

Chapter 2: Eligibility

(iv) Other Circumstances Affecting Eligibility

(b) Labour Disputes

Intent:	To clarify the eligibility criteria for applicants/recipients who are on strike or affected by a job action
Act: (if applicable)	N/A
Regulations:	9 (5) Notwithstanding another provision of this section, where an applicant is applying for income support due to job action at the workplace, he or she shall not be eligible for income support.
Overview: (if applicable)	N/A
Policy:	<ul style="list-style-type: none"> • Applicants who apply for Income Support benefits as a result of job action (strike), who voluntarily and collectively withdraw their services from the work force as a result of a labour dispute are not eligible for Income Support as per Regulation 9 (5). • This also includes individuals who have been "locked out" by employers while labour negotiations are continuing. • Individuals who experience financial hardship due a labour dispute must be referred to their appropriate union for assistance. • Recipients who were receiving Income Support benefits as a supplement to earnings prior to the commencement of the job action, may continue to be eligible for the same level of Income Support benefits or less, depending on the amount of strike pay. • In situations where a recipient receives more income as a result of the job action than the recipient would have received from just his/her part-time earnings, the Income Support benefits are to be adjusted and this increase in income must be considered. • In situations where the strike pay is less than the amount of earnings they originally received prior to the job action, the amount of Income Support benefits are to remain unchanged. • Any other changes such as receipt of other income(except strike pay), family status, living arrangements or family size reported by the recipient must be taken into consideration

	<p>when determining continued eligibility for Income Support benefits.</p> <ul style="list-style-type: none"> • Applicants or recipients not involved in a labour dispute themselves but who are unemployed because of a labour dispute, may be granted Income Support benefits, provided all eligibility criteria is otherwise met.
<p>Procedure:</p>	<p>A Client Service Officer must:</p> <ul style="list-style-type: none"> • Verify the amount of strike pay a recipient is receiving and if it is less than the amount declared as earnings, enter the amount in the case note, but maintain the previous amount of Income Support benefits provided. • Determine if the strike pay is greater than the previous recorded earnings, and if so, record the strike pay as “Other Income” under non-exempt income and deduct the full amount from the Income Support entitlement. • Discuss emergency situations when an applicant applies for Income Support and no eligibility exists with the Client Service Manager. Client Service Managers must then obtain approval from the Director of Income Support before any Income Support benefits (including regular benefits, special needs, transportation, or health supplies/equipment), are provided to these applicants.
<p>Authority Level:</p>	<p>Client Service Officer Client Service Manager Director of Income Support – exceptions to this policy</p>
<p>Date revised:</p>	<p>January 2, 2009</p>