

June 28, 2017

REVISED D/BU #131/2016-2017



Employment Insurance Waiting Period Change and SEB Plans

To: Presidents and Local Executives

From: Paul Elliott, President

For Information

This DBU replaces DBU #058 due to the fact that OSSTF/FEESO now has further information on the implementation of the change from a 2-week waiting period for EI to a 1-week waiting period. As a result of the new information, we have updated our advice.

As an example using pregnancy and parental leaves:

Under the old EI waiting period, a woman could get 52 weeks of statutory leave which included a 2-week waiting period followed by 50 weeks on EI benefits. OSSTF/FEESO negotiated an 8-week SEB plan at 100% of salary. The result would be that the member would get 8 weeks at 100% salary followed by 44 weeks of EI benefits.

Under the new waiting period, there is a 1-week waiting period followed by 50 weeks of EI and then one final week with no EI benefits paid. As a result, if the woman received 100% for 8 weeks, she would only get 43 weeks of EI benefits. The new EI plan would reduce her income over the full 52 weeks by 1 week of EI benefits.

The government contemplated this unintended consequence and has made allowances to prevent employees from a potential negative financial impact. For the next 4 years, the board can pay out the same amount as it did previously during the second week (e.g. 100% of salary) even though the member would be receiving EI. Normal claw backs to prevent an employee from making more than 100% will not happen.

This issue has been raised centrally and we have reached agreement with the school boards that SEB plans should be paid such that no member will be paid any less than under the previous waiting period. Meetings will take place centrally to discuss how this will be implemented for the centrally bargained SEB plans.

Bargaining Units in all sectors should meet to discuss implementation for any bargained SEB plans. It is advised that a Letter of Understanding be created that states that no member will be adversely affected financially by the change in waiting period.

For any Bargaining Units that have begun or will soon begin bargaining, the SEB plan language in your agreements must be amended to reflect the intent as discussed above.

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