

POST CERB BENEFITS AND EI

CERB – the final benefit period ended on Sept 26, 2020. For those still in need of income support, many will be able to change their benefits over to either the new Enhanced Employment Insurance (EI) or the new Canada Recovery Benefits (CRB).

Summary:

Benefit Type	Amount	How long could I receive money?	Basic Qualifications – see below for details
Enhanced EI	Minimum \$500 / week up to a Max \$573 / week (based on 55% of earnings)	26 min to 45 weeks max (based on hours worked)	Minimum of 120 insurable hours of work. Usual qualifications apply (ie. Lost employment due to being laid off, did not quit voluntarily, etc).
CRB Regular	\$500 / week	26 weeks	Similar to CERB; for workers who do not qualify for EI (ie self-employed) and who stopped working or reduced working due to Covid-19.
CRCB Caregiver	\$500 / week	26 weeks per household	Similar to CERB and must have been employed / self employed before applying; plus stopped or significantly reduced working to care for child or dependant adult / family member with a disability due to Covid-19 and other options for care not available (note: can not qualify for this benefit if you voluntarily stay home due to Covid-19)
CRSB Sickness	\$500 /week	2 weeks	Similar to CERB and for workers without paid sick time who are sick or must self-isolate due to Covid

* All benefits are taxable at source (taxes will be deducted from benefits before payment)

Enhanced Employment Insurance (EI) – until August 7, 2021

- Only need 120 insurable work hours to qualify (normally need between 420 and 700 hours to qualify for regular benefits, depending on where you live).
- The reduced hours is done by setting an uniform requirement of 420 hours for regular and 600 hours for special benefits and then providing a “credit” for hours on a one time basis; the credit is available until August 7, 2021. The uniform requirement and the credits drop the required number of insurable hours to 120 for both regular and special benefits.
- A minimum benefit rate of \$500 / week (taxable); for workers eligible for a higher rate, an individual may receive up to \$573 / week (this depends on their wages before applying for EI. The rate is based on the worker’s best 14 weeks of earnings).
- Individuals can get 26 weeks of benefits to a maximum of 45 weeks.
- For special benefits (maternity, parental, etc) the reduced hours qualification is retroactive to March 15, 2020.
- The 1 week waiting period for EI is waived for workers transitioning from CERB to EI; also waived for workers quarantine due to Covid-19. All others will have to wait a 1 week waiting period for EI benefits.
- “Separation pay” (for example, termination pay, vacation and severance payments) will no longer be applied against EI benefits.

Transitioning to EI and How to Apply:

- If an individual applied for CERB through Service Canada (CERB-EI), they will be automatically transitioned to EI after receiving the maximum CERB, provided they are EI eligible and continue to need income support.
- Workers must continue to make an EI report every 2 weeks to receive benefits.
- If an individual applied for CERB through Canada Revenue Agency (CERB-CRA) but are eligible for EI, they will need to apply through Service Canada (they can use the usual EI online application).
- EI benefits are taxable at source; therefore taxes will be deducted from payments.

Working While on Claim

- EI allows working while receiving EI but deducts 50 cents for every \$1 earned (up to 90% of normal earnings) as reported weekly.
- An example: A worker is normally paid \$500 / week from EI; she takes a job with one shift and is paid \$150 /week. EI will deduct 50% (half) of earnings from EI benefits. In this case, EI deducts \$75 from the \$500 (\$425). Her total earnings will be \$425 (EI) + \$150 (wages) for total weekly income of \$575.

New: Canada Recovery Benefits – available for a year from September 27, 2020

Available to workers not eligible for EI (ie. self-employed); temporary, in place for 1 year (Sept 27, 2020 to Sept 27, 2021). There are 3 types of Recovery Benefits: Regular, Caregiver and Sickness. All benefits are taxed at source (10% withhold tax); reporting required every 2 weeks, similar to EI.

Note that these benefits are currently passing through an approval process, but it is planned that they will be retroactively available to September 27, 2020 once they are passed.

Recovery Regular Benefits:

- \$500 per week for max 26 weeks.
- Qualifying rules similar to CERB: at least 15 yrs old, resident in Canada, valid SIN, \$5000 employment earnings in 2019 or 2020, stopping working due to Covid-19, did not quit job voluntarily; available for work or working with a reduction in employment due to Covid-19); and not eligible for EI (can not get both).
- 2 week waiting period
- workers can work while receiving recovery benefits but if their net annual income (excluding the recovery benefits) is over \$38,000, they will have to repay 50% of benefits above that amount (to the total amount of benefits).

Recovery Caregiver Benefits:

- \$500 / week up to 26 weeks *per household*.
- Available to a worker who is caring for a child, family member or dependent.
- One week waiting period
- Qualifying Rules:
 - (a) employed or self employed on day preceding benefit period;
 - (b) at least 15 years old;
 - (c) reside in Canada and valid SIN;
 - (d) earned at least \$5000 in 2019 or 2020;
 - (e) not in receipt of employer paid leave for the same week;
 - (f) not in receipt of other short terms benefits, such as CERB, CRB, short term disability, sick benefits, worker's comp, EI benefits for same period; and,
 - (g) unable to work most of their normal schedule in a given week (missing at least 60%) because either: (1) must take care of child under the age of 12 years or (2) must care for a dependent or family member with a disability.

IMPORTANT NOTE: *Workers who prefer to keep dependents at home when facilities are open are NOT entitled to the benefit. One of the following conditions must apply:*

- School, daycare, day program or care facility is closed for reasons related to Covid-19 OR
- The child or family member cannot attend school, etc on advice of a medical professional due to high risk if they contract Covid-19 (ie. due to underlying medical condition) OR
- Usual caregiver is not available for reasons related to Covid-19.

Recovery Sickness Benefit

- \$500 per week for maximum of 2 weeks (can only receive once).
- Taxable benefit.
- Effective for 1 year Sept 27, 2020 to Sept 27 2021.
- For workers who are sick or quarantine or self isolate for reasons related to Covid-19, and who do NOT have paid sick time from their employer.
- Qualifications (similar to CERB):
 - (a) resident of Canada, valid SIN;
 - (b) at least 15 yrs old; and,
 - (c) earned at least \$5000 in 2019 or 2020.

****It appears at this time, that workers who may be eligible for EI sick benefits could choose to apply for 2 week sick benefit if they are sick or quarantined due to Covid-19 (instead of applying for EI sick benefits) and if applicable, stop reporting to EI.**

How to Apply for the Canada Recovery Benefits:

- Workers apply through CRA website (more info coming soon) – look for new website through Canada Revenue Agency.
- Applications can be made in October.
- Prepare to apply by having a “My Account” and make sure direct deposit and mailing information on account is up to date.

Tips for workers

- Keep copies of documents, including medical notes, ROE, pay stubs, notes from schools / care facility, etc.
- Write down incidents in detail, while memories are still fresh

This information was prepared by the Grey Bruce Community Legal Clinic based on the latest developments of Federal benefits post CERB and may be subject to change by the government. The information contained in this document does not constitute legal advice.

For questions about your individual circumstances please contact the Legal Clinic directly.