

# 2014 OT EI Benefits

## Record of Employment

Occasional Teachers [OTs] who wish to claim Employment Insurance [EI] for the summer will need to request a Record of Employment [ROE] from the Board <[nreid@hpedsb.on.ca](mailto:nreid@hpedsb.on.ca)> in early June. The Board is required to submit your ROE electronically to Human Resources & Social Development Canada [HRSDC] within **five (5) days** following your final pay period <[http://www.servicecanada.gc.ca/eng/services/ei/publications/roe\\_school-boards.shtml](http://www.servicecanada.gc.ca/eng/services/ei/publications/roe_school-boards.shtml)>. [Unfortunately, for ROEs processed at the end of the school year, HPEDSB has typically submitted them to HRSDC during the third week of July.] Your ROE can be downloaded from your "My Service Canada Account" [MSCA].

## Application for EI

You will need to **apply** to Service Canada for EI Benefits, either in person at your local HRSDC/Service Canada office or on-line at <http://www.servicecanada.gc.ca/eng/ei/application/employmentinsurance.shtml>. Be sure to use HPEDSB's Reference Code found at <http://www.hpedsb.on.ca/ec/services/prb/EmploymentInsurance.html>.

Be advised that the application process, either at your local HRSDC office or on-line, can take an hour or more. Have a calculator handy and the exact date of each day you worked [in all jobs] for the past 52 weeks. Ahead of time, summate your gross earnings & hours (see below) worked for each calendar week [Sunday to Saturday].

The application window is 0-28 days following your last day of work. If you wait longer than this, you will lose at least 4 weeks of potential benefits.

## Qualification Hours

In order to **qualify** for EI Benefits in the summer, there are 2 scenarios:

- ☉ If you haven't collected EI within the past 2 years, then you need to have worked **910** hours within the past 52 weeks.
- ☉ If you collected EI within the past 2 years [104 weeks], then you need to have worked as much as **700** hours within the past 52 weeks in regions with an unemployment rate of 6% or less. However, the number of required hours is reduced progressively as the local unemployment rate rises.
- ☉ The latest regional unemployment rates, which are updated every 4 weeks, are available at [http://srv129.services.gc.ca/eiregions/eng/rates\\_cur.aspx](http://srv129.services.gc.ca/eiregions/eng/rates_cur.aspx). Previous rates may be found at [http://srv129.services.gc.ca/eiregions/eng/rates\\_hist.aspx](http://srv129.services.gc.ca/eiregions/eng/rates_hist.aspx).
- ☉ Specific maps & applicable rates are available for each residential region. For example:
  - Central Ontario [Lennox & Addington counties & westwards]: <http://srv129.services.gc.ca/eiregions/eng/centont.aspx?rates=1>
  - Eastern Ontario [Frontenac & Renfrew counties & eastward]: <http://srv129.services.gc.ca/eiregions/eng/eastont.aspx?rates=1>
  - Kingston: <http://srv129.services.gc.ca/eiregions/eng/kingston.aspx?rates=1>

- ☺ For example, for the time period of **June 9 - July 6, 2013**, the required number of hours was **630** for Central Ontario [*Hastings, Northumberland, Peterborough, Haliburton, and Lennox & Addington Counties, etc*] and **665** for Eastern Ontario [*Frontenac, Renfrew, Lanark Counties, etc*] and Kingston.

## Accumulating Insurable Hours

For the purposes of **insurable hours**, Occasional Teaching with the HPEDSB is worth:

- ☺ **9 hours/day** for Long Term Occasional [LTO] Teaching Assignments [*10 or more consecutive days replacing the same teacher*]. Part-day LTOs are pro-rated accordingly to 3 and 6 hours/day.
- ☺ **8 hours/day** [*as of September 2013*] for other assignments [*ie., per diem work*]. However, due to HRSDC rounding rules, 1/3 and 2/3 of a day are worth only 2 and 5 hours, respectively.

[The above rates apply **only** to Occasional Teaching work with HPEDSB due to an agreement between the HCBE, the 4 local teachers' Federations, (OSSTF OT, OSSTF TPA, FWTAO, OPSTF) and HRDC in the mid-1990s.]

For example, 88 days of per diem or 78 days of LTO work would be needed to accumulate 700 insurable hours. Similarly, for 560 hours, an OT would need to have worked 70 days per diem or 62.25 days in an LTO. For 595 hours, this works out to 75 and 66.1 days of per diem and LTO work, respectively. Verify the total number of hours you worked with the amount listed on your ROE. If there is a significant discrepancy, please consult OSSTF District 29 and HPEDSB.

Required number of insurable hours	Days of work required	
	per Diem work [8 hours/day]	LTO work [9 hours/day]
700	88	78
665	84	74
630	79	70
595	75	67
560	70	63
525	66	59
490	62	55
455	57	51
420	53	47

## Weekly EI Benefit Amount

Traditionally, the **amount** [*\$/week*] of your weekly EI Benefits wage, has been approximately 55% of your average gross Insurable Earnings during the preceding 26 weeks, to a maximum of \$514/week for 2014 [*ie., \$935 • 55% = \$514*]. The actual calculations are described at

<http://www.servicecanada.gc.ca/eng/ei/types/regular.shtml#much>. However, since April 7, 2013, your average gross Insurable Earnings is based upon your best 14 to 22 weeks of employment during the previous 52 weeks, depending upon the local unemployment rate: <http://www.servicecanada.gc.ca/eng/ei/types/regular.shtml#calculate>. Thus, for Central Ontario, Eastern Ontario & Kingston areas, average Insurable Earnings for work periods ending in June 2013 would be based upon the applicant's best 20, 21, & 21 weeks, respectively, during the previous 52 weeks.

## Duration of EI Benefits

The **duration** [*number of weeks*] of your EI Benefits is determined by the total number of hours worked during the past 52 weeks as well as the unemployment rate in your region. The following chart outlines the relationship:

## Number of weeks payable - 2011

### Unemployment rate in economic region

Hours of work	STOTA	LTOTA	≤6%	6-7%	7 - 8%	8 - 9%	9 - 10%	10 - 11%	11 - 12%	12 - 13%	13 - 14%	14 - 15%	15 - 16%	>16%
420-454	60-65	46.7-50.5									26	28	30	32
455-489	65-70	50.6-54.3								24	26	28	30	32
490-524	70-75	54.4-58.2							23	25	27	29	31	33
525-559	75-80	58.3-62.1						21	23	25	27	29	31	33
560-594	80-85	62.2-66.0					20	22	24	26	28	30	32	34
595-629	85-90	66.1-69.9				18	20	22	24	26	28	30	32	34
630-664	90-95	70.0-73.8			17	19	21	23	25	27	29	31	33	35
665-699	95-100	73.9-77.7		15	17	19	21	23	25	27	29	31	33	35
700-734	100-105	77.8-81.6	14	16	18	20	22	24	26	28	30	32	34	36
735-769	105-110	81.7-85.5	14	16	18	20	22	24	26	28	30	32	34	36
770-804	110-115	85.6-89.3	15	17	19	21	23	25	27	29	31	33	35	37
805-839	115-120	89.4-93.2	15	17	19	21	23	25	27	29	31	33	35	37
840-874	120-125	93.2-97.1	16	18	20	22	24	26	28	30	32	34	36	38
875-909	125-130	97.2-101.0	16	18	20	22	24	26	28	30	32	34	36	38
910-944	130-135	101.1-104.9	17	19	21	23	25	27	29	31	33	35	37	39
945-979	135-140	105.0-108.8	17	19	21	23	25	27	29	31	33	35	37	39
980-1014	140-145	108.9-112.7	18	20	22	24	26	28	30	32	34	36	38	40
1015-1049	145-150	112.8-116.6	18	20	22	24	26	28	30	32	34	36	38	40
1050-1084	150-155	116.7-120.5	19	21	23	25	27	29	31	33	35	37	39	41
1085-1119	155-160	120.6-124.3	19	21	23	25	27	29	31	33	35	37	39	41
1120-1154	160-165	124.4-128.2	20	22	24	26	28	30	32	34	36	38	40	42

Hours of work	STOTA	LTOTA	≤6%	6-7%	7 - 8%	8 - 9%	9 - 10%	10 - 11%	11 - 12%	12 - 13%	13 - 14%	14 - 15%	15 - 16%	>16%
1155-1189	165-170	128.3-132.1	20	22	24	26	28	30	32	34	36	38	40	42
1190-1224	170-175	132.2-136.0	21	23	25	27	29	31	33	35	37	39	41	43
1225-1259	175-180	136.1-139.9	21	23	25	27	29	31	33	35	37	39	41	43
1260-1294	180-185	140.0-143.8	22	24	26	28	30	32	34	36	38	40	42	44
1295-1329	185-190	143.9-147.7	22	24	26	28	30	32	34	36	38	40	42	44
1330-1364	190-195	147.8-151.6	23	25	27	29	31	33	35	37	39	41	43	45
1365-1399	195-200	151.7-155.5	23	25	27	29	31	33	35	37	39	41	43	45
1400-1434	200-205	155.6-159.3	24	26	28	30	32	34	36	38	40	42	44	45
1435-1469	205-210	159.4-163.2	25	27	29	31	33	35	37	39	41	43	45	45
1470-1504	210-215	163.3-167.1	26	28	30	32	34	36	38	40	42	44	45	45
1505-1539	215-220	167.2-171.0	27	29	31	33	35	37	39	41	43	45	45	45
1540-1574	220-225	171.1-174.9	28	30	32	34	36	38	40	42	44	45	45	45
1575-1609	225-230	175.0-178.8	29	31	33	35	37	39	41	43	45	45	45	45
1610-1644	230-235	178.9-182.7	30	32	34	36	38	40	42	44	45	45	45	45
1645-1679	235-240	182.8-186.6	31	33	35	37	39	41	43	45	45	45	45	45
1680-1714	240-245	186.7-190.5	32	34	36	38	40	42	44	45	45	45	45	45
1715-1749	245-250	190.6-194.3	33	35	37	39	41	43	45	45	45	45	45	45
1750-1784	250-255	194.4-198.2	34	36	38	40	42	44	45	45	45	45	45	45
1785-1819	255-260	198.3-202.1	35	37	39	41	43	45	45	45	45	45	45	45
≥1820	≥260	≥202.2	36	38	40	42	44	45	45	45	45	45	45	45
Minimum Divisor** for # of best weeks			22	21	20	19	18	17	16	15	14	14	14	14

Source: Table 3 at <http://www.servicecanada.gc.ca/eng/ei/types/regular.shtml#calculate>

\*\* <http://www.servicecanada.gc.ca/eng/ei/types/regular.shtml#table2>

**STOTA** = Short Term Occasional Teaching Assignment aka "per diem work" (in days) = 8 hours/day [as of Sept 2013]  
**LTOTA** = Long Term Occasional Teaching Assignment aka "LTO" (in days) = 9 hours/day

## Should I keep my claim open for the next school year?

Definitely, especially if you are **not** on an LTO or permanent contract. With per diem assignments, the Board does not *[nor cannot]* guarantee any work. And even if you do receive much employment in Autumn, there is significantly less in January and none during Christmas holidays and March Break.

When on an **LTO**, some OTs keep their claim open by reporting their hours and earnings every 2 weeks. Thus, when the LTO ends, EI benefits are immediately available. However, in recent years, reactivating a dormant claim takes a mere few days. **Note that with an LTO that spans Christmas holidays &/or March Break, the holidays are actually not claimable and HRSDC will catch up to you for repayment [usually without penalty] a year or so later if you make an EI claim.** Finally, while on an LTO, declare the actual earnings for each week *[1/194 of your salary grid placement for each day]*, **not** what is on your pay receipt *[wherein 20 weeks of work is distributed over a 26-week pay cycle]*.

Remember, for **per diem assignments** *[including up to 9 days replacing the same teacher]*, each full day *[3 periods]* with the HPEDSB is worth **8** insurable hours *[as of September 2013]* and 1- and 2-period days are worth 2 and 5 hours, respectively. On **long term assignments** (LTO) *[10 or more days replacing the same teacher]*, each day with HPEDSB is worth **9** hours while 1- and 2-periods/day LTOs are worth 3 and 6 hours respectively.

An EI recipient is entitled to work earnings, albeit with a proportional clawback of weekly EI Benefits. In chronological order, here are the 3 clawback systems. Until August 6, 2011, recipients were entitled to earn up to **40%** of his/her EI Benefit rate without loss of EI Benefits for that particular week. Once the recipient earned more than 40% of his/her EI rate, then a dollar-for-dollar reduction in EI benefits occurred. From August 6, 2011 to January 2013, allowable earnings were reduced to only **25%** of the EI Benefit rate before EI Benefits were clawed back dollar-for-dollar. Then, in January 2013, HRSDC implemented the **Working While on Claim [wwc]** pilot project for the time period of August 2012 to August 2015. Essentially, the program is a complicated calculation that allows one to keep 50% of employment earnings below 90% of one's Insurable Earnings: <http://www.servicecanada.gc.ca/eng/ei/information/wwc.shtml>. While the WWC enables one to receive more EI Benefits per week while working part-time, it does have the effect of using your weeks up faster than the other two clawback systems.

Aside from normal work earnings, the amount of your EI benefits can also be reduced if you receive other income during your benefit period, including:

- vacation pay;
- severance pay;
- damages and interest for wrongful dismissal;
- call-back pay;
- a partial payment of an amount owed;
- income from self-employment; or
- income from a pension plan through the employer, a pension plan for military service or work in a police force, the Canada Pension Plan or the Quebec Pension Plan, or provincial employment plans.

This income is considered earnings arising from employment and must be deducted from benefits. You must report any of the income above to Service Canada when you file your benefit claim and in the reports that you submit. If you stop receiving this income or the amount that is paid to you changes, contact HRSDC.

On the other hand, some income has no effect on your EI Benefits, including:

- pension payments from a registered retirement savings plan (RRSP) or a registered retirement income fund (RRIF);
- disability pensions;
- survivor or dependant benefits;
- additional voluntary contributions that are paid into a pension fund;
- the Old Age Security pension;
- the portion of the pension payable to the spouse in the event of a legal separation or divorce; or
- a pension paid by Veterans Affairs Canada.

Finally, note that even if you receive only \$1 in EI benefits for a particular week, that counts as a claimable week and reduces the remaining duration of your entitlement by one week [for each occurrence]. It has been recently discovered that HRSDC will, at your request, retroactively suspend specific weeks of EI Benefits. This is handy if you wish to preserve weeks of higher or maximum EI Benefits for later time periods with little or no employment. So, instead of receiving a tiny amount in Autumn, you would skip this in lieu of higher amounts later on [ie, Xmas, March Break, January exams]. Note that HRSDC is reluctant to adjust claims more than a few weeks into the past: so, make your requests promptly.

### **Mistakes can happen**

Naturally, it is quite possible to enter incorrect data regarding earnings or hours worked for any particular week while on EI Benefits. Furthermore, it is typically impossible to know *a priori* the amount of pay increase that will be applied retroactively while Collective Agreement negotiations are still in progress. This occurred for the 2008-9 school year wherein the new OSSTF District 29 Collective Agreement ratified in January 2009 provided for retroactive pay increases for September 8, 2008 to January 30 2009. Nevertheless, it is your responsibility to ensure corrections are made, especially for those weeks you received EI Benefits.

To make a **voluntary disclosure**, call Service Canada telephone information service at 1-800-206-7218, from 8:30 am to 4:30 pm, and press "0" to speak to a representative [The best times to call seem to be after 4 pm]. You can also write or visit your local Service Canada Centre. The representative may object to fixing errors more than a few weeks into the past but you should strongly insist they be corrected promptly to avoid penalties down the road.

### **“My Service Canada Account” [MSCA]**

Your “My Service Canada Account” enables you to manage many aspects of your EI claim, including:

- viewing current & past claims, payment information, Records of Employment [ROE], & Tax Information slips [T4A, T4E, NR4];
- viewing &/or changing Direct Deposit & contact information;
- applying for EI Benefits online;
- completing EI reports online;
- viewing pension contributions & applying for CPP;
- viewing &/or changing pension Direct Deposit & contact information.

Login via:

[http://www.servicecanada.gc.ca/eng/online/mysca\\_credential.shtml](http://www.servicecanada.gc.ca/eng/online/mysca_credential.shtml)

Be patient with it as it is quite slow especially via dial-up and very poorly designed.

Register at:

<https://clegc-gckey.gc.ca/j/eng/rg?execution=e1s1>

## Delays in Processing EI Applications

HRSDC and Service Canada state on their websites that the processing time for an application for regular EI benefits is about 28 days. However, in 2009, due to the large increase in unemployment, this processing period unofficially grew to 4-6 weeks and applicants received the message that their application would be processed in a “*timely*” manner. In 2013, due to staffing reductions arising from recent Federal budgets, processing backlogs occurred with applicants receiving the message that their claims would be processed in a “*reasonable period*”. Nevertheless, if your application approval has been delayed beyond 28 days from the date of your application, don’t hesitate to investigate. It is your legal entitlement and you should not be subject to unreasonable delays.

## In fact, make a big fuss!

But, remain polite and courteous.

First, call HRSDC at 1-800-206-7218 and press “0” immediately: the best times to call seem to be after 4 pm. The Tier 1 representative may indicate that a representative will call back 48 hours later. If so, repeat every 2-3 days later since such promised responses may not occur. Alternatively, the Tier 1 representative may quickly review your application for obvious errors and/or omissions and advise you accordingly. If none are found, he/she may offer to “escalate” your application for priority processing but note that this process requires about one week to complete a review your claim. If you are fortunate *[or if you insist]*, the Tier 1 representative may offer to transfer you to a Tier 2 representative who has the authority to immediately review and approve your claim.

Second, report your situation to your local federal Member of Parliament *[i.e., Daryl Kramp via <http://www.darylkramp.ca/>]*. Be sure to include a written/typed summary of your situation, including last date worked, date of the application, application Confirmation Number, contact information & SIN number. The M.P.’s office will call upon the services of a special MP Liason Officer in the federal government to attempt to expedite your case.

Third, contact the local labour council such as the Quinte Labour Council *[613- 966-9057; <http://www.lcs-quinte.ca/qlc/>]*. A former HRSDC service representative is one of QLC’s advisors & resource personnel. A number of local teachers also offer their time and services to the QLC and are quite familiar with the plight of Occasional Teachers.

Finally, visit your local HRSDC Office and ask for an appointment with the manager *[i.e., Elinor Hinze at the Belleville office]*. Insist upon a resolution that day! *[Some have even considered staging a sit-in “strike” while contacting the local media for publicity as well as the Quinte Labour Council for physical and moral support!]*