



[TRANSLATION]

Citation: *SM v Canada Employment Insurance Commission*, 2025 SST 810

**Social Security Tribunal of Canada
General Division – Employment Insurance Section**

Decision

Appellant: S. M.
Respondent: Canada Employment Insurance Commission

Decision under appeal: Canada Employment Insurance Commission
reconsideration decision (725993) dated June 12, 2025
(issued by Service Canada)

Tribunal member: Manon Sauvé
Type of hearing: In person
Hearing date: July 14, 2025
Hearing participants: Appellant
Appellant's spouse
Decision date: July 21, 2025
File number: GE-25-1975

Decision

[1] The appeal is dismissed.

[2] The Appellant didn't have just cause for leaving. This is because, considering all the circumstances, she had reasonable alternatives to leaving when she did.

[3] This means that the Appellant is disqualified from receiving Employment Insurance (EI) benefits.

Overview

[4] Since 2019, the Appellant has worked in a specialized job for a company penalized [*sic*] in computer system design. On October 21, 2023, she was laid off because of a shortage of work. She applied for EI benefits. A benefit period was established effective October 15, 2023.

[5] In addition to her job, in September 2023, she started doing lunchtime supervision at her daughter's school. She wanted to make sure that her daughter was settling in well. Her job allowed her to do this because she worked from home. She was able to manage her time during her lunch break.

[6] After 13 hours of supervision duty at her daughter's school, she stopped doing this work on October 27, 2023. She found that her daughter was settling in well and that she had to be available to look for a new job in her field. She had to be able to get away quickly for an interview. She no longer had the same flexibility in managing her time.

[7] On November 7, 2023, the school board issued a Record of Employment. It said that the Appellant voluntarily left her job.

[8] On March 8, 2024, the Commission investigated the Appellant's reasons for voluntarily leaving her job with the school board. It found that the Appellant didn't have just cause for leaving her job. It wasn't her only reasonable alternative. She should have kept her job until she found another one.

[9] The Appellant disagrees with the Commission. It wasn't a job she usually did. She just did a few [hours] at the school board to help her daughter settle in. Those few hours would not have helped her earn a living and be available to find a suitable job.

Matter I have to consider first

Provision of an interpreter

[10] The Appellant filed a notice of appeal saying that she wanted a Spanish interpreter. A hearing was scheduled for July 14, 2025. On July 11, 2025, I was informed that the interpreter would not be able to attend the hearing.

[11] I asked a staff member to contact the Appellant to let her know about the situation. The hearing can be adjourned for this reason.

[12] The Appellant wanted to proceed on July 14, 2025, without an interpreter. She was accompanied by her spouse.

[13] At the beginning of the hearing, I explained to the Appellant that her husband could not act as an interpreter. I told the Appellant that if I found that she didn't understand French well enough, I would postpone the hearing at any time.

[14] In the end, the Appellant was able to make herself understood and to understand me in French.

Issue

[15] Is the Appellant disqualified from receiving benefits because she voluntarily left her job without just cause?

[16] To answer this, I must first address the Appellant's voluntary leaving. I then have to decide whether she had just cause for leaving.

Analysis

The parties agree that the Appellant voluntarily left

[17] I accept that the Appellant voluntarily left her job. The Appellant agrees that she quit on October 27, 2023. I see no evidence to contradict this.

The parties don't agree that the Appellant had just cause

[18] The law says that you are disqualified from receiving benefits if you left your job voluntarily and you didn't have just cause.¹ Having a good reason for leaving a job isn't enough to prove just cause.

[19] The law says that you have just cause to leave if you had no reasonable alternative to quitting your job when you did.²

[20] It is up to the Appellant to prove that she had just cause.³ She has to prove this on a balance of probabilities. This means that she has to show that it is more likely than not that her only reasonable option was to quit. When I decide whether the Appellant had just cause, I have to look at all of the circumstances that existed when the Appellant quit.

[21] I note that the Appellant had a specialized job in computer technology. When her job at X ended, she was earning about \$90,000 per year. It was a telework job that allowed her some flexibility. Her daughter started school in the fall of 2023. Because she wanted her integration to go smoothly, she agreed to do lunch-time supervision at her child's school. Her work schedule allowed her to do this. She worked a total of 13 hours before leaving this job. She would have done this work on a voluntary basis, but the school board paid her.

[22] The Appellant says that she left her job to be available for her job search. She didn't want to be limited if she got an interview in her area of expertise. She could be

¹ See section 30 of the *Employment Insurance Act* (Act).

² See *Canada (Attorney General) v White*, 2011 FCA 190 at para 3 and section 29(c) of the Act.

³ See *Canada (Attorney General) v White*, 2011 FCA 190 at para 3.

invited to an interview at any time. She didn't have the flexibility with her schedule that she had before. She had to focus on looking for a well-paid job in her area of expertise.

[23] The Commission, on the other hand, says that the Appellant had reasonable alternatives to leaving. She should have kept her part-time job until she found a new job. The work at the school board was done around lunchtime, which wasn't an obstacle to finding a job.

[24] The Commission considers that voluntary leaving can't be justified by the fact that the Appellant no longer needed to help her daughter get used to school, that she was paid very little for her work, that she was unfamiliar with the *Employment Insurance Act*, and that she wanted to be more available to look for a job.

[25] After reviewing the record, hearing the Appellant, and considering the parties' submissions, I find that the Appellant didn't have just cause for voluntarily leaving her job. She had reasonable alternatives to leaving.

[26] I sympathize with the Appellant's case. I understand her intention, when she decided to work at her daughter's school during the lunch period. This was a commendable initiative.

[27] But the Federal Court of Appeal in *Campeau*,⁴ which is similar to this case, decided that the claimant didn't have just cause for voluntarily leaving her job. A reasonable alternative would have been to keep her job even though it paid less and was temporary.

[28] In that case, the claimant left her job as a cook at an institution to accompany her husband to another province. She applied for benefits, and a benefit period was established. At the same time, she accepted a housekeeping job that paid less. Realizing that it paid little, that she worked few hours, and that the situation was

⁴ See *Canada (Attorney General) v Campeau*, 2006 FCA 376 (CanLII).

temporary, she left her job. The Commission was notified of the situation when a Record of Employment was issued.

[29] The Federal Court of Appeal recognized that the claimant was a worker who didn't have knowledge of the EI system. Nevertheless, it found that the claimant didn't have a reasonable alternative to leaving her job. In the circumstances, the Appellant should have kept her job until she found a new job.

[30] In this case, I understand that some of the Appellant's difficulties are related to her lack of knowledge of the EI system. But that isn't a reason for not applying the Act. In *Campeau*, the Court said that "sincerity and inadequate income do not constitute just cause under section 30 of the Act, allowing her to leave her employment and making the Employment Insurance system bear the cost of supporting her."⁵

[31] In the circumstances, I find that the Appellant didn't have just cause for voluntarily leaving her job. A reasonable alternative would have been to keep her job, take time off if she had an interview with a prospective employer, and eventually leave her job when she found a new job. The salary would have been allocated to the weeks of unemployment.⁶

Conclusion

[32] I find that the Appellant is disqualified from receiving benefits.

[33] This means that the appeal is dismissed.

Manon Sauvé

Member, General Division – Employment Insurance Section

⁵ See *Canada (Attorney General) v Campeau*, 2006 FCA 376 (CanLII) at para 21.

⁶ See *Canada (Attorney General) v Campeau*, 2006 FCA 376 (CanLII) at para 20.