

Reasons for Decision:

Order # AP1819-0441

<name removed> appealed that their Employment and Income Assistance (EIA) file was closed due to work expectations not met.

The Department stated that <name removed> re-applied for income assistance on <date removed>. The appellant was previously on assistance and their file closed in <date removed>. When they reapplied they advised the Department that they were employed since their file was closed and that they had been fired. The appellant further explained they had contracted lice due to the nature of their housekeeping duties, and was told not to return to work. <name removed> had not provided the Record of Employment at their <date removed> intake appointment.

The Department called <name removed>'s employer to confirm their employment and the reasons regarding the termination. The employer advised that <name removed> was not fired. They worked five shifts, was paid then did not return. There were no issues or concerns regarding <name removed>'s performance. The employer advised the Department that there is a good possibility <name removed> could return to their position if they contacted them.

The Department contacted <name removed> to advise of the employer's comments, which they said were all false. The Department currently has not received the Record of Employment and other requested documents to assess eligibility, therefore their file remains closed. A letter advising <name removed> of the decision was sent to them on <date removed>.

<name removed> said they called Service Canada for their Record of Employment and was advised they have no record of it. <name removed> stated that they don't want to return to their previous employment as they are dishonest, disrespectful and unprofessional. While <name removed> was working housekeeping during the day, they said they wanted them work night shifts but wouldn't provide transportation after midnight. The appellant also said they don't want to stay there as it was too far to go back and forth to work. <name removed> advised they are looking for work but says as they have no experience, the appellant isn't receiving any offers.

The Manitoba Assistance Act states:

Obligations re employment

5.4(1) A person applying for or receiving income assistance or general assistance and a prescribed dependant of that person has an obligation to satisfy the director that he or she

(a) has met the employment obligations set out in the regulations that he or she is required to meet; and

(b) has undertaken any employability enhancement measure as set out in the regulations that he or she is required to undertake.

Where employment obligations not met

5.4(2) If an applicant, recipient or dependant fails to satisfy the director under subsection (1), the director may deny, reduce, suspend or discontinue the income assistance or general assistance otherwise payable, in accordance with the regulations.

After carefully considering all the written and verbal information, the Board has determined that <name removed> did not comply with the Department's work expectations. Employment and Income Assistance has reasonable expectations relating to employment, education and training programs in order for an applicant to receive assistance. Therefore, the decision of the Director to deny <name removed>'s income assistance application has been confirmed, and this appeal has been dismissed.

At the hearing, <name removed> was advised they may re-apply at any time and develop a short-term action plan to demonstrate compliance, and then benefits could be reinstated.

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