

Provision of Records of Employment to Employees

Recently the issue of an employer's obligation regarding the provision of Records of Employment (ROE) to employees has been raised through the BCTF/BCPSEA labour management process. In particular, the parties have discussed the obligations of employers to provide a ROE as set out in the Employment Insurance Regulations - Part I - Unemployment Benefits, Section 19(2). This section stipulates that:

"Every employer shall complete a record of employment, on a form supplied by the Commission, in respect of a person employed by the employer in insurable employment who has an interruption of earnings."

The section further requires that:

"...the employee's copy shall be delivered to the insured person not later than five days after the later of the first day of the interruption of earnings, and the day on which the employer becomes aware of the interruption of earnings;"

We understand that some employers may have streamlined their processes as a result of web-based filing initiatives for employers from the Employment Insurance Commission (http://www1.servicecanada.gc.ca/eng/ei/faq/faq_roe_web.shtml).

The Commission has confirmed, however, that the requirement to provide an ROE under Section 19(2) still exists.

Please review your policies and practices to ensure your actions are consistent with the Commissions' requirements. You may wish to contact the Commission directly if you are concerned about your approach.

Questions

If you have any questions regarding this bulletin, please contact your BCPSEA labour relations liaison.