

Second Career – Authorization to Quit Instruction Sheet

AUTHORITY

Employment Insurance (EI) Act
Canada-Ontario Labour Market Development Agreement
Section 19.2.3 of the Digest of Benefit Entitlement Principles

BACKGROUND

Under the EI Act a person is disqualified from receiving benefits if they voluntarily leave their employment without 'just cause'. In addition, they are precluded from using the insurable hours from that employment to qualify for benefits when making a subsequent claim (Section 30 of the *EI Act*).

However, people who receive an Authorization to Quit (ATQ) approval to leave their employment in order to take a course are considered to have just cause for doing so. A statement of this policy is found in section 19.2.3 of the federal Digest of Benefit Entitlement Principles.

INTENT

In relation to Second Career, Authorization to Quit is a mechanism that allows MTCU to provide support to laid-off Ontarians who are working in an interim job to make ends meet and need to take training to increase their self-sufficiency and long term employment prospects.

Assessment centres play a key role in the ATQ process and information on ATQ is available to service providers on the EOPG site.

ATQ may be used for the following client groups when Second Career is being considered:

- EI-eligible individuals who have been laid-off on or after January 1, 2005 and are seeking long-term training - 6 months to 2 years – in NOC B occupations, and
- Non-EI-eligible individuals who have been laid-off on or after January 1, 2005 and are seeking training of any length in either NOC B or C.

The individual's status is determined at the time of approval and is confirmed in LMDA Access.

MTCU approval of the Authorization to Quit is made at the same time as the Second Career application.

When an Authorization to Quit is approved by an Employment Training Consultant (ETC), the individual is considered to have just cause for voluntarily leaving their employment and may therefore be able to establish an EI benefit period.

A secondary element of the Authorization to Quit policy is to ensure that clients, including reachback clients, are not precluded from using these hours of insurable employment to qualify for benefits should they make a subsequent claim.

The Ministry's Request for Authorization to Quit Employment form (89-1898E), includes detailed information on policy and procedures for Authorization to Quit.

POLICY

MTCU officials may authorize an individual to quit a job in order to participate in Second Career. Individuals who were laid-off on or after January 1, 2005 and are working in an interim job to make ends meet are eligible.

Based on individual circumstances, leaving employment for training may be an appropriate and effective course of action to increase or sustain long term employment and financial independence.

A client's need for an Authorization to Quit must be identified at an assessment centre during the development of a Return to Work Action Plan (RTWAP) and the completion of the Second Career application.

Approvals of ATQ requests are made an MTCU Employment Training Consultant. Training provider and assessment centre staff are NOT authorized to approve an individual to leave their employment.

Consideration must be given to how quitting would affect any possible severance package the employer may be offering;

When a request for Authorization to Quit is approved the client is expected to remain employed until as close as possible to the training start date, and (in general) not to leave employment more than two weeks prior. However, if a client is required to relocate to attend training, then it is possible to authorize them to leave employment up to a maximum of four weeks prior to the training start date. No financial assistance is available through Second Career prior to the start of training.

If the Authorization to Quit is not approved, the decision must be reviewed by the Service Delivery Manager; and, as with any other program denial, the client can request a review of the decision.

The client will complete the Request for Authorization to Quit Employment (ATQ) form (89-1898E) Parts A, B, and C at the assessment centre.

MTCU staff will review a client's RTWAP, RATQ, and Second Career application and may meet with the client before making a decision to approve an Authorization to Quit.

EI Status Seems Clear
Clients in this category are very likely to qualify for Employment Insurance. Please consult the following Service Canada link for current information on EI eligibility. http://www.servicecanada.gc.ca/en/sc/ei/benefits/regular.shtml These individuals may have been working full time with a single employer for an extended period, or have taken a summer 'survival' job or a part-time job during a break in an already approved multi-year training intervention
EI Status Requires additional Information
Clients in this category will have to do some fact finding before they decide to quit their employment because it will

not be clear whether they will qualify for EI. In the case where EI status is unclear the client must be advised to contact Service Canada or call the Employment Insurance Contact Centre for an explanation of EI eligibility requirements. Once they have gathered the necessary information they must contact the ETC and provide an update.

MTCU approval is confirmed on the third page of the Request for Authorization to Quit form. Four copies of this page are distributed as follows:

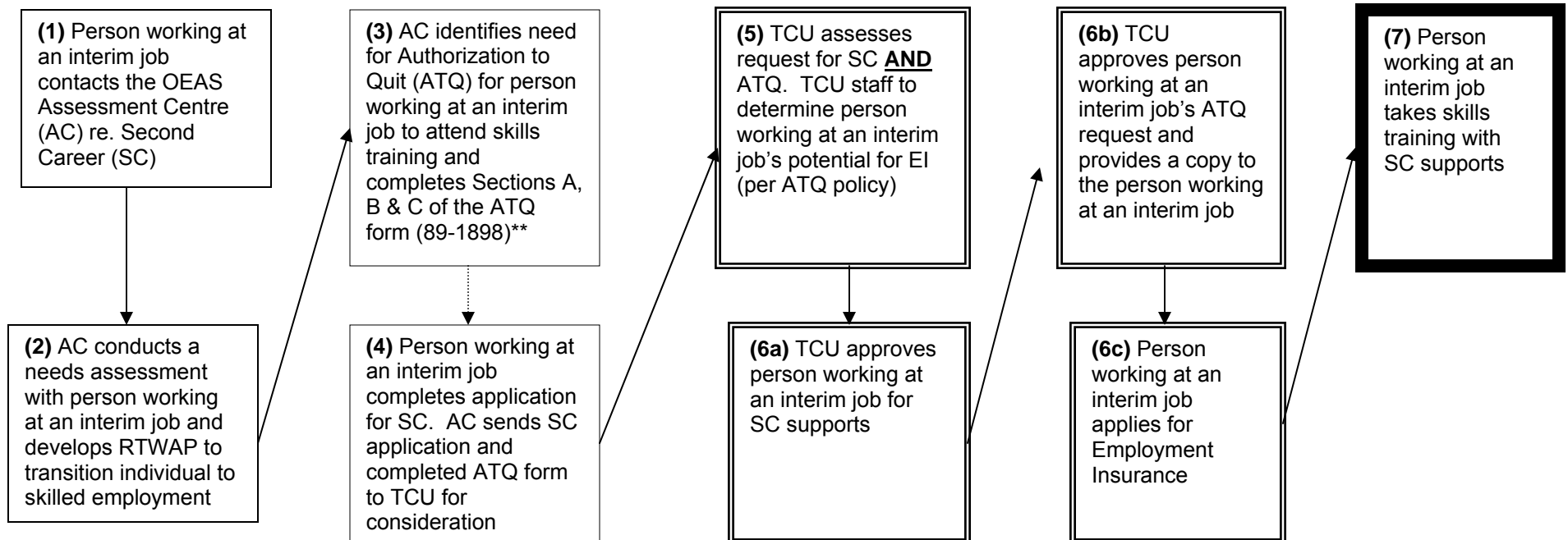
- 1 copy placed on the client's file
- 3 copies to the client
 - a) One for retention by the client,
 - b) One for the service provider's file (case manager),
 - c) The original copy to be attached to the client's EI application.

The client should apply for EI as quickly as possible, generally using AppliWeb. The client should be encouraged to take the ATQ form to their local Service Canada office and hand it to the counter staff as soon as they have applied for EI.

Following adjudication of the claim by Service Canada, the client's EI status will be recorded in LMDA ACCESS.

Please refer to the attached Second Career Pathway to Skills Training for a Person Working in an Interim Job To Make Ends Meet for a summary of the process.

SECOND CAREER – PATHWAYS TO SKILLS TRAINING FOR PERSON WORKING AT AN INTERIM JOB TO MAKE ENDS MEET



** TCU will post ATQ form (89-1898E/F) on EOPG for service providers to download.