#### **ASSEMBLY OF FIRST NATIONS**

# FIRST NATIONS LABOUR MARKET STRATEGY

# DRAFT FOR DISCUSSION - NOT FOR DISTRIBUTION

#### **ISSUE PAPER 15 – El Authorities**

#### **DESCRIPTION:**

[The authors are not aware of differences between the authorities delegated by ESDC to provinces and Territories and FNLMAS. Groups that brought this issue forward at the Forum should provide further information]

**OPTIONS:** 

**RATIONALE:** 

#### **CONSIDERATIONS:**

While FNLMAs have delegated authority to refer eligible Claimants and former claimants to EI like active measures and services and have access to the EI system to validate eligibility and set up the claim for benefits under active measures, SC staff exercise a high level of control over this function and at the same time are unwilling or unable to advise on complicated or unusual situations.

FNLMAs have the authority to design culturally sensitive programs which are "similar" to ESDC's Employment Benefits and Support Measures (Section 63)

ESDC staff should not encroach on FNLMA authority to design and implement their own programs which are like the programs established by ESDC under the Act

**RECOMMENDED OPTION:** 

**DECISION:** 

**DATE AND VERSION:** 

Draft 2, November 23, 2016

#### **ASSEMBLY OF FIRST NATIONS**

# FIRST NATIONS LABOUR MARKET STRATEGY DRAFT FOR DISCUSSION – NOT FOR DISTRIBUTION ISSUE PAPER 15 – El Authorities

## Courses, Programs and Employment Benefits Marginal note:Status of claimants

- **25 (1)** For the purposes of this Part, a claimant is unemployed and capable of and available for work during a period when the claimant is
  - (a) attending a course or program of instruction or training at the claimant's own expense, or under employment benefits or similar benefits that are the subject of an agreement under section 63, to which the Commission, or an authority that the Commission designates, has referred the claimant; or
  - (b) participating in any other employment activity
    - (i) for which assistance has been provided for the claimant under prescribed employment benefits or benefits that are the subject of an agreement under section 63 and are similar to the prescribed employment benefits, and
    - (ii) to which the Commission, or an authority that the Commission designates, has referred the claimant.

El Act Part I

### Agreements for paying costs of similar benefits and measures

- **63 (1)** The Commission may, with the approval of the Minister, enter into an agreement with a government or government agency in Canada or any other public or private organization to provide for the payment of contributions for all or a portion of
  - (a) any costs of benefits or measures provided by the government, government agency or organization that are similar to employment benefits or support measures under this Part and are consistent with the purpose and guidelines of this Part; and
  - (b) any administration costs that the government, government agency or organization incurs in providing the benefits or measures.

El Act, Part III

Annex: El Authorities