

SUPPORTING INDIVIDUALS
AND OUR COMMUNITY BY
PROVIDING QUALITY LEGAL
SERVICES.

Northwest Community Legal Clinic

MARCH 2013

Income Tax Returns due April 30, 2013

Yvonne Hutton, CLW, Atikokan

Filing a tax return is the smart thing to do even if you don't have income to report or haven't filed for a few years. Ontario has benefits for seniors, families and low-income individuals – but you need to file your tax return to get them!

If you file your return after April 30, 2013, your GST/HST credit, Canada child tax benefit payments and old age security benefit payments may be delayed. If you need help preparing your income tax return, the Community Volunteer Income Tax Program (CVITP) may be able to help you.

Community volunteers assist taxpayers who meet eligibility criteria which include low income



and simple tax situations. They do not prepare tax returns for individuals with complex tax situations such as bankruptcy, self-employment, or those with rental income.

To see if you are eligible for tax

return preparation through the CVITP, contact the program closest to you:

Atikokan – Adult Learning Centre – 25 Rawn Road – Mondays through Fridays 9am-12noon & 1-3pm, 597-1242;

Fort Frances – Volunteer Bureau – 140 4th St. W – Mondays through Thursdays 9am-1pm, 274-9555;

Kenora – NeChee Friendship Centre – 1301 Railway Street – Monday through Fridays 9am-4:30pm, 468-5440;

Kenora SENIORS – New Horizon's Seniors Centre – Kenora Recreation Centre – Monday through Fridays 9am-4pm, 468-5947.

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How will employment affect my housing subsidy?

Nan Normand, CLW, Kenora

There are different kinds of housing subsidies. Most subsidies come through geared to income rental units offered by provincial social housing providers. Some subsidies come through federal programs and other programs allocate subsidies to private landlords. Changes in income affect all subsidies. Reporting your income is crucial to avoid the consequences of a potential fraud charge.

All changes in income must be

reported to your housing provider within 30 days of the change. Failure to do this report promptly can result in a loss of your housing subsidy and a possible deemed overpayment. If you have lost your housing subsidy because you failed to report income within the time allowed, you will not be able to get a rental subsidy anywhere else in the province.

Once reported, your rent subsidy will be recalculated. For geared to income rental units, a market rent is set for every unit

held by the social housing provider. It is important to know what your market rent could be if your income changes. A baseline rent is calculated based on the program's subsidization rate. The established baseline is adjusted dependent upon other unique unit factors including parking charges, hydro costs and cable charges. When the baseline rent reaches the set market rate, the subsidy ceases and you will pay market rent. For subsidies to private landlords, sliding scales are used based on your income.

DISCLAIMER: These articles provide information only and are not to be considered as legal advice. Content reflects the laws that were current at the time of publication and the law may have since changed. Consult your community legal clinic or legal representative for legal advice on your specific situation.

Do you want to work but can't afford the cost of childcare?

Tammy Noble, CLW, Fort Frances

Financial assistance by way of fee subsidy is available to parents/guardians of children between the ages of 0 – 12 years of age who meet certain financial criteria. Eligibility is based on family income, as is the amount of subsidy a family can receive.

Fee subsidies are available to families in need when placing their children in a Licensed Child

Care facility.

Licensed Child Care Facilities can include day nursery services, public or private home day care services, or children's recreation programs.

Parents must be working or going to school, or the child must be referred due to special needs (special needs children may be eligible for services and/or subsidies until age 18).

The Ontario government, municipal governments and First Nations communities share the cost of the program. You can apply for the child care subsidy or get more information about this program by contacting your local District Social Services Administration Board, your local band office administrator or the Licensed Child Care Facility where you wish to enrol your child.

Medical Reviews Back on Again

Sallie Hunt, Staff Lawyer, Kenora

The Disability Adjudication Unit is the government office that determines whether or not a person meets the definition of "a person with a disability," and thus qualifies for ODSP Disability benefits (under the *Ontario Disability Support Program*).

Certain people when they qualified for ODSP Disability benefits would have been found by the Disability Adjudication Unit to be "a person with a disability" for a certain period of time, often for two years, after which that person would have been subjected to a "Medical Review."

A *Medical Review* is very similar to the original ODSP application for disability benefits. The purpose of the *Medical Review* is to determine whether or not a person who qualified for ODSP disability benefits has remained disabled, either from the original medical condition(s) or from a new disabling condition(s). The Disability Adjudication Unit also determines whether or not that person continues to

meet the definition of "a person with a disability" upon a *Medical Review*.

Medical Reviews began in May 2009, but the Disability Adjudication Unit suspended the reviews in July 2011 due to an increase in new applications. The Disability Adjudication Unit has now decided to restart "*Medical Reviews*" as of February 2013.

While the Disability Adjudication Unit did indicate when it found people disabled that certain people had *Medical Review* dates, if those dates were between July 2011 and February 2013, that date slipped by and the disabled person continued to receive ODSP disability benefits.

The Disability Adjudication Unit will be sending out *Disability Determination Packages (DDPs)* to some whose *Medical Review* dates have come and gone. It will be sending out approximately 100 DDPs/month to people across the province. This means that if you had a *Medical Review* date when you qualified for ODSP disability

benefits and that *Medical Review* date has now passed, you may receive a DDP which you have to complete along with your health care practitioner within 90 days. However, you may not receive a DDP for several months, depending on how quickly the Disability Adjudication Unit is able to work through the backlog.

If you do receive a DDP for a *Medical Review*, it is important to note the Limitation or Deadline Date. ODSP benefits will stop after that deadline if you have not sent the completed DDP back to the Disability Adjudication Unit office. Even if you do send everything back on time, the Disability Adjudication Unit may determine that you no longer qualify for ODSP benefits. There are time limits to appeal the denial, and if you are denied, you should appeal the decision as soon as possible.

If you have any concerns or questions about the *Medical Review* and what it means, contact the community legal clinic closest to you.

Our Pamphlet Stands
All three offices of the Northwest Community Legal Clinic carry a large supply of pamphlets relating to areas of law within the Clinic Mandate. We invite you to call or stop into your local office to view the selection.

Coverage for Drug and other Health Costs when going back to work

Laurie Nuttall, Staff Lawyer, Fort Frances

Ontario Disability Support Program

Recipients-When recipients of ODSP benefits go back to work they may still be eligible for drug coverage even if they are not eligible for shelter and basic needs benefits. To qualify for the drug card you must be eligible for the *Extended Health Benefit*. To be eligible for the *Extended Health Benefit* you must show that your health costs are higher than the amount of employment income that exceeds your budgetary requirements. The *Extended Health Benefit* provides coverage for drug costs, dental, vision, hearing aid benefits, Mandatory Special Necessities, and the consumer co-payment for the Assistive Devices Program.

If you are not eligible for the *Extended Health Benefit*, recipients with high drug costs can apply for the Ministry of Health and Long Term Care's Trillium Drug Program. Applications for the Trillium Program can be obtained at pharmacies, or by calling the Trillium Drug Program at 1-800-575-5386.

Ontario Works (Welfare) Recipients-There are two categories for receiving drug coverage and health benefits; the *Extended Health Benefit (EHB)* and the *Extended Employment Health Benefit (EEHB)*.

Extended Health Benefit (EHB)-Recipients will receive the *EHB* (including drug coverage) as long as their health costs remain higher than the difference between their earned income and the amount of social assistance they were receiving. If you qualify for the *EHB* you may be eligible to receive the following health benefits: prescription drug coverage, dental and vision care for dependent children, diabetic supplies, surgical supplies and dressings, medical transportation costs over \$15 per month per benefit unit, consumer contribution for assistive device and assessment under the Assistive Devices Program, batteries and necessary repairs for mobility devices, routine eye examinations once in a 24-month period.

Extended Employment Health Benefit (EEHB)-Recipients not eligible for the *EHB* may be eligible for the *EEHB* for six months after they become ineligible for income assistance due to employment or increased earnings. You must be exiting income assistance due to employment income. If you are eligible for the *EEHB* you may also be eligible to receive the following health benefits: prescription drug coverage, dental and vision care for dependent children, diabetic supplies, surgical supplies and dressings, medical transportation costs over \$15 per month per benefit unit,

consumer contribution for assistive device and assessment under the Assistive Devices Program, batteries and necessary repairs for mobility devices, routine eye examinations once in a 24-month period.

Extended Employment Health Benefit (EEHB)-Second Six Month Period

If you are in receipt of *EEHB* benefits for six months, the Administrator may grant a second six-month period of coverage for health costs. However, a drug card is not provided in the second six-month period. If the employer does not offer a drug plan, recipients may be assisted with the quarterly deductible of the Trillium Drug Program. If the employer does not have a plan that covers health benefits, recipients continue to be eligible for health benefits as in the first six-month period.

Recipients of either the *Extended Health Benefit (EHB)* or *Extended Employment Health Benefit (EEHB)* through Ontario Works may also be eligible for health related discretionary benefits.

For further information about maintaining benefits and coverage for health and drug costs when returning to work, contact your local ODSP or OW office. You can also contact the Northwest Community Legal Clinic for further information.

Minimum Wage Increase Needed in Ontario

Yvonne Hutton, CLW, Atikokan

A campaign to increase the minimum wage in Ontario is gaining support from many anti-poverty organizations across the Province who believe that the minimum wage should bring workers and their families above the poverty line. The minimum wage in Ontario has remained at \$10.25 since March 2010 while the cost of living has consistently gone up.

Campaign 2000 released their 2012 report card on child poverty in Canada in February noting that one-third of children living in poverty have one parent who does work full time. A person working full-time, year-round at a minimum wage job in Ontario makes \$20,500 before taxes. The Ontario anti-poverty group, 25 in 5, is pressuring the government for a wage increase to \$11.50 hour,

which would allow a person with a minimum-wage job to make \$2,500 more per year, pre-tax.

25 in 5 is also calling on the government to increase the minimum wage to 10 percent above the poverty line by 2015 and to be adjusted each year to account for increases in the cost of living.

REMINDER:

Association Membership Renewals and New Memberships are due April 1st
for April 2013 to March 2014.

Please call, mail or drop off the enclosed form to your local office to ensure
you continue to be a Member and receive your newsletter.

**MINISTRY OF COMMUNITY AND SOCIAL SERVICES
CLIENT INFORMATION SHEET**

**Community Start Up and Maintenance Benefit (CSUMB) and the
Community Homelessness Prevention Initiative (CHPI)**

As of January 1, 2013, housing and homelessness supports will be made available through a new program – the Community Homelessness Prevention Initiative (CHPI).

This initiative is part of the government's new approach to housing and homelessness programs and will allow those in need to access supports, regardless of whether or not they are eligible for social assistance. Funding for this initiative will come from the bringing together of five current housing and homelessness programs, as well as a portion of the money that had previously been available through the Community Start-Up and Maintenance Benefit (CSUMB).

While CSUMB will no longer be available as of January 1, 2013, your municipal service manager will be providing CHPI supports and services that best suit your local community.

What this means for you

Other supports available starting January 1, 2013;

Through your local municipality:

CHPI programs in your local area will be available to help with some housing related needs. You should contact your local housing and homelessness department or your social assistance case-worker for more information.

For First Nations on reserve:

CHPI supports and services are not available on First Nations reserves. If you are living on a First Nation reserve and require assistance with housing related needs, please contact your local Ontario Works office.

More Information

If you would like to talk to someone about these changes, please call your local Ontario Works or ODSP office (<http://appow.mcscs.gov.on.ca/OfficeLocator/index.aspx>) or the

ServiceOntario INFOLine toll-free at 1-888-789-4199 or TTY 1-800-387-5559.

Information on CHPI programs is available at <http://www.mah.gov.on.ca/Page9183.aspx>.

A list of municipal service managers is available at <http://www.mah.gov.on.ca/Page1202.aspx>.

Working and Benefits

Sallie Hunt, Staff Lawyer, Kenora

As the name "Ontario Works" implies, one of the goals for Ontario Works is to get people who are receiving Ontario Works benefits into the workforce as soon as possible. This is done by several means. One is to provide people who do not have Grade 12 with an opportunity to get their GED. However, Ontario Works provides no financial help if someone wants to continue with post-secondary education. There are opportunities to take various workshops (resume writing, life skills, etc.) or to build work skills through volunteer work or job placements. However, most of the work placements are low entry level positions. A person who is working can continue to receive Ontario Works. Ontario Works (OW) will deduct 50% of a person's wages from the OW benefits. However, there are few

incentives to keep people working once they have employment. People who receive disability benefits through the Ontario Disability Support Program (ODSP) are not expected to work but can work if the disability permits it. Someone on ODSP benefits who is working will also have 50% of their wages deducted from their ODSP benefits. But, for any month that a person on ODSP works, ODSP gives that person a \$100 employment incentive bonus. This applies to anyone in the family unit of an ODSP recipient.

While Ontario Works does provide some programs for people to help them find and maintain employment, ODSP provides no assistance other than the \$100 incentive bonus.

Canada Pension Plan, on the other hand, does not encourage people who receive CPP disability benefits to work. When someone is receiving CPP disability benefits, that person must report to Service Canada if they receive any income from employment. Each year there is a cut-off amount that a person can earn before Service Canada investigates as to whether or not that person is still disabled. For 2013 it is \$5,100, i.e. \$425/month. This means that if someone earns less than \$5,100 Service Canada will not investigate to determine whether that person is still disabled. However, if the amount is more than \$5,100, Service Canada could determine that the person is no longer disabled and that person could lose CPP disability benefits.

Changes to EI (Employment Insurance)

Fay Clark, CLW, Kenora

The beginning of the new-year brought several changes to Canada's EI (Employment Insurance) system. Under the previous Working While on Claim pilot project, income earned over \$75 per week while on an EI claim was deducted dollar for dollar, or, 40% of your weekly benefit, whichever was higher. New rules allow claimants to retain their earnings at a rate of 50% of each dollar earned up to the point where a claimant's earnings equal 90% of the weekly insured earnings used to establish the benefit rate. After this 90% threshold is reached, earnings are deducted dollar for dollar. Until August 1, 2015 claimants will be able to decide which rules they would like their claim to fall under, but must

decide within 30 days from the date the claim was filed and can not make changes after the decision has been made. The claimant is responsible for advising Service Canada if they wish to follow the previous rules as all new claims will be subject to the **new** Working While on Claim pilot rules. The option to revert to the previous pilot project rules does not apply to Self-Employment Benefits.

As well, what type of work would be considered as "suitable employment" or a "reasonable job search" will depend on which category the claimant fits into. In determining these criteria, EI claimants will be placed in one of three categories:

- **Long-tenured workers:** "those who have paid at least 30 per cent

of the annual maximum EI premiums for 7 of the past 10 years and who, over the last 5 years, have collected EI regular or fishing benefits for 35 weeks or less."

- **Frequent claimants:** "those who have had three or more claims for EI regular or fishing benefits and have collected benefits for a total of more than 60 weeks in the past 5 years."
- **Occasional claimants:** "all other claimants."

More details about these and other recent changes to EI benefits can be found at www.hrsdc.gc.ca, Service Canada or your local legal clinic.



Does your group require accessible meeting space in Fort Frances or Kenora during regular office hours? Please contact our office to discuss.



**Supporting individuals and our community
by providing quality legal services.**

Fort Frances

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Office Closures

Friday, March 29th - Good Friday
Monday, April 1st - Easter Monday
Monday, May 20th - Victoria Day

Sub-Offices

Red Lake - April 3rd, May 8th,
June 5th

Ear Falls - April 4th, May 9th,
June 6th

Atikokan Employment Centre

*This issue, we feature the **ATIKOKAN EMPLOYMENT CENTRE**. Thanks to Lisa Marusyk, Program Manager for contributing the following article...*

The objective of the Atikokan Employment Centre is to provide employment related services to unemployed and underemployed individuals, to provide a central location for accessing government forms and to assist individuals make applications to Employment Ontario funded programs.

We provide guidance and counseling on all aspects of the employment search, access to information and resources including job advertisements, computer access to Internet, resume and covering letter writing programs, and various printed

material including books, pamphlets, news clippings, resource guides and regional newspapers.

In an effort to support employers we also help them with human resource systems including hiring, training, occupational health & safety, orientation, government reporting, etc. Additionally within the community we maintain partnerships with various groups and organizations within the area that provide assistance to any person unemployed or underemployed, i.e. Atikokan Literacy, Ontario Works, Northern Career Development Services (N.C.D.S.), etc.

To support unemployed individuals we also offer a variety of workshops, including WHMIS, First Aid/

CPR, Smart Serve, In Good Hands, Service Excellence, Interview Skills, E-mail Creation, Resume and Cover Letter Writing and Internet/Computer access. We also can tailor workshops to the needs of the individuals and make referrals to outside training groups as necessary.

We have partnered with Service Canada to provide access to Service Canada representatives on a monthly basis. Additionally we have access to brochures, forms and printed material available. For more information about our programs and services please feel free to stop by our office at 214 Main Street in Atikokan or call us at (807) 597-2952.



Consider the environment...

Please recycle this newsletter!