



Citation: *BB v Canada Employment Insurance Commission*, 2026 SST 109

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

Decision

Appellant: B. B.

Respondent: Canada Employment Insurance Commission

Decision under appeal: Canada Employment Insurance Commission
reconsideration decision (0) dated December 19, 2025
(issued by Service Canada)

Tribunal member: Susan Stapleton

Type of hearing: In Writing

Decision date: February 2, 2026

File number: GE-25-3563

Decision

[1] The appeal is allowed.

[2] The Appellant has shown that she has worked enough hours to qualify for Employment Insurance (EI) regular benefits.

Overview

[3] The Appellant applied for EI regular benefits. But the Canada Employment Insurance Commission (Commission) decided that the Appellant hadn't worked enough hours to qualify for EI regular benefits.¹

[4] I have to decide whether the Appellant has worked enough hours to qualify for EI regular benefits.

[5] The Commission said the Appellant didn't have enough hours because she needs at least 630 hours but only had 623 hours in her qualifying period from June 1, 2024, to May 31, 2025.²

[6] The Appellant disagreed. She said she worked enough hours to qualify for EI regular benefits, but couldn't get her pay stubs to show that, because the employer went bankrupt.³

[7] The Commission maintained its decision on reconsideration.⁴ The Tribunal's General Division (GD) upheld the Commission's reconsideration decision. The Appellant appealed the GD's decision to the Tribunal's Appeal Division (AD).

¹ Section 7 of the *Employment Insurance Act* (Act) and section 93 of the *Employment Insurance Regulations* (Regulations) say that the hours worked have to be "hours of insurable employment." In this decision, when I say "hours," I am referring to "hours of insurable employment."

² See GD4-3.

³ See GD3-28.

⁴ See GD3-34.

Matters I have to consider first

The Appellant's appeal was returned from the Tribunal's Appeal Division (AD)

[8] The AD found that the GD made an error of jurisdiction when it determined it could verify the number of hours the Appellant worked.

[9] The AD ordered the appeal be returned to the GD for a new hearing by a different Member, so a Canada Revenue Agency (CRA) ruling on the number of hours the Appellant worked could be obtained.

[10] This decision is the result of that hearing.

Method of hearing

[11] The Appellant said in her Notice of Appeal to the Tribunal that she had no preference about the method of hearing her appeal.

[12] In light of the January 22, 2026, CRA ruling that states the Appellant has 648 hours from June 1, 2024, to June 1, 2025,⁵ and the Commission's confirmation of its position that she has enough hours in her qualifying period to establish her claim, I find that the quickest and most fair method of hearing the Appellant's appeal is in writing. It wouldn't be fair to the Appellant to have to wait for a scheduled teleconference or videoconference hearing, when a hearing in writing can take place immediately.

Issue

[13] Does the Appellant have enough hours to qualify for EI regular benefits?

⁵ See RGD5-2.

Analysis

How to qualify for benefits

[14] Not everyone who stops work can receive EI benefits. You have to prove that you qualify for benefits.⁶ The Appellant has to prove this on a balance of probabilities. This means that she has to show that it is more likely than not that she qualifies for benefits.

[15] To qualify, you need to have worked enough hours within a certain time frame. This time frame is called the **qualifying period**.⁷

[16] The number of hours you need to qualify for benefits depends on the unemployment rate in your region.⁸

The Appellant's qualifying period

[17] Your **benefit period** isn't the same thing as your **qualifying period**. It is a different time frame. Your **benefit period** is the time when you can receive EI benefits. The **qualifying period** is the timeframe where insurable hours are worked to establish a claim.

[18] As noted above, the hours counted are the ones that the Appellant worked during her qualifying period. In general, the **qualifying period** is the 52 weeks before your **benefit period** would start.⁹

[19] The Commission decided that the Appellant's qualifying period is from June 9, 2024, to June 7, 2025. I see no evidence that makes me doubt the Commission's decision. So, I accept as fact that the Appellant's **qualifying period** is from June 9, 2024, to June 7, 2025.

⁶ See section 48 of the Act.

⁷ See section 7 of the Act and section 93 of the Regulations.

⁸ See section 7(2)(b) of the Act and section 17 of the Regulations.

⁹ See section 8 of the Act.

The hours the Appellant worked

[20] The CRA has ruled that the Appellant worked 648 hours from June 1, 2024, to June 1, 2025.¹⁰ The Commission confirmed that this means the Appellant worked 634 hours in her qualifying period from June 9, 2024, to June 7, 2025, and that this is sufficient to establish a benefit period. It adds that if the Appellant's claim were to be backdated to June 1, 2024, she would have 645 insurable hours in the qualifying period of June 2, 2024, to May 31, 2025, which also meets the requirements to establish a benefit period.¹¹

[21] I find that the Appellant has 634 hours in her qualifying period, from June 9, 2024, to June 7, 2025.

The number of hours required to qualify for EI benefits

[22] To qualify for EI regular benefits, the number of hours required depends on the unemployment rate in your region.¹² The Commission decided that the Appellant's region when she applied for benefits was St. Catharine's,¹³ and that the regional rate of unemployment at the time was 8%.¹⁴ It says that based on the unemployment rate in her region, in order to qualify for regular benefits, the Appellant needed 630 hours during her qualifying period.¹⁵ I have found that the Appellant's qualifying period is from June 9, 2024, to June 7, 2025.

[23] The Appellant didn't dispute her economic region, the unemployment rate in her economic region at the time she applied for benefits, or the number of hours required to qualify for benefits.

¹⁰ See RGD5-2.

¹¹ See RGD5-1.

¹² See section 7(2)(b) of the Act and section 17 of the Regulations.

¹³ See GD3-21.

¹⁴ See GD3-24.

¹⁵ See GD4-3.

[24] There is no evidence that makes me doubt that the Appellant needed 630 hours during her qualifying period to qualify for EI regular benefits. The Appellant has 634 hours in her qualifying period, so I find that she qualifies for EI regular benefits.

So, has the Appellant worked enough hours to qualify for EI regular benefits?

[25] Yes. The Appellant has accumulated 634 hours in her qualifying period, and she needs 630.

Conclusion

[26] The Appellant has enough hours to qualify for EI regular benefits.

[27] This means that the appeal is allowed.

Susan Stapleton
Member, General Division – Employment Insurance Section