

EI CHANGES AND THE NEW RECOVERY BENEFITS

Kevin Love and Isaac Won
Community Legal Assistance Society
October 15, 2020



OVERVIEW

- CERB wrap up
- EI changes
- New Recovery Benefits

CERB IS OVER

- CERB is done. Sort of.
- Government is still taking applications for August 30-September 26 period
- Unclear what deadline they are applying
- Legislation says December 2, 2020

CERB OVERPAYMENT

- Government is starting to review claims
- Mostly people who didn't file taxes
- Very unclear if there is a formal dispute mechanism for matters outside tax system

MAJOR CHANGES

- EI is much easier to get
- “Recovery Benefits” for people who did some work but do not qualify for EI

EARLY NUMBERS

- 240,640 applied for the regular EI benefits
- 107,153 applied for the caregiving benefit
- 58,659 applied for sickness benefit
- 890,000 workers projected to collect regular benefits in the next few months
- 700,000 households projected to apply for the caregiving benefit overall

EI IS BACK! AND BETTER!

- Need 120 hours to qualify everywhere for all EI benefits
- People who did not qualify for pregnancy, parental, or caregiver benefits last spring and summer can now qualify
- Will get at least \$500 per week
- Will get at least 26 weeks of benefits

EXAMPLE

- Aliah was pregnant last spring
- Aliah worked in February and March 2020
- Laid off April 1, 2020. Did not earn enough for CERB
- Had baby June 30, 2020. Told she did not have 600 hours to qualify for EI pregnancy
- What information would you now ask Aliah for?

EXAMPLE

- Aliah thinks she worked at least 120 hours in March and April
- She is still on leave caring for her child
- What would you tell Aliah to do now?

OTHER EI CHANGES

- Period to collect your hours is extended by 28 weeks if you got CERB
- Fishers: Will look at earnings back to 2018
- No medical certificate or waiting period for sickness claims
- Waiting period waived for other EI benefits until October 25

CERB TO EI TRANSITION

- Most people who got CERB through Service Canada will be auto-transferred to EI
- But need RoE from employer(s)!
- If RoE electronic, not given to employee
- People who got CERB through CRA will need to apply for EI if eligible

EXAMPLE

- Maria was getting CERB. She is worried that CERB is ending and wants to know what to do.
- What questions would you ask Maria?

EXAMPLE

- Suppose Maria says she was getting CERB from CRA but worked full time in February and March. What would you tell Maria?

THE NEW RECOVERY BENEFITS

- Replace CERB
- September 27, 2020 to September 25, 2021
- Targets workers who are not EI eligible
- Three kinds:
 - Canada Recovery Benefit
 - Canada Recovery Sickness Benefit
 - Canada Recovery Caregiving Benefits

GENERAL INFORMATION

- All pay \$500 per week
- Unlike CERB, tax deducted from each payment
- Apply through CRA My Account
- By phone 1-800-959-2019 or 1-800-959-2041
- Must reapply for each benefit period
- Declare you meet criteria, but could be more front end screening than with CERB
- Apply on the Monday after the period you are claiming for ends

GENERAL REQUIREMENTS

- Resident and present in Canada
- Have a valid SIN
- At least 15 years old
- Earned at least \$5,000 in 2019, 2020, or last 12 months

CANADA RECOVERY BENEFIT

- Earning at least 50% less than previous average weekly earnings
- Must be looking for work
- **Must not** have unreasonably quit your job
- **Must not** have placed undue restrictions on going back to work
- **Must not** have refused a reasonable chance to start working again

CANADA RECOVERY BENEFIT

- Max 26 weeks
- Cannot get while getting EI
- Paid in two week blocks. Must reapply each block

EXAMPLE

- Emilio works as a house cleaner
- Stopped working March 18th 2020 when COVID hit
- Emilio thinks he declared \$26,000 on his 2019 tax return
- Was getting CERB, but is worried that it is ending
- What would you ask Emilio?

EXAMPLE

- Emilio says he works independently, not for someone else
- He says he is trying to work as much as possible but is only earning about \$200
- What would you tell Emilio?

CANADA RECOVERY SICKNESS BENEFIT

- Cannot work at least 50% of usual work week
- Have or might have COVID, isolating, or have underlying condition that puts worker at greater risk
- Max two weeks
- NOT general sickness benefit. Just COVID related
- Cannot get if worker getting paid sick leave, sick benefits, or WCB
- Paid in one week blocks. Must reapply each block

EXAMPLES

- Sally has a cough and fever
- She misses work waiting for a COVID19 test
- The test is negative, but she wants to know if she can get the Canada Recovery Sickness Benefit
- What questions would you ask Sally?

EXAMPLES

- Sally says she qualified for CERB before going back to work and had the necessary \$5,000
- Sally says she was off work for two days.
- She was able to work from home the rest of the week and got paid for those three days.
- She usually works 5 days a week
- What would you tell Sally?

CANADA RECOVERY CAREGIVING BENEFIT

- Cannot work at least 50% of usual work week
- Need to care for kid under 12 or other family member who needs care because
 - School or care not available because of COVID;
 - Have or might have COVID or must isolate; or
 - At risk of serious health complications from COVID

CANADA RECOVERY CAREGIVING BENEFIT

- Max 26 weeks
- Two people in same household can split
- Only one person in household can get each week
- Paid in one week blocks. Must reapply each block

EXAMPLE

- Andre's Dad told him that his home care worker cancelled due to COVID19
- Andre wants to stay home to help Dad
- Andre is asking about recovery benefits
- What questions would you ask Andre?

EXAMPLE

- Andre says he earned more than \$5,000 in 2019
- He normally works four day weeks
- Andre thinks his Dad will need two days of care from him, then Andre's partner can take over
- What would you tell Andre?

RECOVERY BENEFITS - TAX BACK

- If you earn over \$38,000, pay back 50% on the dollar
- Ex. Earn \$40,000, pay back \$1,000
- Paid back at tax time

REVIEWS AND APPEALS

- EI - usual reconsideration and appeal process applies. Deadline 30 days.
- Recovery Benefits – Can request review. Deadline 30 days.

IMPACTS ON INCOME AND DISABILITY ASSISTANCE

- CERB is exempt
- BC government has indicated EI will continue to be exempt
- BC government has indicated that recovery benefits will be exempt

HOW YOU CAN HELP

- Getting clients set up with CRA My Account
- Help people apply
- Answer questions about impacts on IA and DA
- Help people hunt down RoEs
- Help people ask for review, reconsideration, or appeal
- Help people respond to requests for more info

The screenshot shows the CRA My Account portal. At the top, there's a header with the Government of Canada logo and the text "Government of Canada" and "Gouvernement du Canada". Below this is a dark blue bar with "Canada Revenue Agency". The main navigation bar includes "My Account" with a search box, "View mail 1", and "Submit documents". The "Overview" section is active, showing "As of October 14, 2020". The "COVID-19 Support Payments" section contains information about the Government of Canada's support for individuals experiencing financial hardships due to COVID-19, with links to "Apply for Canada Recovery Benefits" and "Apply for the Canada Emergency Response Benefit (CERB)". The "COVID-19 Support Payment Application Details" section states: "There is no record of an application for either the Canada Emergency Response Benefit or the Canada Emergency Student Benefit having been made the CRA for your account." The "Tax returns" section has a search box and a "Change my return" button. At the bottom right, there is a link "Go to Tax returns details".

Account x +

apps8.ams-sga.cra-arc.gc.ca/gol-ged/mima/myccnt/prot/ovrvwpg.action

Government of Canada / Gouvernement du Canada

Canada Revenue Agency

My Account View mail 1 Submit documents

Overview
As of October 14, 2020

COVID-19 Support Payments

The Government of Canada is providing support to individuals who have experienced financial hardships due to the impacts of COVID-19. By applying are giving consent to the Canada Revenue Agency (CRA) to use your tax information for the purposes of administering and enforcing these payments are agreeing that your information, including tax and address information, may be shared with Employment and Social Development Canada and prov and territorial governments.

[Apply for Canada Recovery Benefits](#)

[Apply for the Canada Emergency Response Benefit \(CERB\)](#)

COVID-19 Support Payment Application Details

There is no record of an application for either the Canada Emergency Response Benefit or the Canada Emergency Student Benefit having been made the CRA for your account.

Tax returns

[Change my return](#)

[Go to Tax returns details](#)



Canada Revenue Agency

[Overview](#)

COVID-19 Support Payments

Select your situation

Fields marked with an asterisk (*) are required.

1 If you have received a payment you are no longer eligible for, you can make a repayment to the CRA by selecting the Proceed to pay button under COVID-19 Support Application Details on the [Overview](#) page.

2 If you are signed up to receive email notifications from CRA, you will receive an email confirmation once you have completed your application. To receive email notifications or to update your email address on file, go to the [Email address service](#).

* Select the situation that best applies to you due to reasons related to COVID-19: **1**

- ☐ You are unable to work because your child under 12 or family member requiring supervised care is unable to attend their school or regular care facility – Apply for the Canada Recovery Caregiving Benefit
- ☐ You are unable to work because you are sick, must self-isolate, or quarantine – Apply for the Canada Recovery Sickness Benefit
- ☐ You lost some or all of your employment or self-employment income for a reason not listed above and you are not eligible for Employment Insurance benefits – Apply for the Canada Recovery Benefit

Cancel

Next

Screen ID: MAO-015

Date modified: 2020-10-05

[About My Account](#)[Terms and conditions for My Account](#)[Your suggestions](#)

COVID-19 Support Payments

Canada Recovery Benefit Eligibility

Fields marked with an asterisk (*) are required.

1 Important eligibility information

The Canada Recovery Benefit is for individuals who do not qualify for Employment Insurance (EI) but have earned at least \$5,000 in employment income in 2019, 2020, or in the 12 months preceding your first application. Employment income does **not** include: social assistance payments, family support payments, Old Age Security (OAS) payments, Canada Pension Plan (CPP) payments, or Québec Pension Plan (QPP) payments.

Unsure if you qualify for Employment Insurance?

The Employment Insurance (EI) program has been expanded. For more information, and to see if you qualify, visit [EI regular benefits](#).

* Select all the eligibility criteria that apply to you for the two-week period for which you are applying: **2**

- ☐ You were resident and present in Canada.
- ☐ You were at least 15 years of age on the first day of the period.
- ☐ You have a valid Social Insurance Number.
- ☐ You earned a minimum of \$5,000 in 2019, in 2020, or in the 12 months preceding your first application for this benefit from one or more of the following sources: Employment income, Self-employment income, Employment Insurance (EI) maternity or parental benefits, or Quebec Parental Insurance Plan (QPIP) benefits.
- ☐ You have not quit work, or stopped working voluntarily, since September 27, 2020, unless reasonable to do so.
- ☐ You were seeking employment or self-employment.
- ☐ You have not rejected a reasonable job offer, rejected a request to resume work, or failed to resume self-employment when reasonable to do so.
- ☐ You did not place unreasonable restrictions on your availability for work, unless you were participating in training opportunities you were required to attend in your province or territory.
- ☐ You were not eligible to apply for Employment Insurance (EI).
- ☐ You were not receiving the Canada Recovery Caregiving Benefit (CRCB), the Canada Recovery Sickness Benefit (CRSB), short-term disability benefits, workers' compensation benefits, any Employment Insurance (EI) benefits, or Quebec Parental Insurance Plan (QPIP) benefits.

* Select the option that best describes your situation during the week for which you are applying: **3**

- ☐ You stopped work for reasons related to COVID-19.
- ☒ You have had a reduction of at least 50% in your employment income or self-employment income for reasons related to COVID-19.

COVID-19 Emergency Support - EI

apps8.ams-sga.cra-arc.gc.ca/gol-ged/mima/myccnt/prot/rcvrBnftsEligibility.action

Select the option that best describes your situation during the week for which you are applying:

☐ You stopped work for reasons related to COVID-19.

☒ You have had a reduction of at least 50% in your employment income or self-employment income for reasons related to COVID-19.

Eligibility periods:

- Eligibility periods are fixed in two week periods.
- You may apply for Canada Recovery Benefit payments for up to a maximum of 26 weeks.

Note: If you are later found to be ineligible, you will be required to repay the benefit.

1 Important income tax information

The Canada Recovery Benefit (CRB) is a taxable benefit. The total entitlement is \$500 per week, delivered as a single payment for a two-week period. Please note a portion (10%) of the CRB will be withheld upfront for tax purposes. As a result, you can expect to receive a payment of \$450 per week (\$90 for the selected eligibility period).

1 Potential repayment of benefit

You are allowed to earn employment and self-employment income while receiving the CRB. However, when you file your 2020 income tax return, you will be required to repay \$0.50 of the CRB for every dollar of net income received in 2020 over \$38,000, excluding payments of the CRB itself.

*** Select a period**

September 27, 2020 to October 10, 2020

Previous Cancel Next

Screen ID: MAO-016

Date modified: 2020-10-05

About My Account Terms and conditions for My Account Your suggestions

Contact us • Terms and conditions • Privacy

Canada

COVID-19 Emergency Support - EI

apps8.ams-sga.cra-arc.gc.ca/gol-ged/mima/myccnt/prot/rcvrBnftsCertification.action

[Overview](#)

COVID-19 Support Payments

Canada Recovery Benefit Certification

Fields marked with an asterisk (*) are required.

Period selected: September 27, 2020 to October 10, 2020

I certify that for the two-week period for which I am applying:

- I was resident and present in Canada.
- I was at least 15 years of age on the first day of the period.
- I have a valid Social Insurance Number (SIN).
- I had a total income of at least \$5,000 for 2019, 2020, or in the 12-month period preceding the day on which I make my first application for this benefit one or more of the following sources:
 - Employment income;
 - Self-employment income; or
 - Employment Insurance (EI) maternity or parental benefits or Quebec Parental Insurance Plan (QPIP) benefits.
- I met one of the following conditions for the period for which I am applying:
 - I stopped work for reasons related to COVID-19; or
 - I had a reduction of at least 50% in my employment income and self-employment income for reasons related to COVID-19.
- I was seeking work during the period for which I am applying.
- I did not place undue restrictions on my availability for work, on or after September 27, 2020, unless reasonable to do so;
- I have not quit my employment or voluntarily ceased to work on or after September 27, 2020.
- I have not:
 - failed to return to my employment when it was reasonable to do so if my employer had made a request;
 - failed to resume my self-employment when it was reasonable to do so; or
 - declined a reasonable offer to work that would have started during the two-week period.
- I was ineligible to apply for Employment Insurance (EI) benefits.
- I was not in receipt of the Canada Recovery Caregiving Benefit (CRCB), the Canada Recovery Sickness Benefit (CRSB), short-term disability benefits, workers' compensation benefits, any Employment Insurance (EI) benefits, or Quebec Parental Insurance Plan (QPIP) benefits.

You must certify that the information you have provided is true and correct, and acknowledge that making a false declaration is a criminal offense.

1 The CRA may request additional information for the purposes of validating your eligibility for the benefit. If you are later found to be ineligible, you will be required to pay back the full amount received for the period. In addition, penalties will be added in cases where serious fraud has occurred.

*** I certify to the following:**

☐ I meet all the requirements set out above and I understand that I must repay any payment to which I am not entitled.

Previous Cancel Next

QUESTIONS?

THE NEW RECOVERY BENEFITS

We have done our best to explain the new recovery benefits, but things are changing fast. Some things are also still not clear. This information may be outdated or even wrong, so do not rely on it as legal advice.

GENERAL INFORMATION

1. What new benefits are available?

The government announced three new recovery benefits to help workers who are still being impacted by the COVID19 pandemic. These new recovery benefits replace the Canada Emergency Response Benefit (CERB). The three new recovery benefits are:

- **The Canada Recovery Benefit:** This benefit is for people who have lost work for reasons related to COVID19 and who don't qualify for EI.
- **The Canada Recovery Sickness Benefit:** This benefit is for people who miss work because they might have COVID19, or they have to isolate (stay away from other people), or they are at greater risk from COVID19 because of other medical issues.
- **The Canada Recovery Caregiving Benefit:** This benefit is for people who miss work to care for a child or other family member who cannot go to school or get their usual care because of COVID19.

2. How do I qualify for these new recovery benefits?

To qualify for any of the new recovery benefits, you must:

- Have a valid social insurance number;
- Be living in and present in Canada (although you do NOT have to be a citizen or permanent resident);

- Be at least 15 years old; and
- Have earned at least \$5,000 in the year 2019 or in the 12 months before you apply. After January 1, 2021, you can also qualify if you earned at least \$5,000 in the year 2020.

Each of the new recovery benefits also has its own rules on top of these general rules.

3. What income counts towards the \$5,000 I need to qualify?

Any money from employment (money you earn working for someone else) or self-employment (money you earn working for yourself) counts. Self-employment income means your revenue (the money you earn) minus your expenses. Any money you got from EI pregnancy or parental benefits also counts.

Money from student loans, bursaries, scholarships, disability benefits, pensions, and other Canada COVID19 benefits (like the Canada Emergency Response Benefit, the Canada Emergency Student Benefit, and other recovery benefits) does not count.

If you qualified to get the Canada Emergency Response Benefit last spring and summer, you will most likely also meet the \$5,000 test for the new recovery benefits.

4. How much will I get?

All the new recovery benefits pay \$500 per week. But tax will be taken off, so you will likely only get \$450 each week.

5. How often are benefits paid?

The Canada Sickness Recovery Benefit and the Canada Caregiving Recovery Benefit are paid in one-week blocks, so you can get benefits each week you qualify. The Canada Recovery Benefit is paid in two-week blocks, so you will get paid every two weeks if you qualify.

6. Do I have to pay tax on the benefits?

Yes. And unlike the Canada Emergency Response Benefit that was available last spring and summer, tax will be deducted from each payment you get. The government will likely take \$50 in tax, so you will actually only get \$450 each week.

7. How long will the new recovery benefits be available for?

The three new recovery benefits will be available from September 27, 2020 until September 25, 2021. This does not mean that you will get benefits every week. This is just the window to collect any benefits you qualify for. Each of the new recovery benefits has a maximum number of weeks you can get (26 weeks for the Canada Recovery Benefit, 26 weeks for the Canada Recovery Caregiving Benefit, and 2 weeks for the Canada Recovery Sickness Benefit).

8. How do I apply?

You can apply online using your CRA My Account. You can also call 1-800-959-2019 or 1-800-959-2041. If you apply by phone, you will need your social insurance number, postal code, and date of birth.

9. When do I apply?

You can apply for benefits on the Monday after the period you want to apply for ends.

For example, you can apply for the Canada Sickness Recovery Benefit or the Canada Caregiver Recovery Benefit for the one-week period from September 27, 2020 to October 3, 2020 starting Monday October 5, 2020.

You can apply for the Canada Recovery Benefit for the two-week period from September 27, 2020 to October 10, 2020 starting Monday October 12, 2020 (the Canada Sickness Recovery Benefit and the Canada Caregiving Recovery Benefit are paid in one-week blocks while the Canada Recovery Benefit is paid in two-week blocks).

10. Is there a deadline to apply?

The deadline to apply for recovery benefits for any period is 60 days after the period has ended.

So, to get the Canada Sickness Recovery Benefit or the Canada Caregiver Recovery Benefit for the one-week period from September 27, 2020 to October 3, 2020, you would need to apply no later than 60 days after October 3, 2020.

To get the Canada Recovery Benefit for the two-week period from September 27, 2020 to October 10, 2020, you need to apply no later than 60 days after October 10, 2020,

11. Do I need to keep reapplying?

Yes. You will need to reapply to get benefits for each period. You will need to reapply every week to keep getting the Canada Sickness Recovery Benefit or the Canada Caregiver Recovery Benefit. You will need to reapply every two weeks to get the Canada Recovery Benefit because it is paid in two-week blocks.

12. Can I get more than one type of benefit?

Yes, but not at the same time. For example, you may be able to collect the Canada Recovery Benefit while you are out of work and then get the Canada Recovery Sickness Benefit later on if you go back to work but think you might have COVID19.

You cannot get any of the new recovery benefits in if you could qualify for Employment Insurance or if you get paid sick leave or workers compensation for that week.

THE CANADA RECOVERY BENEFIT

13. What are the rules for the Canada Recovery Benefit?

In addition to the general rules for all the new recovery benefits, you must:

- Be earning at least 50% less per week than your average weekly earnings in 2019, 2020, or in the last 12 months;
- Be looking for work;
- **Not** have unreasonably quit your job or voluntarily stopped working;
- **Not** have placed undue restrictions on going back to work; and
- **Not** have refused a reasonable chance to start working again.

14. What if I quit my job?

Quitting a job or voluntarily lowering your hours can have very serious consequences. If you unreasonably quit a job or lower your hours after September 27, 2020, you will not be able to get the Canada Recovery Benefit.

It is hard to say exactly what the government will consider a reasonable explanation for quitting a job. To be safe, you should try all other reasonable options to solve the problem at work before you quit.

15. Do I have to look for work?

Yes. You also cannot place undue restrictions on being ready to work.

16. What if I am doing a training program?

If the government referred you to that training program, you should be okay.

Otherwise, you will need to show that you are looking for work and that the training program is not unduly restricting your ability to accept work.

17. Do I have to accept work if it is offered to me?

If the job offer is reasonable, yes. If you refuse a reasonable offer to go back to work, you won't be able to collect the Canada Recovery Benefit for 10 weeks and will permanently lose those 10 weeks of benefits.

It is hard to say exactly what the government will consider a reasonable explanation for not accepting a job or going back to work. Things like being physically unable to do the job or the job involving a very, very long commute could make it unreasonable for the government to expect you to take it.

18. I worked for myself before. Do I have to start trying to work again?

If it is reasonable to do so, yes. If you unreasonably refuse to start working again, then you won't be able to collect benefits for 10 weeks and will permanently lose those 10 weeks of benefits. It is hard to say exactly what the government will consider a reasonable explanation for not starting work again. Things like being physically unable to do the work or the work involving a very, very long commute could make it unreasonable for the government to expect you to take it.

19. How much can I earn at work and still get the Canada Recovery Benefit?

You can earn up to half of what your previous average weekly earnings were. Your previous average weekly earnings are your average earnings in the past 12 months, the year 2019, or the year 2020. If you are earning more than half your previous average weekly earnings, you cannot get benefits for that week. For example, if your average weekly earnings in 2019 were \$2,000, you can earn up to \$1,000 per week now and still get benefits.

Pensions, student loans or bursaries, EI parental and maternity benefits, and other Canada COVID19 related benefits do not count as income when figuring out if you have lost at least 50% of your income.

If you earn more than \$38,000 in the year 2020 or 2021, at tax time you will have to pay back 50 cents for every dollar above \$38,000 you earned. For example, if your total income in 2020 is \$40,000, you will have to pay back \$1,000 in benefits, or half of the difference between \$38,000 and your earnings of \$40,000.

20. How many weeks of the Canada Recovery Benefit can I get?

The most you can get is 13 two-week blocks, or 26 weeks total. If you start an EI claim after September 27, 2020, the number of weeks you get EI between September 27, 2020 and September 25, 2021 is subtracted from the maximum. In other words, any week you get EI is considered to have used up a week of the Canada Recovery Benefit.

If you refuse a reasonable offer to go back to work or unreasonably refuse to start working for yourself again, you will lose five blocks (10 weeks) of the Canada Recovery Benefit.

CANADA SICKNESS RECOVERY BENEFIT

21. What are the rules for getting the Canada Recovery Sickness Benefits?

In addition to the general rules for all these new benefits, you must be unable to work for at least half your usual work week because:

- You have or might have COVID19;
- You have to isolate (stay away from other people); or
- You have another medical issue that puts you at greater risk from COVID19.

For example if you usually work 5 days a week and you miss 3 days while isolating and waiting for the results of a COVID19 test, you may qualify for the Canada Recovery Sickness Benefit for that week.

You cannot get benefits if you got paid leave from your employer or you got money from a sickness benefit plan or workers' compensation for that same week.

22. Do I need a doctor's note or a COVID19 test?

No. If you are sick or isolating (staying away from other people), you will need to confirm that the decision to stay home is based on the advice of a doctor, a nurse, the government, public health officials, or your employer. You don't need a note or COVID19 test to apply.

If you are staying home because of a risk of serious health complications from COVID19, you will need to confirm that you are staying home based on advice from a doctor, a nurse, the government, or public health officials. Although you don't need a letter from your doctor or nurse to apply, the government can ask for more information or proof later on if they need to verify your application.

23. How many weeks of the Canada Recovery Sickness Benefits can I get?

You can get a maximum of two weeks of the Canada Recovery Sickness Benefits.

CANADA RECOVERY CAREGIVING BENEFIT

24. What are the rules for the Canada Recovery Caregiving Benefit?

If you are caring for a child under 12 years old: In addition to the general rules for all recovery benefits, you must be unable to work for at least half of your usual work week because:

- Your child's school or care facility is unavailable, or has different hours, or has restrictions about which children they can take due to COVID19;
- Your child's usual care provider is not available because of COVID19; or
- Your child is staying home because they have or might have COVID19, or they must isolate (stay away from other people), or they are at risk of serious health complications from COVID19.

If you are caring for another family member who needs supervised care:

In addition to the general rules for all recovery benefits, you must be unable to work for at least half your usual work week because:

- Your family member's normal care program or facility is unavailable, or has different hours, or has restrictions about who they can provide care to due to COVID19;
- Your family member's home care service is not available due to COVID19; or
- Your family member cannot get their normal care because they might have COVID19, or they must isolate (stay away from other people), or they are at risk of serious health complications from COVID19.

25. Who counts as a “family member”?

“Family member” means anyone who considers you to be like a family member, not just blood relatives.

26. Do I need a doctor's note or a COVID19 test?

No. You just need to confirm that you meet the criteria. If the person you are caring for is isolating (staying away from other people), you will need to confirm that the decision to stay home is based on the advice of a doctor, nurse, the government, public health officials, or the person's employer. You don't need a note or COVID19 test to apply.

If the person you are caring for is at home because they are at risk of serious health complications from COVID19, you will need to confirm that they are staying home based on the advice of a doctor or a nurse. Although you don't necessarily need a letter from your doctor or nurse to apply, the government can ask for more information or proof later on if they need to verify your application.

27. How many weeks of the Canada Recovery Caregiving Benefit can I get?

You can get a maximum of 26 weeks of the Canada Recovery Caregiver Benefit.

28. Can two people who live in the same household get the Canada Recovery Caregiving Benefit?

Yes, but not in the same week. The total number of weeks of benefits paid to people in the same household cannot be higher than 26. A household means people living together as a family at the same address. For example, if your child must stay home for the entire school year, you can collect 20 weeks and your spouse can collect 6 weeks, but the total cannot go above 26 weeks.

Keep in mind that anyone collecting the Canada Recovery Caregiving Benefit must actually qualify. For example, if you qualify but your partner does not because they did not earn at least \$5,000, only you can collect benefits.

CHALLENGING OR CHANGING DECISIONS

29. What if I disagree with a decision about my benefits?

You can ask the government to review the decision. You have 30 days from when you first found out about the decision to ask for a review. If you miss this deadline, you will need to explain why you should get an extension.

30. Can the government review and reconsider my benefits after I get them?

Yes. The government might ask you for more information later on to figure out if you should have gotten benefits. The government has 36 months to reconsider whether you should have gotten benefits. If you got benefits based on a false or misleading statement, then the government has 72 months to reconsider whether you should have gotten benefits.

31. What if the government decides later on that I should not have gotten benefits?

You will have to repay the money. The government may take the money out of your bank account, from your paycheque, or deduct it from other money you would

normally get from the government. But keep in mind that you can ask for a review of that decision.

32. What if I knowingly provide false or misleading information?

The government can give you a penalty. The penalty can be up to half the amount you got or would have gotten from knowingly giving the false information. For example, if you knowingly give false information and get \$2,000 of benefits you should not have gotten, the maximum penalty will be \$1,000.

Keep in mind that you can only get a penalty if you knowingly gave false or misleading information or knowingly claimed benefits you were not entitled to. You cannot get a penalty for honest mistakes. If the government gives you a penalty, you can ask for a review.

33. I have other debts. Can the people I owe money to take my benefits?

No. The government may be able to keep your other benefits to pay back benefits you shouldn't have gotten in the past, but no one else can take your benefits.

34. What if I know I got benefits I shouldn't have and want to give the money back?

You can pay back any benefits you shouldn't have gotten using your CRA My Account.

You can also pay using your online banking. Click "Add a payee" and look for CRA (revenue) – tax installment. Enter your social insurance number as the CRA account number.

You can also send a cheque or money order. Make the cheque out to the "Receiver General of Canada". Write down what type of benefit you are paying back, what period the benefits were for, and your social insurance number. Then mail the cheque to:

Revenue Processing – Repayment of CRB

Sudbury Tax Centre

1050 Notre Dame Avenue

Sudbury ON P3A 0C3

CHANGES TO EMPLOYMENT INSURANCE

We have done our best to explain the new EI changes, but things are changing fast. Somethings are also still not clear. This information may outdated or even wrong, so do not rely on it as legal advice.

1. What changes have been made to EI because of COVID19?

The government has made a number of temporary changes to make it easier to qualify for EI

- You now need fewer hours worked to qualify;
- The minimum EI benefit is \$500 each week; and
- You will get at least 26 weeks of regular EI benefit, though you can still qualify for more.

2. How long will these changes last?

Most of the new changes will apply to EI claims that start between September 27, 2020 and September 25, 2021. But some changes may end before that, so double check.

3. How many hours do I need to qualify?

You need at least 120 hours worked for all types of EI benefits. This includes regular benefits and special benefits like sickness, pregnancy, parental, and caregiving benefits. The number of hours you need is now the same no matter where you live. The lower 120 hour rule only applies to your first EI claim on or after September 27, 2020. If you file a second EI claim, the usual rules will apply and you will need more hours.

4. When do I have to have worked the hours?

Usually you must have worked the 120 hours you need in the last 52 weeks. But you will get an extra 28 weeks if you got the CERB (including the EI Emergency Response Benefit through Service Canada) last spring or summer. So most people transitioning from CERB to EI on September 27, 2020 can count back 80 weeks from September 27, 2020.

The extra weeks only apply to your first EI claim starting on or after September 27, 2020. If you file a second EI claim, the usual rules will apply.

5. I was pregnant, or caring for my child, or caring for a sick family member last spring or summer but did not have 600 hours to qualify for EI. Can these changes help me?

Yes. You can apply now and your EI claim will be back dated to when you would have qualified. You will still need 120 hours worked, but not the usual 600 hours.

Make sure you apply as soon as possible. After October 31, 2020 you may have to explain why you did not apply sooner.

6. How much will I get if I qualify for EI?

You will get 55% of your average weekly earnings or \$500, whichever is higher. The most you can get is \$573 each week.

7. How does the move from CERB to EI work?

If you still have CERB benefits left to use up, you will get CERB until October 3, 2020. Then you will be transitioned to EI. If you have no CERB benefits left, you can start getting EI on September 27, 2020.

If you applied for CERB through Service Canada because you normally would have qualified for EI (in other words, your EI claim was delayed because of CERB) you should be automatically transferred to EI when your CERB is all used up.

If you applied for CERB through the Canada Revenue Agency and now want to apply for EI, you will have to file an EI application.

8. Do I have to serve a waiting period?

Usually, EI makes you wait one week before you can start getting benefits. This is called a “waiting period”. If your claim starts on or before October 25, 2020, you do not need to serve a waiting period.

People claiming EI sickness benefits do not need to serve a waiting period, even after October 25, 2020.