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Temporary Foreign Worker Program

Canadian Employment Insurance Eligibility for Temporary Foreign Workers



Employment Insurance provides temporary income support during periods of unemployment. Temporary foreign workers must meet the same eligibility requirements as Canadian citizens and permanent residents. Five types of benefits are available:

- **Regular benefits** for individuals who lose their jobs through no fault of their own (for example, due to shortage of work, or seasonal or mass lay-offs) and are available for and capable of working, but can't find a job;
- **Sickness benefits** for individuals who are unable to work because of sickness, injury, or quarantine, but are otherwise available for work;
- **Maternity benefits** for workers who are pregnant or who have recently given birth to a child;
- Parental benefits for workers who are caring for a newborn or adopted child; and
- **Compassionate care benefits** for workers who must care for a family member who is seriously ill with a significant risk of death.

All employment insurance benefits are taxable. If a worker is collecting a benefit, the amount collected will be added to the worker's income. This could mean that at the end of the year a worker may have to pay income tax on the amount of benefits received.

Regular and sickness benefits

Regular and sickness benefits can generally only be collected while workers are in Canada. Temporary foreign workers are eligible to receive regular and

sickness Employment Insurance benefits if they are unemployed, have a valid work permit and meet eligibility criteria, including having worked a sufficient number of hours.

Maternity, parental and compassionate care benefits

Temporary foreign workers who are pregnant or caring for a newborn or adopted child, as well as those who must care for a family member who is seriously ill with a significant risk of death, may be eligible for Employment Insurance benefits. Maternity, parental and compassionate care benefits may be collected if workers are outside of Canada.

To be eligible, workers must show that they:

- have worked in a job that has paid Employment Insurance premiums; and
- have worked for 600 insurable hours in the last 52 weeks or since their last claim, whichever is less.

Maternity benefits are payable to the birth mother for a maximum of **15 weeks**. To be eligible, you need to provide and sign a statement declaring the expected due date or actual date of birth. You can start collecting maternity benefits up to eight weeks before you are expected to give birth, but cannot collect past 17 weeks after the week of the child's birth. Also, if your baby is hospitalized, benefits can be delayed until your baby comes home. Please note that the date you file your claim is very important in order for you to receive the maximum maternity benefits you are entitled to. If you are unsure about your most advantageous period to receive maximum maternity benefits, please contact Service Canada.

Parental benefits are payable either to the biological or adoptive parents while they are caring for a newborn or adopted child, up to a maximum of **35 weeks**. You must sign a statement declaring the newborn's date of birth, or the child's date of placement for the purpose of the adoption, and the name and address of the adoption authority. **You cannot apply for parental benefits before your child is born.**

Parental benefits for biological parents and their partners are payable from the child's birth date, and for adoptive parents and their partners from the date the child is placed with you. Parental benefits are available within the 52 weeks following the child's birth or within the 52 weeks from the date the child is placed with you, as an adoptive parent, unless your child is hospitalized, in which case benefits can be delayed until your child comes home.

The weekly Employment Insurance benefit rate and the number of weeks to be paid remain the same if you give birth to more than one child or you adopt multiple children at the same time.

Compassionate care benefits may be paid up to a maximum of six weeks to a person who has to be absent from work to provide care or support to a gravely ill family member at significant risk of dying within 26 weeks. These benefits are available regardless of where that family member lives.

When requesting compassionate care benefits you must submit **two additional forms** at the same time:

- the "Authorization to Release a Medical Certificate" is completed and signed by the gravely ill person or legal representative; and
- the "Medical Certificate for Employment Insurance Compassionate Care Benefits" is completed and signed by the medical doctor of the gravely ill person to confirm the person's significant risk of death within the next 26 weeks.

While you are receiving maternity or parental benefits you must report all employment, whether you work for someone else or for yourself, and all earnings before deductions from employment in the weeks in which they are earned. You must also report any other monies you may receive.

You may file a claim for Employment Insurance benefits online. There is a two-week waiting period, during which no benefits are payable to you. For more information, please call the toll-free number **1-800-206-7218**, go in person to your Service Canada Centre or write to the following address:

Service Canada Interstate Claim Unit
1 North Front Street
P.O. Box 4800
Belleville, ON K8N 5E2

If you leave Canada while you are collecting regular or sickness benefits, you must advise Service Canada in writing at the address above or by calling **1-800-206-7218** from 8:30 a.m. to 4:30 p.m. and press "0" to speak to a representative.