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CANADA EMERGENCY RESPONSE BENEFIT (CERB) – WHAT DO I NEED TO KNOW?

The Federal Government has passed legislation to create the Canada Emergency Response Benefit (CERB). CERB is an additional income replacement option for Canadians who have lost income due to the impact of the COVID-19 pandemic.

KEY PROVISIONS:

The new CERB will provide workers who have lost their incomes due to the coronavirus with \$500/week for a maximum of sixteen weeks (or \$2000/month), and replaces the two financial measures the Government previously announced (the emergency care and emergency support benefits).

Workers will be eligible for CERB if:

- i. They reside in Canada;
- ii. They are at least 15 years of age;
- iii. They have stopped or will stop working for reasons relating to COVID-19, or otherwise are unable to work due to illness, or because they lost employment for other reasons beyond their control;
- iv. They have stopped or will stop working for at least 14 consecutive days within the four (4) week benefit period, and do not receive or anticipate receiving employment or self-employment income for subsequent benefit periods greater than \$1000.00 / month;
- v. They did not quit their jobs voluntarily;
- vi. They have earned a minimum of \$5000.00 in income within the last 12 months or in the 2019 calendar year.

Seasonal workers and those who have exhausted EI are eligible for CERB.

Canadians can apply to CERB through their CRA MyAccount or by phone. The details are [here](#).

MORE DETAILS:

CERB will cover workers who are laid off from work or have lost their job, provided they are not in receipt of income greater than \$1000.00 from their employment – such as termination or severance pay or other Collective Agreement entitlements. Workers will have to be without income for at least 14 consecutive days in order to claim CERB.

In addition, workers who are unable to work because they are sick, quarantined, or taking care of someone who is sick with COVID-19, as well as working parents who must stay home to care for children who are sick or at home because of school and daycare closures can also claim CERB. However, workers getting income through Collective Agreement sick pay or other leaves with pay will not be eligible until such income is exhausted.

Workers who are eligible for employment insurance benefits can apply for CERB, but a worker will not receive EI benefits and CERB simultaneously.

- If a worker stops receiving income after March 15, 2020, and qualifies for both EI and CERB, the Government has announced it will provide the worker with CERB for a four month period before his/her EI payments start.
- If a worker is already receiving EI as of March 15, 2020, he/she will not qualify for CERB at the moment but may be able to apply at the end of their EI period.

Workers will not be able to take CERB if their Employer is receiving the Canada Emergency Wage Subsidy (CEWs) with respect to their employment.

The Whole Legislation?

Can be found [here](#).

Government's FAQ on CERB can be found [here](#).

Need Advice?

For more information, please contact one of our lawyers:

- [Andrea Wobick](#)
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