

Analysis and synthesis of employment insurance policy since conception and the new realities facing frictional unemployment in the twenty-first century.

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## Background

Social security systems represent major components within Canada's culture and ideologies. One major social system is employment insurance, developed in 1940 (CBC News, 1945). Employment insurance (formerly known as unemployment insurance prior to the introduction of Bill C-12 in 1996) legislation was introduced to provide support to struggling families during the economic depression and to address concerns about the re-integration of soldiers from the Second World War (CBC News, 1945). Over the course of the following three decades, employment insurance policy expanded coverage, and by 1971 the policy provided nearly universal coverage in Canada (Zhengxi, 1998). Post-1971, employment insurance policy has gone through a great deal of reform, resulting in significant decreases in both coverage and relative benefits. Current employment insurance policy requires a minimum of between 420 to 700 hours worked in the previous year, dependent upon where one lives, and those that have been fired or quit voluntarily are not covered (Gohier, 2009). At present, this social security program has become very ineffective as only 43% of unemployed receive employment insurance benefits and, 17% of the unemployed do not receive benefits even though they have paid premiums and have been laid off (Toronto Star, 2009). The major reforms occurred in 1971 and 1996, each pushing the policy in opposite ideological directions, some reforms for more social assistance and others to reduce the dependency on social security (Tibbetts, 2008). It is important to note that these unemployment statistics are very hard to break down into different components, e.g. exact data for the number of unemployed that didn't pay into the system. There is a significant propensity for error as the full statistical data and process would be required to better evaluate the validity of these statistics. Nevertheless, available data shows the trend of decreasing employment insurance coverage (see Appendix, Figure D).

There are three types of unemployment that any employment insurance policy needs to take into account: frictional, structural, and cyclical (Neill, 2009). Frictional unemployment occurs when people are transitioning between jobs and includes new entrants or re-entrants searching for jobs. It takes time for both unemployed individuals searching for work and employers searching for prospective employees with the right skill sets to align. The primary problem with frictional unemployment is that personal hardship is inflicted on the unemployed workers, and the secondary problem is societal economic loss of productive labour (Amosweb, 2009). Structural unemployment is when there is a disparity between the skills of workers and those needed for jobs, or it may be due to jobs being replaced by technological developments. Furthermore, it can involve a mismatch between the quantity of unemployed workers searching for work and the number readily available positions. Lastly, cyclical unemployment

involves unemployment resulting from economic or business cycles causing a significant gap between the number of unemployed and quantity of vacancies. A common example is the Great Depression of the 1930's. (Amosweb, 2009)

## Issue

Employment insurance, as currently designed, fails to effectively respond to frictional unemployment in the new realities of the twenty-first century.

## Analysis

In the twenty-first century, a variety of trends have further increased the frequency and quantity of frictional unemployment in Canada, which have not been accounted for by employment insurance. Frictional unemployment results when individuals are transitioning between jobs for various reasons and is almost impossible to entirely prevent. The increase in frictional unemployment is reflected in the trend of employability, whereby the onus for remaining employable rests on employees and is not the responsibility of organizations. More recently, employers want to hire fully trained, experienced employees and do not want to incur training expenses. Employees no longer remain with one or two organizations for their entire career, employability has resulted in employees staying with organizations for dramatically shorter time frames, typically in the two to six year range. In addition, companies now reward employees more for contribution rather than seniority, resulting in layoffs at all career stages. An increase in the frequency of employment changes has brought a much greater quantity of frictional unemployment than what employment insurance was originally designed to address (Neill, 2009). Globalization is a contributing factor to the development of the trend of employability as it has effectively created a worldwide labour market. This allows a limited quantity of organizations to pick from a global labour pool except in areas of scarce skills or specialized expertise. Globalization has stimulated the advent of outsourcing, which has created a great deal of structural unemployment but has also generated greater frictional unemployment. The current fiscal crunch that started in 2008 combined with the current demographic situation of boomers around retirement age and echo-boomers entering the job market in large numbers also impacted frictional employment (refer to Appendix, Figure B). The retirement savings of individuals fell by 20-40% at the onset of the economic crisis (CBC News, 2009). People that were near retirement, due to the erosion of their savings, now plan to work several years longer, which extends the average duration of unemployment. Furthermore, the recently retired, whose savings may now not last their lifespan, are again looking for work. With

the fiscal downturn the number of available jobs decreased as companies laid off staff, went bankrupt or deferred hiring new or replacement staff. Thus, there are the newly unemployed competing with new graduates and retirees within the labour market. All of these factors are resulting in increased frictional, structural, and cyclical unemployment.

While frictional unemployment has never been adequately addressed by the Canadian employment insurance policy, changes since 1971 have had an overall trend of imposing stricter requirements and decreased benefits (Neill, 2009). These changes have negatively impacted employment insurance's capacity to minimize the effects of frictional unemployment. Most employment insurance policy changes since 1971 have been directed towards frictional or structural unemployment. The struggle for policy makers has been between seasonal employees taking advantage of the employment insurance system and support for those in dire need upon losing their jobs (Cirtwill, 2009). Changes to employment insurance after 1971 were mostly in response to criticisms regarding those that take advantage of the system and rely on it as a secondary or even primary source of income (Marenko, 2009). For example, it was not uncommon for industries involved in seasonal work, e.g. construction or fishing, to work a fraction of the year and then submit claims for employment insurance for the balance of the year.

Significant reforms were made to employment insurance legislation through Bill C-27 (11/Sep/1977) and Bill C-14 (1/Jan/1979) over growing concerns that this social security program was in fact increasing unemployment, and that the length of time that individuals took to find a job was positively correlated to the quantity of benefits provided by employment insurance (Zhengxi, 1998). These changes came to pass as a movement towards a neo-liberalist ideology that does not believe in social security and sees it as an inefficiency that stalls economic development (Weiss & Shavell, 1979). Some of the noteworthy changes those two Bills made to employment insurance included a reduction in the maximum benefit period and the introduction of variable entrance requirements. They were modified again in 1979 in order to further decrease costs by targeting a great number of economic regions more directly, regions that had on average lower unemployment rates had to meet higher requirements to qualify for employment insurance than regions that had relatively higher amounts of unemployment. Other changes included action to take back benefits paid to high income individuals, and the maximum eligible coverage was reduced to 60% (Zhengxi, 1998). This was a direct response to frictional unemployment, operationalized through negative reinforcement, whereby the reforms increased qualification requirements for employment insurance and

decreased benefits in the hopes of decreasing the average time individuals took transitioning between jobs; less benefits means greater urgency (Fenwick, 2009).

“Under mounting deficits in the late eighties and early nineties, and under urging from a number of critics and politicians, such as Lloyd Axworthy, the program was tightened to make employment insurance harder to get. Maximum benefits were cut, while seasonal employment insurance recipients who drew benefits season after season had their payments reduced through the intensity rule.” (Fenwick, 2009) While this continued trend of reducing both coverage and benefits would have definitely influenced the behaviour of seasonal employees that were ‘free-riding’ the employment insurance system, it would have negatively impacted the many Canadians that were frictionally unemployed. The argument that cutbacks need to be made to the employment insurance system in order to decrease unemployment is based on ideological principles representing a more Conservative and neo-liberalist perspective (Atkinson, 2009). This perspective has led to a great deal of the breakdown of employment insurance and represents a significant contributing factor behind the lack of coverage and benefits in Canada today.

By the early and mid 1990’s, this systematic reduction in benefits and augmentation of requirements for employment insurance coverage continued, further decreasing the program’s effectiveness in supporting frictionally unemployed workers. In 1990, Bill C-21 (18/Nov/1990) was introduced and further increased the number of employment insurance regions, increased penalties for quitting, being fired, or not accepting ‘suitable’ employment, increased coverage requirements to 20 weeks, and fully eliminated the government’s share of costs in the program. “Employment insurance became self-financing; the cost of the program would now be shared by employees and employers exclusively.” (Zhengxi, 1998.) By the mid-1990’s, changes were made that stipulated that those who quit without just cause or were dismissed, were no longer eligible for benefits at all. This was accompanied by two further reductions in maximum coverage limits, bringing it down to 55% for most individuals and 60% for low earning claimants or those with dependents (Zhengxi, 1998).

A strategy of cutting back both benefits and coverage of employment insurance was successful in limiting use of the social security program as a means of supporting unsustainable seasonal work, sometimes highly paid, has come at a great cost. While preventing this type of undesirable behaviour is important, the cost is to the rest of the people that are not taking advantage of the employment insurance structure and that rely on it as a safety net in their

greatest time of need (Osberg, 2009). The last major changes to employment insurance legislation occurred in 1996 with the introduction of Bill C-12 along with a few alterations made in 1997 in hopes of further decreasing unemployment. A variety of changes were made including a new calculation that was implemented to evaluate the benefit entitlement by averaging earnings over the last twenty weeks of employment. Furthermore, maximum insurable earnings per week were reduced to \$750, along with a variety of disadvantageous policies that progressively decreased benefits if the program was used repeatedly. This was done through the application of a “benefit clawback of up to 100%” that progressively increased for those using the system more than once within a five year period. (Zhengxi, 1998)

The critical problem with many of the employment insurance policy adjustments since 1971 is that they have been pulling against current employment trends (Marenko, 2009). Although it is not realistic to expect the government to adjust policy to account for the future, by the mid 1990’s, it is plausible that the government would have had an opportunity to recognize some of the effects of globalization, outsourcing, and emerging work force trends influencing frictional unemployment such that policy could be adapted to these behavioural and environmental shifts. However, both the courts and the government are relatively conservative organizations that have a strong aversion to risk and preference towards policy adjustments are always chosen over the option to create entirely new policy (Osberg, 2009). Following precedence is an important part of this, which limited options for the government to push employment insurance policy in another direction that adapted to new trends and societal norms. Furthermore, there was a big deficit to tackle in the 1990s, so all programs lost some degree of funding to combat the deficit, which would have influenced employment insurance policy choices at that time. The overall approach to employment insurance was very effective in slowly creating a great deal of red tape over the course of two decades to negate the effectiveness of this social security program, which was thought to help decrease unemployment and is still a supported strategy (Osberg, 2009). One reform that has been effective in minimizing the common problem of free-riding employment insurance is the ‘clawback’ reform made in the 1990’s that takes back up to 100% of benefits paid to high income earners or repeat users of the system (Zhengxi, 1998). If the frictionally unemployed are not assisted through employment insurance, the likelihood of remaining under-employed is significantly higher as they will eventually be forced to take on work that does not suit or fit their educational background or experience (Ignatieff, 2009). The potential result of this is a loss of human capital and productivity in the Canadian economy. Lastly, it should be recognized that, at present, the employment insurance fund has reached \$57.2 billion and has continued

to rise even during the current economic downturn, demonstrating that employment insurance is potentially being used for purposes other than supporting people when they are unemployed (Public Accounts Canada, 2009).

Employment insurance represents a good opportunity for reform to address frictional unemployment (see figure C in Appendix for evaluation of possible solutions). One possible solution is to eliminate the policy's exclusion of individuals who have been fired combined with a decrease in the qualification requirement to 375 hours worked in the previous year nationwide, all on the condition that benefits are terminated as soon as 'suitable' work is found. This would quickly increase coverage for frictionally unemployed Canadians and eliminate the disparity that the current program is causing. For example, although unemployment has gone up by 83% in Alberta, the province remains one of the hardest regions to qualify for employment insurance (Ignatieff, 2009). More coverage also means increased consumer spending that stimulates economic production and eventually a greater availability of employment. A combination of relatively poor benefit payouts and the clawback would, to some extent, prevent abuse of the system.

Another approach is to do nothing and leave employment insurance policy as it is. Frictional unemployment can be difficult to address directly without creating unemployment through excessive incentives that may cause a shift back towards seasonal industries. The employment insurance program has so many inefficiencies and is in need of an overhaul. Adding further legislation to the policy may lead to only further economic hardship for those that qualify for benefits in the current program.

Lastly, the government could take action and implement a grant program targeting frictionally unemployed new graduates and fund it through employment insurance. A proposal for such a program would be to pay \$10,000 per Canadian new graduate student hired by a small or medium sized organization as long as the student remains employed for at least twelve months in a fulltime position. Although similar programs have existed, this program is of a much greater magnitude as it can be made more accessible through the employment insurance program. This would directly decrease the transition period between completing college or university and getting a job. Furthermore, it acts as an incentive for employers to hire and train new graduates whereas the current trend of employability is one where employers want trained and experienced new hires. It acts as an indirect employment insurance coverage of frictionally unemployed students. Lastly, it has benefits for the economy in terms of decreasing

unemployment and increasing consumer spending and a minor incentive for organizations to hire in Canada instead of offshore. (see Appendix, Figure C, for comparison of alternatives)

### **Solution #1 – Increase coverage through decreased requirements and greater eligibility**

The proposed solution is to boost employment insurance eligibility among unemployed Canadians by nationally dropping the coverage requirement to a flat 375 hours worked in the previous year along with making coverage available to those dismissed or fired. More coverage means more directly targeted government support going to where the need is greatest, with the added benefit of further economic stimulation through increased spending by those frictionally unemployed. *Will it work?* Absolutely, making these changes would dramatically increase the number of unemployed Canadians receiving benefits and provide the much needed support to give frictionally unemployed workers the opportunity and time to find suitable work. The caveat is that it would provide a greater incentive for workers to move towards seasonal work; however, the clawback, number of insurable weeks, and coverage limits should minimize this effect. *Can you sell it?* Unfortunately, this proposal would not be taken seriously by the current government because it does not align with the party's ideologies or platforms. The Conservative party sees employment insurance as directly responsible for increased unemployment and this solution proposes the opposite. Furthermore, the current minority government makes passing controversial legislation very difficult. *Can you pay for it?* The capacity to make this happen clearly exists, at least in the short term, given the employment insurance's surplus of \$57.2 billion (Public Accounts Canada, 2009). *Can you do it?* The ability to make these changes is heavily dependent on being able to 'sell it' to the government as it must be legislated. If government were to implement these policy changes, no further action is needed beyond the actual legislation, making administrative changes to forms and electronic systems, and providing new information to the public through Service Canada. *Is it fair?* These changes would make the system more 'fair' as it would mean abolishing the economic regions used to set coverage requirements and the implementation of a single, flat 375 hour requirement nationwide. Furthermore, employees that have been fired and are looking for work would also be eligible to receive benefits. However, as long as there is a minimum required number of workweeks, there will always be a number of unemployed citizens that are ineligible for employment insurance benefits even though they have paid into the program.



## **Solution #2 – The Status Quo**

The status quo is particularly attractive because it is widely recognized that the employment insurance system is in dire need of a drastic overhaul. Any resources committed to only adjusting the current policy are not likely to be all that effective, given all the pre-existing applicable legislation that causes a great deal of inflexibility. Furthermore, a high propensity for policy adjustments to result in unintended and undesirable consequences exists. This may cause even greater costs above and beyond the administrative and government related costs of implementation. All of these factors represent opportunity costs for choosing to make changes and given the overall lack of effectiveness of the program throughout history, the chances of a great success are not high. In this case however, a contingency plan must accompany a choice of inaction as it is very clear that the employment insurance system is broken. Thus, the status quo is only a short-term solution that will not cause further harm until the program can be reconstructed during stronger economic times. *Will it work?* In the short-term no, because no change is being made, however it mitigates risks and prevents further damage. In the long-term, the assumption is that the entire employment insurance program will go through great revisions and it is plausible that this may 'work'. If this assumption is untrue, than a long-term strategy of inaction will also not work as it would leave the social security program in its crippled state. *Can you sell it?* Yes, it is an easy sell and is currently the policy of choice by the Federal Conservative Party of Canada. It is easy to sell because it is easy to do. Furthermore, there are two central ideological perspectives on the top, which creates debate and where there is debate, there is an easy choice of inaction. *Can you pay for it?* Absolutely, in fact the current system is generating a surplus even during the existing economic downturn. Choosing to do nothing means no higher or lower costs. *Can you do it?* It is definitely easy to do because no changes are necessary. *Is it fair?* Fairness is quite dependent on one's perspective and this system is not likely to be deemed fair by any individual that is using the system because of the difficulties involved in getting a small amount of support. However, it *is* fair with respect to not making a choice over one of the two principle ideological perspectives on social security programs. At the end of the day, the choice itself is fair yet the existing employment insurance system is unfair.

## **Solution #3 – Establish a grant program targeting frictionally unemployed students paying small or medium sized businesses \$10,000 to hire a new graduate**

This incentive based employment insurance initiative would help counteract emerging employment trends and norms in the twenty-first century and essentially acts as an indirect coverage of unemployed students stuck in the transition between completing school and

finding employment to gain expertise in order to increase their employability. *Will it work?* While it may be effective in decreasing the average duration of frictional unemployment for recent graduates, it is creating significant ramifications relative to other unemployed Canadians as it creates an unfair advantage for recent graduates. Essentially, it is a substitution of inequity within the employment insurance program and overall will not 'fix' employment insurance. However, it could be argued that students are already at a disadvantage because they are less likely to get hired because of a lack of practical experience, and because of trends relating to globalization, outsourcing, and high labour mobility. Although outsourcing causes structural unemployment primarily, this solution also works to decrease structural unemployment because this small incentive may well be enough to convince some small and medium sized businesses to hire Canadian new graduates as opposed to outsourcing the same work. Thus, this solution is not effective at decreasing frictional unemployment because it acts as a substitution for frictionally unemployed Canadians that are excluded from this policy, but it does have the added benefit of potentially increasing available work in Canada, which decreases structural unemployment. *Can you sell it?* No, the existing government would not support this policy adjustment. The problem is one of political feasibility. These types of solutions have been used in the past temporarily and cannot 'fix' employment insurance, thus the party would fear being criticized for choosing a policy adjustment that does not adequately address the key problems with unemployment insurance. Furthermore, the party in power would likely come under a great deal of pressure from the opposition and Canadians because this system is taking money from people who have paid into the employment insurance program and is then subsidizing their competition directly. *Can you pay for it?* Yes, the large surplus in the employment insurance fund can cover the costs of the program. *Can you do it?* Administratively, it would not be difficult to implement because of a large surplus within the employment insurance fund. The bigger problem with implementation is that of regulating use of the program and preventing abuse. The key factors for this are stipulating a minimum employed period for the new graduate after hiring and preventing grants from going to large companies that already have a strong capacity to hire new graduates. While it is easy to legislate this, it is difficult to police this system and it is quite susceptible to exploitation without excessive resources being put towards auditing the system. *Is it fair?* No, it is not fair to individuals that pay into the employment insurance program because their money is being put towards the benefit of others who they directly compete with for jobs. Furthermore, it is likely to increase the frictional unemployment rate of all those that are not new graduates, while the substitution results in decreased durations of frictional unemployment for students.

## Recommendation

### **Solution #1 – Increased coverage through decreased requirements and greater eligibility**

Given that the existing employment insurance system is unfair to a great number of unemployed Canadians, the optimal choice for Canadians is to increase the number of citizens covered by employment insurance while maintaining the same benefits and deterrents against both repeat users and a potential shift towards seasonal employment. The provisions of this solution create greater equity across Canada and the increased coverage allows frictionally unemployed Canadians a greater opportunity to find work and not have to immediately take on 'unsuitable' work, a loss to Canada's human capital and economy. The infusion of more money in the hands of Canadians will likely lead to a minor increase in overall spending and would help stimulate the economy further which slightly overlaps with decreasing cyclical unemployment. The key issue with this solution is one of political viability. The current government is unlikely to support this solution because the party's platforms and ideologies see increased employment insurance coverage as being directly correlated to increased unemployment or increased duration of unemployment. Lastly, while none of these solutions 'fixes' the employment insurance program, this solution does provide enhanced support and solves one of the major problems with the existing system, which is that less than half of unemployed Canadians are eligible to receive benefits.

## Conclusion

In the twenty-first century, employment insurance is not effectively supporting frictionally unemployed Canadians. Given that the current employment insurance program consistently runs an increasing surplus year after year combined with less than half of all unemployed workers being eligible for employment insurance, it is clear that the program is not functioning as it was originally designed nor as a support for frictional unemployment. The short-term answer is increased coverage and greater eligibility as a first step towards effectively supporting Canadians when they need it most.

## Appendix

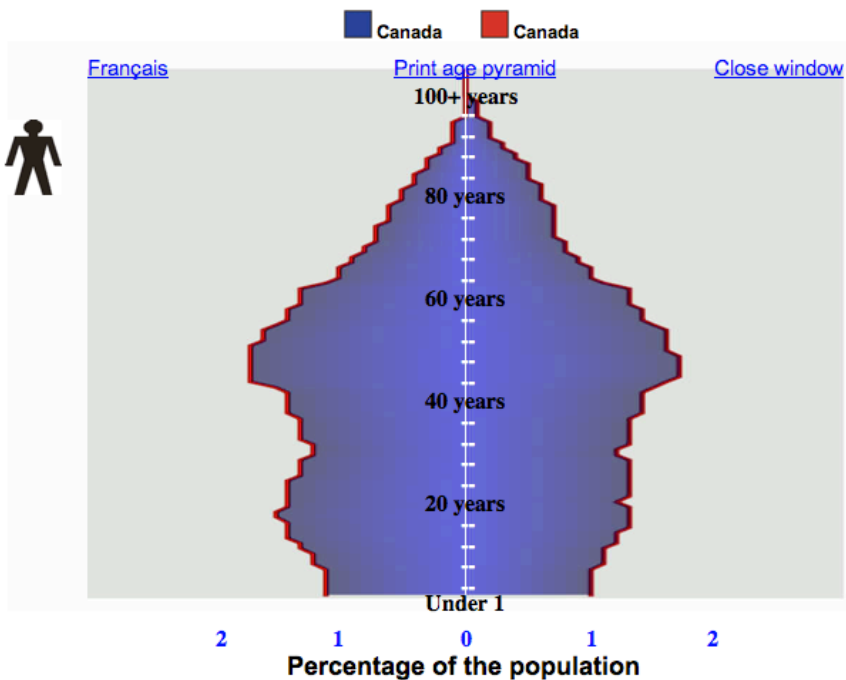
Figure A) HRSDC Graph of Unemployment History

Retrieved from [http://www4.hrsdc.gc.ca/.3ndic.1t.4r@-eng.jsp?iid=16#M\\_1](http://www4.hrsdc.gc.ca/.3ndic.1t.4r@-eng.jsp?iid=16#M_1)



Figure B) 2006 Census – Stats Canada

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**Figure C)** Evaluation of EI Reforms to Aid Frictional Unemployment

- Option 1)* Increase coverage through a national 375 hours worked in the previous year requirement along with enabling eligibility for dismissed/fired employees
- Option 2)* Status Quo
- Option 3)* Employment insurance grant of \$10,000 to small/medium sized employers for hiring a new graduate for at least 12 months.

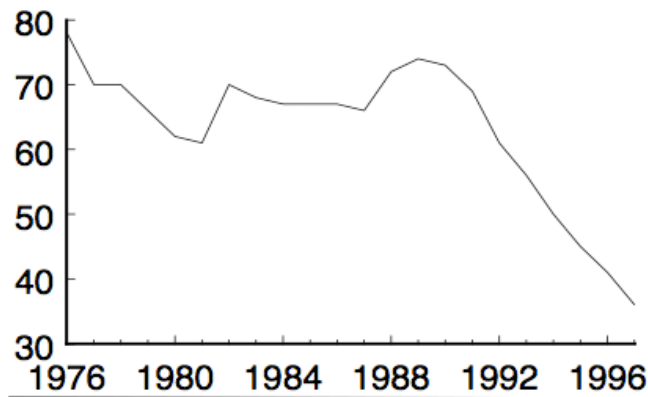
Criteria	Options		
	1	2	3
Effectiveness	High	Low	Low
Political Feasibility	Low	High	Low
Administrative Feasibility	High	High	Medium
Efficiency	Medium	Low	Low
Equity	Medium	Low	Very Low

**Figure D)** Fewer Unemployed Are EI Beneficiaries – Zhengxi, Lin (1998)

Retrieved from <http://www.statcan.gc.ca/studies-etudes/75-001/archive/e-pdf/3828-eng.pdf>

## Fewer unemployed are EI beneficiaries.

Regular beneficiaries with no earnings, as % of unemployed



*Source: Employment Insurance statistics and Labour Force Survey*

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