

Questions and Answers for Potential Claimants

Bill 29 Settlement Agreement Facilities Bargaining Association and HEABC

1. Can I file more than one claim if I worked at more than one facility and was impacted by Bill 29 at each facility?

Yes. But you must file a separate Claim Form for each Health Sector Employer at which you were employed. Please note that you will not be able to receive a total payment that is more than the maximum payment a regular full-time employee would receive from the fund.

2. Can the estate of a deceased former employee file a claim for a payment from the fund?

Yes. If you are (or were) the Executor of the estate for an eligible former employee, you can complete the Claim Form on behalf of the estate to apply for a payment from the fund. You will need to include proof that you are the Executor when you send in the completed Claim Form.

3. Can I file a claim if I am receiving Long-Term Disability (“LTD”) Insurance Plan benefits from my Health Sector Employer?

It depends on your circumstances. If your job was eliminated and you exercised a right to bump another employee before the commencement of your LTD Plan benefits, you can apply for, and may receive, a payment from the fund if you are eligible.

If you were in receipt of LTD Plan benefits prior to the elimination of your position, and you have not yet returned to work to be displaced, then you are not eligible to make a claim for a payment from the fund.

4. What happens after I complete and submit my Claim Form?

After all the Claim Forms have been received, a joint Union-Employer committee, assisted by Vince Ready, will use the information collected to determine whether a claimant is eligible for redress, and for what amount. That process will take several weeks and cannot begin until after the June 15, 2008 deadline for the submission of Claim Forms.

5. If I am eligible for a payment from the fund, how much money will I get?

The amount of money you will receive from the fund will be determined after we have received all the Claim Forms from eligible employees.

Vince Ready will assign a point value to the criteria within each category on the Claim Form. Each claimant will have a certain number of points according to the information provided on the Form.

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The points from all the eligible claims will be added up. The fund will then be divided by the total number of points from all eligible claims. This will give us a dollar value for each point.

The number of points for your claim will then be multiplied by the amount of money each point is worth to arrive at the total value of your claim.

6. Can I dispute the points allocated to each criteria in the Claim Form?

No. The points allocated to each criteria in the Claim Form's categories will be determined and awarded by Mr. Ready.

7. Does the process allow for a review?

If you think you did not provide accurate information, or enough information, when you filled out the Claim Form, which causes you to believe you have been placed in the wrong category for a claim, the process allows for a limited "right to dispute." Further details on the review process will be made available through your Union and on the HEU's website – www.heu.org – in early July.

8. When will the payment be made to me?

If you are eligible, you will receive a payment by the end of the calendar year. All payments from the fund must be made by December 31, 2008.

9. Is a payment made to me from the fund subject to statutory deductions?

If you are a **current employee**, yes. The Canada Revenue Agency requires that a payment from the fund is employment income and is, therefore, subject to all statutory deductions (e.g., income tax, CPP, and EI).

If you are a **former employee**, the Canada Revenue Agency requires that a payment from the fund is considered a "retiring allowance" and is, therefore, subject only to a lump-sum income tax deduction.

10. Will Union dues be deducted from a payment from the fund?

Yes, this is standard practice.

11. Will I have to repay Employment Insurance benefits that I received?

You may have to repay Employment Insurance benefits received from the loss of your employment. You should contact Human Resources and Social Development Canada to review the specifics of your situation by phone at 1-800-206-7218 or by e-mail at http://www.hrsdc.gc.ca/en/ei/contact/contact_us.shtml