



EMPLOYMENT INSURANCE

**Employment Insurance
Maternity and Parental Benefits**

**Service
Canada** 

Available online only: www.servicecanada.gc.ca

This document can be made available in alternative formats such as Braille, large print, audio cassette, CD, DAISY, and computer diskette. Call 1 800 O-Canada (1-800-622-6232) to request a copy. If you have a hearing or speech impairment and use a teletypewriter (TTY), call 1-800-926-9105.

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Employment Insurance Maternity and Parental Benefits

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Go online to create your own My Service Canada Account

My Service Canada Account is a fast and convenient way to securely:

- confirm any decision made about your Employment Insurance (EI) application;
- see details on your payments and deductions;
- view and update your personal information;
- view your EI tax information slips;
- view all Records of Employment your employers submitted electronically in the last two years;
- view and print your Canada Pension Plan Statement of Contributions and benefit estimate; and
- register to access EI special benefits for self-employed people.

For information on how to create your account, visit **www.servicecanada.gc.ca/msca**.

What are Employment Insurance maternity and parental benefits?

The Employment Insurance (EI) program offers temporary financial assistance to unemployed workers. This assistance includes providing **maternity benefits** and **parental benefits**.

Note

Since January 1, 2006, the Province of Quebec has been responsible for providing maternity, paternity, parental, and adoption benefits to residents of Quebec through a program called the **Quebec Parental Insurance Program**. All other types of EI benefits, such as regular benefits, sickness benefits, and compassionate care benefits, remain available to residents of Quebec. For more information about the Quebec Parental Insurance Program, see page 20.

EI Special Benefits for Self-Employed People

Self-employed Canadians can now apply for EI special benefits (maternity, parental, sickness, and compassionate care benefits) if they are registered for access to the EI program.

For more information or to see if you qualify, visit www.servicecanada.gc.ca or call 1 800 O-Canada (1-800-622-6232). If you have a hearing or speech impairment and use a teletypewriter (TTY), call 1-800-926-9105.

What are EI maternity benefits?

EI maternity benefits are offered to biological mothers, including surrogate mothers, who cannot work because they are pregnant or have recently given birth. A maximum of **15 weeks** of EI maternity benefits is available. The 15 weeks can start as early as eight weeks before the expected date of birth, and can end as late as 17 weeks after the actual date of birth.

What are EI parental benefits?

EI parental benefits are offered to parents who are caring for a newborn or newly adopted child. A maximum of **35 weeks** of parental benefits is available to biological or adoptive parents. The two parents can share these 35 weeks of benefits. For more information on sharing parental benefits, see page 6.

Note

The number of weeks of EI maternity or parental benefits you are entitled to receive does not change, even if you have a multiple birth (twins, triplets, etc.) or if you adopt more than one child at the same time.

Are you eligible for EI maternity or parental benefits?

You may be eligible to receive EI maternity or parental benefits if:

- you have paid EI premiums;
- you meet the specific criteria for receiving EI maternity or parental benefits;
- your normal weekly earnings are reduced by more than 40%; and
- you have accumulated at least 600 hours of insurable employment during the qualifying period **or**, if you are a self-employed fisher, you have earned enough money during the qualifying period.

You have paid EI premiums

To be eligible to receive EI maternity or parental benefits, you need to have paid EI premiums. These are premiums your employer deducts from your wages or salary. There is no minimum or maximum age for paying EI premiums.

You need to pay EI premiums on all your earnings up to a maximum amount. In 2012, for every \$100 you earn, your employer will deduct \$1.83, until your annual earnings reach the maximum yearly insurable amount of \$45,900. The maximum amount of premiums to be paid in 2012 is therefore \$839.97.

Since Quebec has its own program that offers maternity, paternity, and parental benefits, the Government of Canada has adjusted the premiums accordingly for that province. In 2012, the premium rate for workers in Quebec is set at \$1.47 for every \$100 of earnings, up to a maximum amount of \$674.73 for the year.

Note

These rates and amounts are reviewed each year. For more information on the most recent rates and amounts, visit our Web site at www.servicecanada.gc.ca or call 1-800-206-7218 (TTY: 1-800-529-3742).

You meet the specific criteria for receiving EI maternity or parental benefits

EI maternity benefits are payable only to the biological mother who is unable to work because she is pregnant or has recently given birth. To receive maternity benefits, you need to prove your pregnancy by signing a statement declaring the expected due date or the actual date of birth.

EI parental benefits are payable only to the biological or adoptive parents while they are caring for their newborn or newly adopted child. To receive parental benefits, you must sign a statement declaring the newborn's date of birth or, when there is an adoption, the child's date of placement for the purposes of the adoption and the name and address of the adoption authority.

Your normal weekly earnings are reduced by more than 40%

When your normal weekly earnings are reduced by more than 40% because of pregnancy or your need to care for a newborn or newly adopted child, you may be eligible for EI maternity or parental benefits.

You have accumulated at least 600 hours of insurable employment during the qualifying period

Hours of insurable employment are the hours you work, for either one or more employers under written or verbal contracts of service, for which you receive wages.

The **qualifying period** is the shorter of:

- the 52-week period immediately before the start date of your EI benefit period; **or**
- the period since the start of a previous EI benefit period, if that benefit period started during the last 52 weeks.

To be eligible for **EI maternity benefits**, you must have accumulated at least 600 hours of insurable employment in your qualifying period. If you are a **self-employed fisher**, you must have earned \$3,760 from fishing during the 31-week qualifying period immediately before the start of your benefit period.

To be eligible for **EI parental benefits**, each parent who applies for benefits must have accumulated at least 600 hours of insurable employment in his or her qualifying period. If you are a **self-employed fisher**, you must have earned \$3,760 from fishing during the 31-week qualifying period immediately before the start of your benefit period.

For more information on EI benefits for self-employed fishers, consult the guide called *Employment Insurance Benefits for Fishers* (IN-203), which is available on our Web site at **www.servicecanada.gc.ca**.

Note

If you made a false statement or misrepresentation on a previous EI claim, you may be required to accumulate more hours of insurable employment or earnings to qualify for benefits in the future. The increase in the number of hours or earnings you will need depends on the number and seriousness of misrepresentations that have been recorded in the five-year period before the start of your claim. For more information on mistakes and misrepresentations, see page 15.

Applying for EI maternity or parental benefits

Do I need to apply to receive EI maternity or parental benefits?

Yes. You need to apply for EI benefits, since Service Canada first needs to determine whether you are entitled to receive them. Benefits are not paid to you automatically, even if you have received a Record of Employment (ROE) from your employer.

When should I apply?

You should apply as soon as possible after you stop working, even if your employer has not issued your ROE yet. If you delay applying for benefits later than four weeks after your last day of work, you risk losing benefits.

Applying for EI maternity benefits

You can apply for EI maternity benefits before you give birth. In fact, you can start receiving benefits during the eighth week before your due date or before the actual week you give birth.

You cannot receive EI maternity benefits more than 17 weeks **after** the week you were expected to give birth or the week you actually gave birth, whichever is later. When the actual date of birth is different from the expected date of birth, you must let us know the child's actual date of birth as soon as possible by calling 1-800-206-7218 (TTY: 1-800-529-3742) or by visiting a Service Canada Centre.

The date you submit your application is very important, since it affects the amount of maternity benefits you are entitled to receive. If you have difficulty determining which maternity benefit period works best for you, call us at 1-800-206-7218 (TTY: 1-800-529-3742).

Note

If your newborn is hospitalized, the 17-week timeframe can be extended by the number of weeks your child is in the hospital, up to 52 weeks after the date of birth. You could receive 15 weeks of benefits, but the payments may be suspended until your child leaves the hospital. If you received maternity benefits before your child's birth and you want to receive the remaining benefits after the child comes home, contact us.

Applying for EI parental benefits

For **biological parents**, EI parental benefits can be paid starting from the child's date of birth. For **adoptive parents**, parental benefits can be paid starting from the date the child is placed with them for adoption.

Usually, EI parental benefits can only be paid during the 52 weeks after the week the child is born or, in the case of adoption, during the 52 weeks after the week the child is placed with you.

Notes

- If your newborn or newly adopted child is hospitalized, the 35-week timeframe can be extended by the number of weeks your child is in the hospital.
- The parents of a newborn or newly adopted child who is hospitalized for an extended period may decide to wait until their child leaves the hospital before they apply for parental benefits. For information about options available to you in your specific situation, call 1-800-206-7218 (TTY: 1-800-529-3742).

Can both parents apply for EI parental benefits?

Yes, but they have to share the benefits. In total, there are 35 weeks of parental benefits available to eligible parents of a newborn or newly adopted child.

There are many ways you can decide to use your parental leave. For instance, one of the parents can take the entire 35 weeks of benefits, or both parents can share them.

Examples

- If the biological mother wants to return to work after her maternity leave, the other parent can then take the 35 weeks of parental benefits.
- If one spouse decides to take only 10 weeks of parental leave before returning to work, the other spouse can use the remaining 25 weeks of benefits.
- If one spouse decides to return to work after taking a few weeks of parental leave, but then realizes a few weeks later that he or she would prefer to stay home with the child, he or she is still entitled to the unused weeks of parental benefits, as long as the 52-week period after the birth or adoption placement has not expired.

For information about options available to you in your specific situation, call 1-800-206-7218 (TTY: 1-800-529-3742).

How do I apply?

To find out if you are eligible to receive EI benefits, you must submit an application online. It will take about 60 minutes to complete the online application. To do so, visit our Web site at **www.servicecanada.gc.ca**.

The Web site takes you step by step through the application process, and provides detailed instructions on how to complete the form.

What information do I need to apply?

To complete the online EI application, you will need the following **personal information**:

- your Social Insurance Number (SIN)—if your SIN begins with a 9, you will need to provide proof of your immigration status and work permit;
- your mother's maiden name;
- your mailing and residential addresses, **including the postal codes**—if you do not have a usual place of residence, you must apply in person at your local Service Canada Centre; and
- your complete banking information, including the financial institution name and number, the branch number, and your account number, if you want to apply for direct deposit.

When you apply for **EI maternity benefits**, you must also provide the expected or actual date of birth.

When you apply for **EI parental benefits**, you must provide:

- the date of birth of your newborn or, in the case of an adoption, the date on which your child was placed with you (you must also provide the full name and address of the agency handling the adoption); and
- the SIN of the other parent, if you plan to share the benefits.

You will also need the following **employment information** if you are or were an employee:

- the names and addresses of all employers you worked for in the last 52 weeks, as well as the dates of employment and the reasons for separation from these employers;
- your detailed version of the facts, if you quit or were dismissed from any job in the last 52 weeks;
- the dates of any weeks (Sunday to Saturday) in the last 52 weeks when you did not work or receive any earnings, including the reason(s) why; and
- the dates and salary before deductions for weeks of employment (Sunday to Saturday) in the last 52 weeks, if one of the following situations applies to you:
 - you have weeks where your earnings before deductions were less than \$225 but more than \$0 per week; or
 - you reside in one of the economic regions designated under the Best 14 Weeks pilot project (which is in effect until June 26, 2012) and you are not applying for EI fishing benefits.

If you are a **self-employed person** who has registered to access EI Special Benefits for Self-Employed People, you will also need to provide your self-employment earnings for the previous tax year (the exact amount, or the estimated amount if you have not filed your income tax and benefit return).

For more information, see the publication called *How to Apply for Employment Insurance Benefits* (IN-072). To get a copy, visit our Web site at www.servicecanada.gc.ca or call 1 800 O-Canada (1-800-622-6232).

Receiving your EI maternity and parental benefits

When will I know if I am eligible to receive EI maternity or parental benefits?

If you are **eligible** to receive EI benefits, you should receive your first payment within 28 days of the date we receive your application and all required documents.

If you are **not eligible** to receive EI benefits, we will notify you by letter or by telephone to explain why. If you disagree with our decision, you have the right to appeal. For more information on the appeal process, see page 19.

You can get more information on the status of your application by registering for My Service Canada Account on our Web site at **www.servicecanada.gc.ca** or by calling 1-800-206-7218 (TTY: 1-800-529-3742). For more information on My Service Canada Account, see page 23.

What is the two-week waiting period?

Before you can start receiving EI benefits, there is a two-week waiting period during which you will not be paid. This waiting period is like the deductible you pay for other types of insurance.

You usually serve the waiting period at the beginning of your benefit period, unless you receive earnings during the first two weeks. In that case, the waiting period will start during the first week you should begin to receive benefits.

When EI parental benefits are shared, a single waiting period may apply. For example, if the two-week waiting period has already been served for EI maternity benefits, then neither of the two parents has to serve a waiting period if one or the other submits an application for EI parental benefits.

At the end of parental leave, the parent who did not serve a waiting period might have to serve one, if that parent applies for another type of EI benefit.

If you already received EI benefits during the last 52 weeks and you have reactivated your claim and served the two-week waiting period, you will not have to serve an additional waiting period.

If I am eligible to receive EI benefits, how much can I expect to receive?

We cannot tell you exactly how much you will receive before we process your application. For most people, the basic rate for calculating EI benefits is 55% of your average insurable weekly earnings, up to a maximum amount. As of January 1, 2012, the maximum yearly insurable earnings amount is \$45,900. This means that you can receive a maximum amount of \$485 per week.

Notes

- These rates and amounts are reviewed each year. For more information on the most recent rates and amounts, visit our Web site at **www.servicecanada.gc.ca** or call 1-800-206-7218 (TTY: 1-800-529-3742).
- For details on how your EI benefits are calculated, visit our Web site at **www.servicecanada.gc.ca**.

Is the benefit rate higher for low-income family members?

Yes. If we determine that your net family income is \$25,921 or less per year, that you have children, and that you or your spouse receives the Canada Child Tax Benefit, you are considered a member of a low-income family. You may therefore be eligible to receive the EI Family Supplement.

The amount of EI Family Supplement you receive depends on:

- your net family income (up to the \$25,921 yearly maximum); and
- the number of children in your family, and their ages.

The Family Supplement may increase your benefit rate to as high as 80% of your average insurable earnings. If you and your spouse claim EI benefits at the same time, only one of you can receive the Family Supplement. It is usually better for the spouse with the lower benefit rate to receive the Family Supplement.

If your income level rises, the Family Supplement gradually decreases. You are no longer eligible to receive the Family Supplement when your net family income is greater than \$25,921.

Notes

- These amounts are reviewed each year. For the most recent amounts, visit our Web site at **www.servicecanada.gc.ca** or call 1-800-206-7218 (TTY: 1-800-529-3742).
- The Family Supplement is automatically added to eligible claims.
- The Family Supplement cannot increase your total benefits to more than the maximum weekly amount of \$485.

Do I pay income tax on EI benefits?

Yes, your EI benefits are taxable. This means that federal and provincial or territorial taxes will be deducted from your payment.

How long will I receive EI maternity or parental benefits?

EI maternity benefits can be paid for a maximum period of 15 weeks. You cannot receive EI maternity benefits beyond 17 weeks after the expected or actual week of childbirth, whichever of the two is later.

EI parental benefits can be paid for a maximum period of 35 weeks. The payments must be made within 52 weeks of the week your child was born or the week your child was placed with you for adoption.

The eligibility period for EI parental benefits can be extended for members of military families

The Government of Canada introduced a new measure in July 2010 to extend the eligibility period for EI parental benefits, **up to a maximum of 104 weeks**.

This extension is available to Canadian Forces members who are prevented from collecting all their parental benefits during the regular 52-week eligibility period because their parental leave has been deferred or interrupted by an imperative military requirement. The regular eligibility period starts during the week of birth for a newborn or the week a child is placed with you for adoption and continues for the following 52 weeks.

For more information, visit our Web site at **www.servicecanada.gc.ca**.

Does receiving my EI benefit statement mean my application is approved?

Shortly after you file your EI application, we will mail you an EI benefit statement. Receiving the EI benefit statement does **not** mean that your application has been approved. This statement simply provides you with your **EI access code** (see box on page 11), the date your first EI report is due if you have to submit reports, and instructions on how to complete your EI reports.

Important information about your EI access code

Your EI access code is the four-digit code printed in the shaded area of your EI benefit statement. You need to have it with you whenever you want to obtain information about your benefit claim and when you submit your EI reports. Your access code is used to identify you and ensure the confidentiality of the information you provide.

Do not share your access code with anyone, since you will be held responsible if someone accesses your information or modifies your claim without your knowledge. Always store it in a safe place and, for added protection, be sure to store it separately from your Social Insurance Number.

If you received a temporary access code, you will need to change it. You can also change your current access code for security reasons. Simply call the EI Telephone Information Service at 1-800-206-7218 (TTY: 1-800-529-3742). Choose “1” and follow the instructions to change your access code.

If you lose your access code, please call the EI Telephone Information Service at 1-800-206-7218 (TTY: 1-800-529-3742) from 8:30 a.m. to 4:30 p.m., Monday to Friday. Choose “0” to speak to an agent. You can also visit a Service Canada Centre. In either case, we will ask you questions to verify your identity before we issue you a new access code.

Do I have to submit EI reports to receive maternity or parental benefits?

You do **not** have to submit EI reports while you are receiving maternity and parental benefits, **unless you are working**. In that case, you must let us know by contacting the Service Canada Centre in your area. You will then have to complete EI reports.

For more information on filing EI reports, see the publication called *What You Need to Do Now to Receive Your Employment Insurance Benefits* (IN-076) (a copy is included with your EI benefit statement). The publication is also available on our Web site at www.servicecanada.gc.ca.

How will I receive my benefits?

There are two ways to receive your EI benefits:

- we can deposit them directly into your bank account; or
- we can mail them to you.

Receiving benefits by direct deposit

Direct deposit ensures that you will get your payment as quickly as possible and is reliable, convenient, and easy to set up. When you use direct deposit, we deposit your EI payments directly into your bank account.

You can register for direct deposit when you apply for EI. You can also apply for direct deposit or update your bank account information at any time by:

- visiting our Web site at **www.servicecanada.gc.ca**; or
- calling 1-800-206-7218 (TTY: 1-800-529-3742) and pressing “0” to speak with a representative.

You will need to provide your complete banking information, including the financial institution name and number, the branch number, and your account number. You will find this information on your cheques or on your bank statements.

Note

You need to let us know if you change your bank account information or if you move.

Receiving benefits by mail

If you do not register for direct deposit, we will mail your payments to you.

When do my EI benefits stop?

You will stop receiving EI benefits in any of following cases, whichever comes first:

- you have received all the weeks of benefits to which you were entitled; **or**
- the maximum benefit period of 52 weeks has been reached (the 15 weeks of maternity benefits and 35 weeks of parental benefits must fall within that 52-week period); **or**
- the payment timeframe during which you can receive benefits has ended, as follows:
 - EI maternity benefits must end 17 weeks **after** the week you were expected to give birth or the week you actually give birth, whichever is later; **or**
 - EI parental benefits must end 52 weeks **after** the week your child was born or was placed with you for adoption.

What will happen if I work or receive other payments during my benefit period?

When you work

- If you work while receiving **EI maternity benefits**, we will deduct the **entire** amount you earn dollar for dollar from your benefits.
- If you work while receiving **EI parental benefits**, you can usually earn up to **\$50 per week or 25% of your weekly benefit**, whichever is higher. We will deduct any money earned above that amount dollar for dollar from your benefits.

Note

From December 7, 2008, until August 4, 2012, if you work while receiving parental benefits, you can earn the higher of the following two amounts:

- \$75 per week; or
- 40% of your weekly benefits.

We will deduct from your weekly benefits any amount exceeding \$75 per week or 40% of your weekly benefits.

When you work and receive benefits at the same time, you must not combine the hours and earnings of more than one week when you complete your report card. It is essential that you report your work earnings and hours for the week you worked.

If you notice that you made an error on your report (for example, if you forgot to report some work hours or you did not report them in the right week), tell us immediately so that we can make the necessary corrections.

When you receive other payments

The following types of income will be deducted from your EI maternity or parental benefits:

- other income from employment (including self-employment), such as commissions;
- payments received as compensation for a work accident or an occupational illness, such as compensation for lost wages;
- payments received under a group health insurance plan or a wage loss replacement plan;
- certain payments received under an accident insurance plan to replace lost wages;
- retirement income from a retirement plan, a military or police pension, the Canada Pension Plan, the Quebec Pension Plan, or provincial employment-based plans; and
- allowances, amounts, or other benefits paid under provincial legislation, such as benefits under the Quebec Parental Insurance Program.

Other types of income have no impact on your EI maternity or parental benefits, including:

- disability benefits;
- survivor or dependent benefits;
- workers' compensation benefits paid under specific regulations;
- additional insurance benefits paid under a private plan approved by Service Canada (for example, payments for pain and suffering or medical expenses that you receive from an insurance company after you have been injured in a car accident);
- additional maternity or parental benefits paid by your employer (as long as the income, benefits, and additional amounts combined do not exceed 100% of your weekly earnings);
- sickness or disability payments received under a private wage loss replacement plan; and
- retroactive salary increases.

Note

You are responsible for reporting all monies paid or payable to you, cash or other, while receiving EI maternity or parental benefits.

When you receive money during the waiting period

Any amounts you receive that are allocated to the two-week waiting period, including vacation pay or severance pay, will be deducted dollar for dollar from the first three weeks of benefits that you are entitled to receive.

Can I receive EI maternity or parental benefits and other types of EI special benefits in the same benefit period?

Yes. For most people, combined EI special benefits—maternity, parental, sickness, or compassionate care benefits—can be paid for up to 50 weeks in a 52-week benefit period.

For **biological mothers**, however, the maximum number of weeks payable could increase to **71 weeks** when EI maternity and parental benefits are combined with EI sickness and EI compassionate care benefits. Please note that proof of entitlement is required for each type of benefit.

This means that mothers who have given birth and **have not received EI regular benefits during their current benefit period** could potentially receive EI sickness benefits for up to 15 weeks, EI maternity benefits for up to 15 weeks, EI parental benefits for up to 35 weeks, and EI compassionate care benefits for up to 6 weeks, as long as they meet the entitlement conditions for each type of benefit requested. If they do receive EI regular benefits during the benefit period, then they can only receive 50 weeks of benefits during the 52-week period.

To find out if you are eligible to receive other types of EI benefits in the same benefit period, visit our Web site at **www.servicecanada.gc.ca**, call 1-800-206-7218 (TTY: 1-800-529-3742), or visit your local Service Canada Centre.

Am I allowed to leave Canada while receiving EI maternity or parental benefits?

Yes, you can receive EI maternity and parental benefits while you are outside Canada. However, if you leave the country, please let us know by calling 1-800-206-7218 (TTY: 1-800-529-3742) and pressing “0” to speak with a representative.

Note

Different provisions may apply to Quebec residents who received Quebec Parental Insurance Program benefits. See page 20 for more details.

Where can I get more information about my EI claim?

To get more information about your EI claim, you can visit our Web site or call us.

Online

To get information about your claim online, you first need to register with My Service Canada Account on our Web site at www.servicecanada.gc.ca/msca. For more information on My Service Canada Account, see page 23.

By telephone

You can also get information about your benefit claim by using the EI Telephone Information Service. Call 1-800-206-7218 (TTY: 1-800-529-3742) and choose option “1.” Be sure to have your Social Insurance Number and your EI access code on hand when you call.

Protecting Employment Insurance—with your help

Service Canada works to protect the EI program from misuse. One of the ways we do this is by working with employers and claimants to ensure the accuracy of the information we receive. With your help, we can reduce the amount of misuse and ensure that the EI program is used as it should be—as a program that provides temporary financial assistance to individuals who qualify.

What is a mistake?

A mistake is an unintentional act. We know claimants can make mistakes when filing their reports. Common mistakes include:

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

Some mistakes can delay benefit payments, while others can affect the amount of benefits you receive—meaning you are paid more or less than you are entitled to receive.

For example, estimating your earnings can have the following effects:

- If you estimated your earnings for one week and your estimate was higher than the earnings you actually received, your benefit amount will be less than it should have been. If this happens, let us know and we will adjust your file to make sure you receive all the benefits to which you are entitled.

- If you estimated your earnings for one week and your estimate was lower than the earnings you actually received, your benefit amount will be more than it should have been. If you receive an overpayment, let us know. You will have to repay the excess amount, but we will ensure that repaying it causes no undue hardship. As well, we will adjust your file to reflect your accurate information.

If you notice a mistake on a completed form or report, or if there is a change in your circumstances that could affect your EI claim, **tell Service Canada immediately**. This will help prevent future problems with your claim and help you avoid penalty or prosecution.

Absence from Canada

Although you can receive EI maternity and parental benefits while you are outside Canada (for details, see “Am I allowed to leave Canada while receiving maternity or parental benefits?” on page 14), you usually **cannot** be outside Canada while you are receiving other types of EI benefits.

One measure we take to enforce this rule is to compare EI information with information from the Canada Border Services Agency. If we find you have been out of the country while collecting benefits, we will determine whether you were entitled to receive those benefits. If you were not entitled to receive them, we will calculate how much we overpaid you, and you will then have to repay the benefits.

We may also impose penalties of up to three times your weekly benefit rate or three times the amount of your overpayment. As well, you may have to work more hours or, in the case of self-employment in fishing, you may need more insurable earnings to qualify for benefits in the future.

Misrepresentation

If you knowingly withhold information, make misleading statements, or misrepresent the facts to make a false claim for benefits, this is considered misrepresentation. You could face severe monetary penalties or prosecution. This could also affect your future benefits. However, if you notify Service Canada of your actions before an investigation begins, we may waive the monetary penalties and prosecutions that might otherwise apply.

Consequences of misrepresentation: Interest and penalties

Interest on debt

When EI claimants receive benefits to which they are not entitled, the amount of the overpayment counts as a debt that must be repaid.

Service Canada charges interest on this debt when it results from claimants who knowingly withhold information or make false or misleading representations or statements. However, we do not charge interest on debt that results when Service Canada makes an error in the benefit payment.

The rate of interest is the Bank of Canada average rate plus 3%. Interest is calculated daily and compounded monthly.

Penalties

A penalty may be imposed on a claimant, an employer, or an individual acting on their behalf in relation to a claim for benefits when he or she has:

- knowingly made false or misleading representations or statements; or
- completed a statement without declaring essential information.

There are many situations when a penalty may apply, and the amount could become very high. Depending on the circumstances, the maximum penalty could be up to three times the amount of the overpayment, three times the weekly benefit rate for each incident of misrepresentation, or three times the maximum benefit rate.

As well, claimants who misuse the EI program may need more insurable earnings or hours to qualify for benefits in the future. The required amount rises based on the number and seriousness of misrepresentations that have been recorded in the five-year period before the start of their claims. The amount of any penalty that may be payable will also depend on the amount of the overpayment and the number of previous incidents of misrepresentation.

Rights and responsibilities

The EI program guarantees certain rights. There are also some basic responsibilities, for both you and Service Canada.

What are my 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.

What are Service Canada's 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 all claims within the same timeframe;
- 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.

What are my responsibilities?

When you apply for EI maternity or parental EI benefits, you must:

- provide all the required information and documents;
- let us know your child's date of birth or, in the case of an adoption, the date on which your child was officially entrusted to you, as well as the name and address of the adoption agency;
- inform us if the child for whom you are receiving EI benefits is no longer in your care;
- 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 or taking a training program or course while you are receiving EI parental benefits.

For more information on rights and responsibilities, see the publication called *Employment Insurance – Rights and Responsibilities* (IN-044). To get a copy, visit our Web site at **www.servicecanada.gc.ca** or call 1 800 O-Canada (1-800-622-6232).

The appeal process

Service Canada always tries to be fair when making decisions about EI benefits. If we make a decision **not** to pay you, or if we ask you to refund an overpayment and pay a penalty, you will receive a letter from us giving you the reason. If you disagree, you should get in touch with your Service Canada benefits officer right away and explain why you don't agree. Make sure your benefits officer has all the details of your case, including any information that you have not previously presented.

How do I appeal a decision?

If you decide to appeal, you will need to submit either Form INS5210, *Notice of Appeal to the Board of Referees*, or a written notice of appeal to your local Service Canada Centre **no later than 30 days after receiving the notice of the decision**. You can download the form from our Web site at **www.ei-ae.gc.ca**. For a paper copy of the Board of Referees appeal form, contact your Service Canada Centre or call 1-800-206-7218 (TTY: 1-800-529-3742).

Your notice of appeal should contain:

- your name;
- your Social Insurance Number;
- the reasons why you are filing an appeal;
- whether you want to attend the hearing;
- whether you want your appeal heard in English or French;
- whether you will have someone representing you at the appeal (if so, include their name and address); and
- the date and your signature.

Even if you file an appeal, we recommend that you continue to fill out your EI reports every two weeks, as usual, and submit them via the Internet or by telephone.

Note

Before it reaches the first level of appeal, Service Canada Centre employees will review your appeal to see if it can be resolved right away. If this Service Canada review does not change the original decision, your appeal is sent to the Board of Referees.

What can I do if I'm not satisfied with the decision of the Board of Referees?

In addition to the Board of Referees, there are two other levels where you can appeal one of our decisions: the Umpire and the Federal Court of Appeal. In some cases, you can also appeal to the Supreme Court of Canada.

For more information on the appeal process, see the publication called *Appealing a Decision* (IN-209). To get a copy, visit our Web site at **www.servicecanada.gc.ca** or call 1 800 O-Canada (1-800-622-6232). You can also visit the EI Appeals Web site at **www.ei-ae.gc.ca**.

The Quebec Parental Insurance Program

Since 2006, the Province of Quebec has been responsible for providing maternity, paternity, parental, and adoption benefits to residents of Quebec through a program called the Quebec Parental Insurance Program. This program is offered by Quebec's Ministry of Employment and Social Solidarity.

Applying for benefits

If you live in Quebec and would like to submit an application for benefits following a birth or an adoption, you can:

- use the Quebec Parental Insurance Program's online services at www.rqap.gouv.qc.ca/services_en_ligne/faire_demande_prestations_en.asp; or
- call the Customer Service Centre at 1-888-610-7727.

Sharing parental benefits

The Quebec Parental Insurance Program and the EI program allow parents to share parental benefits. In most cases, the two parents will receive benefits under the same program, either the Quebec Parental Insurance Program or the EI program.

Parents who would like to share their benefits must decide how they will share them when the first parent applies for parental or adoption benefits. If applying to the Quebec Parental Insurance Program, the applicant must contact the Quebec Ministry of Employment and Social Solidarity. If applying outside Quebec, the applicant must contact Service Canada.

If the parents cannot decide how they want to share the benefits when they submit their application, they must contact the Quebec Ministry of Employment and Social Solidarity if they live in Quebec or Service Canada if they live elsewhere in Canada. A formula has been established and approved by the governments of Quebec and Canada to allow parents to share benefit weeks.

Place of residence, place of work, and mobility

Where you live, not where you work, determines which program applies to your situation. If you work in Quebec but live in another province, you cannot receive Quebec Parental Insurance Program benefits—you must apply for EI benefits. If you live in Quebec but work in another province, you will receive Quebec Parental Insurance Program benefits.

If you move to Quebec while receiving EI maternity or parental benefits, you will continue to receive EI benefits. If you move away from Quebec while receiving Quebec Parental Insurance Program benefits, you will continue to receive Quebec Parental Insurance Program benefits.

Combining Quebec Parental Insurance Program benefits and EI benefits

Depending on your situation, you could be eligible for EI benefits—for example, regular, sickness, or compassionate care benefits—for weeks during which you do not receive Quebec Parental Insurance Program benefits.

Benefits paid under the Quebec Parental Insurance Program may extend the EI benefit period, allowing people to receive the maximum number of weeks of EI sickness or compassionate care benefits. We take into account each week of benefits paid under the Quebec Parental Insurance Program to calculate the number of weeks of EI benefits to which these people might be entitled.

For more information, contact Service Canada. See page 24 for contact information.

Benefits and income tax

Like EI benefits, Quebec Parental Insurance Program benefits are taxable. To learn more about income tax and Quebec Parental Insurance Program benefits, visit the Canada Revenue Agency Web site at www.cra.gc.ca or the Revenu Québec Web site at www.revenu.gouv.qc.ca/en.

Co-operation between the two governments

To ensure that the two benefit programs operate smoothly and to prevent fraud, the governments of Quebec and Canada have agreed to share information about the two programs, including Records of Employment, applications for benefits, and Social Insurance Numbers. This agreement is in compliance with the *Privacy Act*.

Contacts and other useful information

EI Telephone Information Service

The EI Telephone Information Service is an automated telephone service that is available 24 hours a day, seven days a week. If you would prefer to speak to a representative, call this number between 8:30 a.m. and 4:30 p.m., Monday to Friday, and press “0.” You can get general information about the EI program, the Social Insurance Number (SIN), and your specific EI claim.

Information about your claim is updated every morning from Monday to Friday. To access information about your EI claim, you will need your SIN and access code, which you will find on the benefit statement that is mailed to you after you apply for EI benefits.

EI Telephone Information Service: 1-800-206-7218

If you have a hearing or speech impairment and use a teletypewriter (TTY): 1-800-529-3742

My Service Canada Account

My Service Canada Account is a secure online account that gives you access to all your EI information in one place. With My Service Canada Account, you can:

- confirm any decision made about your EI application;
- see details on your payments and deductions;
- view and update your personal information, including your mailing address, telephone number, and banking information for direct deposit;
- view your EI tax information slips;
- view all Records of Employment that your employers have submitted electronically in the last two years;
- view and print your Canada Pension Plan Statement of Contributions and benefit estimate; and
- register to access EI special benefits for self-employed people.

To use My Service Canada Account, you will need to create an Access Key user ID and password. To do this, you will need your EI access code, which you will find on the benefit statement that we mail to you after you apply for EI benefits. For more information, visit our Web site at **www.servicecanada.gc.ca/msca**.

How can I register for My Service Canada Account?

Before you register, you must have your four-digit EI access code (printed in the shaded area at the bottom of your benefit statement). You can then register for My Service Canada Account. It will take about 10 minutes to complete the registration process.

Step 1

If not already done, you will need to create a user ID and password during the registration process; this is called an Access Key. Please enter your information on the login page.

Step 2

You will need to provide personal information such as your Social Insurance Number to validate your identity and to make sure that only you can access your information. We always ensure that this information is kept private and secure.

For more information

For more information about EI maternity and parental benefits:

CLICK servicecanada.gc.ca

CALL 1 800-206-7218
TTY: 1-800-529-3742

VISIT a Service Canada Centre

Service Canada has produced a series of EI-related videos. To watch them, visit our Web site.