

Addressing gender-based discrimination in the *Employment Insurance Act*



Barriers to EI Are Gendered

People in part-time or irregular employment face greater barriers to accessing employment insurance (EI): they accumulate fewer hours worked, making it more difficult to reach the 420 – 700 hours of insurable work (typically in the preceding 52 weeks) needed to qualify. For those who do qualify, EI's 55% income replacement rate, capped at \$729/week, is often not sufficient — especially if their employment was low-waged.

Because women are overrepresented in part-time and low waged work,¹ this amounts to gender-based discrimination.

In addition, people who receive parental and maternity benefits who then lose their jobs during or soon after parental leave are denied EI regular benefits — a denial that almost exclusively impacts women.

Women and Unpaid Care Work

While lack of access to full-time employment contributes to women's overrepresentation in part-time work, women are four times more likely than men to cite family care responsibilities as their primary reason for working part-time² — with lack of affordable child care being a related barrier.³ Further, an overwhelming majority of women who voluntarily leave their jobs do so for family reasons, which disqualifies them from receiving any EI regular benefits.⁴

Women should not be penalized for taking on the lion's share of family care work. LEAF urges the federal government to update the *Employment Insurance Act* (Act) to reflect the gendered realities of work, and to ensure that all workers in Canada receive sufficient income support following job separation.

Key Stats: Women, Care Work, and Employment in Canada

- In 2019, the economic value of unpaid household work in Canada was between \$516.9 billion and \$860.2 billion — which amounts to 25.2% – 37.2% of Canada's GDP that same year.⁵
- Women spend more time on household and family care work, than men do.⁶
- Women are nearly twice as likely to be working part-time than men,⁷ and make up the majority of low-income workers.⁸
- Indigenous, racialized, disabled, and migrant women experience worse labour market outcomes than their peers, including lower employment and earnings.⁹
- Following job separation, men are more likely to receive regular EI benefits than women.¹⁰

LEAF's Recommendations:

1) Adopt the Interprovincial EI Working Group's 2025 EI Roadmap. The roadmap's recommendations are critical to ensuring that EI supports are accessible and adequate.

- 2) Address gender-based discrimination in EI by:
- Creating a hybrid eligibility requirement for EI regular benefits with two ways to qualify: hours worked or weeks worked. A week would be counted if it includes at least 14 hours or earnings equal to 20% of the maximum insurable earnings.¹¹
 - Allowing parents to access EI regular benefits if they lose their jobs while on parental leave. Specifically:
 - Repealing Subsection 12(6) of the Act to remove the 50-week cap on combining EI regular benefits and special benefits for maternity or parental leave.
 - Amending Subsection 10(10) of the Act to add maternity and parental leave benefits as a reason to extend the benefit period to 104 weeks.
 - Eliminating the total disqualification for voluntary resignation (subsection 30(1) of the Act).

Citations can be found at leaf.ca/submission/ei-brief/.