.

Absence from Canada

With few exceptions, claimants are not allowed to receive regular EI benefits while outside Canada. One measure we take to enforce this is to compare EI information with Customs information. If a match of information occurs we will explore the matter further. When it is found that claimants have been out of the country while collecting EI benefits, we will try to determine if they are entitled to those benefits. If not, then overpayments are established and penalties may be imposed.

Penalties can be up to three times the weekly benefit rate or three times the amount of the overpayment. As well, entrance requirements to qualify for EI in the future can be affected.

Misusing the EI fund

Anybody who knowingly tries to obtain more benefits than entitled to is taking advantage of the EI system and fellow Canadians. When misuse of the EI fund is discovered, penalties can be imposed not just for current claims but for any future claims. As well, legal prosecution can also occur.

Interest

Since July 1, 2002, Human Resources and Skills Development Canada charges interest on debt resulting from intentional misrepresentation.

EI claimants, who have knowingly abused the EI program and, as a result, have an outstanding debt arising from intentional misrepresentation are charged interest on that debt. No interest will be charged on debt that arises from HRSDC and/or claimant errors in benefit payments.

The rate of interest is the Bank of Canada average rate plus 3 per cent calculated daily and compounded monthly.

Some examples of when penalties could apply include these.

- An EI claimant goes on an ocean holiday cruise for a month and arranges for a friend to conceal the absence by signing and returning two EI claimant reports. This results in the claimant illegally receiving \$350 in benefits for each of the four weeks. After investigation, it is proven that this was the first time the claimant and the friend had misused the EI system. As well, it is also proven that they both knew that what they did was illegal but they did it anyway.

The claimant may have to repay \$1,400 (i.e. four weeks of benefits at \$350 per week) and could receive a penalty of \$700 (i.e. \$350 for each of the two false reports filed during the holiday). The friend would also receive a penalty of \$700 for the illegal act of filing two false reports on behalf of the claimant.

- An EI claimant works for eight weeks while on claim, making \$2,500 in earnings. The claimant does not report having worked or the \$2,500 in earnings and continues to receive EI benefits totalling \$3,200. Upon investigation, it is revealed that the claimant knew that concealing the earnings was illegal. This claimant had committed a similar act the year before and had already received a \$3,000 overpayment that had to be paid back plus a \$2,000 penalty at that time. As this is the second time the claimant has misused the EI system, besides paying back the \$3,200 overpayment of EI benefits, a penalty of \$6,400 (twice the overpayment amount) could be imposed. This penalty reflects the seriousness of the claimant's act and the existence of a prior offence.

There can be many different cases where a penalty could apply, and the amount of the penalty can become very high. Depending on the circumstances, the maximum penalty can be up to three times the amount of your overpayment, three times the weekly benefit rate for every illegal act or three times the maximum benefit rate.

As well, higher entrance requirements are imposed and are based on the violation history.

Entrance requirements	Examples
If the value of the overpayment on which the violation is based is less than \$1,000, you will have to work 25% more than the minimum entrance requirement to qualify for regular benefits.	Example: if you would normally have required a minimum of 420 hours of work, you would need an extra 105 hours. This would bring your minimum entrance requirement to 525 hours of work to qualify.
If the value of the overpayment on which the violation is based is between \$1,000 and \$4,999 the entrance requirement increases by 50%.	Example: if you would normally have required a minimum of 420 hours of work, you would need an extra 210 hours. This would bring your minimum entrance requirement to 630 hours of work to qualify.
If the value of the overpayment on which the violation is based is \$5,000 or more, the entrance requirement increases by 75%.	Example: if you would normally have required a minimum of 420 hours of work, you would need an extra 315 hours. This would bring your minimum entrance requirement to 735 hours of work to qualify.

For repeat violations, entrance requirements double. For example, if you normally required 420 hours, you would need 840 hours.

Section V

Responsibilities and rights

Employment Insurance is a financial safety net to protect Canadians from hardship when they lose their jobs and while they are looking for work. The right to receive benefits, however, is balanced by the responsibility of each person to abide by the requirements of the law.

You have the responsibility to:

- be willing and able to work;
- be looking for work;
- follow instructions from EI staff members;
- accurately report all money earned while on EI;
- report all work you do while on EI even if you have not yet been paid;
- report any absence from your area of residence; and
- report any absence from Canada.

Under most circumstances you are not permitted to receive regular benefits for any period in which you are not in Canada.

You have the right to:

- file a claim for Employment Insurance;
- have help in making your claim;
- get help in looking for a job;

-
- receive benefits owing to you; and
 - appeal decisions about your benefits which you feel are unjust.

Under the Privacy Act you have the right to see any government records which contain your personal information.

Appeals






Many different circumstances surround EI applications and the rules on benefits. Human Resources and Skills Development Canada always tries to be fair, but you might not agree with a decision. You may want to talk about this to an EI officer. This will provide you with an opportunity to offer any new information you may have and will also clarify any questions surrounding the decision(s).

If you still wish to appeal, you must write to your local HRSDC office stating clearly what decision(s) you disagree with and why you feel the decision(s) is/are incorrect. This must be done within 30 days of receiving the EI decision. Don't forget to include your SIN on any additional information you supply.

For further information on the Appeals process, visit our website www.ei-ae.gc.ca or contact your local HRSDC office or see our brochure entitled *Employment Insurance: Appealing a Decision*, available from any HRSDC office.

Section VI

How to reach us

Press 	Claim/Payment Information, Change Access Code
1	Decision, payment or deduction information
2	Remaining weeks of benefits, benefit rate and allowable earnings
3	Change Access Code
Press 	General Employment Insurance Information
1	How to apply for benefits
2	Types of benefits
3	Appeals Information
Press 	Social Insurance Number (SIN) Information
1	How to apply replace, change name for SIN
2	To obtain information on a lost or stolen SIN card, to inform us of a deceased family member
0	Other questions re: SIN
Press 	Change Access Code, Office Locations, Internet Addresses and Information to Complete Reports
1	To change Access Code
2	Office locations
3	Internet addresses
4	To complete your report by phone or by Internet
Press 	Service Delivery Representative (during business hours)

Where the jobs are

To get a job you need to know what is available. You can find out by using the self-service kiosks and computer workstations at your local HRSDC office or by accessing one of the websites listed below.

By following a few simple instructions on the computer screen you can get information on:

- employment opportunities in your community and across the country;
- which occupations and job categories are most in demand;
- the skills required for particular kinds of work; and
- training opportunities and employment services that might help you return to work.

Check the various programs offered. Don't be afraid to ask questions and seek assistance.

Internet access:

Human Resources and Skills Development Canada:

<http://www.hrsdc.gc.ca>

Employment Insurance: **<http://www.hrsdc.gc.ca>**

Job Bank: **<http://www.jobbank.gc.ca>**

Appealing an EI decision: **<http://www.ei-ae.gc.ca>**