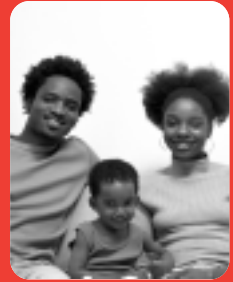


# Employment Insurance

## Maternity, parental and sickness benefits



Service Canada



Government  
of Canada

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Canada

IN-201-02-06

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(a telecommunication device for the  
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# Table of contents

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	Page
<b>Introduction</b> .....	1
<b>Section I</b>	
What's New? .....	3
What Does This Mean to You? .....	3
Quick Answers .....	4
<b>Section II</b>	
Who is Eligible? .....	5
Maternity and Parental Benefits Explained .....	5
Maternity Benefits .....	6
Parental Benefits .....	7
Working While on Parental Benefits .....	8
Flexibility for Parents of Hospitalized Children .....	8
Sickness Benefits Explained .....	9
Combining Maternity, Parental and Sickness Benefits ...	9
<b>Section III</b>	
How to Apply .....	11
Hours of Insured Work .....	11
Non-Fishers .....	11
Self-Employed Fishers .....	12
How Much Will You Receive? .....	12
How We Calculate Your Average Insured Earnings .....	12
Non-Fishers .....	13
Self-Employed Fishers .....	14
When Do Benefits Start? .....	17
Access Code .....	18
Sources of Income .....	18

## **Section IV**

Maternity, Parental and Sickness Benefits When You Are Out of the Country .....	20
--	----

## **Section V**

Repayment of Benefits at Income Tax Time (Clawback) ...	21
---	----

## **Section VI**

Protecting Employment Insurance – With Your Help .....	22
Mistakes Can Happen .....	22
Misusing EI .....	23

## **Section VII**

Responsibilities and Rights .....	25
Appeals .....	26

## **Section VIII**

Maternity and Parental Benefits for Quebec Residents ....	27
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# Introduction

Under the *Employment Insurance Act*, eligible claimants are entitled to maternity, parental and sickness benefits. This booklet outlines how these benefits may apply to you.

Take a few minutes to look through it and you'll find explanations on the number of hours of work required to qualify; how we calculate benefits; and how long you can receive benefits. You'll also find our toll-free numbers and how to find us on the Internet. This booklet also gives you general information on what you should know about the EI programs and your rights and responsibilities.

Section I and Section VIII provide some information about the new Quebec Parental Insurance Program.

Also, don't forget that EI is now delivered by Service Canada—the Government of Canada's new service delivery network which brings a range of federal services and benefits together to meet your individual needs.

To find out about Service Canada call 1 800 O-Canada or visit us at [servicecanada.gc.ca](http://servicecanada.gc.ca).

For questions specific to Employment Insurance call 1 800 206-7218 or visit us on-line at [servicecanada.gc.ca](http://servicecanada.gc.ca)

## **Important Information on Pilot Projects**

Under the *Employment Insurance Act* and, upon approval from Cabinet, we are allowed to set-up short-term pilot projects for a maximum of three years. The purpose of such pilot projects must be to test the potential impact of changes made to the *Employment Insurance Act* or Regulations in the future so that EI is more consistent with current industry employment, practices, trends or patterns, or would improve service to the public. In addition, the pilot project must be the only way to test the impact a change in the program would have on employees, employers and claimants.

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Pilot projects can be limited to specific geographic areas or can be implemented nationally. However, they cannot last more than three years.

When you apply for EI, and if you are eligible to participate in a pilot project running in your area, you will be advised or we will automatically adjust your claim to ensure you are included and receive all the benefits to which you are entitled. A pilot project can increase benefits and/or reduce hours needed to be eligible. It can also increase weeks on claim and/or improve the service you receive.

Call the Employment Insurance toll-free number to find out about EI pilot projects that may be applicable to you. Or, visit your local Service Canada Centre.

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# Section I

## What's New?

**Effective January 1, 2006**, the Province of Quebec will pay its residents any new benefits' claims for births and adoptions through the Quebec Parental Insurance Plan (QPIP), delivered by the province's Ministry of Employment and Social Solidarity of Quebec (MESSQ).

## What Does This Mean To You?

After January 1, 2006, residents of Quebec should no longer submit new claims for maternity and parental benefits to Service Canada.

If you are a resident of Quebec and would like to file a new claim for benefits for a birth or adoption, you should contact the MESSQ, at 1 888 610-7727, or go to the QPIP Web site at: [rqap.gouv.qc.ca](http://rqap.gouv.qc.ca).

If you are a Quebec resident and are currently receiving EI maternity or parental benefits, you will continue to receive those benefits from EI. You will not transfer from one plan to another.

Because maternity and parental benefits are linked, if you receive maternity benefits from one program, generally your parental benefits will come from the same program.

All other forms of EI benefits, including EI sickness benefits, remain available in Quebec.

EI maternity and parental benefits remain available in all other Canadian provinces and territories.

For more information, see Quick Answers on page 4 or Section VIII, Maternity and Parental Benefits for Quebec Residents (page 27).

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## Quick Answers

### **Q. Where do I go for more information about the Quebec Parental Insurance Plan (QPIP)?**

- A. For more information about QPIP, contact the Ministry of Employment and Social Solidarity of Quebec toll free at 1 888 610-7727, or go to the QPIP Web site at: [rqap.gouv.qc.ca](http://rqap.gouv.qc.ca).

### **Q. I am a Quebec resident receiving EI maternity benefits. Can I transfer to the Quebec plan?**

- A. No, you cannot transfer from one program to another.

### **Q. I am a Quebec resident currently receiving maternity benefits from EI. Can my partner and I get our parental benefits from the Quebec plan?**

- A. No, maternity and parental benefits are linked, so if you receive maternity benefits from one program, your parental benefits will come from the same program.

### **Q. What will happen to my benefits if I move to Quebec, or move from Quebec to another province or territory?**

- A. If you move to or from the province of Quebec, you will stay with the benefit plan you started with. If you move to Quebec with an active EI maternity claim, you will stay with EI. If you are living in Quebec and receiving QPIP benefits and then move to another province or territory, you will continue to receive QPIP benefits until your claim is completed.

### **Q. I live in Quebec. Will I still be able to receive other types of EI benefits?**

- A. Quebec workers will continue to be eligible for all other types of EI benefits, such as regular, sickness, compassionate care or fishing benefits.

For more information, see Section VIII (page 27).



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# Section II

## Who is Eligible

- Maternity benefits – birth mothers\*
- Parental benefits – biological and adoptive parents\*
- Sickness benefits – people whose illness prevents them from working

You may be entitled to Employment Insurance (EI) benefits provided you meet these requirements:

- you must apply;
- you must have paid into the EI account; and
- you have worked the required number of hours or, for self-employed fishers, have sufficient earnings in the qualifying period.

\*Effective January 1, 2006, Quebec residents will no longer be eligible for new claims for EI maternity and parental benefits. Instead you will be covered by the Quebec Parental Insurance Plan. Please see Section VIII (page 27) for more information.

## Maternity and Parental Benefits Explained

You may be entitled to EI benefits if you are pregnant, have recently given birth, are adopting a child, or are caring for your newborn baby. Both parents may be entitled to parental benefits.

- A maximum 15 weeks of maternity benefits are payable to the biological mother in a period surrounding the birth of the child. To be eligible, you will need 600 hours of insured work in the last 52 weeks or since the start of your last claim—whichever is shorter. If you are a self-employed fisher, you will need \$3,760 in fishing income in the maximum 31-week period before your claim starts.

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- A maximum 35 weeks of parental benefits are payable to both biological and adoptive parents. You will each—if sharing parental benefits—need 600 hours of insured work in the last 52 weeks or since the start of your last claim—whichever is shorter—to be eligible. Self-employed fishers will need \$3,760 in fishing income for the maximum 31-week period.
  - The number of weeks of maternity or parental benefits you are eligible for does not increase if you have a multiple birth or adopt more than one child.
  - Birth mothers can apply for parental benefits at the same time as applying for maternity benefits.

## **Maternity Benefits**

You can start collecting maternity benefits up to eight weeks before you are scheduled to give birth or at the start of the week you give birth. Fifteen (15) weeks of maternity benefits are allowed after the two-week waiting period and can be collected for up to 17 weeks of the actual date of confinement or the week of expected confinement—whichever is later.

This window for payment allows you to determine within the allowed timeframe when your benefits can start and end.

However, if you received maternity benefits prior to the birth and wanted to receive the remaining benefits when the child comes home, then you would have to advise the local Service Canada Centre to make the necessary adjustment.

You do not have to complete claimant reports while on maternity benefits unless you work, in which instance you should contact your local Service Canada Centre. If you work while on maternity benefits, your earnings will be deducted dollar for dollar from your benefits.

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## Parental Benefits

Parental benefits can be collected for up to 35 weeks by biological or adoptive parents while they are caring for a newborn or newly adopted child. Parental benefits are payable to the biological parents from the date of birth. For adoptive parents, parental benefits are payable from the date the child is placed for adoption. If shared, one parent per birth or adoption need serve only one waiting period.

Parental benefits for biological parents are payable from the **child's birth date** and for adoptive parents from the **date the child is placed** with you. Parental benefits are normally only available within the **52 weeks** following the child's birth, or for adoptive parents within the **52 weeks** from the date the child is placed with you. If your child is hospitalized, the period for which you may claim parental benefits can be extended.

There are many choices to be made when determining how you want to take advantage of parental leave so that your own family situation is accommodated.

For example:

If both parents are sharing parental benefits, you can take the time together (the 35 weeks can be shared in whatever proportion between the two of you). Or, you may want to go back to work after your maternity leave is finished and let your partner take the full 35 weeks. Or, you may only want to take a few weeks of parental benefits and then return to work, while your partner takes the remaining time – it's your choice.

You may decide to go back to work after you have taken a couple of weeks of parental leave. Then, a few weeks later you realize you would like to be home with your child. You can still use the weeks of parental benefits you have left, as long as the weeks you take do not exceed the 52 weeks since your child's birth or placement with you for adoption.

If you are unsure that your particular variation is okay, check with your local Service Canada Centre.

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## **Working While on Parental Benefits**

Claimants on parental benefits are able to work while on claim. You can earn \$50 or 25% of your weekly benefits—whichever is higher. Any monies earned above that amount will be deducted dollar for dollar from your benefits.

If you have opted not to complete claimant reports while on parental benefits, please contact us at 1 800 206-7218 to report any earnings.

If you work while receiving EI, you must accurately report your earnings and number of hours worked in the week that you actually worked. Be careful not to combine hours and earnings from more than one week. If you discover that you made a mistake, let us know immediately so corrections can be made.

## **Flexibility for Parents of Hospitalized Children**

Parents of newborn or newly adopted children who are hospitalized for an extended period of time may now choose to wait until their child comes home from hospital before filing their claim for parental benefits. Parents will now have a window of up to two years from the date of birth, or placement in cases of adoption, within which to claim their parental benefits.

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## Sickness Benefits Explained

Sickness benefits apply to situations where you are sick, injured or in quarantine. Benefits are paid for up to 15 weeks. If you have established a claim with less than 600 hours—for fishers less than \$3,760—you are not entitled to sickness benefits if the reason for separation from your last employment is illness. If you are collecting regular benefits on this claim and become ill, you may be entitled to benefits.

It is possible to receive sickness benefits in addition to maternity or parental benefits, but you normally cannot receive more than 50 weeks of combined maternity, parental and sickness benefits in one benefit period.

You must have a medical certificate telling us how long your illness is expected to last.

If you work while on sickness benefits, your earnings will be deducted dollar for dollar from your benefits.

While you should apply for benefits as soon as you stop work or become unable to work, sometimes people are too ill to apply right away. If this is the case for you, tell us about it and we may be able to back date your claim to the time your earnings stopped.

### **Combining Maternity, Parental and Sickness Benefits**

A combination of maternity (birth mothers only), parental and sickness benefits can be received for up to a combined maximum of 50 weeks in a 52-week benefit period. However, since March 3, 2002, the 50-week maximum benefit payment on a claim has been increased to a possible 65 weeks for situations where a birth mother has received a combination of maternity, parental and sickness benefits. If any regular benefits have been paid in the benefit period, the maximum payment cannot exceed 50 weeks. This means that biological mothers can claim their 15 weeks of maternity benefits and up to 15 weeks of sickness benefits during their pregnancy and still receive their full parental benefits as long as they do not receive any regular benefits.

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## **Residents of Quebec**

For residents of Quebec receiving benefits from the new Quebec Parental Insurance Plan, each week of benefits paid under the provincial plan will be taken into consideration when calculating the number of weeks of EI benefits to be paid per benefit period.

Benefits paid under the Quebec Plan can also extend the EI benefit period to allow the claimant to receive the maximum number of weeks of other EI special benefits, for instance sickness or compassionate care. For more information, please call our toll free number (1 800 206-7218), consult our Web site at [servicecanada.gc.ca](http://servicecanada.gc.ca), or visit a Service Canada Centre near you.

## **Benefits from Canada's Public Pensions**

You should also know that the Canada Pension Plan (CPP) pays disability and survivor benefits for those who qualify. The CPP pays a monthly benefit to eligible individuals who have a severe and prolonged disability and are unable to work. The CPP also provides a monthly pension to the surviving spouse or common-law partner and dependent children. If you work in Quebec, you contribute to the Quebec Pension Plan, which is similar to the CPP. Both plans also offer other types of benefits.

## **How to reach the CPP**

By telephone: toll free from Canada and the U.S.:

1 800 277-9914 (for information)

1 800 255-4786 (for TTY users only)

For more information, please consult the following Internet sites:

Canada Pension Plan at [servicecanada.gc.ca](http://servicecanada.gc.ca)

Quebec Pension Plan at [rrq.gouv.qc.ca/en](http://rrq.gouv.qc.ca/en)

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# Section III

## How to Apply

Apply on the Internet at [servicecanada.gc.ca](http://servicecanada.gc.ca) (click on on-line forms and services in the top menu bar) or go to your local Service Canada Centre. For the centre nearest you, call 1 800 O-Canada (1 800 622-6232).

If you are applying for maternity benefits, both parents can also apply for parental benefits at the same time.

You will need:

- your Social Insurance Number (SIN); and
- your Record of Employment (ROE). This is a form your employer must give you. It shows 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, then provide all your ROEs when you apply.

When applying for benefits don't forget that your benefit payment can be deposited directly into your bank account. Ask about our Direct Deposit service.

\*Quebec residents, please see Section VIII (page 27) for information about how to apply for benefits from the Quebec Parental Insurance Plan.

## Hours of Insured Work

### Non-Fishers

To be eligible for maternity, parental and sickness benefits, you must have worked a minimum of 600 insured hours in the past 52 weeks or since the start of your last claim—whichever is shorter.

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If you get sick when you are collecting regular benefits, it is possible to be eligible for sickness benefits with fewer than 600 hours.

## **Self-Employed Fishers**

Self-employed fishers will need a minimum \$3,760 from self-employment in fishing in a maximum 31-week qualifying period before their claim starts.

## **How Much Will You Receive?**

The basic benefit rate is 55% of your average insured earnings up to a maximum of \$413 per week. 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), your benefit rate may be as high as 80% of your average insured earnings. However, the maximum payment of \$413 will not change. Please see our fact sheet, *Employment Insurance and the Family Supplement*.

You do not have to apply for the family supplement. If you are eligible to receive it, your entitlement will automatically be added to your EI payment.

## **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 or, for self-employed fishers, the 31-week qualifying period.

Your weekly benefit rate will be calculated in the following manner.



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## Non-Fishers

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 16.)
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 the benefit rate which applies to you) to obtain your weekly benefit. The maximum amount is \$413 per week.

### 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 minimum 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).

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## 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 minimum 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).

## Self-Employed fishers

The amount of your weekly benefit payment will depend on your earnings in the last 31 weeks (qualifying period) and will be calculated as follows.

1. We look at the total fishing earnings you have been paid in the last 31 weeks ending with your last day of work.
2. We determine the unemployment rate in your area and the minimum divisor that applies at that unemployment rate. (See table on page 16.)
3. To determine your average weekly insured earnings, we divide your total fishing earnings by the divisor.
4. We then multiply the result by 55% (or the benefit rate that applies to you) to obtain your weekly benefit. The maximum amount is \$413 per week.

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## Example A

1. In the last 31 weeks (qualifying period) you earned \$8,000 in fishing income.
2. You live in an area where the unemployment rate is 11.5 % so the minimum divisor is 16.
3. To determine your average weekly earnings, we divide your total fishing earnings by the divisor (\$8,000 divided by 16 = \$500).
4. If your basic benefit rate is 55%, then you could receive \$275 per week in benefits (55% of \$500).

If you have a combination of self-employed fishing earnings and earnings from other employment, **you must be able to establish a claim based on the fishing earnings only**, then the earnings from other employment are taken into consideration.

1. We divide the total self-employed fishing earnings in the last 31 weeks by the divisor number.
2. We divide the total non-fishing earnings in the last 26 weeks by the divisor number.
3. We add fishing and non-fishing earnings to a \$750 weekly maximum.
4. We multiply the result by 55% (or the benefit rate that applies to you) to obtain your weekly benefit. The maximum is \$413 per week.

## Example B

1. The minimum divisor in your area is 16.
2. You made \$6,300 in self-employed fishing earnings in the last 31 weeks (divided by 16 = \$393.75).
3. You made \$2,400 in non-fishing earnings in the last 26 weeks (divided by 16 = \$150.00).
4. Add the fishing and non-fishing earnings (\$750 weekly maximum)  $\$393.75 + \$150 = \$543.75$ .
5. Multiply the result by 55% (or the benefit rate that applies to you)  $\$543.75 \times 55\% = \$299$  weekly benefit.

## Divisor Table

Unemployment rate in your region	Minimum divisor
0% to 6%	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

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## When Do Benefits Start?

There is a two-week waiting period before benefits are payable with the following exceptions.

- Only one waiting period need be served if parental benefits are being shared. For example, if a two-week waiting period has already been served for maternity benefits, then no further waiting period need be served by either parent if one of them is taking parental benefits. A waiting period may have to be served if, after parental leave is finished, the parent who did not serve a waiting period then takes regular EI benefits.
- If you reopen a claim for benefits in which you have already served the two-week waiting period, then you do not serve the waiting period again.
- If you receive group insurance payments, you can serve the waiting period for EI during the last two weeks that these benefits are being paid.
- If you get paid leave for sick time, you may not have to serve a waiting period at the end of your paid leave before your EI benefits can start.

If you have provided us with all the information and documents we require and if you qualify for benefits, your first payment should be deposited into your bank account or sent to you, usually within 28 days from the date we received your application.

We will send you a notice with your last payment saying that you have received all the maternity, parental or sickness benefits to which you are entitled. If you don't have a job to go back to, you may be able to receive regular EI benefits without a waiting period. Please see our booklet, *Employment Insurance: Regular Benefits*, available at your local Service Canada Centre, for more information.

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## Access Code

You will receive a personal Access Code. Your Access Code is printed in the shaded area at the bottom of the first statement mailed to you after you file a claim. Whether you use the Internet or telephone service to enquire about your claim or complete your reports, you will need this code and your Social Insurance Number (SIN). 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 EI claim without your knowing, but for which you will be held responsible.

If you lose your Access Code, call us at 1 800 206-7218 from 8:30 am to 4:30 pm and press "0" to speak to a representative. You can also go to your local office. In both cases, questions will be asked to verify your identity and a new Access Code will be re-issued.

## Sources of Income

Some income will affect your claim for EI benefits. Any money you receive from the following sources will be subtracted, dollar for dollar, from your maternity, parental (see **Exceptions** on page 19) and sickness benefits:

- any income including wages or commissions from employment;
- any payments in compensation for an accident or work-related illness, such as workers' compensation for lost wages;
- income from group insurance for sickness or loss of income;
- some accident compensation for loss of wages;
- retirement income from an employment pension, military or police pension, Canada or Quebec Pension Plan or provincial plan based on employment; and
- allowances, monies, or other benefits payable under a provincial law, such as benefits from the Quebec Parental Insurance Plan.

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**Exception for parental benefits only:** You can earn \$50 or 25% of your weekly benefits—whichever is the higher. Any monies earned above that amount will be deducted dollar for dollar from your benefits.

Money received from the following sources, however, will not affect your EI benefits:

- disability pensions;
- workers' compensation payments from a permanent settlement;
- supplemental insurance benefits under a private plan approved by Service Canada for sickness benefits;
- supplemental payments to maternity or parental benefits provided by employers as long as the combined income of the benefit and supplement do not exceed 100% of your normal weekly salary;
- your private sickness or disability wage-loss insurance; and
- retroactive raises in your wages or salary.

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# Section IV

## Maternity, Parental and Sickness Benefits When You Are Out of the Country

You are able to collect maternity and parental benefits\* while you are outside Canada. However, you must advise your local Service Canada office if you go out of Canada.

You are able to collect sickness benefits outside Canada **only** if you are going to another country to receive medical treatment not readily or immediately available in Canada at an accredited hospital, medical clinic or a similar facility. If you decide on your own to go to another country to rest and recuperate, you will not be entitled to benefits. You must also advise your local office if you go out of Canada.

\*Different rules may apply to Quebec residents receiving benefits from the Quebec Parental Insurance Plan. Please see Section VIII, page 27.



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# Section V

## Repayment of Benefits at Income Tax Time (Clawback)

Starting with taxation year 2000, if you received maternity, parental or sickness benefits you will no longer have to repay these benefits.\* This will ensure that parents who stay home with their newborn/newly adopted children and workers who are too sick to work are not penalized.

\*Different rules may apply to residents of Quebec receiving benefits from the Quebec Parental Insurance Plan. Please see Section VIII, page 27 for more information.

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# Section VI

## Protecting Employment Insurance – With Your Help

Service Canada takes its responsibility seriously when administering Employment Insurance (EI). Protecting EI from misuse is a large part of that responsibility. With your help, we can reduce the incidence of misuse and ensure that the EI system is used as it should be—as a temporary support measure when people find themselves out of a job.

To make certain that EI 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, on the Internet, or when completing the paper form. We have found that some of the most common errors are:

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

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

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For example, estimating your earnings can have several effects:

- If you estimated your earnings in any one week and your estimate was **higher** than what you actually received, you may receive less benefits than you are entitled. 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 what you actually earned, you may receive more benefits than you are entitled to (*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.

If you make a mistake filling out forms or reports, or if there is a change in your circumstances that could affect your EI, advise Service Canada immediately. Letting us know of a mistake as soon as you notice, or a change as it occurs, is your best way to prevent future problems with your claim and/or avoid penalty or prosecution.

## Misusing EI

Anybody who knowingly tries to obtain more benefits than they are entitled to is taking advantage of the EI system and their fellow Canadians. Knowingly holding back information or making a false or misleading statement could lead to severe monetary penalties or prosecution and may also affect your future benefits. However, if you notify Service Canada of your actions before an investigation begins, we can waive monetary penalties and prosecutions that might otherwise apply.

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Interest is charged 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 Service Canada errors in benefit payments.

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

<b>Entrance requirements after penalty/fine</b>	<b>Examples</b>
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.	<b>Example:</b> If normally you would have required a minimum of 420 hours of work, you would now need an extra 105 hours. This would bring your minimum-entrance requirement to 525 hours of work needed 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%.	<b>Example:</b> If normally you would have required a minimum of 420 hours of work, you would now need an extra 210 hours. This would bring your minimum-entrance requirement to 630 hours of work needed 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%.	<b>Example:</b> If normally you would have required a minimum of 420 hours of work, you would now need an extra 315 hours. This would bring your minimum-entrance requirement to 735 hours of work needed to qualify.

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# Section VII

## Responsibilities and Rights

**When requesting maternity or parental benefits you have the responsibility to:**

- provide all required information and documents;
- provide our office with your child's actual date of birth;
- provide the date of the child's placement with you, in the case of an adoption, and the name and address of the adoption authority;
- report all employment, whether you work for someone else or for yourself; and
- accurately report all earnings before deductions from employment, in the week(s) in which they were earned, as well as any other monies you may receive.

**When requesting sickness benefits you have the responsibility to:**

- provide a medical certificate indicating the start date and expected end date of your illness;
- provide all other required information and documents;
- report any absence from your area of residence;
- report any absence from Canada;
- report all employment, whether you work for someone else or for yourself; and
- accurately report all earnings before deductions from employment, in the week(s) in which they were earned, as well as any other monies you may receive.

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## You have the right to:

- file a claim for EI benefits;
- receive help in filing a claim;
- receive benefits owing to you;
- appeal decisions about your benefits which you feel are unjust;
- see any government record which contains your personal information, under the Privacy Act.

## Appeals

Many different circumstances surround EI applications and the rules on maternity,\* parental\* and sickness benefits. Service Canada always tries to be fair, but you might not agree with a decision. You may want to talk about this with a Service Canada staff member. 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 Service Canada Centre stating clearly which 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 Web site at [ei-ae.gc.ca](http://ei-ae.gc.ca), contact your local Service Canada Centre, or see our brochure entitled, *Employment Insurance: Appealing a Decision*, available from any Service Canada Centre.

\*This Appeals process does not apply to decisions on claims made by the Province of Quebec on their Quebec Parental Insurance Plan. For more information, please see Section VIII (p. 27).

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# Section VIII

## The New Quebec Parental Insurance Plan

On January 1, 2006, the Province of Quebec became responsible for providing maternity, paternity, parental and adoption benefits to residents of Quebec through a program offered by the Ministry of Employment and Social Solidarity. The program is called the Quebec Parental Insurance Plan (QPIP).

### How to Apply

After January 1, 2006, residents of Quebec should consult the province's Ministry of Employment and Social Solidarity for new claims for benefits, as well as for inquiries about the types of benefits available, eligibility requirements, and appeals.

For more information about the Quebec Parental Insurance Plan, including how to apply,

- Call toll free: 1 888 610-7727
- Visit the Web site at: [rqap.gouv.qc.ca](http://rqap.gouv.qc.ca).

### Note: Transition Period

The EI program is responsible for maternity and parental claims for all births or adoptions before January 1, 2006, and also for any claims from parents who chose to receive benefits from the federal program in 2005 for a birth anticipated by February 25, 2006 at the latest.

If you started receiving EI maternity and/or parental benefits for a period prior to January 1, 2006, you will continue to receive these benefits until your claim ends. You will not be able to transfer to the Quebec provincial program. Also, because maternity and parental benefits are linked, if you received EI maternity benefits, you will also have to apply for parental benefits from EI for that birth or adoption. You will not be able to receive parental benefits from the provincial program. This rule extends to the child's other parent sharing parental benefits.

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## **Parents Sharing Benefits**

QPIP and EI offer parents the opportunity to share parental benefits. In most instances, both parents will receive benefits from the same program—either EI or QPIP. In a few cases, when parents don't reside in the same province when the first claim for benefits is made for a birth or adoption, the parents will have to apply for benefits from different programs. Parents who wish to share benefits must decide how benefits will be shared when the first parent files a claim for parental or adoption benefit. If the claim is filed in Quebec, the person should contact MESSQ. If the claim is filed outside Quebec, Service Canada should be contacted. If the parents cannot decide how to share benefits when a claim is filed, the parent residing in Quebec will contact MESSQ and the other parent residing outside of Quebec will contact Service Canada. A formula, agreed upon by the Governments of Quebec and Canada, is in place to divide the weeks between the parents.

## **Place of Residence, Place of Work, and Mobility**

If you are moving to Quebec and are currently receiving EI maternity or parental benefits, you will continue to receive benefits from EI.

If you are moving out of Quebec and are currently receiving QPIP benefits, you will continue to receive QPIP benefits.

If you work in Quebec but live in another province, you will not be eligible for QPIP. The EI program will continue to apply to you.

If you live in Quebec but work in another province, QPIP will be the benefit plan you will use.

## **Combining QPIP and EI Benefits**

You may be entitled to EI benefits, such as regular benefits, sickness, or compassionate care benefits, for weeks that you are not receiving benefits from the Quebec plan.



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Benefits paid under the Quebec Plan can also extend the EI benefit period to allow the claimant to receive the maximum number of weeks of other EI special benefits, for instance sickness or compassionate care. Each week of benefits paid under the provincial plan will be taken into consideration when calculating the number of weeks of EI benefits to be paid per benefit period.

For more information, please call our toll free number (1 800 206-7218), consult our Web site at [servicecanada.gc.ca](http://servicecanada.gc.ca), or visit a Service Canada Centre near you.

### **Benefits and Income Tax**

Like EI, QPIP benefits are considered taxable income and will be withheld at the source. To learn more about the tax implications of the Quebec benefit please consult the Canada Revenue Agency and Revenue Quebec.

### **Working Together**

To ensure that both benefit programs run smoothly and to prevent fraud, the Province of Quebec and the Government of Canada have agreed to share information. This information includes Records of Employment, requests for benefits, and Social Insurance Numbers. The agreement complies with the Privacy Act. For more information about your rights and responsibilities, visit the Service Canada Web site at [servicecanada.gc.ca](http://servicecanada.gc.ca), call toll free 1 800 206-7218, or go to your nearest Service Canada Centre.

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## Notes