

Memorandum

following an out-of-court settlement

Have you reached an out-of-court settlement following a complaint that you filed with the Commission des normes du travail? Have you agreed on a sum of money that you will receive or that you have received from the employer? You must then notify Service Canada if you received employment insurance benefits or the Ministère de l'Emploi et de la Solidarité sociale if you benefited from the social aid program following your job loss.

Here are the steps that you should take and the documents that you should submit.

You have received employment assistance benefits

You must go to the Service Canada office of your region, employment insurance division, to meet with an officer in order to give him the required documents.

Required documents

Steps

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| <ul style="list-style-type: none">The original and a photocopy of the agreement document | <ul style="list-style-type: none">Show the original of the document to the officer, keep it for your records and give him a photocopy. |
| <ul style="list-style-type: none">The form authorizing the disclosure of the information identifying your lawyer working for the Commission, if you benefited from the services of a Commission lawyer | <ul style="list-style-type: none">This form was given to you by the Commission's lawyer. Keep a photocopy for your records, if you wish. |

Afterwards, the officer will make a decision confirming whether or not a portion or all of the employment insurance benefits that you received must be reimbursed. If monies must be paid back, this decision will be sent directly to the employer so that he himself remits the amount owing to Service Canada. You will also want to make sure that the officer in question faxes a copy of this decision to your lawyer, where applicable. This will allow your lawyer to draft the out-of-court settlement agreement and to indicate, among other things, the amount that must be remitted to you and to Service Canada, where such is the case.

Your file at the Direction générale des affaires juridiques of the Commission des normes du travail will be put on hold until your lawyer receives the

decision from the Service Canada officer. For this reason, it is important that you make sure that your officer sends a copy of the decision to your lawyer.

In order to ensure the follow-up on your file at the Service Canada office, make a note of the following useful information:

Name of the Service Canada officer you met _____

Telephone number _____

Extension number _____

You benefited from the social aid program

You must arrange an appointment with your socioeconomic aid officer at the Ministère de l'Emploi et de la Solidarité sociale and bring along the required documents. He will explain to you the consequences that the settlement could have on the benefits that you have received or will receive.

Required documents

Steps

- | | |
|--|--|
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