

**CPP benefits: Are you entitled?**

# Disability Pensions

If you cannot work because you have a physical or mental disability, you may be able to get a disability pension from the Canada Pension Plan.

Your disability does not have to be caused by your job.

You must be under 65 years of age to get a disability pension.

# What is the Canada Pension Plan?

The Canada Pension Plan (CPP) is a benefits plan for workers. Workers who pay into the plan might get a retirement pension when they retire, or a disability pension if they can no longer work because of a disability. There are also benefits for the children of those who are receiving CPP disability pensions and for survivors of CPP contributors who have died. The amount of the pension depends on how many pension credits the contributor earned while working. Pension credits are based on contributions.

Most workers make regular contributions. Their employers deduct money from their wages and send it to the CPP. The employers then contribute a matching amount. Most self-employed workers make CPP contributions with their income tax returns. The government keeps a record of all contributions.

Contributions to the Quebec Pension Plan count toward the Canada Pension Plan. Contributions to the pension plans of some other countries can also count to help you qualify for CPP, but they do not affect the amount of your benefits.

Someone who is separated or divorced from a spouse or common-law partner might be entitled to a share of their former spouse or partner's pension credits.

## When would I be entitled to a CPP disability pension?

You might be entitled to a CPP disability pension if:

- you have enough pension credits, and
- you have a “severe” and “prolonged” disability.

“Severe” usually means that your disability prevents you from earning more than a small amount of income from work. Your disability can be physical, mental, or both.

“Prolonged” means that your disability is likely to last for a long and unknown amount of time, or to eventually cause death.

If you qualify, your dependent children can also get benefits if they are under 18 years old, or if they are full-time students and under 25 years old.

## How can I get a CPP disability pension?

If you think you might qualify for a disability pension, contact CPP to get an application package. You can have a package sent to you by calling Service Canada free of charge at **1-800-622-6232**. If you use a TTY device, call **1-800-926-9105**. You can also download an application package from the “Financial Benefits” section of their web site at [www.servicecanada.gc.ca](http://www.servicecanada.gc.ca).

After you receive your application package, fill out the forms and return them as soon as possible. Someone else

can apply for you if you cannot apply on your own. But it is up to you to make sure your application forms are sent in. Your employer or the government will not apply for you.

If you think it will take some time for you to complete the application package, send a letter to CPP asking for your disability pension. It is important to send this letter as soon as possible. Send your letter to the address shown in the package. Keep a copy of the letter and make a note of when you sent it. You will still need to fill out an official application package.

Apply for CPP disability benefits as soon as you know you have a serious disability. You might be eligible even if you apply later, but the longer you wait, the worse your chances will be. You may end up with a smaller pension or none at all.

If you waited too long to apply or have been turned down because you were late, you may be able to apply again. It is a good idea to get legal advice before doing this.

If you are not sure about your right to a disability pension, contact your community legal clinic. To find the community legal clinic nearest you, see the contact information on page 6.

You may also want to contact Service Canada. Their contact information is listed on page 2.

## How do I prove that I have a disability?

The application package asks for a lot of detailed information about how your disability affects you. You will need to get your doctor to fill out the medical form in the package.

A medical professional hired by the government will look at the medical information you send in. This person will tell CPP whether or not they think you have a disability that could qualify you for benefits. They will just read your file, not actually examine you. So it is very important to clearly explain in your application exactly how your disability prevents you from working. A community legal clinic or lawyer may be able to help you with this.

## How much would I get with a disability pension?

Basically, the amount depends on how long you worked and how much you contributed before you had the disability.

There are 2 parts to a disability pension:

- a flat rate that is the same for everyone getting CPP disability benefits, and
- an additional amount that depends on your past contributions.

Special rules may apply if there were times when you could not contribute because you were receiving CPP disability benefits, or because you were raising young children.

## Are there other benefits I can apply for?

There is another disability benefit program available in Ontario. It is called the Ontario Disability Support Program (ODSP). It is for people who have disabilities and do not have much money. If this is your situation, you should apply for this program even if you are applying for CPP Disability benefits. Many people who do not qualify for CPP Disability pensions can get ODSP. Also, if your CPP Disability pension is less than what you could get from ODSP, you may be able to get some money from ODSP to “top up” your CPP pension.

You can apply for ODSP at your local Ministry of Community and Social Services office. If you need money right away, apply at an Ontario Works (OW) office so you can get OW benefits while you wait for your ODSP application to be decided. To find the local Ministry of Community and Social Services office, or the OW office nearest you, look in the government section of the phone book. Or you can check the Ministry’s web site at [www.cfcs.gov.on.ca](http://www.cfcs.gov.on.ca).

CLEO has other publications about OW and ODSP benefits. See the back of this pamphlet for ordering information.

Depending on your situation, you may be entitled to other benefits, such as Employment Insurance sickness benefits, Veterans Affairs disability benefits, pension benefits from another country where you once lived, or benefits from workers’ compensation or a workplace insurance plan.

## What if I am already getting a retirement pension?

You cannot get a CPP disability pension once you have turned 65 years of age. But if you are under 65 years of age and have taken early retirement, you might be able to switch your retirement pension to a disability pension. A disability pension is usually more than a retirement pension.

The rules about this are complicated, and there are time limits. Try to get legal advice if this is your situation.

## Can I appeal if I am refused?

Most decisions about CPP pensions and benefits can be appealed. If you want to appeal, you must do it within 90 days after receiving the decision. If you have been refused or you do not agree with the amount, get legal advice right away. Many people who are denied CPP disability pensions when they first apply win their appeal. Your community legal clinic may be able to give you free legal help.

You can usually find the community legal clinic nearest you by looking under “Legal Aid” or “Lawyers” in your phone book. You could also check Legal Aid Ontario’s web site at <[www.legalaid.on.ca](http://www.legalaid.on.ca)>. Or call Legal Aid Ontario’s toll-free number at **1-800-668-8258**, or toll-free TTY number at **1-866-641-8867**. In the Toronto area call **416-979-1446**. The TTY number in the Toronto area is **416-598-8867**.

This booklet contains general information.  
It is not a substitute for getting legal advice  
for your particular situation.

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