

Chapter 11: Income Support to Provide Employment Support

Intent:	To provide an overview of Income Support and the provision of Employment Support.
Act: (if applicable)	<p>19. (1) Income and employment support may be granted in a form and manner that an officer, with the approval of the minister, may determine.</p> <p>(2) Notwithstanding subsection (1), an officer may, in accordance with the regulations, at the request of the recipient and with the approval of the minister, use funds available for a recipient's income support to provide that recipient's employment support.</p>
Regulations:	<p>Use of income support to provide employment support</p> <p>44. (1) A recipient's income support may, under the authority of subsection 19(2) of the Act and according to this section, be used to provide his or her employment support.</p> <p>(2) Where a recipient has an employment plan approved by an officer which confirms that the use of income support to provide employment support is appropriate and where that recipient has been receiving income support for 3 consecutive months, that recipient shall enter into an agreement regarding the manner in which that use may be undertaken.</p> <p>(3) An agreement referred to in subsection (2) shall contain:</p> <ul style="list-style-type: none"> (a) a provision outlining the limits of the use of income support for employment support; (b) a statement that the recipient has no eligibility for additional income support during the period in which the use of income support for employment support is in place; and (c) evidence of the spouse or cohabiting partner's consent for the use of the recipient's income support to finance his or her employment support. <p>(4) A maximum of 3 month's entitlement of income support may be used to provide a recipient's employment support.</p> <p>(5) Income support funds which are to be used to provide employment support may be paid</p> <ul style="list-style-type: none"> (a) in a lump sum; or (b) in instalments <p>to the maximum of eligibility.</p> <p>(6) Where a recipient is provided with additional income support during the time period for which he or she has already received income support under this section, that additional income support shall be considered an overpayment and shall be recovered in the manner prescribed by the Act and these regulations.</p>

(7) Notwithstanding another provision of this section, the minister may, in exceptional circumstances, vary the time periods referred to in subsections (2) and (4).

Overview:
(if applicable)

[Section 19\(2\) of the Income and Employment Support Act](#) allows for the Department to use Income Support to provide Employment Supports. [Regulation 44](#) outlines the conditions in order to provide this level of support for a recipient.

Using Income Support to provide Employment Support requires an agreement to be signed between the recipient and the Department, whereby the Department would continue to provide the monthly Income Support benefits currently provided to the recipient to help financially support the recipient and his/her goal outlined in an Employment Plan. The ultimate goal of such an agreement would be to enable the recipient to become self-sufficient and no longer in need of Income Support benefits.

As this is a new initiative in delivering Income Support benefits, policies and procedures relating to how to administer this initiative will be further developed/modified as warranted, based on information gathered through close monitoring of how the initiative is applied.

Policy: (i) Eligibility Criteria

In order to be eligible to have Income Support used for the provision of Employment Support, a recipient must:

- be in receipt of basic Income Support benefits for a minimum of 3 months immediately preceding the request;
- be an individual who has demonstrated that no other intervention is appropriate to meet his/her needs;
- have an Enhanced Screening Assessment completed;
- agree to work with a Career Development Specialist to develop an approved Employment Plan which identifies the recipient's employment and training needs and the interventions necessary to reach the goal of becoming independent of Income Support; and
- if determined that the use of Income Support for the Provision of Employment Support is appropriate, enter into an agreement regarding the manner in which that use may be undertaken.

(ii) Assessment

- All requests from recipients who wish to use his/her Income Support for the provision of his/her Employment Support must be referred to a Career Development Specialist.
- The Career Development Specialist will work with the recipient to determine his/her employment and training needs and develop an Employment Plan which identifies the steps and interventions necessary to reach the goal of the recipient becoming independent of Income Support.
- When it is determined that a component of the Employment Plan cannot be met using other interventions, an agreement to use the recipient's Income Support to finance the Employment Support will be developed by a Career Development Specialist and a Client Services Officer in consultation with the recipient.

When developing the proposed agreement, the following must be considered:

- Income Support is designed to address basic needs i.e., food, clothing and shelter. When Income Support is used for any other alternative, it is essential the well-being of the recipient and his/her dependents are not compromised by ensuring they have sufficient funds to meet their basic needs;
- The recipient must be fully aware that if they require Income Support to offset the basic needs that were included in the calculation of the Income Support amount used to help finance the recipient's Employment Plan; before the end of the covering period, the amount must be set up as an overpayment and recovered from future Income Support benefits.
- The consent of the recipient's spouse/partner must be obtained to enter into such an agreement. The Minister may dispense with the consent of the spouse/partner in exceptional circumstances.

A major component of the Agreement to use Income Support to provide Employment Support is the completion of a **Cost Benefit Analysis** by the Client Services Officer/Career Development Specialist that has been agreed to by the recipient. The Cost Benefit Analysis must identify:

- the average net Income Support benefits received for the three (3) months prior to the request;
- the full amount of Income Support requested to be approved for the recipient and the period of time this amount represents;
- the cost of the present living expenses (accommodations, food, heat, light, etc.) of the recipient and his/her dependents;
- how their future living expenses will be met (by continuing Income Support and other financial sources, if appropriate) for the covering period;
- how the use of Income Support will support the Employment Plan;
- what portion of continuing Income Support will be used to fund the employment plan; and
- the date that independence from Income Support is expected to occur.

The Employment Plan and the "proposal" including the Cost Benefit Analysis should be document.

Staff must meet privately and separately with the spouse/partner to obtain his/her consent to ensure that the spouse/partner

- understands the purpose of the agreement;
- understands that should they require Income Support to offset the basic needs that were included in the calculation of the Income Support amount used to finance the recipient's employment plan; before the end of the covering period, the amount must be set up as an overpayment and recovered from future income support benefits; and
- is providing his/her consent to the plan without duress.

There may be situations where staff determines that it would be inappropriate to seek the consent of the recipient's spouse/partner. In such exceptional circumstances staff must submit, along with the proposal, a written request for the Minister to dispense with the consent of the recipient's spouse/partner which clearly documents why seeking the consent would be inappropriate.

Once the "Proposal" (including the Cost Benefit Analysis and the Employment Plan) is completed, and the agreement is signed by the recipient and his/her spouse/partner, the proposal should be

forwarded to the Client Services Manager/Regional Manager/Regional Director for review and recommendation regarding approval to the Minister.

(iii) Recommendation

When considering a proposal to use a recipient's Income Support to provide Employment Support, the Client Services Manager/Regional Manager/Regional Director must evaluate all the information to determine that:

- There will be no additional cost to Government. This can only be achieved if it has been established that the recipient would have received Income Support benefits for the next few months, if there was no intervention.

Recipients who normally move off Income Support for seasonal employment, receive Employment Insurance or may be eligible for other programs such as those provided through Employment and Social Development Canada would not usually be considered. However, there may be circumstances when using of this option may be appropriate and the Client Services Manager/Regional Manager/Regional Director should consider such requests in consultation.

- The recipient has provided consent by signing the contract, and is fully aware of the implications of using Income Support benefits for this purpose, and is in agreement with this form of receiving Income Support benefits in an effort to be self-sufficient.
 - There is reasonable assurance that the goal of self-sufficiency will be obtained.
 - There is no other intervention available that can meet the needs of the recipient.
 - There is reasonable assurance the recipient is fully aware that should he/she require Income Support before the end of the covering period, the amount will be set up as an overpayment and recovered from future Income Support benefits.
 - The spouse/partner, where applicable, has been seen privately and separately and provided informed consent without duress or where a request to dispense with the
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consent is included that the rationale for dispensing with the consent is clearly stated and appropriate.

Once the proposal has been reviewed and considered, the Client Services Manager/Regional Manager/Regional Director must forward the proposal along with their recommendation regarding approval to the Minister.

(iv) Approval

All proposals to use a recipient's Income Support to provide Employment Support must be submitted to the Minister for approval regardless of the recommendations of the Client Services Officer, Career Development Specialist and management in the District Office.

The Career Development Specialist will be notified of the Minister's decision on approval and must provide notification to the recipient as specified in the notification section.

For all approved agreements, case management by the CDS and the Client Services Officer is to continue during the covering period of the agreement. Approvals are to be recorded in the Client Service Management System and in the appropriate payment system in use in the recipient's District Office.

Copies of proposals must be forwarded immediately to the Director of Income Support and the Director of Employment Services for the purposes of monitoring the usage of this section under the Act, budget evaluation, and policy review.

(v) Notification

When a proposal is not approved, the Career Development Specialist must notify the recipient in writing of the decision, the reason for the decision, his/her right to appeal and the process for doing so. This decision is to be recorded in CSMS and the appropriate payment system in use in the recipient's District Office.

If the request is approved, the recipient is to be notified of the approval in writing, given a copy of the agreement and reminded of his/her responsibility to report any changes in their circumstances which may affect eligibility.

(vi) Method of Payment

This is not to be considered additional Income Support, but a continuation of Income Support benefits based on the assumption the recipient would otherwise be in receipt of Income Support for the covering period.

The preferred method should be short-term installments, which can end should the initiative breakdown and the recipient needs to revert back to receiving regular Income Support benefits. However, in some circumstances, it may be necessary to advance the full amount required in the first month.

(vii) Additional Benefits

Recipients who avail of the option to use Income Support to provide Employment Support are still considered active recipients for the covering period Income Support was used to provide Employment Support. As a result these recipients are entitled to all the "in-kind" benefits associated with being in receipt of Income Support, such as a regular drug card, other Income Support benefits such as vision care, and employment supports such as work boots; without incurring an overpayment.

Once the covering period has expired and the recipient is gainfully employed, the recipient is entitled to the extended drug card for the twelve month period following the end of the covering period Income Support was used to finance the Employment Support.

(viii) Administration

Case Management by the Career Development Specialist is to continue during the covering period of the Agreement. The Career Development Specialist will make follow-up contact at intervals specified in the Client Service Management section of the manual.

As this is a new initiative, it is essential the Regional Director keep a complete list of all cases where the use of Income Support for the provision of Employment Support was approved. These records must:

- identify the recipient,
 - the length of time in receipt of Income Support benefits prior to the recipient availing of Income Support for the provision of Employment Support,
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- the amount of Income Support benefits that provided for the covering period of the Income Support for the provision of Employment Support, and
- the number of months during the fiscal year, the recipient was no longer in receipt of Income Support.

(ix) Request to Re-Instate Income Support

There may be situations where a recipient needs to obtain regular Income Support benefits during the period when Income Support for the provision of Employment Support is still in effect. Regional Director approval is required. The Client Services Officer must request this approval providing a full explanation for the reinstatement. When it is determined that Income Support benefits are to be provided, the amount will be provided to the recipient through regular assistance as opposed to the use of emergency assistance. The amount of basic Income Support provided is to be considered an overpayment, apportioned between the recipient and the spouse, if applicable, and recovered from future Income Support benefits.

(x) Overpayment

If the funds that were issued under the Income Support for Employment Support Agreement were not used for the intended purpose as specified in this agreement; an overpayment must be set up, apportioned between the recipient and the spouse, if applicable, and recovered from future Income Support benefits.

(xi) Exceptional Circumstances

There is provision under [Section 19\(4\)](#) of the Income and Employment Support Act which allows the Minister, in exceptional circumstances, to dispense with the consent of the spouse/partner and in [Section 44\(7\)](#) of the Income and Employment Support Regulations to vary the time frames specified for eligibility and/or entitlement.

Procedure: N/A

Authority Level: N/A

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