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Revised Septem

Employment Insurance and BCTF Members

Employment—Maternity—Parental—Sickness—Compassionat Care—Retirement

The Employment Insurance Act and Regulations are long and complex. TI following is a brief summary only. If you think you have any claim for ber you should apply to the nearest Employment and Immigration Canada of contact your local association, or contact the BCTF (Income Security Dep

The Employment Insurance Act and Regulations govern in the event of a variation between this summary and the Act.

ELIGIBILITY

Unemployment

Interruption of earnings, i.e., no work or pay for seven or more consecutive days.

420 to 700 hours of insurable employment in the qualifying period depending upon regional rate of unemployment. New entrants or persons re-entering the work force after an absence of 2 years rec 910 hours.

Unemployment because of lay-off, dismissal, quitting, or leave of absence. If retired, see section on "Earnings While Receiving Bene Available for and actively seeking work.

Severance pay, vacation pay, and retirement incentives will be div by your normal weekly earnings and allocated forward from the tii you leave employment, thereby delaying the start of your claim.

Notes:

Teachers who quit, are on leave of absence, are dismissed by reas misconduct or retire, will likely be disqualified from EI benefits.

Teachers-on-Call can file a claim immediately following terminatio employment.

Teachers on continuing contract are not eligible for regular EI ben during July and August.

Teachers whose contracts terminate on June 30, including those o temporary contracts, can file a claim effective July 1 for regular EI benefits during the summer. The acceptance of a new contract for next school year does affect eligibility for regular EI benefits--EI w pay benefits after the effective date of the acceptance of a new appointment.

Self-funded leave periods are not periods of unemployment.

Maternity/Parental/Sickness

Interruption of earnings, i.e., a reduction of more than 40% in net weekly earnings.

600 hours of insurable employment in the last 52 weeks or since your last claim (the qualifying period).

Pregnant for maternity benefits.

Caring for your child, whether natural or adopted, for parental benefits.

Medical evidence of illness or injury for sickness benefits.

Compassionate Care

A decrease of more than 40% of regular weekly earnings.

600 hours of insurable employment in the last 52 weeks or since your last claim (the qualifying period).

Must apply for benefits.

A medical certificate must be provided as proof that the ill family member has a serious medical condition with a significant risk of death within 26 weeks (6 months) and requires the care or support of one or more family members.

Can be shared with other family members who meet the eligibility criteria.

Care or support means:

- providing psychological or emotional support; or
- arranging for care by a third party care provider; or
- directly providing or participating in the care.

Benefits paid to care or support one of the following family members:

- your child or the child of your spouse or common-law partner;
- your wife/husband or common-law partner;
- your mother or father;
- your father's wife/mother's husband; or
- the common-law partner of your father/mother.

Notes:

If the interruption of earnings was due to unemployment and you became ill after being unemployed, you may qualify for sickness benefits with less than 600 hours of insurable employment.

Either parent may apply for parental benefits.

QUALIFYING PERIOD

The shorter of the period of 52 weeks immediately preceding a claim for benefits or the period between beginning of preceding claim and start of new claim.

Period can be extended by up to a further 52 weeks if not in insurable employment because of illness, quarantine or pregnancy, or in receipt of Workers' Compensation Board payments, confinement in jail or attendance at HRDC sponsored course of instruction, i.e., the qualifying period cannot exceed 104 weeks.

If in receipt of severance pay or retirement incentives, the qualify period will be extended by the same number of weeks representing the amount of the severance or incentive, to a maximum of 52 weeks i.e., the qualifying period cannot exceed 104 weeks.

INSURABLE EMPLOYMENT

Employment with an employer.

An hourly system as of January 1, 1997; every hour worked is insurable. For teachers on contract, there is an agreement between BCTF and BCPSEA that each full time teacher earns 9.1 hours per or 45.5 hours per week of insurable earnings. Part-time teachers accrue service prorated by the amount of their assignment. Teachers on call also accrue 9.1 hours for each full day worked or a proportion amount for part days.

The period of time over which severance pay, vacation pay and retirement incentives is allocated as earnings for the purpose of determining when your claim may start (see section on Eligibility) insurable employment.

INSURABLE EARNINGS

Total earnings from insurable employment up to the annual insurable earnings of \$39,000.

WAITING PERIOD

Generally, the first two weeks following interruption of earnings start with the first Sunday.

Notes:

For sickness benefits the waiting period is waived if you receive unpaid sick leave prior to your claim.

AMOUNT OF BENEFIT

Fifty-five per cent of average insurable earnings over the last 26 weeks of insurable employment (\$413 per week maximum or if you have fewer than 26 weeks of insurable employment, the average over that divisor (usually greater than the # of weeks of insurable employment).

If you earn less than the maximum earnings in any of these weeks a lesser amount will be used in the average.

Notes:

Maximum insurable earnings and benefits may be adjusted annually. EI benefits are taxable. An insurable week is 45.5 hours of insurable employment.

DURATION OF BENEFIT

Unemployment

Up to 45 weeks depending upon weeks of insurable employment in the qualifying period and regional rate of unemployment.

A benefit period which is interrupted by receipt of separation or retirement payments may be extended by the same number of weeks represented by these payments to a maximum of 52 weeks.

Maternity

Up to 15 weeks beginning no earlier than 8 weeks prior to the expected week of confinement, or no later than the week of confinement and ending 17 weeks after actual week of confinement.

Notes:

Benefits are payable during the summer months.

The sum of maternity, parental, or sickness benefits cannot exceed 65 weeks, except for birth mothers who may be eligible for a total of 65 weeks.

Parental

Up to 35 weeks from date of arrival of child in home and ending 5 weeks later.

May be taken by either parent or shared between them.

Extended 5 weeks if child is ill and more than 6 months old when arriving at home.

Notes:

Benefit may be divided between two parents if both are eligible.

The sum of parental, maternity, and sickness benefits cannot exceed 50 weeks in a 52-week benefit period.

Regular EI benefits may be available after expiry of parental benefits.

Sickness

Up to 15 weeks.

Compassionate Care

Up to a maximum of 6 weeks of benefits within the period of the 2 weeks that start from the Sunday of the week stated on the doctor's certificate indicating a serious medical condition with a significant risk of death.

Notes:

No employment insurance benefit is payable if receiving BCTF Salary Indemnity Plan benefits or salary continuance benefits.

The sum of sickness, maternity, or parental benefits cannot exceed 65 weeks in a 52-week benefit period except for birth mothers who may be eligible for a total of up to 65 weeks.

Regular EI benefits may be available after expiry of sickness benefits if you are able to work. If eligible, apply at least two weeks prior to expiry of SIP/Salary continuance benefits.

EMPLOYMENT INSURANCE "WEEK"

The employment insurance "week" is always counted from the Sunday of immediately following the interruption of earnings or the initial claim for EI is made, and any income (e.g., salary, sick leave pay or SIP) received for or days of that week is subtracted from the employment insurance benefit week.

EARNINGS WHILE RECEIVING BENEFITS

Monies received as severance pay, vacation pay or separation monies when the job ended may affect the start date of benefits. Apply for EI after becoming unemployed.

Persons receiving employment benefits can earn up to 25% of the benefits (or \$50, whichever is greater) without having any amount deducted from their benefits. Any amounts earned in excess of 25% will be deducted from the weekly benefit.

Earnings in the waiting period, except paid sick leave or Supplemental Employment Benefit plan benefits, are deducted from the first three weeks of benefits.

Retirement pensions are considered earnings unless your EI claim is based on insurable weeks from employment subsequent to retirement. Temporary WCB payments are considered earnings.

TEACHERS-ON-CALL

Teachers-on-Call who have established an EI claim and who are working from time to time will be subject to the foregoing clause (earnings while receiving benefits.)

A new benefit period to commence at the termination of the present benefit period may be established provided you accumulate a further 420 to 700 hours of insurable employment. However, the EI benefit will be based on your average insurable earnings during the lesser of your last 26 weeks of insurable employment or the number of weeks in your qualifying period, and may be further reduced due to EI claims during the prior five year period.

REPAYMENT

EI claimants whose annual net income (including EI benefits) exceeds \$48,750 will be required to repay between 30% or the lesser of:

- your net income in excess of \$48,750; or
- the total regular benefits paid in the taxation year.

PROCEDURES

For sickness benefits, obtain a "Record of Employment" from the school board at least two weeks prior to the expiration of paid sick leave.

For all other benefits, obtain a "Record of Employment" within five days of the last day worked.

Check to make sure the certificate is correct; i.e., the number of insurable weeks, the amount of insurable earnings, the correct reason for ending your employment. If you find an error, go to your school board and insist on an amended one. The board is obligated to give

the facts on the original are incorrect. Check with the BCTF if you this is incorrect.

Apply to the nearest Employment and Immigration Canada office for benefits. If the "Record of Employment (ROE)" is not available immediately, it can be submitted later.

If you have received severance pay, vacation pay or a retirement incentive, contact EI immediately so that EI can determine whether these payments are to be included as earnings and if so, the number of weeks you must wait before your claim can start.

After the required number of weeks, you should apply for EI benefits and meet all the normal requirements of EI at that time.

If you are in receipt of pension income and wish to apply for EI benefits, the EI office will advise you if any EI benefits are payable.

APPEALS

If your application for benefits is denied:

You have the right to appeal any decision of an insurance officer. Appeals must be within 30 days of being disqualified or disentitled.

Detailed information on appeals is available at:

www.hrsdc.gc.ca/asp/gateway.asp?hr=en/ei/appeal/appealssite.shtml&hs=ada.

Your appeal will be heard by a panel of three persons called a Board of Referees. You should attend the hearing if possible, and/or request BCTF to assist you.

If you want advice on the advisability of appealing, contact the BC

WHAT TO DO FOR EI BENEFITS

Apply for employment insurance benefits as soon as you become unemployed, i.e., without a teaching contract. The waiting period is generally the first 2 weeks of your claim. A delay in applying means a delay in obtaining your benefits. (See Duration of Benefits)

In order to stay on claim, you must be available for work and actively seeking work. This means you must be willing and able to work or actively seeking employment through canvassing employers on an almost daily basis even though the chances of finding employment may be slim.

Keep a detailed record of the employers whom you visit looking for work, and the dates on which you visited them.

If you have young children under your care, make arrangements for their care during working hours so that you will be able to accept work when you find one.

Arrange for transportation to and from prospective jobs.

Request a copy of the interview form prepared by the EI officer before you leave the EI office and check it for accuracy.

WHAT NOT TO DO

Do not restrict your search for work to one small local area. Do not restrict your search to teaching.

Do not restrict the hours of work which you will accept.

Do not restrict the wage or salary you will accept. (If asked, say, 'accept the prevailing rate of pay for the job.')

Do not allow your search for work to become too narrow. You should be prepared to accept any work which is suitable and you are able to perform, especially after a few weeks of unemployment.

friends.

You may be required to submit to an interview to find out whether you are available for and looking for work. You are not required to sign any statement.

Do not sign any statement presented by a EI interviewer unless you understand and agree with everything it says. Do not be led into making any statements which indicate you are placing restrictions on your chances of obtaining employment.

STILL HAVE QUESTIONS?

Contact the BCTF, 604-871-2283 (lower mainland) or 1-800-663-1111 (toll free).

EI is online at

www.hrsdc.gc.ca/en/gateways/nav/top_nav/program/ei.shtml.

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