

# 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,<sup>1</sup> 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-time<sup>2</sup> — with lack of affordable child care being a related barrier.<sup>3</sup> 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.<sup>4</sup>

**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.<sup>5</sup>
- Women spend more time on household and family care work, than men do.<sup>6</sup>
- Women are nearly twice as likely to be working part-time than men,<sup>7</sup> and make up the majority of low-income workers.<sup>8</sup>
- Indigenous, racialized, disabled, and migrant women experience worse labour market outcomes than their peers, including lower employment and earnings.<sup>9</sup>
- Following job separation, men are more likely to receive regular EI benefits than women.<sup>10</sup>

## 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.<sup>11</sup>
  - 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/](http://leaf.ca/submission/ei-brief/).