

# Employment Insurance

## Workers and/or residents outside Canada



Service Canada



Government  
of Canada

Gouvernement  
du Canada

Canada 

IN-207-06-06

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## Other available publications

*Employment Insurance: Regular Benefits*

*Employment Insurance: Compassionate care benefits*

*Employment Insurance: Maternity, parental and sickness benefits*

Available in alternate formats, upon request.

Call **1 866 386-9624 (toll free)** on a Touch-Tone phone.

For additional copies of this publication, please write or fax indicating the catalogue number **IN-207-06-06** to:

### **Enquiries Centre**

Service Canada

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Gatineau, QC

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### **Internet sites:**

Service Canada:

**<http://www.servicecanada.gc.ca>**

Employment Insurance:

**<http://www.servicecanada.gc.ca>**

Job Bank:

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

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# Introduction

A reciprocal agreement exists between Canada and the United States of America (including the District of Columbia, Puerto Rico and the American Virgin Islands), which allows a person who worked in insurable employment in the United States and now resides in Canada to apply for and, if eligible, receive American Unemployment Insurance benefits.

Additionally, a person who has worked in insurable employment in Canada and now resides in the United States may apply for, and, if eligible, receive Canadian Employment Insurance (EI) benefits, (regular, maternity, parental, Compassionate care benefits or sickness benefits).

If you reside in a country other than the United States you will not be eligible for Canadian EI regular benefits however you may be eligible for Canadian EI maternity, parental, compassionate care benefits and sickness benefits.

If you are working outside Canada for a Canadian company or the Government of Canada, you are usually insured by EI. If, however, the country where you are working insures your job, you will NOT be eligible for Canadian Employment Insurance.

If you are not sure whether your job is insured under EI, ask your employer or contact the Canada Revenue Agency (CRA) at 1 800 959-5525. Rulings on employment insurability are the responsibility of the CRA.

The addresses of the tax services offices are listed in the government section of your local telephone book and on the "Contact us" page of the CRA website ([www.cra.gc.ca](http://www.cra.gc.ca)).

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## Quick questions and answers

**Q. My last employment was in the United States. Can I collect benefits?**

- A. If your last insurable employment was in the United States, but you now reside in Canada you may be eligible for American Unemployment Insurance benefits - See "Interstate claims" – Section I (i) page 4.

**Q. I worked for the United States armed forces and I'm returning to Canada. Can I collect benefits?**

- A. If your last insurable employment was with the United States armed forces and you are moving or returning to Canada you may be eligible for American Unemployment Insurance benefits – See "Interstate claims" – Section I (ii) page 5.

**Q. My last employment was in Canada but I'm now living in the United States. Can I collect benefits?**

- A. If your last insurable employment was in Canada, but you now reside in the United States you may be eligible for Canadian Employment Insurance benefits - See "Interstate claims" – Section I (iii) page 5.

**Q. Can I collect benefits if my spouse is posted abroad?**

- A. It depends on where the posting is and the type of benefits – See "Dependants"- Section II (i, ii) page 11.

**Q. I commute between Canada and the United States, where do I claim benefits?**

- A. If you are a commuter between Canada and the United States you may be eligible for either Canadian Employment Insurance or American Unemployment Insurance but not both. See "Commuting between Canada and the United States" – Section III page 12.

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# SECTION I

## INTERSTATE CLAIMS (Between Canada and the United States)

Whether you are claiming benefits from Canada or the United States, you must prove that employment was legally authorized in accordance with the immigration regulations of either country.

In most circumstances, if you choose to stay on in either country after your work permit has expired, you are not legally authorized to work.

You may claim either Canadian or American benefits but not both at the same time or for the same period of unemployment.

The United States is the only country with which Canada has a reciprocal agreement concerning Employment Insurance/Unemployment Insurance benefits.

### (i) Claiming American Unemployment Insurance benefits

If you have worked in insurable employment in the United States and are now residing in Canada, you may wish to file a claim for American Unemployment Insurance benefits. This can be done from Canada unless you worked for the United States armed forces (see (ii) below).

To file a claim for American Unemployment Insurance benefits, contact your local Service Canada Centre. You will be required to give your name, address, phone number, Canadian Social Insurance Number (SIN), United States Social Security Number (SSN) and the name of the state from which you want to claim benefits.

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This information will be forwarded to the Service Canada Centre responsible for processing interstate claims in your area of residence. That office will then send you the necessary documents to file your claim. You may also contact the designated office directly (see office locations on page 15).

Persons claiming American Unemployment Benefits must be capable of and available for work, actively seeking employment in Canada and, most importantly, be legally authorized to work in Canada.

## **(ii) If you worked for the United States armed forces**

If you have worked in insurable employment for the United States armed forces and want to move to or return to Canada your claim for American Unemployment Insurance benefits must be filed at the nearest State Workforce Development Agency in the United States. Human Resources and Skills Development Canada offices in Canada cannot accept these claims for benefits.

## **(iii) Claiming Canadian Employment Insurance benefits**

If you have worked in insurable employment in Canada and have returned to reside in the United States you may be eligible for Canadian Employment Insurance (EI) benefits (regular, maternity, parental, compassionate care or sickness).

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## Timeliness of filing a claim:

You must file a claim for benefits within four weeks of your last day of work or last day paid. This can be done by telephone only, toll-free (from the United States) 1 877 486-1650. You will be required to provide your Canadian Social Insurance Number and a copy of your work permit in accordance with Canadian immigration regulations.

### (iv) Regular EI benefits – Interstate claims

**Reminder: Persons residing in a country other than Canada or the United States are not entitled to receive regular EI benefits as no other reciprocal agreements exist with any other country concerning unemployment/employment insurance.**

Persons living in the United States or dependants of those persons, who are unemployed, may be eligible to collect regular Canadian EI benefits up to a maximum of 36 weeks.

To qualify for regular EI benefits you must have worked in insurable employment for at least 420 to 700 hours within the last 52 weeks or since the start date of your last EI claim, whichever is shorter – see Table I. In some circumstances, 910 hours are required - see Exceptions page 7. In order to claim regular benefits you must be capable of and available for work, actively seeking employment in the United States and, most importantly, be legally authorized to work in the United States.



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Table I shows the number of insurable hours required to qualify for regular benefits and is based on the regional rate of unemployment in the economic region in which you last worked in Canada.

**Table 1**

Regional rate of unemployment	Number of insurable hours of employment in the qualifying period
6% and under	700
more than 6% but not more than 7%	665
more than 7% but not more than 8%	630
more than 8% but not more than 9%	595
more than 9% but not more than 10%	560
more than 10% but not more than 11%	525
more than 11% but not more than 12%	490
more than 12% but not more than 13%	455
more than 13%	420

## Exceptions

- If you are in the workforce for the first time you will require more hours of insurable employment. You will require a minimum of 910 insurable hours in the last 52 weeks to establish a claim for benefits.

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- If you are re-entering the workforce after an absence of two years, you will, in most instances, require a minimum of 910 hours of insurable employment in the last 52 weeks to qualify. However, if you have received at least one full week of maternity or parental benefits in the 208 weeks preceding the 52-week period prior to the date you file a claim, you will require between 420 and 700 hours to qualify for regular benefits. For more information, please call the toll-free number 1 877 486-1650

## Duration of regular benefits

Table II shows the number of weeks of benefits you are entitled to based on the number of hours of insurable employment you have accumulated in Canada in the last 52 weeks or since the start of your last EI claim, whichever is shorter.

**Table II**

Number of hours of insurable employment	Number of weeks of benefits
420 - 489	10
490 - 559	11
560 - 629	12
630 - 699	13
700 - 769	14
770 - 839	15
840 - 909	16
910 - 979	17
980 - 1049	18

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Number of hours of  
insurable employment

Number of weeks  
of benefits

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1050 - 1119

19

1120 - 1189

20

1190 - 1259

21

1260 - 1329

22

1330 - 1399

23

1400 - 1434

24

1435 - 1469

25

1470 - 1504

26

1505 - 1539

27

1540 - 1574

28

1575 - 1609

29

1610 - 1644

30

1645 - 1679

31

1680 - 1714

32

1715 - 1749

33

1750 - 1784

34

1785 - 1819

35

1820 and more

36

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## (v) Maternity, parental and sickness benefits

A person residing in the United States may receive maternity, parental and sickness benefits. The person must have worked in a job that is insured under Canada's EI program. See Table III on page 14 for the number of insured hours required and the number of weeks of benefits payable.

## (vi) Compassionate care benefits

As of January 4, 2004, up to six weeks of compassionate care benefits may be paid to a person who has to be absent from work to provide care or support to a gravely ill family member at risk of dying within 26 weeks. Compassionate care benefits can be paid regardless of where the family member (patient) lives.

A person residing in the United States may receive compassionate care benefits. The person must have worked in a job that is insured under Canada's EI program. See Table III on page 14 for the number of insured hours required and the number of weeks of benefits payable.

To claim maternity, parental compassionate care and sickness benefits from Canada, you must file your claim by calling (toll-free) 1 877 486-1650.

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# SECTION II

## DEPENDANTS

### (i) United States

If you are a dependant\* of a Canadian Government worker (i.e. diplomatic corps, armed forces) or a private industry worker who has been posted to the United States, and if you worked in insurable employment in Canada, you may be eligible for regular, maternity, parental and sickness EI benefits. You must provide proof of employment authorization in accordance with American immigration regulations to claim regular EI benefits.

### (ii) Other Countries

If you are a dependant\* of a Canadian Government worker (i.e. diplomatic corps, armed forces) or a private industry worker, who has been posted to a country other than the United States, you will NOT be eligible for regular EI benefits. You may, however, be eligible for maternity, parental, compassionate care and in some cases sickness benefits. For more information contact Service Canada (toll-free) at 1 877 486-1650 or (613) 969-3479.

Sickness benefits may be payable if you have worked abroad for the Canadian Government and the employment was insurable under the Canadian EI Program. If you become ill and unable to work, you may be entitled to sickness benefits if you meet the eligibility requirements.

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\*Dependant includes spouse, unmarried children under 21, unmarried full-time students under 25 and unmarried disabled children. Dependants must, of course, have worked in insured employment in Canada.

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# SECTION III

## COMMUTING BETWEEN CANADA AND THE UNITED STATES

Commuters are Canadians or Americans who regularly cross the Canada/United States border between their residence and workplace.

- If you are an American living near the Canadian border and you usually commute to Canada to work, you must file your claim for Canadian benefits in Canada at the nearest Service Canada Centre. Your claim will be treated like that of a resident of Canada and you may be entitled to receive EI regular, maternity, parental, compassionate care or sickness benefits or a combination of these benefits.
- If you are a Canadian living near the US border and you usually commute to the US to work, you must file your claim for American Unemployment Insurance benefits in the US at the nearest State Workforce Development Agency. Your claim will be treated like that of a resident of the United States and you may be entitled to receive American Unemployment benefits

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# SECTION IV

## CLAIMS FOR CANADIAN EI BENEFITS FROM RESIDENTS OF A COUNTRY OTHER THAN THE UNITED STATES

If you reside in a country other than the United States you may be entitled to maternity, parental, compassionate care and in some cases sickness benefits. See Table 111 for the number of insured hours required and the number of weeks payable for each type of benefits.

Sickness benefits may be payable if you have worked abroad for the Canadian Government and the employment was insurable under the Canadian EI program. If you become ill and unable to work, you may be entitled to sickness benefits if you meet the qualifying conditions.

To file a claim for maternity, parental, compassionate care or sickness benefits or to obtain further information, please write to the following address, or call the number listed below:

**Service Canada  
Out of Canada Claims Unit  
1 North Front St.  
P.O. Box 4800  
Belleville, Ontario  
K8N 5E2  
(613) 969-3479  
1 877 486-1650 (Toll-free)**

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Table III shows the minimum number of insured hours of employment required to establish a claim, and the number of weeks of maternity, parental or sickness benefits you may be entitled to.

**Table III**

Type of benefits	Number of hours required	Number of weeks
Maternity	600	15
Parental	600	35
Sickness	600	15
Compassionate care	600	6

## Combination of Special Benefits

Special benefits may be combined up to a maximum of 50 weeks. Since March 3, 2002, the 50-week maximum has been increased to a possible 65 weeks for situations where a birth mother has received a combination of maternity, parental and sickness benefits. However, if any regular benefits have been paid in the benefit period, the maximum payment cannot exceed 50 weeks.

When compassionate care benefits are combined with maternity, parental and sickness benefits, you receive up to a combined maximum of 71 weeks.

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For further information, contact your local Service Canada Centre or see our brochures entitled ***Employment Insurance: Maternity, parental and sickness benefits***, ***Employment Insurance: Compassionate care benefits*** available from any Service Canada Centre.



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# SECTION V

## APPEALS

If you apply for and are denied benefits, you have the right to appeal that decision. You must do so in writing to either the Out of Canada Claims Unit or the applicable State Workforce Development Agency, whichever issued the decision.

# SECTION VI

## DESIGNATED OFFICES

Designated offices	Area of responsibility
	<b>Atlantic</b>
Service Canada Sub-Unit of interstate claims processing 120 Harbourview Blvd. P.O. Box 4000 Bathurst, N.-B. E2A 1R6 <b>Phone (506) 548-7405</b> <b>Fax : (506) 548-7186</b>	New Brunswick Nova Scotia Newfoundland Prince Edward Island
	<b>Quebec</b>
Service Canada Sub-Unit of interstate claims processing 11400 1st Avenue east local 109 St-Georges, Quebec G5Y 5S4 <b>Phone :1 (877) 228-9769</b> <b>Fax : 1 (418) 228-3341</b>	Quebec

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**Designated offices****Area of responsibility**

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**Ontario**

Service Canada  
Out of Canada Claims Unit  
1 North Front St.  
P.O. Box 4800  
Belleville, Ontario  
K8N 5E2  
**Phone : (613) 969-3479**  
**Fax : (613) 969-4017**

Ontario

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**Alberta**

Service Canada  
Sub-Unit of interstate claims  
processing  
6712 Fisher St. East  
P.O. Box 5175, Station A  
Calgary, Alberta  
T2H 1X3  
**Phone : (403) 509-1639**  
**Fax : (403) 292-5763**

Alberta  
Nunavut  
Northwest Territories  
Saskatchewan  
Manitoba

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**British Columbia**

Service Canada  
Sub-Unit of interstate claims  
processing  
1400-300 West Georgia St.  
Vancouver, BC  
V6B 6G3  
**Phone : (604) 666-0000**  
**Fax : (604) 666-6270**

British Columbia  
Yukon

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