

Hamilton hairstylist says she lost parental benefits after lockdowns limited her work hours ^[1]

Melissa Debicki says she's being penalized for not working despite no control over lockdowns

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EXCERPTS

A Hamilton mother whose job as a hairstylist was on hold due to pandemic lockdowns is calling for changes to the federal parental leave program after she was excluded from collecting benefits due to not working enough hours.

Melissa Debicki was on employment insurance (EI) between December 2020 and last June, except for six weeks in February and March when salons were briefly allowed to open. She gave birth to her son Theo in June, and her initial EI claim, which encompassed maternity leave and part of her parental leave benefits, expired in December.

Debicki said Service Canada told her to start a new claim for her outstanding parental benefits, which should have gone to May. However, she was still denied the benefits because she hadn't worked enough hours in the previous year, something she says was by no fault of her own.

"I do not have [the hours required] because of all the provincially mandated lockdowns," she told CBC Hamilton, saying her initial plan had been to work until just before her birth due date. "I was not legally allowed to work ... I was shocked because each time I spoke to an agent from Service Canada, I was reassured that none of this was going to affect my maternity leave."

Employment and Social Development Canada and the Canada Employment Insurance Commission operate the EI program, of which parental and maternity leave are a part. Eligibility for the program was dropped to 420 work hours in the previous year during the pandemic which, according to government, will remain in effect for any new claims accepted until September 24 of this year.

Previously, the number of required insurable hours in order to qualify for the program was 600.

Debicki said she appealed her denial to the Employment Insurance Commission, but it was dismissed at the end of February.

"The guy on the phone said, 'If it were up to me, I would allow it, however we're legally not allowed to,'" she recalled. "He said, 'We don't look at [the reason]. We just look at whether you have the hours.'"

Debicki brought up the issue with her local member of Parliament, Lisa Hepfner, and with Ontario Premier Doug Ford, who she contacted by email. She said she'd like to see the province recognize it was responsible for the rules that barred her from working, so it should be advocating for changes to EI while providing a stop-gap benefit for affected families.

"He basically shooed me off," she said.

In his email response, Ford said "the specific issue you've raised falls under federal government responsibility. You may want to contact the Government of Canada."

'No elegant solution immediately'

Debicki said she contacted Hepfner's office and a staff member told her she wasn't the first person they'd heard from in this position.

Hepfner said she's heard of similar cases across Canada, adding the particularities of the pandemic have made it clear that the EI system doesn't work for everyone.

"There's no elegant solution immediately," she said, adding "the government is aware of it and is working on EI reform."

This spring will usher in the second phase of public consultations into ways the system can be improved, she said. More information on the process is available on the government of Canada website.

When asked for comment, Employment and Social Development Canada did not address Debicki's case specifically but said the number of maternity and parental EI claims established this past year has been comparable to previous years.

'I've had to dig into my savings'

In January, the Social Security Tribunal — an independent adjudicator that oversees EI appeals — ruled that sections of the Employment Insurance Act violate women's constitutional rights to equality under the law.

Six women who lost their jobs during or just after parental leave brought the case forward, saying their EI claims had been denied because they hadn't worked enough hours to qualify for benefits. The ruling said it's up to the government to resolve the situation.

The government is appealing the decision, while the federal New Democrats are pushing for changes to make EI more fair for new parents.

While Debicki waits for her own appeal at the Social Security Tribunal, she has been without income since December and has had to adapt.

Even though her husband remains employed, she said, it's been hard to keep up with the rising costs of food and gas, and paying her mortgage, utilities and new expenses associated with the baby.

"I've had to dig into my savings and what would have been the start of savings for my son's potential post-secondary education," she said, noting she doesn't get a pension, so her personal savings are central to her retirement plan.

"What we're eating has really changed. I plan it around what isn't exorbitant in terms of cost.

"It's scary wondering how are we going to continue paying for everything."

Region: Ontario ^[3]

Tags: social infrastructure ^[4]

maternal and parental leave ^[5]

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<https://childcarecanada.org/category/tags/social-infrastructure> [5] <https://childcarecanada.org/category/tags/maternal-and-parental-leave>