



# **EMPLOYMENT INSURANCE**

## **for NSTU Members**

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**INFORMATION FROM THE NSTU**

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# INTRODUCTION

The *Employment Insurance Act* has a very profound effect on the lives of many Canadians. Most employees, including members, contribute to EI and likewise are entitled to its benefits.

This booklet was prepared to help members understand the kind of benefits available and what must be done to qualify. It is intended primarily as a resource booklet for school representatives in the hope that answers can be provided at the school level to member inquiries. Additional assistance and information is available, where necessary, from NSTU Central Office. *This document is listed as an exemption to the NSTU Inclusive Language Policy.*

Although every effort has been made to provide accurate information, this booklet is a general guide only. When a conflict arises, the *Employment Insurance Act* and Regulations must govern.

Detailed information on Employment Insurance is available on the website: **[www.servicecanada.gc.ca](http://www.servicecanada.gc.ca)**.

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# Benefits & Contributions

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## (A) Benefits

There are five types of benefits available to members under the Employment Insurance Act:

- (1) Regular Benefits
- (2) Sickness and Disability Benefits
- (3) Maternity Benefits
- (4) Parental Benefits (including Adoption)
- (5) Compassionate Care Leave

Each of these benefits will be dealt with in greater detail elsewhere in this booklet.

## (B) Contributions and Benefits for 2011

### Contributions

1. **Employee rate:** \$1.78 per \$100.00 of insurance earnings.
2. **Maximum insurance earnings:**

Annually:           **\$44,200**

There are no weekly maximums. Premiums are paid on the first dollar earned to a yearly maximum of \$44,200. For greater clarity, deductions for Employment Insurance will not be spread out over twelve (12) months but will be paid on the first \$44,200 of salary.

3. **Minimum insurable earnings:**

There is no minimum requirement for insurability. It is insurable from the first dollar.

4. Maximum annual contribution:

Employee:  $\$1.78 \% \times \$44,200 = \$786.76$

\* Employer:  $2.42 \% \times \$44,200 = \$1,069.64$

\* *Because school boards in Nova Scotia have sick leave plans which meet certain criteria set out in the Employment Insurance Act, their premium is reduced. Five-twelfths (5/12ths) of this reduction must benefit the employees. The amount realized is disbursed annually as directed by the members, through the Union.*

5. **Maximum Benefit Rate:**

**\$468.00/week**

6. **Maximum weeks of entitlement:**

Regular	45
Sickness	15 †
Maternity	15 †
Parental	35 †
Compassionate Care	6†

† *A combination of maternity, parental and sickness benefits can be received up to a combined maximum of 50 weeks. However, a birth mother who has received sickness benefits in addition to maternity benefits and who has not received any regular benefits may have her benefit period extended up to 65 weeks. You can receive a maximum of 71 weeks when compassionate care benefits are combined with maternity, parental and sickness benefits.*

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# Regular Benefits

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This section deals with regular claims by members who are unemployed. To be 'Unemployed', a claimant must be without work and without pay for at least seven (7) consecutive days. In order to qualify for Employment Insurance regular benefits, all claimants must have a minimum of from 420 to 700 hours of work. However, someone entering the workforce for the first time or re-entering the workforce after two (2) years' absence will be required to work 910 hours (26 weeks at 35 hours per week) to qualify for benefits.

All School Boards in Nova Scotia are to report that members work an eight (8) hour day for Employment Insurance purposes.

The chart below spells out the minimum number of hours of work needed to qualify based on the unemployment rate in your region.

<b>If the unemployment rate in your region is ...</b>	<b>You will need at least ...</b>
0 to 6%	700 hours
6.1% to 7%	665 hours
7.1% to 8%	630 hours
8.1% to 9%	595 hours
9.1% to 10%	560 hours
10.1% to 11%	525 hours
11.1% to 12%	490 hours
12.1% to 13%	455 hours
13% and over	420 hours

There is no minimum requirement for insurability. Every hour worked is insurable.

A person who meets the hours of work criteria and who becomes unemployed may be eligible for regular EI benefits. There is a two week waiting period for regular benefits during which no EI is payable.

The chart on page 7 illustrates the maximum number of weeks of EI you can get based on the hours worked and the rate of unemployment.

# EMPLOYMENT INSURANCE

## Number of Weeks Payable

Hours of work	Unemployment rate in claimant's region											
	6 & under	over 6% to 7%	over 7% to 8%	over 8% to 9%	over 9% to 10%	over 10% to 11%	over 11% to 12%	over 12% to 13%	over 13% to 14%	over 14% to 15%	over 15% to 16%	over 16%
420-454									26	28	30	32
455-489								24	26	28	30	32
490-524							23	25	27	29	31	33
525-559						21	23	25	27	29	31	33
560-594					20	22	24	26	28	30	32	34
595-629				18	20	22	24	26	28	30	32	34
630-664			17	19	21	23	25	27	29	31	33	35
665-699		15	17	19	21	23	25	27	29	31	33	35
700-734	14	16	18	20	22	24	26	28	30	32	34	36
735-769	14	16	18	20	22	24	26	28	30	32	34	36
770-804	15	17	19	21	23	25	27	29	31	33	35	37
805-839	15	17	19	21	23	25	27	29	32	33	35	37
840-874	16	18	20	22	24	26	28	30	32	34	36	38
875-909	16	18	20	22	24	26	28	30	32	34	36	38
910-944	17	19	21	23	25	27	29	31	33	35	37	39
945-979	17	19	21	23	25	27	29	31	33	35	37	39
980-1014	18	20	22	24	26	28	30	32	34	36	38	40
1015-1049	18	20	22	24	26	28	30	32	34	36	38	40
1050-1084	19	21	23	25	27	29	31	33	35	37	39	41
1085-1119	19	21	23	25	27	29	31	33	35	37	39	41
1120-1154	20	22	24	26	28	30	32	34	36	38	40	42
1155-1189	20	22	24	26	28	30	32	34	36	38	40	42
1190-1224	21	23	25	27	29	31	33	35	37	39	41	43
1225-1259	21	23	25	27	29	31	33	35	37	39	41	43
1260-1294	22	24	26	28	30	32	34	36	38	40	42	44
1295-1329	22	24	26	28	30	32	34	36	38	40	42	44
1330-1364	23	25	27	29	31	33	35	37	39	41	43	45
1365-1399	23	25	27	29	31	33	35	37	39	41	43	45
1400-1434	24	26	28	30	32	34	36	38	40	42	44	45
1435-1469	25	27	29	31	33	35	37	39	41	43	45	45
1470-1504	26	28	30	32	34	36	38	40	42	44	45	45
1505-1539	27	29	31	33	35	37	39	41	43	45	45	45
1540-1574	28	30	32	34	36	38	40	42	44	45	45	45
1575-1609	29	31	33	35	37	39	41	43	45	45	45	45
1610-1644	30	32	34	36	38	40	42	44	45	45	45	45
1645-1679	31	33	35	37	39	41	43	45	45	45	45	45
1680-1714	32	34	36	38	40	42	44	45	45	45	45	45
1715-1749	33	35	37	39	41	43	45	45	45	45	45	45
1750-1784	34	36	38	40	42	44	45	45	45	45	45	45
1785-1819	35	37	39	41	43	45	45	45	45	45	45	45
1820-	36	38	40	42	44	45	45	45	45	45	45	45

Effective on or after January 5, 1997 the benefit rate is based on the average insured earnings on a 26 week period preceding and including the last paid working day. The 26 week period must fall within the qualifying period, i.e. it will be shorter than 26 weeks in some cases so as not to extend beyond the beginning of the qualifying period. This 26 week period can be extended for weeks in which there are no insurable earnings due to employment-related reasons, and patterned on these for the 14 week requirement for new entrants and re-entrants.

Insured earnings will be averaged over a number of weeks known as a divisor. The divisor is the greater of: the number of weeks of insured earnings in the 26 weeks period; or the number of weeks specified in the divisor table (see below).

The maximum any claimant can receive from EI (before income tax deductions) is **\$468.00** per week. (That is, 55% of maximum weekly insured earnings - **\$786.76**)

<b>DIVISOR TABLE</b>	
<b>Unemployment rate in your region</b>	<b>Minimum Divisor</b>
0 to 6% and under	22
6.1% to 7%	21
7.1% to 8%	20
8.1% to 9%	19
9.1% to 10%	18
10.1% to 11%	17
11.1% to 12%	16
12.1% to 13%	15
13% and over	14

## **Benefits Following Retirement**

When you retire, you will most likely not be eligible for EI benefits as both Service Awards and Pension are determined to be earned income. (*To determine your own eligibility see “Earnings While on Claim,” pg. 9).*



# Some Pensions Not Affected

Some pension income isn't affected.

- Disability and survivor's or dependent's pensions, payments from personal Registered Retirement Savings Plans, or any other private or individually purchased annuities or pensions are not affected by this change.
- Teachers' pensions will not be considered income for EI purposes if their claim is based on insurable earnings from subsequent employment.
- The return or refund of a worker's own pension contributions upon separation will not affect a current claim.
- A transfer of pension contributions fund into another employer's fund will not be taken into consideration until the worker becomes a pensioner.

## **NOTE:**

- All service awards will be allocated at the rate of gross weekly earnings at the time of retirement. Allocation will commence with the first week following retirement.
- The benefit period will be extended when a service award has prevented the payment of EI benefits or has delayed the start of an EI claim.

# How To Report Pension Income

Both employers and claimants will be responsible for reporting retirement pension income.

Employers must now report the start date and the amount of pension income of the employee in item 18C of the Record of Employment (ROE) form.

Claimants must report their pension income when they apply for EI benefits. They should continue to report their pension income when they apply for EI benefits. They should continue to report their pension income each week while on claim. (If the pension income is paid in monthly

installments, claimants should multiply the monthly income by 12, then divide by 52 and report that weekly sum on their report cards. Lump sum payments should be reported when received so that EI can allocate the money on a weekly basis).

## **Fraud**

Employers who knowingly give false information about a claim can be prosecuted. Employers, employees and people acting on their behalf can be fined for making false statements for fraud such as falsifying or selling a Record of Employment, the penalty is \$12,000 per offense. In addition, violations can be imposed which will affect future entrance requirements.

## **Earnings During The Waiting Period**

There is always a two-week waiting period for regular benefits followed by an indefinite disqualification if you leave your job without just cause.

The waiting period will be served on an “amount of money earned” formula. A week of no work is, of course, a week of your waiting period. If, however, you work during any week, that week may or may not serve as a part of a week of your waiting period depending on the amount of money you earn. If the amount is the benefit rate plus 25%, the waiting period cannot be served.

Any earnings made or allocated during the 2-week waiting period will be deducted in the first 3 weeks of payable benefits.

## **Earnings While On Claim**

The EI Act permits regular claimants to have earnings of up to 25 percent of their weekly benefit rate or \$50 each week, whichever is higher without those earnings affecting the benefits paid in any week of unemployment. All earnings above the allowable are deducted dollar-for-dollar from the weekly benefit rate. Any earnings made or allocated during the 2-week waiting period will be deducted in the first 3 weeks of payable benefits.

In the two-week waiting period all earnings are deducted dollar-for-dollar – the 25 percent or \$50 each week limit does not apply.

If you work while on maternity or sickness benefits, your earnings will be deducted dollar for dollar from your benefits.

### **For example:**

A claimant on a regular claim is getting \$300.00 a week in EI benefits. He/she can have earnings of up to 25 percent of that rate (\$75.00 a week) before any earnings are deducted from the EI cheque. If the claimant has pension income of \$275.00 a week, EI first deducts the \$75.00 allowable.

This leaves \$200.00 (\$275.00 - \$75.00) that must now be deducted from the weekly benefit rate of \$300.00. This claimant would then get \$100.00 a week (\$300.00 - \$200.00) from EI.

***• It is important to report the exact amount earned each week. If an estimate is made, it will be necessary to adjust the amount when you receive payment.***

## **How To Apply**

You must submit an EI application at your local Social Development Canada (SDC) office or apply on-line at [www.servicecanada.gc.ca](http://www.servicecanada.gc.ca). Delay in filing your claim beyond 4 weeks after your last day of work may cause loss of benefits.

If you have your Record(s) of Employment (ROE) from the Board for the last 52 weeks, apply immediately after you have stopped working, even if you receive money when you become unemployed.

You should receive your ROE from your Employer within 5 days of becoming unemployed. If you do not receive it within 14 days of your last day of work, submit your application as soon as the 14 days are over.

### **What Information is needed to apply:**

- Your Social Insurance Number (SIN);
- A Record of Employment (ROE) from each job held over the last 52 weeks. If you do not have your ROE after 14 days from your last day of work, you must submit proof of employment such as pay stubs;
- Personal identification such as driver's licence, birth certificate, or passport, if you are applying in person;

- Your complete bank information (cheque or bank statement), so your payment can be deposited directly into your bank account;
- A medical certificate if you are claiming sickness benefits;
- Your detailed version of facts if you quit or were dismissed from any job in the last 52 weeks.
- Details regarding your most recent employment. Your gross salary (total earnings before deductions including tips and commissions), your gross salary for your last week of work (from Sunday to your last day worked), gross amounts received or to be received (severance pay, pension) and other monies.

## **Application Form**

Two areas of the application form should receive the member's special attention. The first concerns the type of work the member is willing to accept. Although it is permissible, in principle, to restrict the job search to the field of education during the school year (September to June), in practice, EI can disqualify a member from benefits on the grounds that there are few, or no, employment opportunities in education.

Similarly, during the non-teaching period, applicants must seek work outside the field of education since teaching positions are virtually non-existent in this period. Applicants intending to return to teaching in September should look for temporary positions and should contact employers hiring on a temporary basis.

Therefore, members are strongly advised not to be too restrictive on their EI application form as to the type of work they are willing to accept. It is acceptable for members to indicate that they are prepared to accept employment for which their education, experience and training make them suitable. Members should not restrict themselves to one specific example. Rather, they should leave the answer to this question as broad and general as possible and provide a number of wide ranging examples such as clerical work, camp counselor, child-care and librarian. Members with backgrounds outside of education should extend their potential job search accordingly.

The second area of the application form that requires special care is the question dealing with expected salary. Again, members are strongly advised to not be restrictive in their demands in this area. Rather than citing a single

figure, members should indicate a salary range, taking into account the economic climate at the time of application for benefits. This does not mean that minimum wage should be accepted or be indicated on the form but the wage expected should be commensurate with the occupation sought.

## Maintaining Benefits

When requesting regular benefits you have the responsibility to:

- be willing and able to work at all times;
- look actively for work and keep a record of employers whom you have contacted and when you contacted them;
- report all periods when you are not available for work;
- provide all required information and documents;
- keep appointments with EI office;
- notify EI of any separation from employment and the reasons for separation;
- report all employment, whether you work for someone else or for yourself;
- accurately report all earnings before deductions from employment, in the week(s) in which they were earned, as well as any other monies you may receive;
- report any absence from your area of residence;
- report any absence from Canada

When requesting maternity or parental benefits you have the responsibility to:

- provide all required information and documents.

## Looking for Work

All claimants for EI benefits must be available for work, must be willing and able to work, must be actively seeking employment and must be unable to find work. All applicants for EI benefits are advised to apply for several jobs every week. Members will be given a “reasonable” period of time during the school year to obtain a job in education; after that, and during the months of July and August, they will be expected to look for work in other fields of employment. Members eligible for EI benefits for the months of July and August must seek temporary positions if they intend to return to teaching in September.

Following are some avenues that should be explored or considered in looking for work:

- Apply for employment with appropriate school boards or the community colleges within traveling distance of your residence (whether or not they are advertising vacancies at the time).
- Check advertisements in local papers and trade journals.
- Make inquiries of friends, relatives and business acquaintances.
- Identify organizations that might need workers with your particular background.
- Prepare a brief, clear, well-organized resume and make sufficient copies to distribute to potential employers.

## **EI Payback**

Section 145 of the *Employment Insurance Act* deals with liability benefit repayment. Where the net income of a claimant for a taxation year exceeds \$55,250 (1.25 times the maximum yearly insurance earnings), the claimant must pay back a portion of the Employment Insurance benefits received. The amount will be fixed at 30% of person's net income in excess of \$55,250.00. Special benefits for sickness, maternity or parental reasons would be exempt from benefit repayment.

## **Quitting or Being Fired**

People who quit their jobs without "just cause" or are fired for misconduct are disqualified from receiving regular benefits. This has no effect on people who quit with "just cause".

## **Just Cause**

For a person to qualify for benefits, there must be "just cause" for leaving a job. The term "just cause" is defined in the *Employment Insurance Act* as follows:

"Just Cause" for voluntarily leaving an employment exists where, having regard to all circumstances, including any of the circumstances mentioned in paragraphs (a) to (n), the claimant had no reasonable alternative to immediately leaving employment:

- (a) sexual or other harassment;

- (b) obligation to accompany a spouse or dependent child to another residence;
- (c) discrimination on a prohibited ground of discrimination within the meaning of the *Canadian Human Rights Act*;
- (d) working conditions that constitute a danger to health or safety;
- (e) obligation to care for a child;
- (f) reasonable assurance of another employment in the immediate future;
- (g) significant modification of terms and conditions respecting wages or salary;
- (h) excessive overtime work or refusal to pay for overtime work;
- (i) significant changes in work duties;
- (j) antagonistic relations between an employee and a supervisor for which the employee is not primarily responsible;
- (k) employer's practices that are contrary to law;
- (l) discrimination with regard to employment because of membership in an employee organization;
- (m) undue pressure by an employer on employees to leave their employment; and
- (n) such other circumstances as are prescribed.

## Severance Pay

As of March 31, 1985, monies other than salary paid or payable on or after termination are regarded as “earnings” in determining eligibility for EI benefits. If a member received such payments the EI will consider these payments as money earned and will allocate them as if they were the member's weekly salary. Therefore, EI benefits will not begin until all such earnings have been allocated.

Prior to June 20, 1993, claimants who received separation payments had the commencement date of their claim delayed until the monies received on separation had been “used up” based on the allocation mentioned in the above paragraph. Effective June 20, 1993, claimants should have their benefit period established immediately.

They are still subject to an allocation of earnings, however, the benefit period will be extended for a corresponding period of time. This allows a claimant to participate in programs offered by the EI Commission during the allocation period.

There are four types of special EI benefits you may collect.



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# Special Benefits

## (A) Sickness And Disability

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EI benefits may be claimed for an ‘interruption of earnings’ caused by illness. Sickness benefits, however, are available only to major attachment claimants. This means a person claiming sickness or disability benefit must have had 600 or more hours of insured employment in the last 52 weeks (or since the start of his/her last claim) whichever is the shorter.

The maximum number of weeks payable to sickness and disability claimants is 15 weeks.

Sickness benefits are not payable during the non-teaching period. Members under a continuing contract (permanent, probationary or term contract) are not eligible for EI during the Christmas, mid-winter, Easter or summer breaks.

### **Remember:**

The Employment Insurance Commission is second payer. All sickness benefits available from an employer must be used first (i.e. paid sick leave).

There is always a two-week waiting period before benefits are paid. If you received sick leave benefits following your last day worked, the waiting period may be waived.

## (B) Maternity

Maternity benefits, like sickness benefits are available only to claimants who have had 600 hours of insured employment in the last 52 weeks.

Provided a member has 600 hours of insured employment, she is eligible for Supplemental Employment Benefits from the School Board. During the 2 week waiting period the Board will pay the member 75% of her regular weekly salary (annual salary divided by 52). During the following 15 weeks the member can collect EI benefits. The Board will top the benefit to 93% of the member’s regular weekly salary.

A claim for EI benefits can commence any time during the 10 weeks preceding the expected date of delivery.

## (C) Parental (including Adoption)

The Parental benefit may be collected by both natural and adoptive parents. The maximum of 35 weeks benefits may be received by either parent, or shared or divided between them. Both parents may collect the benefit at the same time subject to the Teachers' Provincial Agreement. Top-up may be available to a member whose spouse/partner is not a member or to a member who is adopting. They are payable at any time (including the non-teaching period) during the year after the child is placed in the home.

## (D) Compassionate Care Leave

Compassionate Care Leave shall be granted a member up to eight (8) weeks of unpaid leave, to be taken in blocks of not less than two weeks. Entitlement to the leave shall be consistent with the Compassionate Care provisions of the *Employment Insurance Act* and Regulations.

## Maximum Benefit

You may be able to receive more than one type of special benefit up to a maximum of 50 weeks in a 52 week period.

### **Example:**

- 15 weeks of maternity benefit
- 25 weeks of parental benefit
- 10 weeks of sickness benefit

If you are eligible for fewer than 50 weeks of regular benefits, you may receive a combination of up to 50 weeks of regular and special benefits.

**As of March 3, 2002** if your claim is still active or starting on that date or after, you could receive up to a maximum of 65 weeks of combined sickness, maternity and parental benefits instead of the normal combined maximum of 50 weeks.

In order to be eligible for the increased number of weeks, the following conditions must be met **during your benefit period:**

- you have not been paid regular benefits;
- you have been paid sickness, maternity and parental benefits; and
- you have been paid less than the maximum of 15 weeks of sickness benefits or less than 35 weeks of parental benefits.

## **An Example:**

Number of weeks paid in your benefit period: 15 sickness + 15 maternity + 20 parental = 50 weeks. You could receive 15 more weeks of parental benefits because;

- as of March 3, 2002 your claim is still active or starting on that date or after;
- you have not been paid regular benefits;
- you have not been paid sickness, maternity and parental benefits and you have not received the maximum number of weeks of parental benefits.

In this example, the new combined maximum benefits would be 65 weeks.

When compassionate care benefits are combined with maternity, parental, and sickness benefits, you can receive up to a combined maximum of 71 weeks.

## **Applying For Special Benefits**

For **MATERNITY BENEFITS**, just contact your nearest Social Development Canada Center. Fill out an Employment Insurance application form, and your Record of Employment, which you should receive from your employer when you leave your job.

For **PARENTAL BENEFITS**, provide an adoption certificate or proof of the child's birth, a statement declaring that you're going to stay at home to care for the child, and your Record of Employment, with the completed EI application form. You will also need a certificate from a doctor or the adoption agency if you are applying for extended benefits.

You need to present a medical certificate, a Record of Employment and a completed EI application to receive **SICKNESS BENEFITS**.

For **COMPASSIONATE CARE BENEFITS** you must provide a medical certificate as proof that the ill family member needs care or support and is at risk of dying within 26 weeks.

*You will need your social insurance number for any of these applications, and complete bank information so payment can be made directly to your bank account with direct deposit.*

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# Summer Benefits

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If you otherwise qualify for EI benefits, you may or may not be entitled to summer benefits depending on your particular situation. It is difficult to cover all situations where the question of summer benefits arises; however, the following may be helpful:

- (1) Full time members on a 12 month renewable contract whose contract of employment continues from one school year to the next are not entitled for regular EI benefits.
- (2) Members who resign or who are laid off effective July 31 should establish a claim as of August 1.
- (3) Members whose contracts expire on or before June 30 are entitled to benefits for the summer months following their two (2) week waiting period if the member is not on renewable contract with the same school board.
- (4) Substitute members are not under contract; hence, there is no allocation of earnings. If a substitute member can show that an interruption of earnings has occurred and that he/she is willing and able to accept suitable employment, he/she may qualify for EI benefits in July and August.
- (5) There is no entitlement to sickness benefits in the non-teaching period.

Additional information and assistance is available from NSTU Central Office. Members with specific problems related to summer EI benefits should write or call 1-800-565-6788.

**Nova Scotia Teachers Union**  
Member Services Department  
3106 Joseph Howe Drive  
Halifax, NS  
B3L 4L7

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# Appeals

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There is provision in the *Employment Insurance Act* for appeal. If a decision is made by an Employment Insurance officer and you don't agree with that decision, get in touch with the officer and explain why you don't agree. By giving an officer new information, you may be able to have the decision changed immediately.

If you still feel a decision from an EI officer is wrong, you may appeal to the Board of Referees.

Claimants may appeal because:

- EI benefits have been refused;
- benefits received are to be repaid, or a warning letter has been given or a penalty has been assessed.

You should file your appeal to your local SDC office within 30 days of receiving written notice of the officer's decision.

***The Nova Scotia Teachers Union may provide assistance with appeals to the Board of Referees. A staff officer may represent teachers at appeal board hearings provided consultation prior to the initiation of the appeal has taken place.***

Appeals are normally heard within 30 days after a person gives written notice of appeal.

If the Board decides against you, you can appeal to a higher level - the Umpire. Ordinarily, the appeal to the Umpire must be made within 60 days. (The Umpire may extend this 60-day limit if there are special circumstances.)

You must give the reasons you feel the Board's decision was incorrect. Your appeal must be in writing and be based on one or more of these grounds:

- i) The Board of Referees failed to give you an impartial hearing or failed to give you a reasonable opportunity to present your case or did not operate within the limits of its jurisdiction.
- ii) The Board of Referees erred in law in making its decision.
- iii) The Board of Referees based its decision on a misinterpretation of the facts.

The Umpire, generally, is a judge of the Federal Court of Canada.

**NSTU MAY ASSIST ITS MEMBERS IN AN APPEAL TO THE UMPIRE.**

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# General Information

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1. Unemployed claimants must always be ready, able and willing to work and unable to find employment.

**NOTE:** The *Employment Insurance Act* refers to *suitable employment*. This statement has not been defined. It does, however, go beyond the occupation of teaching. Availability for work may mean actively seeking employment in other fields of endeavour as well as in the field of teaching.

2. Information can be obtained for employment insurance on the SDC website: [www.servicecanada.gc.ca](http://www.servicecanada.gc.ca).
3. Application for employment should be made with school boards, community college, the Social Development Center and other employers.
4. Employment Insurance benefits are equal to 55% percent of insured income to a maximum of \$468.00 per week.
5. Maximum insured income is \$44,200 per year.
6. Employment Insurance benefits are taxable and income tax is deducted at source. T4U's will be issued by Social Development Canada.
7. Be sure to check with the nearest Social Development Canada Center for verification of the information provided.
8. Application forms for employment insurance benefits are available at the rural post office or Social Development Canada Centers.
9. A 'separation certificate' or Record of Employment must be obtained from the School Board or Community College upon termination and submitted with the application form. If a member cannot obtain a separation certificate after an attempt has been made, an application should be made immediately without the certificate. Awaiting a certificate could result in a delay in receipt of benefits.
10. There is a two-week waiting period before benefits are payable. Members who resign and leave their position without JUST CAUSE, will also be subject to indefinite disqualification. This disqualification period is served immediately after the waiting period.

11. Members receiving benefits will probably have their claim reviewed periodically. Claimants must continue to actively seek employment while receiving benefits.

12. Further information may be obtained by contacting:

**Member Services Department**  
Nova Scotia Teachers Union  
3106 Joseph Howe Drive  
Halifax, NS B3L 4L7

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# DOs & DON'Ts

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## DO:

- ... *Contact NSTU if you have problems obtaining benefits.*
- ... *Contact NSTU to determine if it is advisable to appeal.*
- ... *Register at Social Development Canada Center if unemployed.  
You should maintain contact every 30 days.*
- ... *Look for employment on your own.*
- ... *Keep a record of contacts made in seeking employment.*

## DON'T:

- ... *Put limits on your availability to accept employment.  
Note: SUITABLE EMPLOYMENT and the PREVAILING RATE  
OF WAGES are important determinants.*
- ... *Refuse to attend an interview at EI or Social Development  
Canada Center offices.*
- ... *Sign a statement for an Investigation and Control Officer who  
visits your home, until you have contacted NSTU.*
- ... *Listen to advice of friends and neighbours. Contact NSTU for  
advice.*
- ... *Refuse any offer of suitable employment. Refusal could result in  
suspension or loss of benefit.*



# NOTES



## **Nova Scotia Teachers Union**

**3106 Joseph Howe Drive  
Halifax, Nova Scotia  
B3L 4L7**

*Comments on this document are welcomed.  
Toll-free: 1-800-565-6788 Email: [nstu@nstu.ca](mailto:nstu@nstu.ca)*

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