

Q&A Column
Author: Mark Swartz

Email Subject Line: Can I Collect E.I. If I Quit A Bad Job?

[workopolis.com EN home page](#)

Headline : Can I Collect E.I. If I Quit A Bad Job?

[Landing Page copy](#)

Headline : Can I Collect E.I. If I Quit A Bad Job?

Dear Mark,

Question: Normally I'm pretty patient about things, but the last year at my job has been hell. Ever since I argued with my boss about not giving me a raise, she pretends like I don't exist. People I used to work closely ignore me now, like they're afraid of being seen with me. I'm being frozen out of meetings and choice assignments. It looks like I'll have to quit, even though I've been here more than six years. Do you think I'll qualify for Employment Insurance? Without it I won't be able to pay my bills.

Gareth J., Vancouver, British Columbia

Dear Gareth,

Since I'm not an expert on Employment Insurance (E.I.), I'll only be able to give you general advice here. And that advice is as follows: unless you can prove to Human Resources Canada that you are quitting with "just cause," you are unlikely to be eligible for regular benefits. However you may still be paid maternity, parental, sickness and compassionate care benefits as long as you qualify.

Here's how it breaks down. Even though it might feel to you like you have no other choice but to flee, the folks who dole out E.I. need to be convinced that you've taken all reasonable measures to avoid leaving "voluntarily." I know it sounds like a Catch 22: in your eyes you aren't planning to leave voluntarily, but rather you're considering doing so because you're under substantial stress.

This is where the phrase "leaving with just cause" comes in to play. If you can show that you exhausted your options in trying to fix things at work, and that the situation was still untenable, then you have a chance at collecting regular benefits. According to the federal Department of Human Resources and Social Development Canada (HRSDC), here are some reasons they *might* consider as valid for having to resign:

- sexual or other harassment
- discrimination
- working conditions that endanger your health or safety
- having to provide care for a child or another member of your immediate family
- major changes in the terms and conditions of your job affecting wages or salary
- excessive overtime or an employer's refusal to pay for overtime work
- major changes in work duties
- difficult relations with a supervisor, for which you are not primarily responsible

- your employer is doing things which break the law
- pressure from your employer or fellow workers to quit your job

Keep in mind that your individual circumstances will be examined before any determination of eligibility is made. Also you have to make reasonable efforts to improve your situation *before* leaving. According to the Employment Insurance Website

(http://www.hrsdc.gc.ca/en/ei/information/voluntarily_leaving.shtml), you might need to:

- discuss the situation with your employer, the union (if you have one) and request repairs or adjustments;
- use recourses available under your collective agreement or your employment contract;
- anticipate the possibility of transferring to other duties or another division or to work under someone else's supervision;
- use the legislation Acts or Regulations under: [the labour standards](#), or [occupational safety and health](#), or [labour rights](#) , or [human rights](#).

In short, don't automatically quit your job because its stressful in some way if you're assuming you'll get full E.I. benefits. Better to consult your local branch of HRSDC first (and an employment lawyer if necessary), to explore your options and obligations.