

**Annex O**  
**Delegation of Authority**  
**Archive Existing Authorities**

AUTHORITY		LEGISLATIVE PROVISION	POSITION(S)	RATIONALE
1	Authority to issue a notice of violation when circumstances specified in subsection EIA 7.1(4) occur (Row 1 of the EI-1Table)	EIA 7.1(4)	Claims Assessors; Employment Benefits and Support Measures Persons.	The current EI-1 Table of Authorities indicates the identified positions have the corresponding authority.  The review could not confirm the authority had been delegated. The lack of official delegation (proof) and the knowledge that these positions are not trained nor currently performing this function warrants the repeal.
2	Authority to issue a notice of violation when circumstances specified in subsection EIA 152.07(2) occur (Row 1 of the EI-1 Table)	EIA 152.07 (2)	Claims Assessors	The current EI-1Table of Authorities indicates the identified position has the corresponding authority.  The review could not confirm the authority had been delegated. The lack of official delegation (proof) and the fact this position is not trained nor currently performing this function warrants the repeal.
3	Authority to extend the qualifying period, the benefit period and to cancel a benefit period (Row 2 of the EI-1 Table)	EIA 8(2)(3)(4); 10(6)(10) (11)	Employment Benefits and Support Measures Persons	This position has been delegated to perform the associated functions. At one time (2 decades ago) these positions played a role in the adjudication and assessment of EI claims. However, the current job duties do not include such provisions. As such, these positions are not trained to perform the functions, they do not have access to the EI claims processing systems; nor do they fall under the umbrella of Benefits Delivery Services.
4	Authority to impose a disqualification for failure to follow written direction or attend an interview; determine the length of the	EIA 27(1)(a) (b)(c)(d), 27(1.1) & 28(1)(5)	Employment Benefits and Support Measures Persons; Persons with Enquiry Responsibilities	Persons with Enquiry Responsibilities and Employment Benefits no longer have a role in s. 27 or 28 functions – delegation no longer required.  Employment Benefits and Support Measures Persons

EIA – EMPLOYMENT INSURANCE ACT

EIR – EMPLOYMENT INSURANCE REGULATIONS

LAB – LABOUR ADJUSTMENT BENEFITS ACT

Effective September 15, 2017

**Annex O**  
**Delegation of Authority**  
**Archive Existing Authorities**

	disqualification; and defer the disqualification when the claimant is otherwise entitled to special benefits or by virtue of section 25 EIA. (Row 7 of the EI-1 Table)			delegation no longer required – rationale described in row 3 is applicable.
5	Authority to impose, rescind or reduce a penalty, to issue a warning and to set the amount of the penalty (Row 10 of the EI Table)	EIA 38,39,41,41.1, 65.1	Employment Benefits and Support Measures Persons	Employment Benefits and Support Measures Persons delegation no longer required – rationale described in row 3 is applicable.
6	Authority to decide if a self-employed person qualifies for benefits and to give notification of such a decision. (Row 37 of EI-1 Table )	EIA 152.12	Persons with Enquiry Responsibilities Investigators	These positions had been delegated to perform the associated functions with this authority with the implementation of Benefits for the Self-Employed, in 2010. These positions have not performed the functions associated with this authority, therefore authority warrants a repeal
7	Authority to determine insurable earnings and hours when the record of employment is missing.(Row 38 of EI-1 Table )	EIR 19(6)	Plan Assessors	The review confirmed the delegation. However, this position does not perform the function(s) described and the delegation is not required.
8	Authority to terminate a claimant’s period of eligibility for exemption from the requirement to make periodic claims for benefits (Row 41 of EI-1 Table )	EIR 26.1(3)	Plan Assessors	The review confirmed the delegation. However, this position does not perform the function(s) described and the delegation is not required.
9	Authority to pay benefits to any person acting on behalf of a claimant with mental disabilities, or who is incapacitated; or pay	EIR 27(1)(2)	Plan Assessors	The review confirmed the delegation. However, this position does not perform the function(s) described and the delegation is not required.

EIA – EMPLOYMENT INSURANCE ACT

EIR – EMPLOYMENT INSURANCE REGULATIONS

LAB – LABOUR ADJUSTMENT BENEFITS ACT

Effective September 15, 2017

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**Archive Existing Authorities**

	benefits to the legal representative of a deceased person, when the requirements are met under Part I, VII.1, or VIII of the EIA are met. (Row 42 of EI-1 Table )			
10	Authority to determine the value of the other benefits received in respect of the claimant's employment (Row 44 of EI-1 Table )	EIR 35(12)	Plan Assessors	The review confirmed the delegation. However, this position does not perform the function(s) described and the delegation is not required.
11	Authority to require a claimant to undergo a medical examination and to direct that such a medical examination takes place at a certain time and place. (Row 45 of EI-1 Table )	EIR 40(2)	Plan Assessors	The review confirmed the delegation. However, this position does not perform the function(s) described and the delegation is not required.
12	Authority to waive the waiting period if certain requirements are met. (Row 46 of EI-1 Table )	EIR 40(6)	Plan Assessors	The review confirmed the delegation. However, this position does not perform the function(s) described and the delegation is not required.
13	Authority to approve the reason for claimant to be outside of Canada (Row 47 of EI-1 Table )	EIR 55(11)	Plan Assessors	The review confirmed the delegation. However, this position does not perform the function(s) described and the delegation is not required.
14	Authority to write-off overpayment when the overpayment was not due to the debtor's error nor to a false or misleading declaration (Row 49 of EI-1 Table )	EIR 56(1)(e) and 56(2)	Plan Assessors	The review confirmed the delegation. However, this position does not perform the function(s) described and the delegation is not required.
15	Authority to receive and process applications for Labour	LAB 13,14(1) 16(1),(2),(4),(5)	Claims Adjudicators; Claims Assessors	The Labour Adjustment Benefits Act is valid. However, no processing activities are performed.

EIA – EMPLOYMENT INSURANCE ACT

EIR – EMPLOYMENT INSURANCE REGULATIONS

LAB – LABOUR ADJUSTMENT BENEFITS ACT

Effective September 15, 2017

## Annex O Delegation of Authority Archive Existing Authorities

	Adjustment Benefits	and 17, 18, 25		
16	Authority to carry out the determination and perform a semi-annual review and notify the employee of a negative decision.	LAB 14(1)(f); 16(1)	Claims Adjudicators; Claims Assessors	The Labour Adjustment Benefits Act is valid. However, no processing activities are performed.
17	Authority to waive specific qualifying conditions to prevent severe financial hardship to a certified employee	LAB 14(2)	NHQ Managers	The Labour Adjustment Benefits Act is valid. However, no processing activities are performed.
18	Authority to waive specific qualifying conditions where a certified employee is in substantial compliance	LAB 14(3)	Persons with Appeal Responsibilities	The Labour Adjustment Benefits Act is valid. However, no processing activities are performed.
19	Authority to waive or vary any of the reporting requirements for a qualified employee	LAB 22(4)	Claims Assessors; NHQ Managers	The Labour Adjustment Benefits Act is valid. However, no processing activities are performed.

**NOTE:**

Over the past decade, EI service delivery has moved from a manual paper-based process (where 100% of claims required agent intervention) to a partially automated network (where claimants can apply online, employers can submit records of employment online and the majority of claims are fully or partially automated). As a result the job duties performed by staff often change. As efforts to increase claims processing automation and to optimize the electronic services available to individuals and businesses – job functions will likely continue to change.