

EI Sickness Benefits And Long-Term Disability In 2026: How To Avoid Gaps, Offsets, And Denials When You Can't Work



When you stop working for medical reasons, the first question is often practical, not legal: how do I keep income coming in while I recover? In Canada, many people start with EI sickness benefits, then transition to a workplace disability plan if they have one. In real life, that “bridge” is not always smooth.

In 2026, the EI sickness benefit remains a key starting point because it can provide up to **26 weeks** of support, and the maximum weekly amount is **\$729**. The challenge is what happens next, especially when a long-term disability claim is delayed, offset, or denied. If you are already dealing with an insurer or you sense trouble, speaking with Unified’s team of [LTD lawyers](#) early can help you avoid gaps that are hard to fix later.

What EI sickness benefits cover in 2026 and what they do not

EI sickness benefits are meant to provide short-term income replacement when you cannot work due to illness, injury, or quarantine. Service Canada explains that EI sickness benefits can provide up to **26 weeks** of financial assistance and pay **55% of your earnings** up to a maximum of **\$729 per week** in 2026, subject to eligibility rules and documentation. You can read the government’s overview of eligibility and duration through [EI sickness benefits: what these benefits offer](#).

What EI sickness does not do is guarantee your LTD approval later. EI and LTD are separate systems with different tests, different paperwork, and different decision-makers. EI is often focused on whether you are unable to work for medical reasons, supported by a medical certificate. LTD is focused on whether you meet your policy’s specific definition of disability, which can involve deeper scrutiny of functional limits, treatment, and job duties.

The 26-week cliff and why “bridge planning” matters

For many people, the stressful moment is not week one. It is the point where the EI clock is running down and they are still unable to work. This is where the risk of a financial gap becomes real.

Most workplace LTD policies have an “elimination period,” often around 90 to 120 days

(some up to 365 days), before benefits begin. Some employers also provide [short-term disability \(STD\) coverage](#) first. If your STD ends, EI runs out, and your LTD decision is not finalized, you can be left without income at the worst possible time.

This is one reason it helps to treat the LTD application as a process you start early, not something you “get to later.” If you need support at the application stage, a [long term disability lawyer](#) can help you align your medical evidence, job duties, and documentation so your claim is not built on rushed paperwork.

Offsets and clawbacks: why EI can reduce your LTD payment

Many LTD policies contain offset clauses. In plain language, the insurer may reduce your LTD benefits by the amount you receive from other sources, including EI sickness benefits. The logic from the insurer’s perspective is that LTD is intended to top you up to a percentage of income, not stack on top of other benefits.

The problem is that people often discover the offset only after they have already budgeted based on their “expected” LTD amount. Sometimes the insurer will require proof that you applied for EI. Sometimes the insurer will estimate what you should be receiving from EI and deduct it, even if your EI application is still pending. In other cases, an insurer may pay LTD, then later demand repayment when EI arrives retroactively.

If you are seeing confusing deductions, it is worth getting help from a [disability lawyer](#) who understands how insurers calculate offsets and what documentation is needed to challenge incorrect clawbacks.

EI sickness vs LTD: different tests, different risks

It is common for people to assume that approval for EI sickness benefits means the LTD insurer must approve them too. Unfortunately, that is not how these systems work.

LTD policies often use a two-stage definition. Early on, the question is usually whether you are unable to perform the essential duties of your own occupation. Later, many policies shift to an “any occupation” test, which can become a major hurdle even if you are still unwell.

This difference matters because an LTD denial often hinges on “functional capacity,” not diagnosis alone. You can have a real medical condition and still be denied if the insurer claims you can work in some capacity, or if your file does not clearly explain how symptoms translate into work limitations.

If you are worried about that risk, Unified’s [long-term disability benefits](#) page is a useful starting point to understand how insurers approach definitions of disability and why claims are denied.

How to reduce the chance of an LTD denial after EI

Denials often happen because the insurer says the evidence is incomplete, inconsistent, or does not show ongoing impairment. You can lower that risk by treating your LTD claim like a record of your functional reality, not a one-time form.

Start by making sure your doctor’s notes speak to restrictions and limitations, not just a diagnosis label. If you cannot sit for long periods, cannot drive, cannot focus, or cannot reliably attend work, those are functional issues that should appear clearly in your medical documentation.

Also, keep your story consistent across systems. If your EI medical certificate says you are unable to work for medical reasons, but your LTD forms suggest you might be able to return quickly without a clear explanation, insurers could exploit that inconsistency.

Unified's blog post: [Fired on Sick Leave in Canada? Know Your Rights](#) also makes a point that matters here: illness and disability can intersect with employment decisions, and people sometimes feel pressured to return too early or "frame" their situation in a way that protects their job. That pressure can backfire if it creates mixed messaging in your LTD file. The safer approach is to document your health honestly and address workplace issues with advice, rather than trying to manage everything through hopeful emails and partial disclosures.

Short-term disability vs long-term disability: where EI fits in

People often use STD, LTD, and EI interchangeably, but they are not the same.

Employer STD is a workplace benefit, if offered. EI sickness is a federal benefit. LTD is typically an insurance policy, usually through group benefits at work, that can continue for years if you meet the policy definition.

The practical sequence for many people is: sick days, then STD or EI sickness, then LTD. Where it gets complicated is that not everyone has STD, EI sickness can end at 26 weeks, and LTD decisions can take time. Planning means knowing what applies to you and starting the LTD process before you reach the end of EI sickness.

If you are unsure how these benefits line up, a quick consultation with Unified's [LTD lawyers](#) can help you understand timing, elimination periods, and what your insurer will expect.

When to get legal help and why timing matters

If you are still early in the process, you may not need a lawyer. But there are clear signs that legal help is worth considering: your insurer requests repeated forms without making a decision, your doctor's evidence is being dismissed, surveillance is raised, your benefits are cut off, or your claim is denied.

It is also worth getting advice if you are facing both an LTD issue and an employment issue, such as pressure to resign, threats about job security, or termination while off work. Those situations can affect your finances and your benefits at the same time.

If you want local guidance, Unified's [long term disability lawyer Toronto](#) team can walk you through next steps and help you protect your claim before the insurer controls the narrative.

FAQs

Do EI sickness benefits last 26 weeks in 2026?

Yes. Service Canada states EI sickness benefits can provide up to 26 weeks of financial assistance for eligible claimants. See [EI sickness benefits: what these benefits offer](#).

What is the maximum EI sickness benefit weekly amount in 2026?

The maximum weekly EI benefit rate for 2026 is \$729. You can confirm the benefit rate details through the federal government's notice on [2026 maximum insurable earnings](#).

Can I be denied LTD after receiving EI sickness benefits?

Yes. EI and LTD use different tests and different evidence standards. Many LTD denials focus on whether your medical evidence clearly supports functional limitations tied to your job duties.

Will my LTD insurer deduct EI sickness benefits from my LTD payment?

Often, yes. Many policies contain offset provisions that reduce LTD benefits by EI amounts, which can affect budgeting and create repayment issues if EI is paid retroactively.

The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.

Authors: [Gil Fischler](#), [Christopher Kim](#)

Unified LLP