

Chapter 2: Eligibility

(iv) Other Circumstances Affecting Eligibility

(h) Youth in Conjugal Relationships

Intent:	To clarify procedures and the information required to assist a youth who resides in a conjugal relationship.
Act: (if applicable)	N/A
Regulations:	<p>45.(1) In order to determine whether cohabiting partners as defined by the Act share a conjugal relationship, an officer shall evaluate</p> <ul style="list-style-type: none"> (a) the economic interdependence of the 2 people; (b) the parental connections of the 2 people based on the evidence of shared biological children or whether they share parental roles; or (c) the societal perception of the 2 people, including whether they present themselves as a couple in the community <p>and if the officer so determines based on the criteria referred to above, a conjugal relationship shall, for the purpose of these regulations, be considered to exist.</p> <p>(2) Where a conjugal relationship has been determined to exist under subsection (1), the financial resources of the cohabiting partner shall be evaluated and the income support of an applicant or recipient may, as determined by an officer, be confirmed, denied, varied, suspended or cancelled accordingly.</p>
Overview: (if applicable)	N/A

Policy:

- The Income and Employment Support Act defines:
 - a child as a person under the age of 18 years but does not include a person who is less than 18 years old and who is married or is a cohabiting partner; and
 - an adult as a person 18 years of age or older and includes a person who is less than 18 years old where that person is married or is a cohabiting partner. Given these definitions, situations may arise when one partner in a conjugal relationship will be under the age of 18 and may qualify, as part of a couple, for Income Support.
 - When determining eligibility for Income Support when one of the applicants in a conjugal relationship is under the age of eighteen, the policies as defined in the [Conjugal Relationship](#) section of this manual must still be followed.
 - As individuals under the age of 18 are typically financially supported by their parents, the parent's ability to contribute financially to the youth's care must be assessed.
 - Given that individuals under the age of 18 have unique developmental issues that may require specialized services and supports, youth who apply for Income Support and who reside in conjugal relationships must also be referred to:
 - the departmental social worker for an assessment and
 - Child Protection/Youth Services who will also assess for services within their program such as social work supports and referrals to other relevant community services.
 - These assessments are also necessary to determine if the youth is eligible for Income Support.
 - Income Support will not be provided in instances whereby both partners in a conjugal relationship are under the age of 18.
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Procedure: Client Services Officers must:

- Make a referral to the departmental social worker when a cohabitating applicant is under the age of 18. The social worker will:
 - Contact a Child Protection/Youth Services social worker to conduct a joint assessment of the youth's needs and develop a case plan. As part of the assessment:
 - It must be determined that the youth cannot be financially supported by their family and,
 - family preservation/reunification is not in the best interests of young person.
 - There may also be instances whereby it is determined that a referral to the social worker for assessment is not necessary or practical. For example, the youth's situation may be well known to a district office, or the youth may be a month away from turning eighteen. In these cases, the youth's circumstances should be immediately discussed with the program manager when assessing eligibility.
- If, through the assessment process, it has been determined that:
 - residing with their family is not detrimental to the youth and they are able to return home, or
 - the youth's family is able to support them financially;

The conjugal couple will not be approved for Income Support.

- The couple should be advised of their right to appeal, and the individual who is over the age of 18 can be assessed as a single person.
 - In cases when it has been determined that the young person's family is unable to financially support them and they are unable to return home, the CSO should adhere to all policies and procedures as outlined in the [Determining Eligibility for an Applicant](#) and [Conjugal Relationships](#) sections of this manual when determining eligibility.
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Authority Level:	Client Services Manager <ul style="list-style-type: none">• Approval of Income Support benefits for any individual under the age of 18 who resides in a conjugal relationship.
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