



THE CHALLENGE OF EXPANDING EI COVERAGE

**Charting Exclusions and Partial Exclusions on the Bases of
Gender, Immigration Status, Age, and Place of Residence and
Exploring Avenues for Inclusive Policy Redesign**

LEAH F. VOSKO





APPLIED PUBLIC POLICY RESEARCH
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The Challenge of Expanding EI Coverage: Charting Exclusions and Partial Exclusions on the Bases of Gender, Immigration Status, Age, and Place of Residence and Exploring Avenues for Inclusive Policy Redesign
By Leah F. Vosko

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This paper was prepared by Leah F. Vosko. It is one in a series of papers commissioned by the Mowat Centre Employment Insurance Task Force to serve as sources of input for the Task Force as it develops recommendations for reform of Canada's Employment Insurance system.

Abstract

There is a growing mismatch between patterns of labour force participation and Employment Insurance (EI) policy in Canada. While policymakers are attempting to deal with “new” forms of employment and associated insecurities, their responses continue to rely on the assumptions of an earlier era.

Over the last few decades, alongside changing employment norms, women’s labour force participation rates have risen dramatically, there has been a shift in the balance between permanent and temporary international migration for employment to Canada, industrial restructuring has transformed Canada’s regions, and age-related transitions have more become complex and varied. However, the formulation and implementation of EI policy has not kept pace with shifting patterns of labour force participation. Despite the introduction of an hours-system intended partly to address new forms of employment in 1996, EI policy still hinges on the outdated participation norms identified with the adult male industrial citizen engaged in full-time permanent employment following a life-course divided into discreet segments and premised on female care-giving.

This study charts the gap between EI coverage and changing labour market realities using a combination of policy and statistical analysis and identifies remedies for closing this gap. Its focus is regular benefits, with some attention to two special benefits, EI maternity and parental benefits (outside of Quebec, which has a separate benefit system). The analysis is divided into three parts. Part I outlines the guiding conceptual framework, introducing the study’s focus on labour market membership, that is, on who is and is not assumed to be a member of the labour market meriting income replacement when a separation of employment occurs. Part II reviews the central features of the post-1996 EI system and provides a descriptive statistical portrait of inclusions and exclusions from its four modes of coverage—eligibility, entry requirements, level and duration of benefits. Finally, Part III advances select policy options for expanding EI coverage organized around its four modes.

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Leah F. Vosko

Employment Insurance (EI) has a critical place in Canada’s income security system.¹ Its role is undermined increasingly, however, by a mismatch with labour market realities. This mismatch has consequences for individual labour force participants as well as EI’s effectiveness as an economic stabilizer for Canada as a whole.

In recent decades, women’s labour force participation rates have risen dramatically, international migration for employment has increased, industrial restructuring has transformed Canada’s regional labour market patterns, and school-to-work and work-to-retirement transitions have become more complex. These developments have, moreover, taken place alongside fundamental changes in the nature of employment, including the expansion of part-time and temporary forms of paid employment and solo self-employment, as well as the polarization of working hours.

EI policy has not kept pace with such shifts and their cumulative impact. Although the stated intention of the EI hours-system introduced in 1996 was to address the changing nature of employment (*Employment Insurance Act*, S.C. 1996, c. 23 [“EI Act”]; *Employment Insurance Regulations*, S.O.R./96-332 [“Regulations”]), research to date demonstrates that full EI coverage still hinges on the full-time job where the worker has one employer, expects to be employed indefinitely and works on the employer’s premises under direct supervision—an employment model long dominant among mid-aged male Canadian-born workers following a life-course divided into discreet segments of education, work, and retirement and sustained outside the labour force by (largely unpaid) female care-giving (see, for example, McBride, 1999; McIntosh and Boychuk, 2000; Vosko, 2009; Porter, 2003; MacDonald, 2009; Battle et al., 2005).

This study charts the gap between EI coverage and changing labour market realities using a combination of policy and statistical analysis and identifies remedies for closing this gap. Its focus is regular benefits, with some attention to two special benefits, EI maternity and parental benefits (outside of Quebec, which has a separate benefit system).

The analysis is divided into three parts.

Part I outlines the guiding conceptual framework, introducing the focus on *labour market membership*, a notion used here to refer to who is and is not assumed to be a member of the labour market meriting income replacement when a separation of employment occurs.

Part II reviews the central features of the post-1996 EI system and provides a descriptive statistical portrait of inclusions and exclusions from its four *modes of coverage*—eligibility, entry requirements, level and duration of benefits. It examines, in particular, coverage through the lenses of gender, immigration status, age, size of area of residence (metropolitan/ urban/ rural), and sector.

Finally, Part III advances select policy options for expanding EI coverage organized around its four modes. These options emanate, on the one hand, from an understanding of EI as a vital plank in Canada’s income security system that assumes, in principle, that coverage should reflect labour market realities, and thus its modes of coverage require adaptation to a more inclusive approach to labour market membership. They are motivated, on the other hand, by the evidence of exclusions on the bases of gender, immigration status, age, size of place of residence (metropolitan/ urban/ rural), and sector presented in Part II.²

Before proceeding, one further framing comment is in order. A guiding premise of this study is that EI is an income security program that has legitimately fulfilled both insurance-*based and* redistributive functions historically (Osberg, 1979; Pulkingham, 1998), albeit not without tension (Pal, 1986). Consequently, the options for inclusive policy redesign considered here contrast with other studies prepared for the Mowat Centre EI Task Force. Underpinned by competing interpretations of EI’s origins and aims, some such studies suggest that the program should be redesigned to adhere to insurance-principles exclusively (e.g., Gunderson), and that reforms in this direction could be coupled with changes to social assistance addressing the situation of workers lacking sufficient contribution levels for full EI coverage (e.g., Mendelson and Battle; Stapleton). A related contention of this study is that calls for reprioritizing narrowly-construed insurance principles can reinforce the sorts of exclusions being examined here, especially in the absence of effective institutional arrangements for extending protections to address the changing nature of employment: for example, as Rubery et al (1999: 42-43) show in comparing system-types in Europe: “women tend to benefit less than men from insurance-based benefits as they are less able to fulfill the eligibility requirements and the tightening of eligibility rules are likely to increase these problems.” As illustrated by Schmidt and Reissert (1996, 248), the same goes for age: “just as older people tend to be better protected under insurance-based systems, the young are less well protected. Insurance-based systems are, therefore, biased toward protecting core workers (mostly male and elderly) over marginal workers (mostly young, female and casual).” An exclusively insurance-based system is thus ill-equipped for dealing with new pressures created by social and economic changes in the labour market. Some flexibility in functions is necessary, and has been necessary historically in the case of EI, to address major socio-economic changes and related demographic shifts.

I. Conceptual Framework

The ensuing analysis takes as its central focus *labour market membership*—that is, participation norms surrounding who labour protections aim to serve by the design of formal laws as well as associated policies on their application and enforcement. It is concerned specifically with *who* is and is not assumed to belong to the community of workers in the labour force, and thus who is entitled to, and able to access without undue hardship, the full range of EI benefits.

An emphasis on membership permits a focused exploration of a number of *axes of differentiation* and exclusion from protection. This analysis focuses on five different axes pertinent to EI coverage and, where possible, their intersection: gender, age, immigration status, size of area of residence, and industry.

Broadly speaking, gender relations impinge on EI coverage because they affect divisions of paid and unpaid labour shaping men's and women's labour force status (e.g., employed, unemployed or discouraged) and, among the employed, scheduling and work arrangements (see Neis, 1993; Vosko, 1996, 2009; Porter, 2003; Townson and Hayes, 2007; Standing Committee on the Status of Women, 2007, 2009; MacDonald, 2009; on maternity and parental benefits, see also Marshall, 2003; Pérusse, 2003).

Immigration status mediates EI coverage through entry category and territorial presence. Citizens, permanent residents, temporary work permit holders, and non-status workers have differential rights and access to supports based on form of immigration and the duration of their stay in Canada (see Phipps and MacPhail, 2002; Sweetman, 2001; Shields, 2004; MacLaren and Lapointe, 2009; Standing Committee on the Status of Women, 2009; Nakache and Kinoshita, 2010).

Age also informs EI policy given assumptions about labour force attachment during school-to-work and work-to-retirement transitions common in the early and latter phases of paid working life (see Ferrall, 1997; McGregor, 2003; Osberg, 2005; Canadian Labour Congress, 2007; Expert Panel on Older Workers, 2008; Riddell, 2009).

The same can be said for both sector of employment and the population size of workers' place of residence—for example, patterns of industrial concentration vary across Canada (see Bakvis, 2002; Klassen, 2000; Cheal, 2003; MacDonald, 2009; McBride and Stoyko, 2000).

Employment status and form of employment are also intimately related to EI coverage. Distinctions between different types of work for remuneration (self or paid employment) and among forms of paid employment (part-time or full-time, temporary or permanent) operate to fully or partially exclude certain categories of workers. This exclusion can be by design, as is the case for many of the self-employed, or by implementation, as is the case with part-time and temporary employees unable to qualify for partial or full EI benefits due to insufficient hours of insurable employment (see Clement, 1986; Vosko, 1996, 2000; Fudge et al., 2002; Battle et al., 2006). However, since neither employment status nor form of employment are facets of workers' ascribed characteristics, they are of a different order and, where possible, analyzed in a cross-cutting manner.³

II. The EI System: Charting Inclusions and Exclusions from Coverage

In 1996, the federal government introduced the *Employment Insurance Act* to replace the *Unemployment Insurance Act*. The EI Act included Part 1 Unemployment Benefits and Part 2 Employment Benefits. It adopted a new hours-system for Part 1 benefits, the central focus here,

that fundamentally altered entry requirements and duration and levels of benefits.

According to a Federal government report (HRDC 1994: 49, *emphasis added*) prepared for the *Social Security Review* that lay the groundwork for the new legislation, a major impetus for the new system was the changing nature of employment:

...The UI program will need to consider the needs of workers in “nonstandard” employment, who have increased significantly over the last decade. This includes part-time, temporary, self-employed or multiple job holders. Most of these workers are women... Many of these nonstandard workers are not fully covered by unemployment insurance for all the hours worked, and some are excluded from coverage entirely... In addition, the current program does not cover self-employed workers at all, other than those in the fishing industry... *Despite the challenges in providing coverage for self-employment, part-time work and multiple jobs, these types of nonstandard work are growing in significance. The issue of providing improved insurance coverage needs to be reexamined.*

Contrary to these stated aims, a large body of literature shows that EI coverage or “reciprocity rates” applies most extensively to full-time permanent long-tenure workers in traditionally dominant sectors of Canada’s economy (e.g., manufacturing and primary industries). Workers least well-protected are clustered in part-time and temporary forms of paid employment and self-employment, and in sectors of the economy long viewed as ancillary but experiencing considerable growth in recent decades, such as sales and services, a central domain of employment for women, younger, older, and immigrant workers (see, on gendered patterns, Phipps et al., 2001; Vosko, 2002; Townson and Hayes, 2007; Standing Committee on the Status of Women, 2009; on immigration status, Sweetman, 2001; Standing Committee on the Status of Women, 2009; MacLaren and Lapointe, 2009; on age, McGregor 2003; and, on region, Sidhu 2009).

Most research on EI focuses on coverage writ large. Yet to understand the mismatch between patterns of labour force participation and EI policy, it is critical to explore how EI’s different modes of coverage operate in practice. Two modes of coverage relate to ‘getting in’: *eligibility*, that is, considering the labour force as a whole, which workers are required (or permitted) to contribute to EI; and *entry requirements*, or the criteria eligible workers must fulfill to qualify for benefits. Another two modes of concern correspond to ‘adequacy of coverage’: namely, *duration* and *level of benefits* among the eligible and qualified unemployed. The analysis pursued henceforth examines these modes of coverage.

The statistics reported are for the year 2007 as there have been few significant EI policy changes since then and because 2007 represents a pre-recession year.⁴ Throughout the analysis, the focus is the currently employed population given the dual concern with the workers that EI is designed to serve as an income security program and those it should take to be members of the labour market meriting income replacement in instances of unemployment. Adopting this methodological approach produces some findings distinct from those reported in government documents that chart trends among the unemployed population, as the character of these populations differ.

A. Getting In

I. ELIGIBILITY

Employees, and their employers, as well as self-employed fishers, are required to contribute to EI via premiums.⁵ When employees lose their employment, or take maternity or parental leave, they are eligible to receive EI regular benefits provided they meet certain requirements. Employees and self-employed workers opting into the program as of January 31, 2010 are also eligible for special benefits.

Regular Benefits

Eligibility for regular benefits rests principally on whether a person is an employee or self-employed; whereas the former and their employers are required to contribute to EI, the latter and their clients are not.⁶ The rationale behind this distinction is that paid employees face relations of subordination; they are party typically to employment relationships in which they relinquish control over how work is performed in exchange for the security and durability of a wage and other employment-related benefits. In contrast, the self-employed are not deemed suitable for coverage as they are assumed to be entrepreneurs (i.e., risk-taking business people who own their own tools and have capital assets). Yet forms of self-employment resembling paid employment in terms of their character and quality are prevalent in Canada (see, for example, Clement, 1986; Hughes, 1999; Fudge et al., 2002; du Plessis et al., 2002; Cranford et al., 2005). One such form is solo self-employment, where the self-employed person does not normally employ others, a diverse category including persons in occupations and industries where the nature of the activity requires a degree of autonomy but not necessarily genuine control and often, but not necessarily, working with multiple clients (e.g., fishers, truck drivers, home childcare providers/ caregivers, editors). Ten per cent of the currently employed hold this form of self-employment and it is particularly common among older workers and recent and non-recent immigrants; compared to paid employment, solo self-employment is also more prevalent as a main job among the currently employed in rural areas.⁷ As Table 1 illustrates further, persons aged 55+ represent 26 per cent of the solo self-employed but only 12 per cent of paid employees,⁸ and people living in rural areas represent 12 per cent of the solo self-employed but 9 per cent of paid employees (see also Appendix A, Table 1).

Defying the image of the high income-earning entrepreneur, many of the solo self-employed also earn relatively low incomes despite the fact that the majority of them are full time (67 per cent) (Appendix A, Table 10). To explore the prevalence of low income, Table 1 uses an annual employment income of \$20,000 or lower as a measure,⁹ reflecting half of the 2007 maximum insurable earnings (MIE) of \$40,000, the trigger for the low income supplement under the former UI system.¹⁰ Almost half of the solo self-employed (48 per cent) report an annual employment income below this threshold—in contrast to a third (34 per cent) of paid employees. Further, some types of workers are over-represented among the low-income solo self-employed. For example, among solo self-employed women, 56 per cent have low annual employment incomes and the same pattern holds for recent immigrants. Among solo self-employed workers aged 15-24, more than three-quarters (78 per cent) are in this situation. Solo self-employed workers living in rural areas¹¹ and solo self-employed workers in the service sector¹² are also significantly more likely to have annual employment incomes of \$20,000 or less.

The exclusion of most of the self-employed from eligibility for regular EI benefits overlooks a sizeable subset of self-employment that resembles paid employment—solo self-employment, much of which delivers low income. On the surface, this legislative exclusion appears neutral to gender, age, immigration status, and size of place of residence. However, the poor quality of a considerable segment of this subset of work carries particular consequences for the older workers and recent immigrants overrepresented among the solo self-employed as well as for the relatively high percentage of solo self-employed women and young people earning extremely low incomes.

TABLE 1 Eligibility: Demographic Distribution of Paid Employees, the Solo Self-Employed and Low-Income Solo-Self Employed, 2007

	PAID EMPLOYEES (unweighted n=31,983; weighted n=15,574,065)	SOLO SELF-EMPLOYED (unweighted n=2,934; weighted n=1,773,683)	LOW-INCOME* SOLO SELF-EMPLOYED (unweighted n=1,432; weighted n=85,312)
Gender Men ■ Women □			
Age 15 to 24 ■ 25 to 54 □ 55+ ▒			
Immigrant Status Non-immigrant ■ Immigrated 10+ yrs □ Immigrated <10 yrs ▒			
Urban/Rural Rural ■ Urban (0-500k) □ Metropolis (500k+) ▒			
Sector Professional ■ Sales & Service □ Manufacturing & Primary ▒			
Form of Employment Full-time ■ Part-time □			

* Low income refers to annual earnings of \$20,000 or less (half of the 2007 maximum insurable earnings (MIE)).

2. ENTRY REQUIREMENTS: QUALIFYING FOR REGULAR EI

Under EI's hours-system, workers making contributions can qualify for regular and special benefits if they have sufficient hours of insurable employment.¹³ An eligible worker must accumulate the required number of hours of insurable employment in the qualifying period, defined as the shorter of the 52 week period preceding the start date of the claim or the period beginning with the start of a previous benefit period to the start date of the new benefit period. Normally, eligible workers need 420 to 700 hours to qualify for regular benefits, depending upon their regional rate of unemployment, the so-called Variable Entrance Requirement (VER) (*EI Act*, s.7 (2(b)): see Appendix B). The exception is new and reentrants (NEREs) to the labour force who have accumulated fewer than 490 hours of insurable employment in the 52 weeks preceding the qualifying period, who need 910 hours regardless of the region in which they live (*EI Act*, s.7(4)). For special benefits, workers can qualify with a flat 600 hours regardless of their NERE/ non-NERE status.

Entry requirements are the mode of coverage where exclusions and partial exclusions from regular and special EI benefits among employees are most numerous. While the hours-system was introduced to enable more workers in "non-standard" forms of employment to gain access (HRDC, 1994: 49), thresholds for entry are high—effectively higher than they were under UT's weekly system.¹⁴ Furthermore, these thresholds still take the full-time permanent job with a single employer to be the norm even though its prevalence is waning, and less common among women compared to men, youth compared to mid-age and older, recent immigrant compared to non-recent immigrant and Canadian-born, rural compared to urban and metropolitan, and sales and service compared to manufacturing and primary workers (see Appendix A, Table 2).

Regular Benefits

Distinct patterns in the distribution of full- and part-time, as well as permanent and temporary, forms of employment between groups helps account for variation in the hours of insurable employment that eligible workers can accumulate in the 52 week qualifying period.¹⁵

Relating these trends to the hours required to qualify for regular EI benefits under the VER, Table 2 shows that, among all employees, 12 per cent of women (vs. 7 per cent of men) have fewer than 420 hours of insurable employment and fully 21 per cent of women (vs. 13 per cent of men) have fewer than 700 hours. Table 3 illustrates further that it would take the average woman paid employee 12.9 weeks to qualify for benefits as opposed to 10.9 weeks for the average man and it reveals similar patterns in a region with a VER of 700. Considering entry requirements by form of employment also illustrates differences in the number of weeks of insurable employment required to qualify for benefits among sexes; for example, in a region with a VER of 420, it would take the average woman full-time employee 11.1 weeks to qualify and the average woman part-time worker 24.4 weeks. If they are NEREs, it would take these women fully 24.1 weeks and fully 52.9 weeks to qualify respectively (Table 3). Women's relatively high level of participation in part-time forms of employment vis-à-vis men's underscores the significance of these divergent entry requirements by form of employment.

TABLE 2 Entry: Proportion of All, Full-time and Part-time Eligible Employees Who Do Not Meet Minimum Hours Thresholds for Regular Benefits, by Demographics, 2007

	ALL PAID EMPLOYEES (unweighted n=31,983; weighted n=15,574,065)			FULL-TIME EMPLOYEES (unweighted n=25,722; weighted n=12,439,742)			PART-TIME EMPLOYEES (unweighted n=5,421; weighted n=2,718,821)		
	% who do not meet 420 hrs threshold	% who do not meet 700 hrs threshold	% who do not meet 910 hrs threshold	% who do not meet 420 hrs threshold	% who do not meet 700 hrs threshold	% who do not meet 910 hrs threshold	% who do not meet 420 hrs threshold	% who do not meet 700 hrs threshold	% who do not meet 910 hrs threshold
Overall	9.7	17.0	22.0	4.2	9.1	12.4	35.3	53.1	65.4
Gender									
Men	7.3	13.3	17.6	3.5	7.8	11.1	38.8	59.6	72.3
Women	12.3*	21.0*	26.5*	5.0*	10.8*	14.0*	33.8*	50.4*	62.5*
Age									
15 to 24	27.1	46.7	56.9	15.5	33.6	41.6	43.5	65.8	78.8
25 to 54	4.7	8.9	12.2	2.2	5.1	7.5	25.5	39.8	51.3
55+	10.1*	15.2*	20.1*	3.0*	5.8*	8.9*	37.2*	51.1*	63.3*
Immigrant Status									
Not an immigrant	9.2	16.1	20.9	3.6	8.1	11.5	34.4	52.1	62.9
Immigrated 10+ yrs	7.6	12.6	16.7	3.1	6.4	9.3	34.6	47.9	60.7
Immigrated <10 yrs	15.3*	23.8*	27.2*	6.5*	13.0*	15.4*	49.6*	66.4*	72.9*
Urban/Rural									
Rural	10.8	18.9	24.4	6.2	12.0	15.6	33.9	53.2	67.2
Urban	10.0	18.1	23.2	4.3	9.9	13.0	35.0	53.7	67.4
Metropolis	9.3*	15.9*	20.5*	3.7*	8.1*	11.3*	35.7*	52.6*	63.4*
Sector									
Professional	4.7	9.6	12.7	2.2	5.5	7.6	27.5	45.8	57.0
Sales & Service	13.9	23.2	29.5	4.9	11.0	14.8	36.5	54.3	66.9
Manufacturing & Primary	6.6*	12.7*	16.7*	4.8*	10.1*	13.7*	36.9*	55.4*	66.0*
Certainty									
Permanent	5.9	11.1	15.2	2.4	5.5	8.0	26.9	44.7	57.8
Temporary	27.4*	44.5*	54.0*	16.4*	32.8*	41.3*	50.9*	70.1*	81.6*

* Indicates statistically significant differences between the groups at p<0.05

Table 3 Entry: Hours per Week and Numbers of Weeks Needed to Qualify for Regular Benefits, by Demographics, 2007**

	ALL PAID EMPLOYEES (unweighted n=22,507; weighted n=110,738,653)					FULL-TIME EMPLOYEES (unweighted n=18,790; weighted n=8,912,159)					PART-TIME EMPLOYEES (unweighted n=3,717; weighted n=1,826,495)				
	Avg. weekly hours	# of wks to work 420 hours	# of wks to work 700 hours	# of wks to work 910 hours	Avg. weekly hours	# of wks to work 420 hours	# of wks to work 700 hours	# of wks to work 910 hours	Avg. weekly hours	# of wks to work 420 hours	# of wks to work 700 hours	# of wks to work 910 hours	Avg. weekly hours	# of wks to work 420 hours	# of wks to work 700 hours
Overall	35.5	11.8	19.7	25.6	39.3	10.7	17.8	23.1	17.0	24.7	41.2	53.5			
Gender															
Men	38.4	10.9	18.2	23.7	40.7	10.3	17.2	22.4	16.3	25.8	42.9	55.8			
Women	32.6*	12.9	21.5	27.9	37.7*	11.1	18.6	24.1	17.2*	24.4	40.7	52.9			
Age															
15 to 24	27.8	15.1	25.2	32.7	39.2	10.7	17.9	23.2	15.5	27.1	45.2	58.7			
25 to 54	37.2	11.3	18.8	24.5	39.4	10.7	17.8	23.1	18.6	22.6	37.6	48.9			
55+	34.1*	12.3	20.5	26.7	38.9*	10.8	18.0	23.4	16.1*	26.1	43.5	56.5			
Immigrant Status															
Not an immigrant	35.1	12.0	19.9	25.9	39.0	10.8	17.9	23.3	17.2	24.4	40.7	52.9			
Immigrated 10+ yrs	36.7	11.4	19.1	24.8	39.2	10.7	17.9	23.2	17.4	24.1	40.2	52.3			
Immigrated <10 yrs	33.7*	12.5	20.8	27.0	39.0	10.8	17.9	23.3	15.0*	28.0	46.7	60.7			
Urban/Rural															
Rural	36.1	11.6	19.4	25.2	40.2	10.4	17.4	22.6	16.9	24.9	41.4	53.8			
Urban	35.7	11.8	19.6	25.5	39.6	10.6	17.7	23.0	16.9	24.9	41.4	53.8			
Metropolis	35.4*	11.9	19.8	25.7	39.0*	10.8	17.9	23.3	17.1	24.6	40.9	53.2			
Sector															
Professional	36.7	11.4	19.1	24.8	38.8	10.8	18.0	23.5	17.4	24.1	40.2	52.3			
Sales & Service	32.4	13.0	21.6	28.1	38.1	11.0	18.4	23.9	17.0	24.7	41.2	53.5			
Manufacturing & Primary	40.5*	10.4	17.3	22.5	41.8*	10.1	16.7	21.8	16.8	25.0	41.7	54.2			
Certainty															
Permanent	36.4	11.5	19.2	25.0	39.4	10.7	17.8	23.1	18.1	23.2	38.7	50.3			
Temporary	29.5*	14.2	23.7	30.8	39.2	10.7	17.9	23.2	14.2*	29.6	49.3	64.1			

** Based on average weekly hours worked in December, excluding those who reported working 'irregular' work schedule (14%)

* Indicates statistically significant differences between the groups at p<0.05

Qualifying for benefits is particularly difficult for young workers, especially given their over-representation in part-time and temporary forms of paid employment (Phipps and MacPhail, 2002). Twenty-seven per cent of all young workers (as opposed to 5 per cent and 10 per cent of workers aged 25-54 and 55+ respectively) have fewer than 420 hours of insurable employment in the reference year (Table 2). In a region with a VER of 420, it would therefore take the average young person 15.1 weeks of insurable employment to qualify for benefits as opposed to 11.3 weeks for the average mid-age worker. Considering workers in part-time employment, in a region with a VER of 420, it would take the average young worker 27.1 weeks to qualify compared to 22.6 weeks for the average middle-aged worker; if these young workers are NEREs, it is unlikely that they would be eligible for EI benefits, as it would take them fully 58.7 weeks to qualify (Table 3). Young workers face unique barriers to entry as they have relatively high shares of part-time but temporary forms of employment and they represent the majority of those falling into the NERE category.¹⁶

Considering differences by immigration status, 15 per cent of recent immigrants (compared to 9 per cent of non-immigrants) have fewer than 420 hours of insurable employment. Such differences reflect recent immigrants' high levels of participation in part-time permanent employment. Entry requirements for NEREs are also a major hurdle for recent immigrants as they are subject to the 910 hour rule upon arrival to Canada. Consequently, considering all employees, 27 per cent of recent immigrants vs. 21 per cent of non-immigrants do not meet the 910 hours qualifying requirement commonly applied to the former. Similar patterns prevail among full-time employees and differences are even sharper among part-time employees (Table 2). Consequently, it would take the average recent immigrant in part-time employment fully 61 weeks to qualify for benefits under the 910 hour rule in comparison to the still onerous 53 weeks required of the average non-immigrant in the same employment situation (Table 3). Yet recent immigrants that qualify face other hurdles as well: for example, if they are on a closed work permit linking their presence in Canada to holding a particular job, they cannot collect regular EI benefits because they are required to leave the country if they become unemployed.

Finally, turning attention to sector, with the exception of those that are part-time, workers in sales and services are considerably more likely not to meet entry requirements than those in professional and primary industries due to their relatively lower average annual hours. It also takes sales and service workers a greater number of weeks to establish a claim than their counterparts in professional and manufacturing and primary sectors.

A notable overarching finding is that EI's entry requirements disfavour part-time workers. For instance, in urban areas and metropolises, where entry requirements tend to be highest, more than 50 per cent of workers in this group do not meet the 700 hour threshold (Table 2). Also attributable to the hours-system, it is much easier for permanent than for temporary employees to qualify for EI regardless of whether they are full-time or part-time, although the percentage of part-time temporary employees that do not meet the lowest potential entry threshold is exceedingly high at 51 per cent. Insensitivity of regular benefit requirements to the changing nature of employment in this formula contributes to disentanglement of workers falling outside the norm of the full-time permanent job in low-unemployment regions where workers in part-time and temporary forms of employment face high entry requirements.

Maternity and Parental Benefits

The distribution of hours also affects social groups' capacities to fulfill entry requirements for maternity and parental benefits—here, women are at a particular disadvantage.

As Table 4¹⁷ shows, among all employees aged 20-39, 20 per cent of women as opposed to 9 per cent of men fail to meet the prescribed 600 hour threshold; correspondingly, it would take the average EI eligible woman and man 18 and 15 weeks of insurable employment respectively to meet this requirement. This difference is explained by women's large shares of part-time and temporary forms of employment; the average woman part-time employee needs 36 weeks to qualify for these benefits and the average woman part-time *temporary* employee needs 44 weeks.

Considering sub-groups of women, more than twice the percentage of all women employees aged 20-24 do not qualify for maternity/parental benefits compared to those aged 25-39. On account of their high levels of participation in part-time employment, recent immigrant women find themselves in a parallel situation to young women as a whole (Table 4).

For women in regions of high unemployment, qualifying for maternity/parental benefits can also be more arduous than for regular benefits, as the VER can reduce the hours-threshold for regular benefits to as low as 420 hours (Phipps, 2006: 12). It can also be difficult for women who have their children close together, especially those employed on part-time and temporary bases (Townson and Hayes, 2007: 31-32). Contributing to a cycle of disqualification, women who fail to meet the 600 hour entry requirement and are compelled to take unsupported leave¹⁸ also often face a double penalty: they are neither entitled to receive EI maternity/parental benefits nor do they receive credit for the hours of insurable employment they accumulate before departing from the labour force. That is, if they take unpaid leaves from employment of a year, the equivalent of the combined duration of EI maternity/parental benefits, they are classified as re-entrants upon re-employment.

Furthermore, under EI's eligibility rules, even women who qualify for and take maternity/parental benefits (i.e., are not deemed NEREs) are required to meet the 420-700 hour entry requirements for regular benefits anew upon their return to the labour force.

TABLE 4 Entry: Proportion of All, Full-time and Part-time Eligible Women Employees Aged 20-39 Living Outside Quebec Who Do Not Meet Minimum Hours Thresholds for Maternity/Parental Benefits and the Average Hours Per Week and Number of Weeks they Need to Qualify, by Demographics, 2007**

	% OF THOSE WHO DO NOT MEET 600 HOURS THRESHOLD						# OF WEEKS TO WORK 600 HOURS		
	Avg weekly hours (all)	Avg weekly hours (full-time)	Avg weekly hours (part-time)	% of all employees	% of full-time employees	% of part-time employees	All employees	Full-time employees	Part-time employees
Overall	33.4	38.5	16.6	19.5	10.9	47.4	18.0	15.6	36.1
(Among men)	(39.5)	41.4	17.5	(8.6)	(5.9)	(40.2)	(15.2)	(15.2)	(34.3)
Age									
20 to 24	29.2	38.8	16.1	32.6	21.7	51.2	20.5	20.5	37.3
25 to 39	34.5*	38.4	16.9	14.8*	7.9*	44.7*	17.4	17.4	35.5
Immigrant Status									
Not an immigrant	33.9	38.4	16.7	17.8	9.9	46.9	17.7	17.7	35.9
Immigrated 10+ yrs	35.1	39.4	18.0	19.2	11.0	37.9	17.1	17.1	33.3
Immigrated <10 yrs	30.0*	39.0	14.3*	27.3*	11.7	62.6*	20.0	20.0	42.0
Urban/Rural									
Rural	32.7	38.3	17.5	19.6	11.3	45.6	18.3	18.3	34.3
Urban	33.3	38.3	16.7	19.9	11.5	47.6	18.0	18.0	35.9
Metropolis	33.6	38.7	16.5	19.2	10.3	47.5	17.9	17.9	36.4
Sector									
Professional	35.3	38.5	16.7	11.1	5.8	42.1	17.0	17.0	35.9
Sales & Service	31.9	38.1	16.6	23.5	12.8	48.6	18.8	18.8	36.1
Manufacturing & Primary	37.3	40.3*	16.1	19.9*	16.0*	51.6	16.1	16.1	37.3
Certainty									
Permanent	34.2	38.5	17.6	15.1	7.9	43.2	17.5	17.5	34.1
Temporary	28.6*	38.5	13.7*	38.4*	27.8*	62.5*	21.0	21.0	43.8

** Based on average weekly hours worked in December, excluding those who reported working an 'irregular' work schedule (14%). Population includes employees only since the participation of the self-employed is voluntary and only became permissible in January 2010

* Indicates statistically significant differences between the groups at p<0.05

B. Adequacy of Coverage

I. BENEFITS DURATION

For regular EI, *duration of benefits*, the third mode of coverage, is set out in a schedule based on hours of insurable employment accumulated and the unemployment rate in the claimant's EI administrative region (Appendix C). The duration of maternity and parental benefits are, in contrast, fixed at 17 and 35 weeks respectively (*EI Act* s. 12(3) (a)-(b)).

Regular Benefits

For those fulfilling qualifying requirements for regular benefits, the means by which benefits duration is calculated resembles that used to determine entry. This aspect of coverage provides for longer benefits periods for the unemployed residing in high rather than low unemployment regions on the assumption that it takes the former longer to become re-employed. At the same time, even if eligible and qualified EI recipients reside in low unemployment regions, the duration formula also takes hours of insurable employment accumulated into consideration, providing those with 1820 hours of insurable employment or more up to 36 weeks of benefits.

Exploring adequacy of coverage via benefits duration, Table 5 depicts the estimated number of weeks of benefits available to eligible employees in regions of <6 per cent, 7-8 per cent, and 13-14 per cent unemployment. These three regional types represent (1) comparatively low unemployment areas where the greatest number of hours are required to qualify and benefits of maximum duration are shortest, (2) recession prone areas, where a lower number of hours are required to qualify and longer benefits of maximum duration apply, and (3) very high unemployment areas, where the fewest hours are required to qualify and the longest benefits of maximum duration are available.¹⁹

Looking through this lens reveals differences in the average duration of entitlements (in weeks) to regular benefits among all eligible and qualified employees; predictably, given EI's aim of providing the most extensive support for the unemployed in high unemployment regions, for all employees the average duration of entitlement to benefits in low unemployment regions is approximately three-quarters that of those in very high unemployment regions (Table 5). Less predictably, in relatively low and recession prone unemployment regions, part-time employees as a whole are entitled to receive, on average, benefits for four months fewer than full-time employees. Permanent employees are also entitled to receive, on average, the maximum duration of benefits available within such regions whereas temporary employees, including those that are full-time, are entitled to receive, on average, benefits of considerably shorter duration. EI's duration formula thus provides for differential income protection to part-time (as opposed to full-time) and temporary (as opposed to permanent) employees.

There are also other noteworthy differences in the duration of entitlement to benefits among social groups *within* the three unemployment regions. For example, in relatively low unemployment regions, young qualified workers tend to have fewer weeks of entitlement to benefits than older qualified workers. Similarly, in recession prone areas, qualified women workers have, on average, a shorter period of entitlement when compared to men.²⁰

Table 5 Duration: Average Number of Weeks of Entitlement to Benefits for Employees Eligible for Regular Benefits Who Meet Minimum Hours Thresholds in Relatively Low (<6%), Recession Prone (7-8%) and Very High (13-14%) Unemployment Regions, by Demographics, 2007

	ALL EMPLOYEES THAT MEET MINIMUM HOURS ENTRY CRITERIA			FULL-TIME EMPLOYEES THAT MEET MINIMUM HOURS ENTRY CRITERIA			PART-TIME EMPLOYEES THAT MEET MINIMUM HOURS ENTRY CRITERIA		
	< 6% UE Avg. # of wks (700+)	7-8% UE Avg. # of wks (630+)	13-14% UE Avg. # of wks (420+)	< 6% UE Avg. # of wks (700+)	7-8% UE Avg. # of wks (630+)	13-14% UE Avg. # of wks (420+)	< 6% UE Avg. # of wks (700+)	7-8% UE Avg. # of wks (630+)	13-14% UE Avg. # of wks (420+)
Overall	35.0	38	45	36	40	45	19	23	33
Gender									
Men	36	40	45	36	40	45	19	22	32
Women	32	35	44	35	38	45	19	23	33
Age									
15 to 24	24	27	37	29	31	39	18	22	31
25 to 54	36	40	45	36	40	45	20	23	36
55+	35	39	45	36	40	45	19	23	33
Immigrant Status									
Not an immigrant	34	38	45	36	40	45	19	23	33
Immigrated 10+ yrs	36	40	45	36	40	45	19	23	34
Immigrated <10 yrs	34	36	45	36	38	45	19	23	33
Urban/Rural									
Rural	34	38	45	36	40	45	19	22	33
Urban	35	38	45	36	40	45	19	22	33
Metropolis	35	38	45	36	40	45	19	23	33
Sector									
Professional	36	40	45	36	40	45	20	23	34
Sales & Service	32	35	44	35	39	45	19	23	33
Manufacturing & Primary	36	40	45	36	40	45	19	23	33
Certainty									
Permanent	36	40	45	36	40	45	19	23	33
Temporary	26	29	38	29	32	39	18	22	31

Maternity and Parental Benefits

Even though the maximum duration of maternity and parental benefits is fixed at 17 and 35 weeks respectively, there remain differences in social groups' (especially women's) capacity to take full advantage of leave periods provided since the distribution of hours also influences benefit levels (see 2. Benefit Levels). Although it is impossible to estimate duration of maternity and parental benefits using the SLID, studies show that financial pressures increase women's probability to return to work early from maternity and/or parental leave (Phipps, 2006: 25-26). According to Phipps (2006: 12-13, 25, 40), although benefit entitlements have increased in total for the new mother since 1971, when maternity benefits were introduced, weekly benefits have actually declined since the real value of maximum benefit has dropped along with the benefit rate (which declined from 66.7 per cent to 55 per cent over the years). MacDonald (2009: 260) emphasizes further that the consequences of this development for high-earning mothers should not be overlooked; these mothers' effective weekly replacement rate has also declined given the low level of the MIE.

A distinct gender issue linked to benefits duration relates to rules on combining regular and special benefits—namely, anti-stacking rules.²¹ The *EI Act* stipulates that workers qualifying for maternity and parental benefits are entitled to a maximum of 50 weeks duration and a combined maximum of 65 weeks of regular and special benefits (*EI Act* s. 12(3)-(5)), effectively limiting the otherwise maximum duration of (both or either type of) benefits to women as the primary group who take these special benefits.²² For example, a mother²³ who takes the maximum parental and maternity benefits allowable — 50 weeks — and is laid off immediately upon or shortly after return to work (for variations on this theme, see *EI Act*, s. 12(3) (a)-(b)), will not be entitled to any EI benefits as she is required to accumulate 420 to 700 hours to re-qualify (*EI Act* s. 12(6), and Schedule I (“Table of Weeks of Benefit”). Moreover, despite the increase to maximum combined special benefits from 50 to 65 weeks in 2002 (*EI Act* as amended by Bill C-49, *Budget Implementation Act*, 2001), the underlying legislative intent was to “ensure full access to special benefits for *biological mothers who claim sickness benefits [linked to childbirth] prior to or following maternity or parental benefits*” (HRSDC, 2009b (under “2002”). Consequently, the order in which leaves are taken matters such that women (especially new parents) attempting to access sickness benefits not connected directly with maternity/parental leave will face greater hardship.

2. BENEFIT LEVELS

Benefit levels are derived based on the same formula for recipients of regular and special EI benefits. They are determined by dividing total claimant earnings in the last 26 weeks (the rate calculation period), ending with the last day of insurable employment, by the greater of the number of weeks worked in the last 26 weeks or what is known as the minimum divisor corresponding to the unemployment rate in the claimant's EI administrative region (see Appendix B). The result is then multiplied by 55 per cent to obtain the level of the weekly benefit (*EI Act* s.14(1)). This system is, however, superceded in the 25 regions participating in the ‘Best 14 Weeks Pilot’ in which average weekly earnings are based on the 14 weeks worked with the highest earnings.

For workers that qualify, the basic benefit rate is set at 55 per cent of the average insured earnings up to the MIE, an annual figure that remained fixed at \$39,000 between 1996 and 2006 but increased to \$40,000 in 2007, and stood at \$43,200 in 2010. Depending on personal circumstances, a benefit rate could be higher or lower than 55 per cent but the MIE is fixed.²⁴ For example, low-income recipients with dependant children may be eligible for what is known as the family supplement (*Regulations*, s. 34). Replacing the pre-existing 60 per cent benefit rate for low-income individuals, this supplement provides additional benefits to low-income individuals with dependent children living in a low-income household by increasing the maximum benefit rate that a single individual in that household can receive from 55 per cent to a maximum of 80 per cent.²⁵

Due to the minimum divisor and low across-the-board replacement rates, regular and special benefits levels reflect and perpetuate patterns of differentiation and exclusion apparent within other modes of coverage.

Regular Benefits

Among beneficiaries of regular EI, benefit levels reflect income segmentation on the bases of gender, age, immigrant status, size of place of residence, and sector as well as permanent or temporary employment status. As Table 6 shows, considering full-time employees, women's average²⁶ weekly benefit levels are 88 per cent of men's.²⁷ These percentages, moreover, hide gender differences in weekly earnings due to the MIE, which caps men's estimated average weekly benefit levels. Among part-time employees, women's estimated average weekly benefit levels are higher than men's, likely due to women's large shares of long-hours part-time employment. In addition to reflecting the overall wage gap, gendered inequalities in full-time employees' average benefits levels flow from the divisor formula. This formula counts weeks not worked in its averaging process, and thus includes weeks with no or low weekly earnings. Women are further disadvantaged by this formula, given their large shares of not only part-time but certain types of temporary employment, such as casual employment, as well as their vulnerability to the general tendency among employers to provide fewer hours to workers in weeks preceding a layoff (Townson and Hayes, 2007: 29; Standing Committee on the Status of Women, 2009: 7, 39).

Differences in benefit levels are also pronounced among workers of different ages (Table 6). Here again, considering full-time employees, the average weekly benefit level for mid-age and older workers is \$423 (the maximum weekly benefit level) whereas it is \$211.54 for those aged 15-24. Similarly, among part-time employees, the average benefit level for young workers is \$102.14 compared to \$195.67 for the mid-aged and \$179.81 for older workers. Still, despite these otherwise higher benefit levels, unemployed workers in the 55+ age group receive a smaller fraction of earnings accumulated over the years due to the existence of the MIE.

TABLE 6 Benefit Levels: Estimated Average Weekly Benefits for Employees Eligible and Qualified- to Receive Regular EI Based on 55% Benefit Rate to a Maximum of \$423 (MIE for 2007), by Demographics, 2007

	ALL PAID EMPLOYEES (unweighted n=28,559; weighted n=13,810,848)		FULL-TIME EMPLOYEES (unweighted n=24,348; weighted n=11,739,321)		PART-TIME EMPLOYEES (unweighted n=3,494; weighted n=1,718,251)	
	<i>Median weekly wage (\$)</i>	<i>Estimated weekly benefit (\$)</i>	<i>Median weekly wage (\$)</i>	<i>Estimated weekly benefit (\$)</i>	<i>Median weekly wage (\$)</i>	<i>Estimated weekly benefit (\$)</i>
Overall	711.54	391.35	788.46	423.00	250.00	137.50
Gender						
Men	846.15	423.00	903.85	423.00	212.96	117.13
Women	576.92	317.31	673.08	370.19	269.23	148.08
Age						
15 to 24	293.03	161.17	384.62	211.54	185.71	102.14
25 to 54	807.69	423.00	846.15	423.00	355.77	195.67
55+	788.46	423.00	865.38	423.00	326.92	179.81
Immigrant Status						
Not an immigrant	769.23	423.00	846.15	423.00	260.63	143.35
Immigrated 10+ yrs	769.23	423.00	826.92	423.00	307.69	169.23
Immigrated <10 yrs	615.38	338.46	673.08	370.19	230.77	126.92
Urban/Rural						
Rural	615.38	338.46	673.08	370.19	230.77	126.92
Urban	673.08	370.19	750.00	412.50	240.38	132.21
Metropolis	767.92	422.35	826.92	423.00	266.67	146.67
Sector						
Professional	1057.69	423.00	1105.77	423.00	476.66	262.16
Sales & Service	528.57	290.71	615.38	338.46	230.77	126.92
Manufacturing & Primary	769.23	423.00	788.46	423.00	230.77	126.92
Certainty						
Permanent	787.23	423.00	846.15	423.00	269.23	148.08
Temporary	402.78	221.53	486.87	267.78	231.17	127.14

* Based on median wage and salary income of paid employees who worked 420 hours or more in the reference year

Correspondingly, recent immigrants' average benefits levels are lower than those of non-immigrants. Even among part-time employees, their estimated average weekly benefit levels are 89 per cent of their non-immigrant counterparts (Table 6), and patterns of differentiation persist by size of place of residence, sector, and certainty with regard to regular benefit levels. For all employees, as well as those that are full- and part-time, the estimated average weekly benefit levels of those from rural areas are lower than their urban counterparts, of those in sales and services are lower than or equal to those in professional and manufacturing and primary industries, and of those that are temporary are lower than those of that are permanent (Table 6).

Furthermore, despite the intended leveling effect of the family supplement for the limited number of claimants receiving it (7.2 per cent in 2007/2008), differences still prevail among those accessing higher replacement rates through this mechanism (CEIC, 2010). As Table 7 illustrates, even among employees in low income families, women's estimated average weekly EI benefits are still lower than men's. Similarly, the estimated average weekly EI benefits of young people living in low-income families are the lowest amongst all age groups, as are those of workers from rural areas in comparison to other places of residence, and sales and service workers when compared to those in other sectors. Only recent immigrants diverge significantly from this pattern. The extent to which the supplement delivers less divergent benefit levels to recipients with low-income is also muted by the fact that it is available to fewer women than men recipients, as well as fewer young and older than mid-age recipients, since it is family-based. Among eligible and qualified employees, 44 per cent of women have incomes of less than \$25,921, the maximum annual income that an eligible and qualified low-income individual's family can earn for this individual to receive the family supplement, but only 8 per cent of those in this situation qualify for the supplement (Table 8). Women form the largest claimant group for the family supplement (Townson and Hayes, 2007: 40). But while *individuals* with low earnings in their previous jobs had an independent right to access supplemental benefits under UI, low-income individuals are denied supplemental benefits under EI if they do not support a dependent child and/or if they are not part of a low-income household (Vosko, 2002).²⁸ The initial consequence of this shift was a dramatic decline in the percentage of women recipients, as well as older workers, receiving higher replacement rates.²⁹ MacDonald (2009: 258) shows further that while single mothers have benefited from the family supplement introduced under EI, mothers with higher-income spouses have lost eligibility due to this replacement for the low income supplement precursor. So too have older and younger workers without dependent children.³⁰ Not only does this design element penalize women as the majority of workers with low-income, it is also based on the problematic assumption that resources are shared in households.

TABLE 7 Benefit Levels: Estimated Weekly Benefits for Employees Eligible and Qualified to Receive Regular EI and the Family Supplement Assuming a Maximum Supplement (80%), by Demographics, 2007*

	ALL PAID EMPLOYEES (unweighted n=914; weighted n=401,156)		FULL-TIME EMPLOYEES (unweighted n=696; weighted n=306,578)		PART-TIME EMPLOYEES (unweighted n=188; weighted n=79,724)	
	<i>Median weekly wage (\$)</i>	<i>Estimated weekly benefit (\$)</i>	<i>Median weekly wage (\$)</i>	<i>Estimated weekly benefit (\$)</i>	<i>Median weekly wage (\$)</i>	<i>Estimated weekly benefit (\$)</i>
Overall	277.78	222.22	307.69	246.15	200.96	160.77
Gender						
Men	309.44	247.55	355.73	284.59	169.12	135.30
Women	259.79	207.83	289.06	231.25	211.54	169.23
Age						
15 to 24	205.26	164.21	247.29	197.83	159.43	127.54
25 to 54	300.50	240.40	317.31	253.85	231.97	185.58
55+	255.02	204.02	337.51	270.01	176.32	141.06
Immigrant Status						
Not an immigrant	288.46	230.77	317.37	253.90	211.89	169.52
Immigrated 10+ yrs	259.62	207.69	276.32	221.05	200.00	160.00
Immigrated <10 yrs	309.35	247.48	317.31	253.85	221.43	177.14
Urban/Rural						
Rural	269.23	215.38	298.08	238.46	159.60	127.68
Urban	277.78	222.22	302.08	241.66	182.50	146.00
Metropolis	288.46	230.77	314.11	251.29	221.43	177.14
Sector						
Professional	326.75	261.40	365.38	292.31	226.39	181.11
Sales & Service	260.42	208.33	295.94	236.75	200.00	160.00
Manufacturing & Primary	316.58	253.27	330.36	264.29	236.11	188.89
Certainty						
Permanent	288.46	230.77	316.52	253.21	211.54	169.23
Temporary	277.78	222.22	314.89	251.91	201.92	161.54

* Median wage and salary income of paid employees who worked 420 hours or more in the reference year and who meet the criteria for the family supplement (net family income of \$25,921 or less, presence of a child under 18, and receive the CCTB)

TABLE 8 Benefit Levels: Proportion of Eligible Employees who Meet Minimum Entry Thresholds (420+) and are Low-Income and Proportion of these Low-Income Employees Entitled to the Family Supplement, by Demographics, 2007

	ALL PAID EMPLOYEES (unweighted n=20,980; weighted n=14,058,581)		FULL-TIME EMPLOYEES (unweighted n=24,647; weighted n=11,923,169)		PART-TIME EMPLOYEES (unweighted n=3574; weighted n=1,759,932)	
	% of employees who have low-income ($\leq \$25,921$)	% of low-income employees eligible for Family Supp.	% of employees who have low-income ($\leq \$25,921$)	% of low-income employees eligible for Family Supp.	% of employees who have low-income ($\leq \$25,921$)	% of low-income employees eligible for Family Supp.
Overall	35.1	8.0	28.1	9.0	79.2	5.5
Gender						
Men	27.4	7.4	22.8	8.2	85.0	4.4
Women	43.5*	8.4*	34.8*	9.6*	76.9*	6.0
Age						
15 to 24	81.9	4.4	74.9	3.9	95.6	4.8
25 to 54	25.5	11.8	21.4	13.2	67.9	7.6
55+	30.4*	1.3*	22.9*	0.8*	70.3*	1.5*
Immigrant Status						
Not an immigrant	32.4	5.3	25.0	6.1	77.7	3.4
Immigrated 10+ yrs	26.4	8.0	20.9	9.2	69.1	4.5
Immigrated <10 yrs	41.3*	11.7*	35.2*	12.3*	73.7*	12.6*
Urban/Rural						
Rural	43.5	12.4	37.9	13.6	81.7	8.2
Urban	37.5	8.6	30.1	9.6	82.4	6.3
Metropolis	31.7*	6.3*	24.8*	7.2*	76.0*	4.2*
Sector						
Professional	17.4	6.7	14.0	7.9	51.2	4.1
Sales & Service	48.6	7.4	38.5	8.4	84.9	5.7
Manufacturing & Primary	30.4*	10.3*	28.0*	10.6*	88.5*	6.0
Certainty						
Permanent	29.2	8.5	23.0	9.7	77.0	5.9
Temporary	66.8*	8.1	61.6*	8.9	80.2*	5.9

* Indicates a statistically significant difference between the groups at $p < 0.05$

Maternity and Parental Benefits

The same tendencies contributing to qualified women's low average weekly regular benefit levels vis-à-vis men's (Table 6) affect their low levels of maternity/ parental benefits (i.e., women's lower average weekly earnings compared to men's). Table 9 profiles estimated maternity/ parental benefit levels for women by focusing on those of childbearing age and exploring patterns among women in this age group by immigrant status, size of place of residence, and sector. Among all women employees, estimated weekly benefit levels vary dramatically by age; those for women eligible and qualified for maternity benefits aged 20-24 and 25-39 are \$179.81 and \$359.62 respectively. Recent immigrant women are also worse off than non-immigrants and women service workers' estimated weekly maternity/ parental benefits are low compared to their professional counterparts.

Examining parental benefit levels among men illustrates further that the low estimated weekly maternity/parental benefit levels for many women aged 20-39 are more than a product of age. Bringing men into the picture reveals that, considering all employees in this age group, women's estimated average weekly maternity/parental benefit levels amount to just 70 per cent of men's, a gap that would be larger without the MIE (Table 10). Amplifying this difference, women are also far more likely to claim maternity/parental benefits than men; while 60 per cent of those who receive regular benefits are men, 94 per cent of those who receive maternity/ parental benefits are women (Statistics Canada, 2008b). Unlike among women, among men variations in estimated parental benefits based on immigrant status and size of place of residence are effectively flattened by the MIE.

TABLE 9 Benefit Levels: Estimated Weekly Benefit Levels for Women Employees Outside Quebec Eligible and Qualified to Receive Maternity/ Parental Benefits Based on 55% Benefit to a Maximum of \$423 (MIE for 2007), by Demographics, 2007*

	ALL PAID EMPLOYEES (unweighted n=4,681; weighted n=2,248,948)		FULL-TIME EMPLOYEES (unweighted n=3,835; weighted n=1,808,780)		PART-TIME EMPLOYEES (unweighted n=739; weighted n=389,522)	
	<i>Median weekly wage (\$)</i>	<i>Estimated weekly benefit (\$)</i>	<i>Median weekly wage (\$)</i>	<i>Estimated weekly benefit (\$)</i>	<i>Median weekly wage (\$)</i>	<i>Estimated weekly benefit (\$)</i>
Overall	538.46	296.15	622.06	342.13	259.62	142.79
Age						
20 to 24	326.92	179.81	403.85	222.12	228.82	125.85
25 to 39	653.85	359.62	692.31	380.77	346.15	190.38
Immigrant Status						
Not an immigrant	647.06	355.88	711.54	391.35	276.92	152.31
Immigrated 10+ yrs	583.33	320.83	692.31	380.77	259.62	142.79
Immigrated <10 yrs	500.00	275.00	520.83	286.46	230.77	126.92
Urban/Rural						
Rural	442.31	243.27	500.00	275.00	240.38	132.21
Urban	500.00	275.00	576.48	317.06	269.23	148.08
Metropolis	615.38	338.46	690.01	379.51	261.92	144.06
Sector						
Professional	826.92	423.00	861.11	423.00	336.54	185.10
Sales & Service	461.54	253.85	538.46	296.15	225.10	140.31
Manufacturing & Primary	500.00	275.00	520.83	286.46	225.93	124.26
Certainty						
Permanent	612.24	336.73	673.08	370.19	288.46	158.65
Temporary	384.62	211.54	440.04	242.02	245.09	134.80

* Women only

**Median wage and salary income of women aged 20-39 living outside Quebec who were paid employees and who worked 600 hours or more in the reference year

Table 10 Benefit Levels: Estimated Weekly Benefit Levels for Men Employees Outside Quebec Eligible and Qualified to Receive Parental Benefits Based on 55 per cent Benefit to a Maximum of \$423 (MIE for 2007), by Demographics, 2007

	ALL PAID EMPLOYEES (unweighted n=9,703; weighted n=4,483,772)		FULL-TIME EMPLOYEES (unweighted n=8,474; weighted n=4,180,021)		PART-TIME EMPLOYEES (unweighted n=981; weighted n=538,271)	
	<i>Median weekly wage (\$)</i>	<i>Estimated weekly benefit (\$)</i>	<i>Median weekly wage (\$)</i>	<i>Estimated weekly benefit (\$)</i>	<i>Median weekly wage (\$)</i>	<i>Estimated weekly benefit (\$)</i>
Overall	769.23	423.00	807.69	423.00	230.77	126.92
Age						
20 to 24	403.85	222.12	451.99	248.60	199.76	109.87
25 to 39	891.30	423.00	903.85	423.00	280.30	154.16
Immigrant Status						
Not an immigrant	769.23	423.00	807.69	423.00	230.77	126.92
Immigrated 10+ yrs	826.92	423.00	846.15	423.00	240.38	132.21
Immigrated <10 yrs	888.89	423.00	903.85	423.00	376.02	206.81
Urban/Rural						
Rural	765.57	421.06	788.46	423.00	243.87	134.13
Urban	750.00	412.50	788.46	423.00	219.92	120.96
Metropolis	788.46	423.00	826.92	423.00	230.77	126.92
Sector						
Professional	1029.41	423.00	1057.69	423.00	400.01	220.01
Sales & Service	557.69	306.73	634.62	394.04	221.15	121.63
Manufacturing & Primary	788.46	423.00	807.69	423.00	194.27	106.85
Certainty						
Permanent	848.48	423.00	884.62	423.00	25.00	137.50
Temporary	490.70	269.89	533.82	239.60	224.96	123.73

*Median wage and salary income of men aged 20-39 living outside Quebec who were paid employees and who worked 600 hours or more in the reference year

III. Toward a More Inclusive Conception of Labour Market Membership: Alternatives for Expanding EI Coverage

The foregoing analysis has shown how inclusions and exclusions within EI's terms of eligibility, entry requirements, duration, and level of benefits take shape. In the process, it has demonstrated how each of EI's central modes of coverage contribute to a situation in which many women, younger, older, rural, and service workers are under-protected due to their participation norms.

Such findings also reveal the cumulative effects of these modes of coverage on certain groups of workers, especially women, sales and service, and temporary workers as well as recent immigrants—that is, how exclusions from full EI coverage stemming from entry requirements are compounded by rules governing duration and level of benefits. Future research should explore more fully the extent to which EI's modes of coverage results in cumulative disadvantage. In the interim, a number of alternatives for policy redesign could address the mismatch between changing patterns of labour force participation and EI coverage, and thereby expand labour market membership in this domain. Given the realities of the labour market, particularly women's high labour force participation rates, the growth in international migration for employment, industrial restructuring in Canada's regional labour markets, and the complexity of school-to-work and work-to-retirement transitions, there is no principled reason for perpetuating differentiation and exclusion on the bases of gender, immigrant status, age, sector or size of place of residence—nor is there a rationale that form of employment, as it interacts with these axes, should exacerbate the disadvantage documented herein.

Several practical measures would contribute to a more inclusive conception of labour market membership to inform this income security program. Indeed, four policy options for the redesign of EI coverage directed at its different modes offer particular potential for limiting exclusions along these axes. By way of conclusion, the remainder of this discussion describes these alternatives, proceeding serially through the four modes of coverage.

A. Getting In

1. ELIGIBILITY

i.) Extend eligibility for regular EI to solo self-employed workers and make contributions mandatory

There is a strong argument for extending eligibility to the solo self-employed given the extent to which many resemble eligible paid employees or are misclassified as independent contractors and earn low income, and lack genuine control over their work, especially women, recent immigrants, older and rural workers. The merit of mandatory coverage for the solo self-employed is that it maintains EI as a universal income security program characterized by cross-subsidization. In contrast, a voluntary approach in which a self-employed person can opt in and out of coverage risks undermining the stability of the system; for example, hypothetically, if a self-employed person eligible for special benefits as of 2010 opts in for a period sufficient to gain entry, then takes 50 weeks of parental benefits, and subsequently opts out of coverage,

it will take the system decades to recover the loss of premiums. In this way, mandatory coverage responds considerably to critiques concerned with so-called moral hazard as it maintains insurance principles while simultaneously bolstering EI's redistributive function by extending eligibility to a group of workers for whom there is compelling evidence of a need for income security.

This option does not negate concerns about administrative challenges (e.g., defining the problem of unemployment among the self-employed). There are nevertheless models to follow in Canada, where the self-employed are covered under the CPP/QPP and required to make both the employee and employer-sponsored contributions as well as under Fishers' EI described above. There are also models outside of Canada: in Austria, for example, compulsory unemployment insurance coverage was extended in 2007 to freelance contractors on the basis that both of the contracting parties (i.e., the freelancer and the client) each contribute 3 per cent of the latter's gross income to the unemployment insurance fund, which grants the worker eligibility for unemployment benefits upon losing his/her job (Adam, 2008; for other examples, see Boadway and Garon, prepared for the Mowat Centre EI Task Force).

Were eligibility extended to the solo self-employed, 10 per cent more of Canada's labour force would gain coverage at this level, for a total eligibility rate of 96 per cent. Considering the minimum and maximum hours' thresholds for entry (i.e., 420 and 700), 78 per cent and 71 per cent of the labour force currently qualify for EI respectively; extending eligibility to the solo self-employed would increase these figures to 86 per cent and 79 per cent.

2. ENTRY REQUIREMENTS

ii.) Create a lower uniform entry requirement of 360 hours for regular and maternity and parental benefits, and ensuring that usage for the latter does not affect access to full regular benefits

Numerous proposals pertinent to improving EI coverage involve modifications to the hours-system. However, the option of a uniform entry requirement of 360 hours is particularly salient to the preceding findings as it reflects the minimum level of labour force attachment that was required of an eligible employee before EI was introduced (12 weeks) multiplied by the average weekly hours of women and service sector workers (both 30 hours), two groups experiencing high levels of cumulative disadvantage.

a. Regular benefits

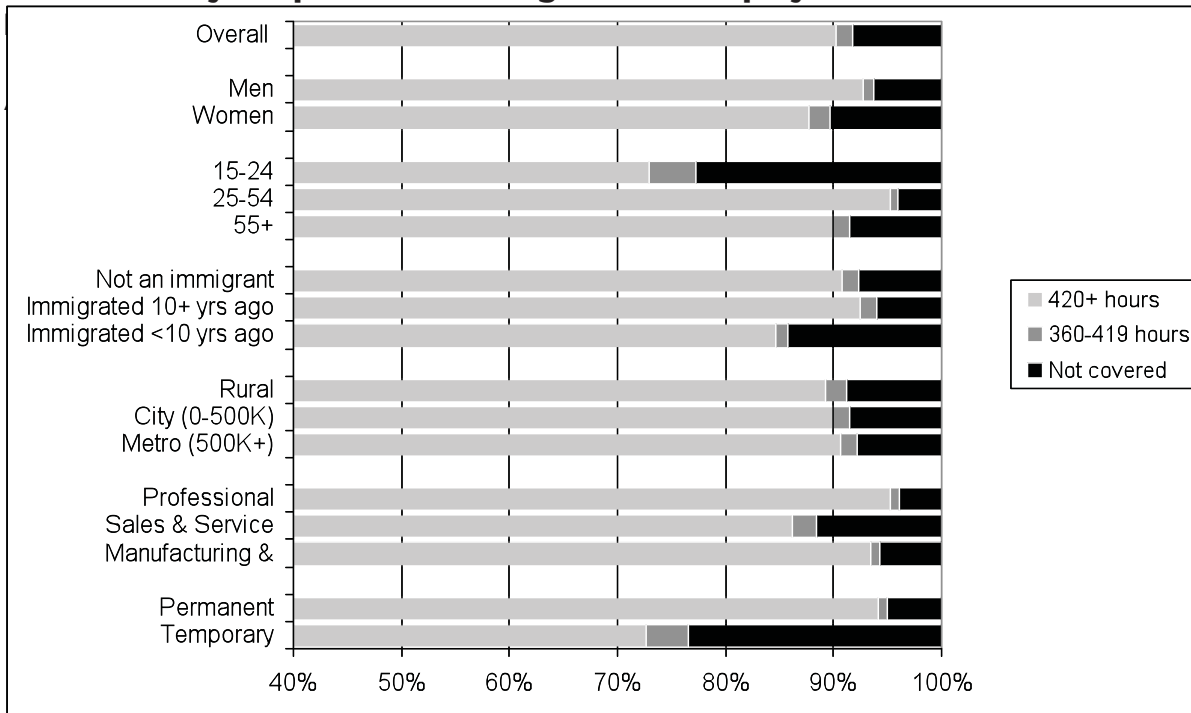
With regard to regular benefits, the threshold envisioned seeks to eliminate disparities in access to benefits in very high and relatively low unemployment regions, as well as the high entry requirements to which part-time and temporary workers are subject in the latter.

A uniform entry requirement would remove the non-NERE/ NERE distinction and its gendered and age-based effects. It would also flatten the VER.

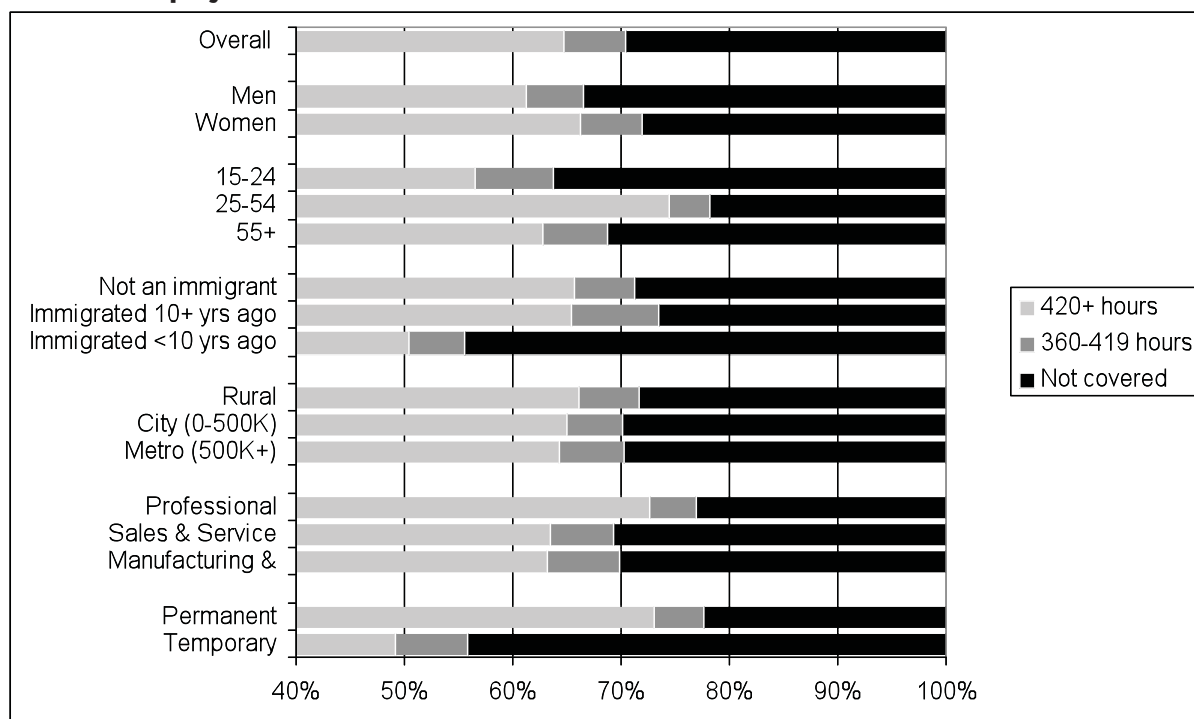
Table 11a depicts the effects of changing the minimum hours-thresholds to 360. The light gray segment of each bar represents eligible employees working 420+ hours who would qualify under the EI hours-system, the dark grey represents employees working between 360-419 hours who would gain entry under a 360 hour threshold, and the black reflects eligible workers who would continue to lack access. Considering employees overall, almost 10 per cent do not meet the 420 hour threshold. This situation is acute among young people, more than a quarter of which do not meet the current minimum qualifying requirement. With a 360 hour threshold, fully 92 per cent of employees would qualify. Among all employees, lowering the threshold makes the most difference for younger, temporary, sales and service, rural, and women workers respectively.

This policy option would bring the most significant improvements to part-time employees. Overall, only 64 per cent meet the 420 hour threshold—with those that are temporary, recent immigrants, and aged 15-24 least likely to qualify. With a 360 hour threshold, 71 per cent would meet the threshold.

Table 11a Entry: Proportion of All Eligible Paid Employees Who Would Meet 360



Part-time Employees



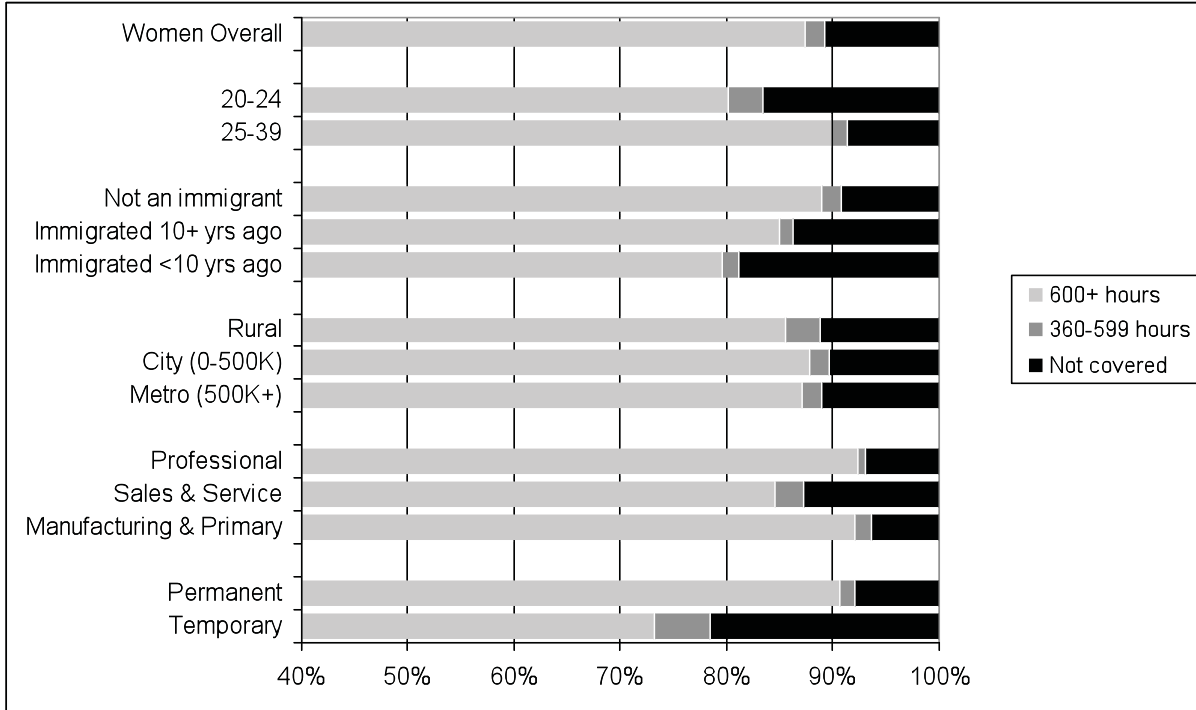
b. Maternity and parental benefits

Modified entry requirements are also required for maternity and parental benefits. The current 600 hours required to secure access is significantly higher than both that required to receive regular benefits in high unemployment regions and the minimum requirements under the previous UI Act (the equivalent of 300 hours). It puts these benefits out of reach for those (many women) engaged in part-time and temporary forms of employment. It also limits qualification among women who have their children close together, young people gaining a foothold in the labour market, and recent immigrants with limited employment histories in Canada. A lower entry requirement for special benefits could remedy such inequities (see, for example, Phipps, 2006; Cox, 2007). Distinct entry requirements for regular and special benefits are also unprincipled: why should a pregnant worker, adoptive parent, or new parent be required to accumulate more hours of insurable employment than an unemployed worker?

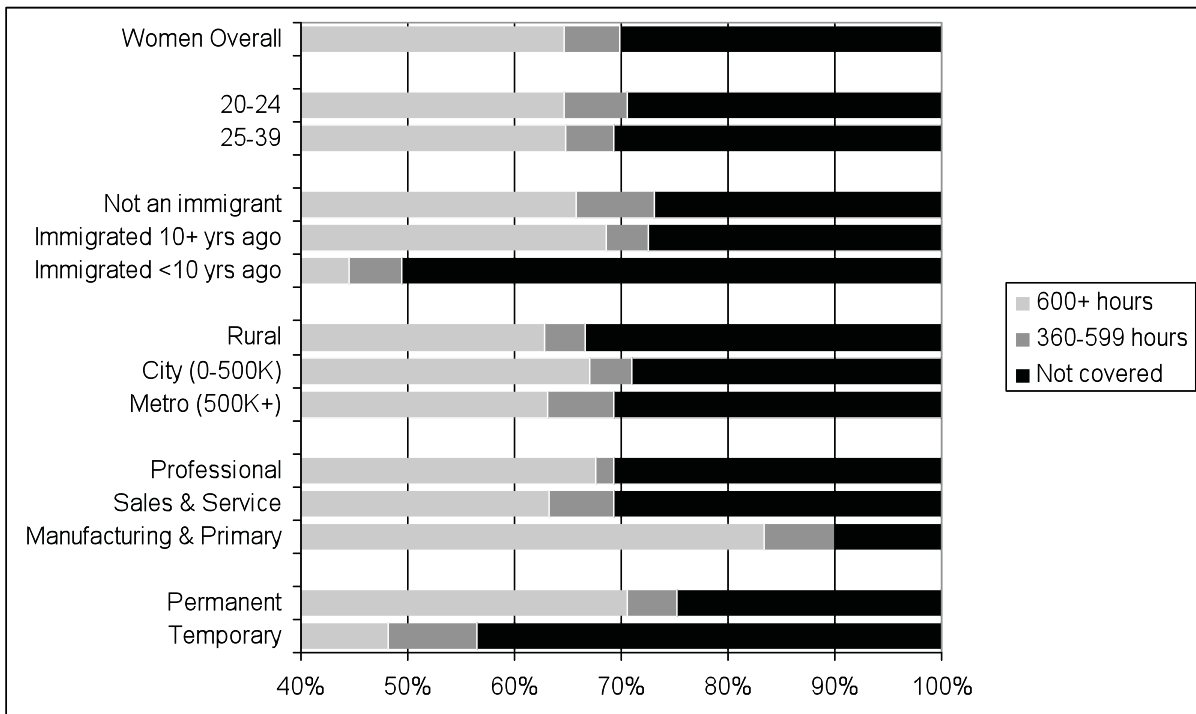
Table 11b shows the effects of shifting to a minimum threshold of 360 hours for maternity and parental benefits, for eligible women workers aged 20-39 (outside Quebec). The light gray segment of each bar represents the per cent of eligible employees covered under the current 600 hour threshold, the dark grey represents those working between 360 and 599 hours who would gain entry, and the black segment represents those who would not be covered under this new threshold. Among all employees, lowering the threshold holds the greatest benefit for temporary employees and those who are younger, live in rural areas, or work in sales and services. A 360 hour entry requirement would also improve this mode of coverage markedly for part-time employees. Currently only 65 per cent of part-time employees meet the 600 hour threshold for maternity benefits; with a 360 hour threshold, 70 per cent would qualify.

Table 11b Entry: Proportion of All Eligible Women Employees Aged 20-39 Living Outside Quebec Who Would Meet 360 Hours Threshold for Maternity/ Parental Benefits, by Demographics

All Paid Employees



Part-time Employees



EI anti-stacking rules mean that a worker who is laid-off shortly after returning from maternity or parental leave may not have a sufficient number of new hours of insurable employment for a regular EI claim. The same problem arises in reverse if the layoff occurs just prior to a maternity leave. These rules effectively discriminate against those workers, primarily women, who exercise their legal right to maternity and parental leave. If, in such situations, the hours used to establish a claim for one type of benefit could be used for another type, as is the case with EI Work Sharing benefits, gender inequalities flowing from the current rules would cease.

B. Adequacy of Coverage

1. DURATION OF BENEFITS

iii.) Weaken the link between the duration of regular EI benefits and regional unemployment rates

There is a need to weaken the link between the duration of benefits and regional unemployment rates by, first, instituting lower thresholds for accessing benefits of maximum duration and by, second, extending the maximum duration and making it equivalent across regions.

Building on the conclusions of the Expert Panel on Older Workers (2008: 60-61), the first aspect of this option responds to the high degree of disparity in maximum duration across the economic regions created by using the unemployment rate to calculate duration of benefits. Under the current EI system, this formula limits weeks of benefit entitlements for eligible and qualified unemployed people with low insurable hours of employment accumulated in relatively low unemployment regions. Flattening the duration schedule would ease this effect. One option entails lowering the threshold for access to benefits of maximum duration. Eligible and qualified employees in very high unemployment regions (13-14 per cent) require 1575 hours of insurable employment to access benefits of maximum duration (45 weeks) whereas those in relatively low unemployment (<6 per cent) and recession prone (7-8 per cent) regions require 1820 hours (36 and 40 weeks respectively). Were the same maximum weeks duration applicable to workers in very high unemployment regions available to those in relatively low and recession prone unemployment regions (i.e., 1575 hours for 45 weeks), all eligible and qualified employees would benefit, although those that are younger would benefit most (Appendix A, Table 3; Appendix C).

The second aspect of this policy option emerges from the concern with making duration of benefits more equitable for workers. In response to structural changes in Canada's economy, a more generous weekly maximum of unemployment benefits should also apply regardless of the level of unemployment in the respective regions.

2. BENEFIT LEVELS

iv.) Reset the formula for determining benefit levels for all regular and maternity and parental benefits recipients by increasing the standard replacement rate to 67 per cent, raising the MIE, and introducing a flat rate top-up for all low-income earners regardless of family status.

Most proposals related to benefit levels address their inadequacy and the need for a more redistributive model to counterbalance strictly insurance-based principles. Many also call for raising

the low-income supplement and making it individually based (e.g., Cox, 2007). A promising option addressing these concerns, to apply to all qualified claimants, would raise the replacement rate to 67 per cent, to reflect the highest rate applied to individuals starting in 1971 before benefit rates began to decline (Lin, 1998: 44) and making it more consistent with replacement rates adopted elsewhere (Osberg, 2009); raise the MIE to make the effective replacement rate of a greater number of claimants correspond to it; and provide for a flat-rate top-up to improve conditions of lower-earning beneficiaries (regardless of family status) both independently and vis-à-vis their higher-earning counterparts.

Table 12 depicts the results of this reset formula. It illustrates the option of a 67 per cent replacement rate plus a flat-rate top-up for low-income earners to a maximum calculated based on the midpoint of the second federal personal income tax bracket in a four income tax bracket system (to be adjusted annually); this mid-point captures the more than two-thirds of workers in Canada who make \$52,767 or less per year.³¹ Based on this sum, a weekly maximum insurable amount is calculated by dividing \$52,767 by 52 (\$1,015). Using this figure and the new replacement rate, the maximum weekly benefit becomes \$680.

The flat-rate top-up selected for low-income claimants is \$100. This notion is modeled on the top-up introduced in the United States in connection with the 2008/2009 recession but is designed to be maintained post-recession in place of a separate low-income supplement and to be increased annually to reflect inflation (U.S. Department of Labor, 2009). Consistent with the tenor of the family supplement but raising its ceiling modestly (the current family supplement is capped at 80 per cent of weekly earnings), in no case would a low-income claimant's total weekly benefit exceed 85 per cent of his or her previous weekly earnings. Under the reset formula, claimants earning \$626 or less per week (to be adjusted annually for inflation) are eligible for the flat-rate top-up. This threshold is calculated by adjusting the amount of the family supplement set in 1996 for inflation; \$25,921 in 1996 is equivalent to \$32,554 in 2007 dollars. Dividing this yearly amount by 52 weeks produces this weekly figure (\$626).

This model provides support for low and lower waged claimants regardless of their family status, eliminating the need for a separate low-income benefit system. It also solves a fundamental problem produced by the current level of the MIE, specifically, that estimated weekly benefits of many full-time employees are capped by this amount (\$423 in 2007), yielding effective replacement rates that are substantially lower than 55 per cent (Table 6). Under the proposed formula, professionals are the only group where the majority of workers would be in this situation (Table 12). Another benefit of the formula is that it helps reduce the extreme inequalities experienced by certain social groups; for example, the average recent immigrant would receive a weekly benefit of a similar level to those of his or her immigrant and Canadian-born counterparts since his or her lower weekly earnings would result in being eligible for a top-up. Still, even though each of the components of this reset formula are principled (i.e., based on an inclusive conception of labour market membership), the formula cannot remedy all inequalities characterizing this mode of coverage since the MIE, as it is currently designed, reduces inequality in benefits levels due to its low level; hence, raising it generates greater inequality in some cases.³² A final merit of the reset formula is that its top-up does not distinguish between full- and part-time employees, focusing instead on income as the criterion for receipt.³³

Table 12 Benefit Levels: Estimated Average Weekly Benefits for Employees Eligible and Qualified to Receive Regular EI Based on 67% Replacement Rate Plus Top Up to a Maximum of \$680, 2007*

		ALL PAID EMPLOYEES (unweighted n=28,559; weighted n=13,810,848)			FULL-TIME EMPLOYEES (unweighted n=24,348; weighted n=11,739,321)			PART-TIME EMPLOYEES (unweighted n=3,494; weighted n=1,718,251)		
		Median weekly wage (\$)	Estimated weekly benefit (\$)	Effective replacement rate	Median weekly wage (\$)	Estimated weekly benefit (\$)	Effective replacement rate	Median weekly wage (\$)	Estimated weekly benefit (\$)	Effective replacement rate
Overall		711.54	476.73	67.0	788.46	528.27	67.0	250.00	212.50	85.0
Gender										
	Men	846.15	566.92	67.0	903.85	605.58	67.0	212.96	181.02	85.0
	Women	576.92	486.54	84.3	673.08	450.96	67.0	269.23	228.85	85.0
Age										
	15 to 24	293.03	249.08	85.0	384.62	326.93	85.0	185.71	157.85	85.0
	25 to 54	807.69	541.15	67.0	846.15	566.92	67.0	355.77	302.40	85.0
	55+	788.46	528.27	67.0	865.38	579.80	67.0	326.92	277.88	85.0
Immigrant Status										
	Not an immigrant	769.23	515.38	67.0	846.15	566.92	67.0	260.63	221.54	85.0
	Immigrated 10+ yrs	769.23	515.38	67.0	826.92	554.04	67.0	307.69	261.54	85.0
	Immigrated <10 yrs	615.38	512.30	83.3	673.08	450.96	67.0	230.77	196.15	85.0
Urban/Rural										
	Rural	615.38	512.30	83.3	673.08	450.96	67.0	230.77	196.15	85.0
	Urban	673.08	450.96	67.0	750.00	502.50	67.0	240.38	204.32	85.0
	Metropolis	767.92	514.51	67.0	826.92	554.04	67.0	266.67	226.67	85.0
Sector										
	Professional	1057.69	680.00	64.3	1105.77	680.00	61.5	476.66	405.16	85.0
	Sales & Service	528.57	449.28	85.0	615.38	523.07	85.0	230.77	196.15	85.0
	Manufacturing & Primary	769.23	515.38	67.0	788.46	528.27	67.0	230.77	196.15	85.0
Certainty										
	Permanent	787.23	527.44	67.0	846.15	566.92	67.0	269.23	228.85	85.0
	Temporary	402.78	342.36	85.0	486.87	413.84	85.0	231.17	196.49	85.0

*Based on median weekly wage and salary income of paid employees who worked 420 hours or more in the reference year

To augment these merits, a best 14 weeks system could also be integrated into this model, meaning that the weekly wage figures in Table 12 would be derived using 14 rather than 52 weeks. This adaptation would address the situation of workers accumulating low weekly hours of insurable employment just prior to a layoff and those in highly variable forms of temporary employment (e.g., casual employment), and respond to how the divisor rule disadvantages workers in temporary or part-time employment just meeting the minimum hours-thresholds in relatively low unemployment regions (i.e., who are faced with the highest divisor).

This policy option for determining benefit levels works to expand labour market membership by limiting inequalities in benefit levels through redistribution across social groups shown to be excluded from full EI coverage.

Appendix A

Background Statistical Tables

Table 1 Eligibility: Demographic Distribution of Paid Employees, the Solo Self-Employed, and the Low-Income Solo-Self Employed, 2007

	PAID EMPLOYEES (unweighted n=31,983; weighted n=15,574,065)	SOLO SELF- EMPLOYED (unweighted n=2,934; weighted n=1,773,683)	LOW-INCOME* SOLO SELF- EMPLOYED (unweighted n=1,432; weighted n=85,312)
Gender			
Men	51.1%	59.5%	53.2%
Women	48.9%	40.5%	46.8%
Age			
15 to 24	19.6%	3.8%	6.2%
25 to 54	68.4%	69.8%	66.4%
55+	11.9%	26.4%	27.4%
Immigrant Status			
Not an immigrant	72.3%	64.2%	58.4%
Immigrated 10+ yrs	20.5%	27.7%	31.6%
Immigrated <10 yrs	7.2%	8.0%	9.9%
Urban/Rural			
Rural	9.0%	11.8%	13.6%
Urban	39.8%	36.2%	37.0%
Metropolis	51.2%	51.9%	49.4%
Sector			
Professional	27.7%	31.9%	27.3%
Sales & Service	49.6%	37.1%	42.7%
Manufacturing & Primary	22.7%	31.1%	30.0%
Certainty			
Permanent	82.1%	73.1%	65.3%
Temporary	17.9%	26.9%	34.7%

* Low income refers to annual earnings of \$20,000 or less (half of the 2007 maximum insurable earnings (MIE))

Table 2 Entry: Typology of Mutually Exclusive Employment Forms, by Demographic Groups, Canada, 2007*

REGULAR EI PREMIUM PAYERS

	Total Labour Force**	Full-time Permanent Employees	Part-time Permanent Employees	Full-time Temporary Employees	Part-time Temporary Employees	Self-Employed Solo	Self-Employed Employers
Overall	15,183,707	60.6%	10.1%	10.3%	4.5%	9.4%	5.1%
Gender							
Men	7,993,749	63.1%	4.8%	11.1%	3.1%	10.7%	7.2%
Women	7,189,958	57.9%	15.6%	9.4%	6.0%	8.1%	3.0%
Age							
15 to 24	2,388,981	39.0%	23.7%	21.4%	13.2%	2.5%	0.3%
25 to 54	10,531,226	69.1%	6.6%	7.8%	2.0%	9.3%	5.2%
55+	2,263,500	50.4%	9.3%	8.5%	5.2%	16.8%	9.7%
Immigrant Status							
Not an immigrant	5,494,948	63.7%	10.3%	8.6%	4.7%	8.9%	3.8%
Immigrated 10+ yrs	1,591,196	63.0%	7.3%	5.3%	2.8%	13.7%	7.7%
Immigrated <10 yrs	516,143	56.9%	14.2%	8.4%	4.9%	11.6%	4.0%
Urban/Rural							
Rural	1,487,440	51.1%	8.5%	15.9%	4.5%	12.9%	7.2%
Urban	6,093,979	62.1%	10.5%	9.7%	4.5%	8.3%	4.9%
Metropolis	7,602,288	63.3%	10.0%	8.0%	4.4%	9.8%	4.5%
Sector							
Professional	4,376,069	65.5%	4.6%	7.5%	3.4%	10.0%	9.0%
Sales & Service	6,810,386	58.0%	18.0%	8.2%	6.7%	7.2%	1.9%
Manufacturing & Primary	3,560,322	61.2%	2.5%	15.5%	1.6%	12.9%	6.2%

*Applies to regular benefits

**Excludes unpaid family workers

These numbers are underestimates because figures omit missing data (i.e., people who did not report whether their job was full- or part-time)

Table 3 Duration: Average Annual Hours in Main Job for Eligible Employees Who Meet Minimum Hours Thresholds in Relatively Low (<6%), Recession Prone (7-8%) and Very High (13-14%) Unemployment Regions, by Demographics, 2007

	ALL EMPLOYEES THAT MEET MINIMUM HOURS ENTRY CRITERIA			FULL-TIME EMPLOYEES THAT MEET MINIMUM HOURS ENTRY CRITERIA			PART-TIME EMPLOYEES THAT MEET MINIMUM HOURS ENTRY CRITERIA		
	< 6% UE Avg. # of wks (700+)	7-8% UE Avg. # of wks (630+)	13-14% UE Avg. # of wks (420+)	< 6% UE Avg. # of wks (700+)	7-8% UE Avg. # of wks (630+)	13-14% UE Avg. # of wks (420+)	< 6% UE Avg. # of wks (700+)	7-8% UE Avg. # of wks (630+)	13-14% UE Avg. # of wks (420+)
Overall	1795	1773	1695	1879	1860	1811	1087	1065	939
Gender									
Men	1890	1871	1804	1937	1921	1875	1052	1020	882
Women	1685*	1661*	1574*	1804*	1782*	1728*	1099*	1080*	961*
Age									
15 to 24	1424	1368	1191	1592	1521	1372	1009	983	826
25 to 54	1855	1842	1799	1912	1901	1872	1133	1113	1023
55+	1805*	1794*	1734*	1907*	1860*	1868*	1097*	1081*	976*
Immigrant Status									
Not an immigrant	1784	1766	1690	1867	1852	1807	1101	1083	950
Immigrated 10+ yrs	1854	1831	1784	1923	1907	1877	1113	1087	1002
Immigrated <10 yrs	1751*	1713*	1634*	1821*	1783*	1735*	1078	1052	910*
Urban/Rural									
Rural	1784	1758	1674	1868	1847	1788	1069	1039	920
Urban	1795	1771	1685	1884	1864	1807	1072	1049	923
Metropolis	1797	1777	1706*	1876	1859	1817*	1102*	1082*	956*
Sector									
Professional	1854	1839	1787	1905	1893	1860	1134	1107	988
Sales & Service	1686	1661	1564	1813	1792	1734	1076	1053	929
Manufacturing & Primary	1917*	1894*	1829*	1944*	1921*	1867*	1081*	1070*	921*
Certainty									
Permanent	1836	1820	1765	1911	1899	1869	1104	1084	969
Temporary	1494*	1438*	1274*	1601	1541	1398*	1020*	987*	836*

* Indicates statistically significant differences between the groups at p<0.05

Appendix B

Variable Entrance Requirement

UNEMPLOYMENT RATE IN EI REGION	REQUIRED NUMBER OF HOURS OF INSURABLE EMPLOYMENT IN THE QUALIFYING PERIOD
6.0% and Under	700
Over 6.0% to 7.0%	665
Over 7.0% to 8.0%	630
Over 8.0% to 9.0%	595
Over 9.0% to 10.0%	560
Over 10.0% to 11.0%	525
Over 11.0% to 12.0%	490
Over 12.0% to 13.0%	455
Over 13.0%	420

Source: *EI Act* s. 7(2)

Appendix C

Weeks Payable of Employment Insurance Regular Benefits (2007)

TABLE OF WEEKS OF BENEFITS

# OF HOURS OF INSURABLE EMPLOYMENT IN QUALIFYING PERIOD	6% AND UNDER	MORE THAN 6% BUT NOT MORE THAN 7%	MORE THAN 7% BUT NOT MORE THAN 8%	MORE THAN 8% BUT NOT MORE THAN 9%	MORE THAN 9% BUT NOT MORE THAN 10%	MORE THAN 10% BUT NOT MORE THAN 11%	MORE THAN 11% BUT NOT MORE THAN 12%	MORE THAN 12% BUT NOT MORE THAN 13%	MORE THAN 13% BUT NOT MORE THAN 14%	MORE THAN 14% BUT NOT MORE THAN 15%	MORE THAN 15% BUT NOT MORE THAN 16%	MORE THAN 16%
420-454									26	28	30	32
455-489								24	26	28	30	32
490-524							23	25	27	29	31	33
525-559						21	23	25	27	29	31	33
560-594					20	22	24	26	28	30	32	34
595-629				18	20	22	24	26	28	30	32	34
630-664			17	19	21	23	25	27	29	31	33	35
665-699		15	17	19	21	23	25	27	29	31	33	35
700-734	14	16	18	20	22	24	26	28	30	32	34	36
735-769	14	16	18	20	22	24	26	28	30	32	34	36
770-804	15	17	19	21	23	25	27	29	31	33	35	37
805-839	15	17	19	21	23	25	27	29	31	33	35	37
840-874	16	18	20	22	24	26	28	30	32	34	36	38
875-909	16	18	20	22	24	26	28	30	32	34	36	38
910-944	17	19	21	23	25	27	29	31	33	35	37	39
645-979	17	19	21	23	25	27	29	31	33	35	37	39
980-1014	18	20	22	24	26	28	30	32	34	36	38	40
1015-1049	18	20	22	24	26	28	30	32	34	36	38	40
1050-1084	19	21	23	25	27	29	31	33	35	37	39	41
1085-1119	19	21	23	25	27	29	31	33	35	37	39	41
1120-1154	20	22	24	26	28	30	32	34	36	38	40	42
1155-1189	20	22	24	26	28	30	32	34	36	38	40	42
1190-1224	21	23	25	27	29	31	33	35	37	39	41	43
1225-1259	21	23	25	27	29	31	33	35	37	39	41	43
1260-1294	22	24	26	28	30	32	34	36	38	40	42	44
1295-1329	22	24	26	28	30	32	34	36	38	40	42	44
1330-1364	23	25	27	29	31	33	35	37	39	41	43	45
1365-1399	23	25	27	29	31	33	35	37	39	41	43	45
1400-1434	24	26	28	30	32	34	36	38	40	42	44	45
1435-1469	25	27	29	31	33	35	37	39	41	43	45	45
1470-1504	26	28	30	32	34	36	38	40	42	44	45	45
1505-1539	27	29	31	33	35	37	39	41	43	45	45	45

TABLE OF WEEKS OF BENEFITS (cont.)

# OF HOURS OF INSURABLE EMPLOYMENT IN QUALIFYING PERIOD	6% AND UNDER	MORE THAN 6% BUT NOT MORE THAN 7%	MORE THAN 7% BUT NOT MORE THAN 8%	MORE THAN 8% BUT NOT MORE THAN 9%	MORE THAN 9% BUT NOT MORE THAN 10%	MORE THAN 10% BUT NOT MORE THAN 11%	MORE THAN 11% BUT NOT MORE THAN 12%	MORE THAN 12% BUT NOT MORE THAN 13%	MORE THAN 13% BUT NOT MORE THAN 14%	MORE THAN 14% BUT NOT MORE THAN 15%	MORE THAN 15% BUT NOT MORE THAN 16%	MORE THAN 16%
1540-1574	28	30	32	34	36	38	40	42	44	45	45	45
1575-1609	29	31	33	35	37	39	41	43	45	45	45	45
1610-1644	30	32	34	36	38	40	42	44	45	45	45	45
1645-1679	31	33	35	37	39	41	43	45	45	45	45	45
1680-1714	32	34	36	38	40	42	44	45	45	45	45	45
1715-1749	33	35	37	39	41	43	45	45	45	45	45	45
1750-1784	34	36	38	40	42	44	45	45	45	45	45	45
1785-1819	35	37	39	41	43	45	45	45	45	45	45	45
1820-	36	38	40	42	44	45	45	45	45	45	45	45

Source: EI Act SCHEDULE 1 (Subsection 12(2))

Appendix D

Minimum Divisor Formula for Determining Regular Benefit Rates*

UNEMPLOYMENT RATE IN EI REGION	REQUIRED NUMBER OF HOURS OF INSURABLE EMPLOYMENT IN THE QUALIFYING PERIOD
6.0% and Under	22
Over 6.0% to 7.0%	21
Over 7.0% to 8.0%	20
Over 8.0% to 9.0%	19
Over 9.0% to 10.0%	18
Over 10.0% to 11.0%	17
Over 11.0% to 12.0%	16
Over 12.0% to 13.0%	15
Over 13.0%	14

*This formula also applies to self-employed fishers

Source: EI Act s. 14(2(b))

Endnotes

1. Although its findings are the responsibility of the author, this study benefited from the expertise of Andrea Noack, who meticulously prepared the data tables required for the statistical portrait, comments from three policy practitioners, Keith Banting, and Barbara Cameron, the research assistance of Laurel Berkowitz, John Grundy, and Anastasia Mandziuk, and the financial support of the SSHRC under its standards grants program.
2. Although there may be financial implications for some options introduced to address this mismatch, which could be borne by a variety of actors and institutions (workers, employers, the federal government etc.), estimating their size is beyond the scope of this inquiry.
3. This is not to deny the lingering tendency to assume that workers holding certain employment statuses and/or forms of employment have particular personal characteristics.
4. Unless otherwise noted, the data source is Statistics Canada's Survey of Labour and Income Dynamics (SLID) and the reference point is respondents' main job in the year 2007 (Statistics Canada, 2009). Representing the closest proxy to EI's 52 week qualifying period, this reference year is also used in policy Appendices C-D.
5. To ease regional industrial divisions, in 1957 the government began to collect EI premiums from self-employed fishers (excluding the wives of fisherman working on their boats until 1981), creating a distinct regime for access to income security among this group. Fishers' EI provides a maximum of 26 weeks of benefits, whose levels are determined based on earnings divided by a divisor varying with the regional unemployment rate (Appendix D).
6. The *EI Act* also makes certain clarifications to ensure that workers in potentially gray areas are eligible for EI, such as hairdressers who are not owner-operators of establishments and taxi drivers, commercial bus, school bus and other vehicle drivers. See *Regulations* s. 6 (d)-(e).
7. The SLID public use micro-data file allows for distinguishing between the experience of recent immigrants (immigrants residing in Canada for <10 years), non-recent immigrants (immigrants residing in Canada for 10+ years), and non-immigrants. In it, however, immigrant status is suppressed for those living outside of major urban areas in order to protect confidentiality, and thus results for this axis can only be generalized to immigrants living in cities with 500,000 or more residents.
8. The prevalence of being solo self-employed also increases with age: 2 per cent per cent of all workers 15- 24 years of age were solo self-employed, compared to 7 per cent of those aged 25-34, 11 per cent of those aged 35-54, and fully 18 per cent of those aged 55+.
9. In this analysis, annual employment income is measured as the sum of wage/salary and self-employment income (not including those who reported a self-employment loss) in 2007. This combined measure is used because self-employed entrepreneurs can report their self-employment earnings as either wage or salary income or as self-employment income depending on the size and organization of their business.
10. The MIE is the highest level of earnings upon which eligible and qualified recipients can draw regular and special benefits even if their earnings exceed it. *Unemployment Insurance Act*, S.C. 1971, c 48 ["*UI Act*"] s. 13 (1(b)(i)).
11. In this analysis, the size of workers' area of residence is used as a measure of the rural/urban distinction. This measure encompasses three groups: those living in metropolitan areas (with 500,000+ residents), those living in urban areas (with less than 50,000 residents), and those living in rural areas.
12. This analysis of industry is based on grouping workers into three categories derived from the NOC 2006 classifications: professionals, sales and service, and manufacturing and primary industries. Roughly, professionals include those working in management, finance, natural and applied sciences, social sciences and government, and teachers and professors. Sales and service includes those working in clerical and technical positions, wholesale and real estate sales, retail sales, chefs and cooks, protective services, and child care and home support. Manufacturing and primary industries refer to those working in construction, trades, transportation, processing and manufacturing and other primary industry occupations.
13. Henceforth, the terms "workers" and "employees" are used interchangeably given that the empirical focus shifts to paid employees in analyzing entry requirements.
14. To qualify for regular benefits under UI, non-NERES needed the equivalent of 180 to 300 hours of insurable employment, depending on their regional rate of unemployment whereas NERES need the equivalent of 300 hours (a minimum of 15 hours weekly for at least 20 weeks) *UI Act* s. 6(2)-(3).

15. In the SLID 2007, employees are asked how many hours they worked at their main job in the reference year. These hours are treated as an indicator of hours of insurable employment. Respondents are also asked how many hours they worked per week, on average, in December, and whether their schedule was regular. This analysis is thus based on the average weekly hours worked in December for paid employees with regular schedules.
Although this analysis groups together salaried and hourly workers because of data limitations, the vast majority of EI claimants are hourly workers whose average weekly hours are lower than their salaried counterparts. The inclusion of salaried workers may therefore skew weekly hours upwards.
16. Young people face additional obstacles if they sever an employment relationship to return to school as this reason makes otherwise qualified workers ineligible for benefits since s.29(c) of the *EI Act* does not include quitting a job to study as just cause for voluntary termination of employment.
In 2007, young workers made up 85 per cent of those who stopped working at their job in order to go to school (Statistics Canada, 2008b).
17. Table 4 (as well as Tables 9 and 10) includes employees aged 20-39 living outside Quebec. This age group is selected since in 2007 3 per cent of live births were from mothers in this age group (Statistics Canada, 2007). The self-employed are excluded since their participation in EI's maternity/parental program is voluntary. Workers from Quebec are excluded since Quebec operates its own maternity and parental benefits regime.
18. The *EI Act* deems that "just cause" for voluntarily leaving employment exists only where claimants have "no reasonable alternative to leaving" (s. 29(b)-(c)), a provision constructed narrowly by interpretation. For example, the Federal Court of Appeal has found that "personal reasons" do not establish just cause for leaving employment, and that "reasonableness" in leaving may constitute "good cause" but not "just cause" (Office of the Umpire, 2009: (c) The meaning of "Just Cause", and (d) The test for just cause). More specifically, s. 29 (c(v)), *Obligation to Care for a Child or a Member of the Immediate Family*, provides just cause for leaving employment only under narrowly specified circumstances; s. 6.4.1 of the Digest of Entitlement Principles states that care must be "required", and alternative care-giving arrangements allowing for the retention of employment must be exhausted (Service Canada, 2010).
19. These benefits durations are based on the average annual hours in the main jobs of eligible employees meeting the minimum hours-thresholds in the three regions (Appendix A, Table 3).
20. Consistent with these trends, administrative data from the Canada Employment Insurance Commission's (CEIC) *Monitoring and Assessment Report 2009* (2010: 82) indicate that exhaustion rates are higher for women than for men across-the-board, "due to the fact that women, on average, are entitled to fewer weeks of regular benefits [than men]... since women generally have fewer hours of insurable employment."
21. This term is drawn from Townson (2009: 27), who labels these provisions as such since they determine the combined maximum duration for which benefits can be consecutively received (i.e., 'stacked').
22. Before the extension of parental benefits to 35 weeks, the Canadian Human Rights Tribunal found that these rules (then amounting to a 30-week cap on combined maternity and parental benefits) had a discriminatory effect on women (*McAllister-Windsor v. Canada*, 2001).
23. Between 2000 and 2001, when the federal government extended parental benefits to 35 weeks, the percentage of fathers claiming them rose from 3 per cent to 10 per cent. Shortly thereafter, there was also a significant rise in fathers claiming parental leave (to 15 per cent in 2005 and 20 per cent in 2006) (Marshall 2008, 8); however, this most recent trend flows from the introduction of the Quebec Parental Insurance Plan (QPIP), which offers more flexible and more generous leaves, as well as special incentives for fathers, than those applied under EI in the rest of Canada (e.g., 3-5 weeks of benefits are reserved exclusively for fathers).
24. In 2007, average weekly insurable earnings could not exceed \$769.00.
25. To qualify, claimants must have at least one dependent child, have received the Child Tax Benefit for the month prior to the Sunday of the week in which they make a claim for benefits, and have a net family income of \$25,921 or less. This last threshold has remained static since the introduction of EI. Consequently, "with the exception of 2002/03, the proportion of EI claimants receiving the Family Supplement top-up has been declining consistently since 1999/2000, reaching 5.9 per cent in 2008/09" (CEIC, 2010: 81).
26. In calculating the measure of central tendency, the median is used instead of the arithmetic average. Because of some extreme income values (both high and low), the average is not a valid measure of the centre of each distribution; specifically, the average skews the dollar amount upwards as it includes the small numbers of self-employed people and employees who report very high income and earnings respectively. For clarity sake, therefore, the term 'average' refers to the median.

27. In 2007/2008, the actual average weekly average benefit among all regular EI recipients was \$345 (CEIC, 2009). Although the time periods do not overlap perfectly (i.e., the reference year for the actual weekly average is the fiscal year and that for Table 6 is 2007), the reason for the discrepancy between this figure and the estimates in Table 6 is the higher number of previously low-wage workers in the unemployed population than the employed population surveyed through the SLID 2007.
28. Three-quarters of low-income paid employees who meet a 420 hour entry threshold living in low-income households are not eligible for the supplement because they do not have a dependent child and two-thirds of low-income paid employees who meet a 420 hours entry threshold are not eligible because they do not live in a low-income household.
29. In the transition from UI to EI between 1995/1996 and 1997/1998, the percentage of women receiving a low income supplement declined by 21 per cent and the percentage of older workers declined by 43 per cent (CEIC 2000, 21.4).
30. The higher percentage of low-income women part-time employees eligible for the family supplement depicted in Table 8 is attributable to the large percentage of young people, including many young men, without children employed on a part-time basis (Appendix A, Table 2).
31. For 82 per cent of Canadians, the major source of reported income is derived from wages and salaries.
32. For example, although women in the full-time category, on average, receive higher weekly benefits under this reset formula, it does not improve their standing vis-à-vis men (comparing Table 6 and Table 12). This problem is, however, a product of pay inequities (vertical and horizontal) that could be corrected by efforts to narrow the gender pay gap rather than the reset formula itself. A further problem common to any system providing supplementary benefits based on a threshold is the potential for those with earnings just below the threshold to receive higher benefits than those with earnings just above it; in this instance, this problem is manifest in the situation of those in the rural versus urban category (Table 12).
33. However, in effect, part-time employees are to receive a higher replacement rate due to their relatively low income.

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Leah F. Vosko is Professor and Canada Research Chair (Tier 1) in the Political Economy of Gender and Work and Co-Director of the Centre for Research on Work and Society, York University. She conducts research on labour and social policy, placing an emphasis on gender and labour market insecurity in Canada and internationally. Since 2001, Professor Vosko has directed the development of two linked and collaborative databases—the Gender and Work and Comparative Perspectives on Precarious Employment Databases—involving co-investigators from across Europe and North America as well as Australia and overseen several community-university initiatives on labour market insecurity in Canada. Professor Vosko's latest book, *Managing the Margins: Gender, Citizenship and the International Regulation of Precarious Employment*, is published with Oxford University Press, UK.

About the EI Task Force

The Mowat Centre has convened a research-driven Employment Insurance Task Force to examine Canada's support system for the unemployed. The Task Force will develop an Ontario proposal for modernizing the EI system—conscious of the national context—that works for individuals and businesses.

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