

Reasons for Decision:

Order # AP1920-0751

On <date removed>, <name removed> appealed the decision of the Director, St. Boniface/St. Vital to apply sanctions to their income assistance file. The decision letter was dated <date removed>. <name removed> also appealed the sufficiency of their assistance, as well as a number of concerns about their treatment by the Department.

The decision letter stated sanctions were applied to <name removed>'s file because they failed to attend scheduled appointments to complete their employment and training assessment.

<name removed> told the Board that they are highly educated and had significant work experience at the international level. Despite their education and experience, they asserted that they have been unable to find work in Manitoba. The appellant asserted that they had applied for several hundred jobs and had used numerous recruiting firms.

Because of their lack of success in the job market, <name removed> and their spouse decided to obtain Canadian university degrees to improve their employability. <name removed> was accepted at Red River College, and their education plan was approved by Industry Training and Employment Services (ITES).

<name removed> stated the Department blocked their plan by denying assistance for their schooling and by imposing work expectations. The appellant asserted that officials at Red River College told them that “hundreds” of assistance recipients were funded by the Department while attending school. The appellant interpreted the Department's denial of funding as a personal rejection directed at their family.

<name removed> told the Board the appellant and spouse were offended by the Department's suggestion their spouse work as a cleaner. <name removed> noted they had more education than the Department officials responsible for their file.

<name removed> expressed concern that the Department was imposing work expectations while blocking their plan to improve their employability.

The Department told the Board that <name removed> and spouse were receiving the full amount of assistance for their family size as set by *The Manitoba Assistance Act Regulation*. The Department advised that the sanctions had been waived and employment and training assessments suspended because of the COVID-19 pandemic.

The Department stated the sanction amount was established in *The Manitoba Assistance Act*. The purpose of general assistance is to support recipients while they

transition to employment. Sanctions are applied when the recipient does not cooperate in the transition.

In response to a question from the Board, the Department acknowledged that it agreed to cancel <name removed>'s appointment for an employment and training assessment because their parent was in hospital. The Department explained that their spouse's assessment was not cancelled, because the requirement for an assessment applies individually.

The Department clarified that, although it agreed to cancel <name removed>'s appointment, it did not agree to waive its work expectations until <name removed>'s parent had recovered. The Department applied sanctions because <name removed> was not participating in the assessment process.

The Board asked if <name removed> had applied for student aid. <name removed> responded that they did not apply for student aid because they did not want to incur debt without a job guarantee. The appellant viewed the Department's suggestion that they apply for student aid as an attempt by the Department to offload responsibility to another agency.

In response to a question from the Board, the Department stated it provides assistance to students under limited circumstances, none of which applied to <name removed>. The Department noted both <name removed> and spouse were highly educated, and the Department did not view lack of education as their barrier to employment.

The Department stated <name removed> was advised in the decision letter that sanctions would be removed if they attended an employment and training assessment by <date removed>, but they did not attend.

While <name removed> appealed the amount of assistance their family was receiving, they submitted no evidence that the Department was not providing the amount of assistance set out in the *Regulation*. After carefully reviewing the verbal and written evidence presented to it, the Board determines that the Department assessed <name removed>'s eligibility for assistance according to the legislation and regulations, and confirms the amount of assistance provided by the Director.

The Department told the Board that it applies sanctions when a recipient does not cooperate with the Department in the search for employment. <name removed> indicated repeatedly during the hearing that they disagreed with the Department's approach, and their evidence and demeanour during the hearing confirmed that they were not cooperating with the Department. In particular, <name removed> appears to be selective about the type of work they are willing to accept.

While <name removed> might feel they are justified in disagreeing with the Department's approach, all income assistance recipients must comply with program rules. After carefully reviewing the verbal and written evidence presented to it, the Board

confirms the Director's decision to apply sanctions to <name removed>'s income assistance file.

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