

## **PRELIMINARY INFORMATION ON THE WAGE EARNER PROTECTION PROGRAM ACT (“WEPPA”)**

As you are aware, on February 15, 2019 (the “Receivership Date”) the Ontario Superior Court of Justice (Commercial List) appointed Alvarez & Marsal Canada Inc. as receiver and manager (the “Receiver”) without security, of all the assets, undertakings and properties of Erwin Hymer Group North America, Inc. (“EHGNA” or the “Company”).

WEPPA establishes a program for making payments to individuals in respect of employment related amounts owed by employers who are bankrupt or in receivership.

Former employees of EHGNA may be eligible to make a claim for any wages, vacation, and/or severance pay owing to them during the six (6) month period immediately preceding the Receivership Date, up to a maximum of seven times the maximum weekly insurable earnings under the *Employment Insurance Act* (\$7,148), less any amounts paid by the Receiver following the Receivership Date that relate to the period prior to February 15, 2019.

Should you believe that you are owed unpaid wages, vacation pay or severance pay that are eligible for payment under the WEPPA you may file an application with the Minister and eligibility will be determined by the Minister in accordance with the legislation.

In short order (no later than April 1, 2019) the Receiver will be mailing you a notice which will include the following items to complete your WEPPA application:

- 1) WEPPA Application
- 2) Form 31 Proof of Claim Form
- 3) Summary of WEPPA Eligible Amounts

Additional information is provided on each below:

### **1) WEPPA Application**

- The WEPPA application is easiest if done online, however, a paper application form can also be obtained at any Service Canada Office.
- In the package you will receive, we will provide the information about the Receivership that is required to complete your application.

### **2) Proof of Claim Form**

- You are required to file a proof of claim in accordance with the *Bankruptcy and Insolvency Act* (Canada) for wages, vacation pay, severance and termination pay outstanding as at the Receivership Date (these amounts, as represented in the books and records of the Company, will be provided to you in your package), and the proof of claim form will be included for you to complete and submit to the Receiver’s office.

### **3) Summary of WEPPA Eligible Amounts**

- This will include any unpaid wages, vacation and/or severance pay owed relating to the six (6) months immediately preceding the Receivership Date (February 15, 2019), to a maximum of \$7,148, less any amounts paid by the Receiver following the Receivership Date that relate to the period prior to February 15, 2019.

More information can be found on the Government of Canada site linked below:

<https://www.canada.ca/en/employment-social-development/services/wage-earner-protection/employee.html>