

## THE RECORD OF EMPLOYMENT

**Q: What is a Record of Employment (ROE)?**

A: The ROE is the most important document in your application for EI benefits. The information in the ROE will be used by Human Resources and Skills Development Canada (HRSDC) to figure out whether you're eligible for benefits (i.e. whether you get benefits or not); the amount of your weekly benefits; and how long you will receive benefits.

**Q: When does an employer have to give me an ROE?**

A: The law says that an employer must give an ROE to an employee 5 calendar days after an employee:

- Quits his or her job
- Is laid off or terminated
- Goes seven consecutive days without both work and earnings (except for real estate agent employees paid by commission)

For part-time, on-call or casual workers, the ROE must be issued when:

- An employee requests it
- There has been seven days without work or earnings
- The employee is no longer on the employer's active employment list
- No work is performed for 30 days and there are no earnings for that period

**Q: What do I do if my employer does not give me an ROE within 5 days?**

A: You should telephone your employer to request the ROE every day or two. Keep a record of your efforts. You can also ask the HRSDC to help. They will ask you to complete a "Request for a Record of Employment". You can apply for benefits without the ROE using pay stubs, T4 slips and work schedules.

HRSDC suggests that you apply for benefits within 14 days of your last day of work. However, you can apply for benefits up to 4 weeks after your last day of work without having any effect on your benefits. After that, a delay in filing may cause you to lose benefits.

**Q: Should I check over the information on the ROE?**

A: Absolutely. Because the ROE is the main document in your application, any errors may cause you bigger problems later on -- you may be found to be ineligible for benefits; your benefit rate may be less than it should be; you may not get benefits for as long as you should. Small mistakes, when corrected later, can delay your cheque, and mistakes that result in you getting more benefits than you should might result in you being required to pay back money later. You can use the chart on the next page to check important information on your ROE.

Human Resources Development Canada / Développement des ressources humaines Canada

IF COMPLETING THIS FORM BY HAND, USE A PEN AND PRESS FIRMLY

EMPLOYER: REFER TO THE GUIDE - HOW TO COMPLETE THE RECORD OF EMPLOYMENT - WHICH PROVIDES DETAILED INSTRUCTIONS. Protected when completed - B

### RECORD OF EMPLOYMENT (ROE)

1 SERIAL NO. A 60092964

2 SERIAL NO. OF ROE AMENDED OR REPLACED

3 EMPLOYER'S PAYROLL REFERENCE NO.

4 EMPLOYER'S NAME AND ADDRESS

5 CCRA'S BUSINESS NO. (BN)

6 PAY PERIOD TYPE

7 POSTAL CODE

8 SOCIAL INSURANCE NO.

9 EMPLOYEE'S NAME AND ADDRESS

10 FIRST DAY WORKED (OR FIRST DAY WORKED SINCE LAST ROE ISSUED) D M Y

11 LAST DAY FOR WHICH PAID D M Y

12 FINAL PAY PERIOD ENDING DATE D M Y

13 OCCUPATION

14 EXPECTED DATE OF RECALL D M Y

UNKNOWN  NOT RETURNING

15A TOTAL INSURABLE HOURS ACCORDING TO CHART ON REVERSE

15B TOTAL INSURABLE EARNINGS ACCORDING TO CHART ON REVERSE \$

15C ONLY COMPLETE IF THERE HAS BEEN A PAY PERIOD WITH NO INSURABLE EARNINGS. COMPLETE ACCORDING TO CHART ON REVERSE.

P.P.	INSURABLE EARNINGS	P.P.	INSURABLE EARNINGS	P.P.	INSURABLE EARNINGS
1		2		3	
4		5		6	
7		8		9	
10		11		12	
13		14		15	
16		17		18	
19		20		21	
22		23		24	
25		26		27	

16 REASON FOR ISSUING THIS ROE ENTER CODE

FOR FURTHER INFORMATION, CONTACT TELEPHONE NO ( )

17 ONLY COMPLETE IF PAYMENTS OR BENEFITS (OTHER THAN REGULAR PAY) PAID IN OR IN ANTICIPATION OF THE FINAL PAY PERIOD OR PAYABLE AT A LATER DATE.

A - VACATION PAY \$

B - STATUTORY HOLIDAY PAY FOR D M Y \$

C - OTHER MONIES (SPECIFY) \$

18 COMMENTS

19 ONLY COMPLETE IF PAID SICK/MATERNITY/PARENTAL LEAVE OR GROUP WAGE LOSS INDEMNITY PAYMENT (AFTER THE LAST DAY WORKED).

PAYMENT START DATE D M Y AMOUNT \$  PER DAY  PER WEEK

20 COMMUNICATION PREFERRED IN  ENGLISH  FRENCH

21 TELEPHONE NO ( )

22 I AM AWARE THAT IT IS AN OFFENCE TO MAKE FALSE ENTRIES AND HEREBY CERTIFY THAT ALL STATEMENTS ON THIS FORM ARE TRUE.

SIGNATURE OF ISSUER NAME OF ISSUER (please print) DATE D M Y

INS-2106-12-03E Canada EMPLOYEE: APPLY FOR EMPLOYMENT INSURANCE BENEFITS ON THE INTERNET AT www.hrdc.gc.ca/ei FOR MORE INFORMATION, REFER TO THE BACK OF THIS DOCUMENT. Ce formulaire est également disponible en français. EMPLOYEE'S COPY PART 1

**Box 6: Pay Period Type** - Make sure "the type of pay period" is correct. If your employer said you were paid semi-monthly (twice a month) when in fact you were paid bi-weekly (every second week), you may end up getting fewer benefits than you are entitled to.

**Box 7: Postal Code** - The HRSDC will use your postal code to figure out the unemployment rate in your region. If you are applying for regular benefits, the number of weeks of your entitlement and sometimes your eligibility for benefits might depend on it.

**Box 13: Occupation** - The information in this box will not directly affect your eligibility for benefits, or your benefit amount. However, the HRSDC will use it to monitor your attempts to find work.

**Box 11: Last day for which paid** - This usually refers to the last day you actually worked. However, it can be a later date if, for example, you go on a scheduled paid vacation and are told that you will be laid off after that vacation.

**Box 16: Reasons for issuing this ROE** - If you are applying for regular benefits, you want to see Code A - Shortage of work (which includes the end of the contract, the end of a season, a temporary shut down). If the reason for issuing the ROE is listed E-Quit or M-Dismissal and your employer will not change the code accordingly, you should get legal advice before you apply for regular benefits. You will only get regular benefits if you voluntarily left your employment for a reason that HRSDC will recognize as "just cause", or if you can show that the reason you were terminated was not because of your wilful misconduct. What you say about this at the outset (on your application and when you are contacted by HRSDC) will be extremely important and may count for more than what you try to explain later on. (You can still get other types of EI benefits, i.e. sickness, parental, maternity and compassionate care benefits even if you quit or were fired for misconduct.)

**Box 17:** This box contains a few sections for vacation pay, statutory holiday pay or other monies received. You should make sure that all of these sections are filled in and that these amounts are included in either Box 15B or Box 15C. The higher the figures are, the higher will be your weekly benefits up to the maximum of \$413.00 per week. On the other hand, the higher this figure, the longer you will have to wait until your first weekly payment, because the amounts in Box 17 are allocated. This means that these payments will be averaged over a number of weeks after your employment ends.

**Box 15A: Total insurable hours according to chart on reverse** - This is a very important block in the ROE. The hours you worked are used to figure out if you are eligible for benefits and if so, how many weeks of benefits you will get. Even though your qualifying period is usually 52 weeks, to calculate your hours 53 weeks are used (if you are paid period type is weekly). Compare the hours figure in Box 15A to your records. If there is a mistake, you should contact your employer and get it corrected immediately. The number of hours in your qualifying period that will give you the maximum benefits is 1820 hours.

**Box 15B: Total insurable earnings according to chart on reverse** - The figure in Box 15B will be used to figure out your weekly benefit rate. It is therefore very important! This box should be filled out only if you had insurable earnings during each reported pay period. If there was at least one pay period when you had no earnings, the box should be left blank and Box 15C should be used.

Like insurable hours, insurable earnings will include one extra pay period.

Make sure the figure in Box 15B is correct. The amount should reflect not only your regular wages, but any amount that you received for bonuses, overtime, vacation pay that is paid out at termination, statutory holiday pay after the last day you work, and termination pay. If you received those types of income, Box 17 should also be filled out.

**Box 15C:** If you had earnings in each pay period, Box 15C should be blank and only Box 15B filled in. If, however, you have a week with no earnings, Box 15C will be filled in. You should make sure that Pay Period #1 (your final pay period) is not "0". Make sure that all of the earnings from Box 17 (see note above) are included in Pay Period #1.

**Q: What do I do if there is a mistake on the ROE?**

A: You can ask your employer to correct the information on your ROE. Do not make changes to the ROE on your own. HRSDC will compare the ROE that you hand in to the one that your employer sends directly to HRSDC. If these do not match up, you will have a problem. Remember that you should apply for benefits within four weeks of losing your job.

If you disagree with information about the *number of hours, the amount of your earnings, or the dates of your employment* (Boxes 10, 11, 12, 15A, B or C, and 17) you can explain your disagreement to the HRSDC. Provide as much information and evidence as you can. This may include work schedules, pay stubs, or your work calendar. They will make a decision on the best evidence available. If you disagree with the way your benefits are calculated, you can request that the Canada Revenue Agency make a ruling on your claim. If the CRA agrees with you, they will inform the HRSDC and your benefits will be recalculated. If you disagree with the decision of the CRA there will be an opportunity to appeal.

If you disagree with the other information on your ROE, you should advise the HRSDC of your disagreement. If HRSDC makes a decision about your benefits that you do not agree with, you will have an opportunity to appeal that decision too.

**Q: Should I still get an ROE even if I am not going to apply for benefits?**

A: Yes. Even if your employment was short, and you are not going to file for employment insurance benefits, you should still request an ROE. Your employer must give it to you.

You should still check that the information in the boxes is correct. If you disagree with any information you should try to get it corrected by your employer. It is easier to correct information sooner rather than later. Keep records of your attempts to obtain the correct information from your employer. If the reason for issuing the ROE is listed as "Quit" or "Dismissal", you should write a letter to your employer explaining why that code is inaccurate and asking for the change. Keep this letter with your Record of Employment.

**Q: How long should I hold on to an ROE?**

A: You should hold on to your ROEs for 3 years.

**Q: Where can I find more information about the ROE and employment insurance benefits?**

A: The HRSDC website [www.hrsdc.gc.ca](http://www.hrsdc.gc.ca) contains very useful information, including the Employment Insurance (EI) Guide. This Information is also available at another government website, Service Canada, at: <http://servicecanada.gc.ca>. You can also review the "Employment Insurance" pamphlet published by Community Legal Education Ontario at <http://www.cleo.on.ca/english/pub/onpub/subject/work.htm>. Information about the Canada Revenue Agency can be found at [www.cra.gc.ca](http://www.cra.gc.ca). Refer to "Employment Status for EI and CPP".

***This pamphlet contains general information only.  
It is not meant as a substitute for getting legal advice about your particular situation.***