

Reasons for Decision:

Order # AP1819-0401

<name removed> appealed that they were denied Employment and Income Assistance (EIA) disability eligibility under Section 5(1)(a) of *The Manitoba Assistance Act*.

The Department advised that <name removed> was granted disability eligibility in <date removed> for five years due to <health condition removed>. The latest Disability Assessment Report completed by <name removed>'s doctor was received in <date removed>. The doctor listed the primary diagnosis as <health condition removed>. There were no referrals or medications listed. On the Work Activity section of the forms, the doctor checked that <name removed> has permanent limitation of functions and has limited mobility.

The medical panel determined that this information was insufficient to support disability eligibility, as their condition does not preclude them from all types of employment. The Department advised that <name removed> has a history of finding and maintaining steady training and employment. The appellant is currently in an unpaid training program through a financial group and, during the last five years, <name removed> has had their EIA file closed twice due to excess employment earnings. A letter was sent on <date removed>, advising <name removed> of the decision.

<name removed> attended the hearing with their parent. The appellant stated that although they were working from time to time, the jobs did not work out as one was physically demanding and the other was in a fast-paced environment in which they could not keep up. The appellant also said they had <condition removed>. The appellant is currently taking courses and engaged in an unpaid training program, for which the Department provided the initial funding. The appellant enjoys the program and is working toward acquiring their provincial broker's license. The appellant said the reduction in their budget hinders their ability to support themselves and is dependent on asking people for help.

The appellant's parent advised that <name removed> was very self-assured until they made a major work error, and their confidence declined. The appellant's parent said that the appellant absorbs information slowly, however has an excellent attitude.

The Manitoba Assistance Act states that in order to be eligible for disability benefits, you must be a person:

(a) who, by reason of age or by reason of physical or mental ill health, or

physical or mental incapacity or disorder that is likely to continue for more than 90 days

(i) is unable to earn an income sufficient to meet the basic necessities of himself and his dependants,

After carefully considering the written and verbal information, the Board agrees there was insufficient information in the medical report to support a claim of disability that would render <name removed> unable to work sufficient to meet their basic needs. However, the Department is tacitly approving their internship in a financial group program by providing initial funds and not imposing work expectations .

Therefore, the Board orders the Department to provide funds for a monthly bus pass to support <name removed> as they continue their internship program.

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