

## Employee Frequently Asked Questions

On April 6, 2018, Jones Canada, Inc. (“**Jones Canada**”) and Nine West Canada LP (“**NW Canada**” and together with Jones Canada, the “**Companies**”) each filed a Notice of Intention to Make a Proposal (“**NOI**”) pursuant to section 50.4(1) of the *Bankruptcy and Insolvency Act* (Canada) (the “**BIA**”). Richter Advisory Group Inc. was named as trustee under each of the Companies’ NOI’s (the “**Proposal Trustee**”).

The purpose of the Companies’ NOI proceedings is to provide a stable environment within which the Companies can wind-down their retail operations and consider the development of a proposal to their creditors (the “**Proposal**”). The Proposal Trustee is working with the Companies during this period.

The Proposal Trustee has been advised by the Companies that the Companies anticipate filing a Proposal in August 2018.

### **Q: When will I receive my final pay, and will I be paid my vacation pay?**

A: The Companies have advised the Proposal Trustee that your final pay will include outstanding wages, vacation pay, sales bonuses and/or stay bonuses or other amounts (as applicable) which may be owed to you up to the last day worked.

You will receive your final pay cheque on the Companies’ regular pay date following your termination date. e.g., if your termination date was on or about June 30, 2018, the next pay date is on or about July 13, 2018. If you have questions about your final pay cheque, you should contact the Companies as you would in the normal course, as soon as possible.

### **Q: How will I receive my Record of Employment (“ROE”) and my 2018 T-4 slip? (What if I have moved?)**

A: Your ROE will be mailed to your home address on file with the Companies, shortly following the issuance of your final pay.

**It is important that you ensure that all of your personal contact information is up to date and accurate at the time you are to receive your final pay.**

T-4 slips will also be mailed to your home address, in the normal course, later in the Proposal proceedings. It is important that you inform the Companies and the Proposal Trustee, in writing, of any change of address details in order to ensure you receive your T-4 and your Proof of Claim package.

### **Q: How are pay in lieu of notice (termination pay) and severance pay determined, and will they be paid?**

A: The pay in lieu of notice (often referred to as “**termination pay**”) and severance pay are governed by the applicable employment standards legislation in your province, and/or your employment agreement (if applicable), and any claim you may have will be addressed in the Proposal proceedings. The Proposal will set out how claims of employees are to be filed and treated.

All or part of termination pay to which an employee was entitled may be satisfied in the form of working notice. E.g., if you are eligible to receive 8 weeks of pay in lieu of notice, in accordance with the legislation in your province, and received 2 weeks of working notice, you would be eligible to make a claim for the balance (6 weeks of pay).

Employees who have questions about their entitlements for termination pay and severance pay can contact the labour ministry in their province.

**Last modified: July 10, 2018**

**Q: How do I file a claim in the Proposal?**

A: To be eligible to vote on the Proposal at the Meeting of Creditors and receive distributions thereunder, each creditor (including every former employee) will have to submit a Proof of Claim with the Proposal Trustee.

Once the Companies' have filed a Proposal, the Proposal Trustee will provide each employee with a Proof of Claim package, including a copy of the Proposal, and notice of the amount(s) known to be owed to the employee by the Companies relating to the period prior to April 6, 2018.

You should include all amounts owed to you by the Companies in the Proof of Claim form.

The date of the Meeting of Creditors (for voting on the Proposal) will be determined by the Proposal Trustee, but in any event can be no later than 21 days following the filing of the Proposal. If approved by the creditors, the Proposal is then placed before the Court for approval, and after that time funds will be available to be distributed to creditors.

**Q: When will I receive monies from the Proposal? How are they paid?**

A: If the Proposal is accepted by the creditors, and approved by the Court, the creditors (including former employees) will be paid in accordance with the terms of the Proposal. At this time, the Proposal Trustee cannot advise on the timing or amount of these payments, but further information will be posted on our website as it becomes available.

**Q: Can I sue to get what I am entitled to?**

A: As a result of filing the NOI's, the Court has granted a stay, providing that all creditors are stayed from commencing or continuing any proceedings against the Companies until August 3, 2018. Once the Companies file a Proposal, this stay will be extended throughout the Proposal proceedings, for all former employees.

This means that while a stay is in place, a former employee cannot commence an action against the Companies without the permission of the Court.

**Q: Will monies I receive from the Proposal affect my eligibility or entitlements under Employment Insurance ("EI")?**

A: Monies received in the Proposal could impact what you may be entitled to if you have applied for EI, or received EI benefits prior to receiving monies under the Proposal. **All EI questions should be directed to Service Canada.**

<https://www.canada.ca/en/services/benefits/ei/ei-apply-online.html>

For clarity, you should be aware that should you receive EI benefits, some or all of the distribution to which you are entitled under the Proposal may be required to be paid to Service Canada in reimbursement of the EI benefits you received. The Proposal Trustee will endeavor to coordinate with Service Canada prior to making distributions under the Proposal, but any reimbursements owed by you to Service Canada are your ultimate responsibility.

**Q: Can I get a reference for future employment?**

A: Contact the Companies' HR department, as you would in the normal course.

Keep in mind that in light of the wind-down of the Companies' operations, any requests of the Companies should be made by the earlier of: i) as soon as possible following your termination date, and ii) August 1, 2018.