

Rights and Responsibilities

Employment Insurance and You:
A Shared Responsibility



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March 2009

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IN-044-03-09

SG5-26/3-2008

978-0-662-05983-7

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At Service Canada, we deliver the Employment Insurance (EI) program. Through the EI program, we help Canadians by providing them with temporary financial assistance when they are unemployed, sick or injured, pregnant, caring for their newborn or newly adopted children, or providing care or support to a gravely ill family member.

Under the EI program, you have certain rights when applying for benefits. There are also some basic responsibilities, for both you and Service Canada, which we outline below.

Your rights

You have the right to:

- file a claim for EI benefits;
- receive any benefits that are owing to you;
- appeal any decisions we make about your benefits that you find unsatisfactory;
- see any government record that contains your personal information; and
- be served in the official language of your choice.

Our responsibilities

At Service Canada, we are responsible for:

- giving you prompt and courteous service;
- advising you of the programs and services that are available to you;
- serving you in the official language of your choice;
- determining if you are eligible to receive benefits—that is, whether or not you meet the qualifying conditions specified in the *Employment Insurance Act* and Regulations—and determining how many weeks of benefits you can receive;
- processing your claim within the same timeframe, regardless of whether you apply online, in person, or by mail;
- issuing your first payment no later than 28 days after the date we receive your application, if you have provided us with all the required information and if you are eligible for benefits;
- giving you accurate information about your claim, including how you can share parental benefits with your EI-eligible spouse or partner and compassionate care benefits with other EI-eligible family members, and whether or not you will need to serve a two-week waiting period; and
- informing you about decisions we have made about your claim, and explaining the process you should follow if you decide to appeal our decision.

Your responsibilities

Your responsibilities vary according to the type of benefits claimed—regular benefits, sickness benefits, compassionate care benefits, or maternity or parental benefits.

When you apply for **regular benefits**, including **fishing benefits**, you must:

- be ready, willing, and able to work at all times;
- actively look for work and keep a written record of employers you contact, including when you contacted them;
- report all periods when you are not available for work;
- provide all the required information and documents;
- keep any appointments you have with our office;
- notify us of any separation from employment, and the reasons for the separation, both when you apply for benefits and throughout the period you are receiving benefits;
- report any absences, either from your area of residence or from Canada;
- report all employment, whether you work for someone else or for yourself;
- accurately report all your employment earnings before deductions for the week(s) in which you earn them, as well as any other money you receive; and
- tell us if you are registered in a training program.

When you apply for **sickness benefits**, you must:

- accurately report all periods you could not work because of illness;
- obtain a medical certificate that confirms how long you were sick and unable to work;
- provide all required information and documents;
- report any absences, either from your area of residence or from Canada;
- report all employment, whether you work for someone else or for yourself; and
- accurately report all employment earnings before deductions for the week(s) in which you earn them, as well as any other money you may receive.

When you apply for **compassionate care benefits**, you must:

- provide a medical certificate, which a doctor or other medical practitioner has completed, indicating that your ill family member has a significant risk of death within the next 26 weeks (six months) and requires your care or support;
- provide all other required information and documents;
- notify Service Canada immediately of any situation that could affect your EI benefits (for example, if your gravely ill family member recovers or dies);
- report all employment, whether you work for someone else or yourself;

- accurately report all employment earnings before deductions for the week(s) in which you earn them, as well as any other money you receive; and
- if you are sharing compassionate care benefits, decide which eligible family member will serve the waiting period.

When requesting **maternity or parental benefits**, you must:

- provide all the required information and documents;
- provide us with your child's actual date of birth or, in the case of an adoption, the date of your child's placement with you, as well as the name and address of the adoption authority;
- let us know if the child is no longer in your care;
- report all employment, whether you work for someone else or for yourself; and
- accurately report all employment earnings before deductions for the week(s) in which you earn them, as well as any other money you receive.

Other important information

Delayed benefit payments

Your EI payments may be delayed if, for example, you receive vacation or severance pay. If your payments are delayed, we will notify you in writing.

Waiting period

Usually, there is a two-week waiting period at the start of your claim, during which we do not pay any benefits. There are, however, certain circumstances under which we can waive or delay the waiting period—for example, when you share parental benefits with your spouse or common-law partner, or when you share compassionate care benefits with other eligible family members.

Reports

If you have chosen not to complete biweekly reports while claiming maternity, parental, compassionate care, or training benefits as an apprentice, and you worked or had earnings, you must contact Service Canada to report the work and earnings.

Apprentices

To be eligible for EI training benefits as an apprentice, you must be taking courses in an apprenticeship program to which the EI Commission has referred you, and you must have stopped working to attend the course.

Absence from the country

Usually, you are not eligible to receive EI benefits if you are away from Canada. Therefore, you must always let us know whenever you are temporarily outside Canada. However, there are times you may be eligible to receive EI benefits during that absence. For example, you may be eligible to receive sickness benefits if you are in the United States receiving medical treatment that is not readily or immediately available in Canada. If you live permanently in the United States, you can receive regular, maternity, parental, or compassionate care benefits, as long as you meet the requirements. You may also file a claim for maternity, parental, or compassionate care benefits if you reside outside Canada or the United States and you are covered by Canada's EI program.

False or misleading statements

If you knowingly withhold information or make a false or misleading statement that results in your receiving more benefits than you were entitled to receive, you may be subject to severe monetary penalties or prosecution. However, if you notify us of your actions before we begin an investigation, we may waive the penalties or prosecution.

Interest

Please note that we charge interest on any debts you incur as a result of misrepresentation. We calculate interest on overdue debts daily, and we compound it monthly on the amount owing, at the average Bank of Canada rate plus three percent. Interest begins to accrue from the date we notify you about the amount owing.

Money owing

If you owe any money to the Employment Insurance program or to the Canada Revenue Agency, or if the Department of Justice is garnisheeing your wages for unpaid family support, we may have to directly deduct these amounts from your EI benefits. To make repayment arrangements, please call the number on your notice of overpayment.

Need more information?

To find out more about Employment Insurance benefits:

CLICK **servicecanada.gc.ca**

CALL **1-800-206-7218**

VISIT **a Service Canada Centre**