

Government Benefits for people with Temporary Status during COVID-19

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Overview

- ▶ Canada Emergency Response Benefit (CERB)
- ▶ Employment Insurance (EI)
- ▶ Canada Emergency Student Benefit (CESB)
- ▶ Social Assistance (Ontario Works and ODSP)
- ▶ Seasonal Agricultural Workers Program (SAWP) and Temporary Foreign Worker (TFW) program: new requirements upon arrival in Canada

CERB

- ▶ What is it?
 - ▶ \$2000 per month (or \$1000 every two weeks) for up to four months (16 weeks)
 - ▶ Taxable benefit
 - ▶ Available from March 15 to Oct. 3, 2020
 - ▶ Federal benefit delivered through Service Canada and the CRA
 - ▶ replaces some EI programs at the moment

CERB

- ▶ Who qualifies?
 - ▶ Employees, self-employed people, and people on contract
 - ▶ Must be resident in Canada but do not have to be a citizen or PR
 - ▶ Must have a valid SIN (temporary SINs start with 9), or Individual Tax Number
 - ▶ Available to eligible people with temporary status as long as they are legally allowed to work in Canada (International Students who are allowed to work should be eligible)
 - ▶ Must be 15 years old or older
 - ▶ Cannot already be receiving EI regular or sickness benefits
 - ▶ In the 12 months prior to the day of your application, or during 2019, you earned at least \$5000 in employment or self-employment income, or EI parental leave benefits
 - ▶ Income does not have to be earned in Canada, but you must reside in Canada when applying for and receiving CERB
 - ▶ Cannot have earned or expect to earn more than \$1000/month in employment or self-employment income during the 4 week period you are applying for

CERB

- ▶ AND one of the following must be true:
 - ▶ You cannot work because of COVID-19
 - ▶ You stopped working for 7 days within a two week period or 14 days during a four week period OR did not earn more than \$1000 during the four week period you are applying for
 - ▶ You are out of work because you have to care for a child/children because of school and/or daycare closures
 - ▶ You are sick with COVID-19, quarantined, or taking care of someone who is sick with COVID-19
 - ▶ You would have otherwise qualified for EI regular or sickness benefits
 - ▶ You exhausted your EI regular, sickness or fishing benefits between Dec. 29, 2019 and Oct. 3, 2020 and you still cannot find work because of COVID-19

CERB

- ▶ You will NOT qualify for the CERB if you voluntarily quit your job!
 - ▶ You must speak to your employer about safety concerns and precautions, and explore all possible alternatives to quitting

CERB

▶ Ongoing eligibility

- ▶ Must report/re-apply every 2 or 4 weeks (depending on whether you apply through Service Canada or CRA)
- ▶ Benefit periods are:
 - ▶ March 15-April 11
 - ▶ April 12- May 9
 - ▶ May 10- June 6
 - ▶ June 7 - July 4
 - ▶ July 5- Aug. 1
 - ▶ Aug. 2- Aug. 29
 - ▶ Aug. 30 - Sept. 26

CERB

- ▶ How to apply
 - ▶ Online through My Service Canada account or your CRA account
 - ▶ Two screening questions help you determine where to apply
 - ▶ Toll free phone number (automated system): 1-800-959-2019
 - ▶ Both systems open 6am to 3am 7 days/week since April 6, 2020
 - ▶ Apply on your designated week day or on the weekend during the first week of each benefit period
 - ▶ Born in Jan.-March = apply Monday
 - ▶ April - June = Tuesday
 - ▶ July - Sept. = Wednesday
 - ▶ Oct. - Dec.= Thursday
 - ▶ Friday, Saturday, Sunday anyone can apply
 - ▶ Can apply late for the benefit periods (up to Dec. 2, 2020) but try to apply asap

CERB and expired work permits

- ▶ If you have an expired work permit but you applied to renew it before it expired, this gives you “implied” immigration status while you wait for your new work permit. But implied status doesn’t extend the expiry date of your temporary SIN. You have to apply to update your temporary SIN once you get your new work permit. Then you should qualify for CERB, as long as you meet the other requirements.

CERB

- ▶ Paid through direct deposit within 3 days, or cheque within 10 days
- ▶ Either every 2 weeks or monthly
 - ▶ Don't forget to report/re-apply as required
- ▶ Multiple people in a household can access this benefit, so long as they qualify
- ▶ Generally do not have to submit documents at the time of application, but likely will have to in the future
 - ▶ No need to get a medical certificate or your Record of Employment to apply
- ▶ If you receive CERB twice in one benefit period, or if you are not eligible, you will have to repay the money that you were not entitled to receive
 - ▶ Monitor your payments, and set aside any money you are not sure that you were entitled to receive. There is now a link on the Service Canada website explaining how to repay double payments or payments you were not supposed to receive:
www.canada.ca/en/revenue-agency/services/benefits/apply-for-cerb-with-cra/return-payment.html

CERB/EI

- ▶ What happens if I have received all 16 weeks of CERB and am still unable to work because of COVID-19?
 - ▶ You will be able to apply for EI regular or sickness benefits at that point without penalty for having received the CERB
- ▶ I am already receiving EI regular or sick benefits. Should I also apply for CERB?
 - ▶ No. You are not allowed to receive both benefits at the same time. If your EI runs out before Oct. 3, 2020 and you still cannot find work because of COVID-19, you can apply for CERB at that point.
- ▶ I have enough hours to qualify for EI? Should I apply for EI instead of CERB?
 - ▶ Any applications for EI regular or sickness benefits after March 15, 2020 are automatically converted to CERB applications. Most people will receive more \$ from CERB than EI.

Employment Insurance

- ▶ Applications for EI Regular or Sickness benefits received after March 15, 2020 automatically converted to CERB application
 - ▶ You do NOT need to contact EI to request the conversion
- ▶ EI maternity, parental leave, and caregiver benefits are still available
 - ▶ Apply normally through the EI system
- ▶ You can apply for EI Regular or sickness benefits right away once you have maxed out your CERB entitlement of 16 weeks (earliest will be July 4, 2020)
 - ▶ Receipt of CERB should not impact your subsequent application for EI, but unclear right now how time off during COVID will impact insurable hours
 - ▶ Same rules as previously regarding qualifying for EI regular and sickness benefits (if you would not have qualified for these prior to COVID, you won't after CERB is exhausted)

CESB

- ▶ What is it?
 - ▶ \$1250 per month for four months (16 weeks)
 - ▶ \$2000 if you have dependants or are a person with a disability
 - ▶ NOT available if you are already receiving the CERB or EI
 - ▶ NOT available to International Students or Refugee Claimants
 - ▶ Must be a citizen, PR, Indian as defined in the *Indian Act* or a protected person
 - ▶ Refugees who have been found to be persons in need of protection can apply, but if you have not had your RPD hearing, you are not yet a person in need of protection according to the *IRPA* definition

CESB

▶ Who qualifies?

- ▶ Graduating high school students who are enrolled in a post-secondary program that begins before Feb. 1, 2021
- ▶ Students enrolled in a post-secondary educational program (at least 12 weeks in duration) that leads to a degree, diploma, or certificate
- ▶ Students who completed or ended their post-secondary studies in December 2019 or later

AND who are unable to work, cannot find work or earn less than \$1000 in employment income during each benefit period qualify.

CESB

- ▶ If you are able to work, you are expected to be looking for work
 - ▶ Keep track of your job search activities!
- ▶ Apply through the CRA
- ▶ Must re-apply for each benefit period, just like CERB

Social Assistance (OW and ODSP)

- ▶ Visitors and tourists are not able to access social assistance in Ontario, otherwise you can apply online or over the phone
- ▶ If you are already on OW or ODSP, contact your caseworker about accessing the Emergency Assistance benefit money
 - ▶ \$100 for single people, \$200 for families
 - ▶ Available for a period of 48 days without further applications
 - ▶ No longer limited to once every 6 months

SAWP and TFW Considerations

- ▶ All Seasonal Agricultural Workers and Temporary Foreign Workers arriving in Canada must be quarantined for 14 days
- ▶ Employers are obligated to provide adequate accommodations and provisions for safe quarantine
- ▶ Employers are obligated to pay quarantined workers during the 14 day period of quarantine
 - ▶ Only obligated to pay workers for 30 hours per week during quarantine
- ▶ Workers are not supposed to work during the 14 day quarantine
- ▶ Federal government is providing \$1500/per worker to employers to assist with wages, accommodations and supplies during the 14 day quarantine
 - ▶ Funds are contingent on employers following public health guidelines
- ▶ Federal government has implemented steep fines for employers who do not comply
- ▶ Report non-compliant employers through the online reporting tool in 6 languages

Additional Information

- ▶ Steps to Justice: stepstojustice.ca
 - ▶ Updates on the law and legal services during COVID-19 in many legal areas including housing, social assistance, immigration, family, criminal, employment, debt and consumer law and what to do if you are experiencing domestic violence
- ▶ Migrant Workers Alliance for Change, Migrants Rights Network, No One is Illegal Toronto
- ▶ FCJ Webinars: www.fcjrefugeecentre.org/our-programs/settlement-programs/workshops/
 - ▶ “Benefits for Non-Status People during the pandemic” explains how to apply for an Individual Tax Number
- ▶ Your local Community Legal Clinic
 - ▶ Find it here with your postal code: <https://www.legallaid.on.ca/legal-clinics/>

Thank You!

► Contact Information:

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