



2013 ANNUAL REPORT
Providing advocacy, education, community building

“It is justice, not charity, that is wanting in the world.”

—MARY WOLLSTONECRAFT

WHO WE ARE

Together Against Poverty Society (TAPS) is the largest anti-poverty organization on Vancouver Island. We have a positive impact on people's lives in ways that honour and promote human rights, justice, and a healthy, sustainable community. TAPS is a recognized leader and resource for citizens, community groups, and social agencies attempting to reduce poverty. Our education and advocacy services touch over 4,000 people per year – and we are not yet meeting the needs of all who approach us. We provide services to residents of the Greater Victoria area and adjacent municipalities including the Western Communities, Saanich Peninsula and the Southern Gulf Islands.

TAPS was established and registered as a Society in 1989, receiving charitable tax status in 1994. TAPS is a non-profit society whose membership is open to individuals or groups concerned with the preservation of civil society, the social justice movement, the eradication of poverty, as well as the continuing moral progress of those ideals.

THE PURPOSES OF TAPS

- to better the lifestyle and living conditions of persons on a low income
- to enable social services and faith-based groups to network for the purpose of helping persons requiring assistance
- to make the general public aware of the problems persons on low income have and ways in which they could assist in solving these problems
- to focus a special interest on the welfare of children.
- to educate and inform persons on low income of their rights and to provide a support system assisting such persons.
- to form a network of people in poverty to enable them to solve their own problems.
- to maintain current records of what assistance is available for persons in need and where to obtain this assistance.

WHAT WE DO

- Advocacy services in the areas of income assistance and tenancy including information, summary advice, negotiation and or representation to persons of no, low or fixed income;
- Training for low income persons and other interested community groups and organizations, which then enables them to advocate for themselves or for their members;
- Identify, research and address issues relating to poverty with particular emphasis on those that affect our local community and;
- Work in cooperation with other community groups and social service providers in advancing poverty issues.

Executive Director's Annual Report 2013

It has been another incredible year at Together Against Poverty Society (TAPS). TAPS' board, staff and volunteers have continued the hard work of ensuring the rights of our most vulnerable citizens are protected. It has been my pleasure to work with them in this struggle. Over the past year, I have continued to advance the goals of TAPS' strategic plan. These goals are to provide a consistent, high level of individual legal advocacy services; to engage the board of directors in broader community advocacy; to increase opportunities for volunteers and students; to increase and broaden our public legal education and community outreach; and finally to ensure the sustainability of TAPS.

This past year, TAPS' legal advocates have provided high quality legal advocacy services for clients with income assistance, employment standards and tenancy issues. This high service standard has been achieved by supporting advocates in terms of training, legal supervision and administrative efficiencies. The agency's stability has benefited by minimal staff turnover this year. TAPS' only 'new' Income Assistance Legal Advocate is Zoë Macmillan. She has a significant history with TAPS, as both a former TAPS law co-op student and former board member. Since starting the end of March 2013 she has proven to be a significant asset to the team. As of February 2013, Kim Roberts took over the Volunteer Disability Advocacy Project (VDAP) from Stephen Portman, who had been successfully leading the project for the past three years. Kim has adapted to this new position very well and is truly enjoying her experience working with and supporting the vital VDAP volunteers. Tasha Page has continued her excellent work as both a Tenant Legal Advocate and Income Assistance Legal Advocate. As TAPS representative, Tasha participated in a partnership this past year with the Victoria Immigrant and Refugee Centre Society (VIRCS), providing legal advocacy services to Victoria's most vulnerable immigrant population. John Cooke and Yuka Kurokawa have provided exceptional legal advocacy to low-income tenants in Greater Victoria this year, with Yuka moving into a full-time position over the summer months while John was on leave. Stephen Portman has continued his outstanding work as an Income Assistance Legal Advocate while taking on a new role ensuring workers are informed of their rights under the Employment Standards Act. TAPS' legal advocates continue to receive stellar advice, training and support from our dedicated and truly amazing legal supervisor, Lisa Cowan. TAPS is profoundly grateful for the important contribution she makes to the quality of this organization's legal advocacy services.

The TAPS board has been involved in a number of broader advocacy issues and community events over the reporting period, including organizing both an art show for International Women's Day and our successful Heron Rock Fundraiser, as well as participating in a Roast to the Raging Grannies. During the provincial election, the TAPS board and staff ensured poverty and access to

justice issues were on the agenda by assisting in organizing a Rally to End Poverty, meeting one-on-one with local candidates and participating in several all-candidates debates.

I continue to be amazed by the talented, compassionate and dedicated volunteers who truly are the beating heart of Together Against Poverty Society. We simply would not be able to provide the amount of direct one-on-one service to our clients without their help. I want to acknowledge and give a sincere thank you to Heidi, TAPS' thoughtful Volunteer Coordinator. Heidi continues to do an incredible job of recruiting, retaining and supporting our volunteers while also organizing all of our very successful and well-attended volunteer appreciation events, such as the summer BBQ, special Chinese lunch and "holiday turkey dinner".

Over the past year, TAPS continued its strong tradition as a teaching organization by hosting eight students from a variety of different academic backgrounds. These included students from Child and Youth Care, Social Work, Nursing and Law. The majority were from the University of Victoria, but we did have one special guest from Harvard Law School.

TAPS continues to deliver Public Legal Education presentations to service providers and clients in Greater Victoria. These presentations play a vital role in disseminating information about clients' legal rights and responsibilities with respect to income assistance, tenancy and employment standards. TAPS also continued to actively participate in community events in an effort to educate the public about the challenges facing people living poverty.

I am pleased to report that TAPS reached its budget goals again this year. I want to thank the Law Foundation for their continued support of TAPS' work. This year we were fortunate to receive a special grant from the Law Foundation to upgrade our technology, which has significantly increased the productivity and overall functioning of the office and advocates. I also want to thank the Province of British Columbia who directly supports our Tenant Legal Advocacy Project through Community Gaming Grants. We are also extremely grateful for the significant contribution from the Provincial Employees Community Services Fund for this Project. I also want to thank the United Way of Greater Victoria, whose stable and predictable funding is vital to the success of our legal advocacy programs. We are extremely fortunate to have received funding from the Victoria Foundation who showed faith in TAPS and understood the gap faced by vulnerable, non-unionized, low-wage workers, needing more education and support dealing with their employers. Finally, I want to thank Vancity, who continue to fund our Volunteer Income Tax Program, ensuring that last year almost 1000 people received more than 1.5 million dollars in benefits and refunds they were entitled to under the law.

It is a privilege to be a part of such a dynamic organization, filled with dedicated and sincere volunteers, thoughtful and intelligent board members and a staff that has an unrivalled commitment to social justice. I look forward to the year ahead as we embark on new adventures and celebrate 25 years of TAPS commitment to ending poverty.

KELLY NEWHOOK

November 2013

President's Annual Report 2013

Three years ago the Board, staff, volunteers and clients all worked together to provide input to the TAPS' Strategic Plan. This has helped us to focus our work. This year we reaffirmed our mission and our vision.

Our Mission: To better the lives of persons living in poverty through individual and community advocacy and public education.

Our Vision: All citizens will have an adequate income to allow them to meet their needs and to live with dignity.

The very first meeting of TAPS was 26 years ago on November 17, 1988. And the meeting was recorded in long hand! In 1989, 25 years ago, TAPS was registered as a Society. As we remember years of struggle to accomplish our advocacy, we also remember our successes. TAPS staff have advocated for thousands and thousands of clients over the years.

John Wheeler, a physicist, said: "We shape the world by the questions we ask." This quotation is as valid for poverty as it is for physics. I believe that we at TAPS are asking the right questions. As of today, we are not getting the answers to poverty that we need, but we are asking the right questions. We ask politicians to change the laws that adversely affect our clients. We ask the public to realize that many of us are only one or two pay cheques away from living in poverty ourselves. We ask questions about the kind of world we want to live in. The questions we have asked over the last 25 years have changed, but we are still struggling to reach our mission and our vision.

Next year TAPS will celebrate 25 years since registration as a Society. We have had many successes over the past years – and look forward to many more in the years ahead. The Board, staff and volunteers held a one day workshop last month to talk about how we are going to celebrate in the coming year. And we have some exciting ideas! As we celebrate, we are also going to continue to ask relevant questions about how we best can reach our vision of a world where social justice is integral to our society.

We are a committed Board. I am very pleased to report that each Board member has agreed to be on the Board for another term. We work well together and will continue to do the work of TAPS to the best of our ability, working with staff and volunteers and clients. We are committed to fight for our mission and to work to see that our vision is reflected throughout British Columbia.

JOAN MCHARDY

November 2013

Tenant Advocacy Project Annual Report 2013

YUKA KUROKAWA, JOHN COOKE, AND TASHA PAGE

PROJECT DESCRIPTION:

The TAPS Tenant Advocacy Project provides a unique and vital service to the tenant community of Greater Victoria and surrounding region, including:

- legal information for tenants regarding their rights and responsibilities under the British Columbia Residential Tenancy Act,
- mediation for and negotiation on behalf of clients with their landlords toward the equitable resolution of disputes,
- legal advocacy on behalf of clients at Residential Tenancy Branch Dispute Resolution hearings,
- Community Public Legal Education for tenants, professionals and other stakeholders regarding tenancy issues, rights and responsibilities and,
- Assistance and support for individuals in order that they might be better capable of advocating on their own behalf.

Direct advocacy services are provided to the public by way of information (either by phone consultation, drop-in or appointment), summary advice, or as part of a caseload.

The ongoing services of a caseload may include contacting a client's landlord and/or providing ongoing support and representation at formal Dispute Resolution proceedings.

Tenant advocates also spend a significant amount of time interviewing clients, preparing witnesses for hearing as well as researching case law in addition to the collection, dissemination and disclosure of evidence.

CASE WORK:

Case Files are opened when:

- a client has commenced an application for Dispute Resolution with the Residential Tenancy Branch against a former or current landlord and/or conversely,
- a current or former landlord has filed a Statement of Claim seeking damages against a tenant or,
- circumstances are such that both parties to a tenancy relationship may have filed Statements of Claim against each other simultaneously.
- Some Case Files are legally complex in their origins and may take upwards of a week's preparation; whether it be toward a (pre-hearing) negotiated settlement of a particular dispute or before a final, legally binding decision that would be rendered by an adjudicator at a formal Dispute Resolution proceeding.

Matters going forward at hearing typically might involve:

- Claims in Damages,
- Notices (of eviction) for Non-Payment of Rent and/or Utilities, Repeated Late Payment of Rent, (1 Month) Notices to End for Cause, (2 Month) Notices for Landlord's Use of Property,

- Applications requesting Orders for Service and Repair,
- Applications disputing unlawful Rent Increases,
- Applications requesting Orders for the return of either a Security/Pet Deposit or, both.

CASE TRENDS:

TAPS has seen a significant increase in the use of 60 day notices for landlord use of property or “renovictions”. While some of these notices appear to have been given in good faith, a great deal have not. Advocates have worked with a multitude of tenants to support them in disputing these notices and maintain their housing. As awareness about this issues increases, advocates continue to reach out to the community and liaise with other agencies to ensure tenants are supported and landlords are held to account when these notices are given.

The Advocates continue to work in cooperation with a number of community agencies in their efforts to support tenants and their legal rights. This approach has allowed clients to access support for needs that intersect with their tenancy issues (such as mental health, financial management). It has also provided the Advocates with opportunities to engage in a range of creative strategies when negotiating with Landlords. Some examples include: working with Vancouver Island Health Authority (VIHA) clinicians specializing in hoarding issues in the efforts to have an eviction notice rescinded; working with BC Housing management and outreach workers to negotiate a transfer in order to avoid a possible eviction; accessing the Homelessness Prevention Fund when a tenant faces a crisis and is unable to pay their rent; and working with Ministry of Social Development and Social Innovation (MSDSI) workers when trying to resolve a late payment of rent issue that occurred as a result of an MSDSI administrative error.

Advocates continue to represent clients in hearings with the Residential Tenancy Branch for issues such as damages, a variety of evictions, and service and repair. Delays in scheduling at RTB and issues with enforcement further compound matters and some files remain open for upwards of a year before there is any resolution for the client.

PUBLIC LEGAL EDUCATION:

The advocates have provided Public Legal Education to tenants and service providers at various organizations in the Greater Victoria area, including but not limited to; a monthly Public Legal Education session at Vancouver Island Health Authority (VIHA) Stabilization Unit, The Coalition to End Homelessness, Project Connect at Our Place, the Prostitutes Education and Empowerment Resource Society (PEERS), Victoria City Council, Resources, Education, Empowerment and Support (REES) Network, and the Single Parents Resource Centre.

CASE PROFILE:

An elderly man’s support worker came to TAPS seeking assistance after he was served with a 1 Month Notice to End Tenancy for Cause from the home he had lived in for more than 25 years. The landlord claimed that the client had breached a material term of the tenancy agreement and failed to correct the issue within a reasonable time after written notice to do so. The client is a person with disabilities, suffering from physical and cognitive disabilities including an acquired

brain injury. His disabilities resulted in significant challenges that affected his ability to correct the issue within a reasonable time, as well as his ability to comprehend and address with the eviction notice.

The client was distraught about his circumstances and expressed intense anxieties about potentially losing his home, his pet, and developing severe depression. In his efforts to avoid these situations, he instructed his Advocate to attempt to negotiate a Mutual Agreement to End Tenancy in order to delay the eviction. He hoped that this would give him time to recover from a recent surgery, secure new housing, obtain assistance in packing his possessions, and moving after occupying the premises for over a decade. The Advocate attempted to negotiate an agreement with the landlord, but the landlord was not willing.

At the dispute resolution hearing, the landlord requested an immediate Order of Possession. If successful in obtaining the Order, the client would become homeless within days. As such, the Advocate advised the Arbitrator that granting an Order of Possession would have serious adverse consequences for the client, and requested that they instead negotiate a Mutual Agreement to End Tenancy with a contract that the tenancy would end in four months' time. The Arbitrator facilitated a conversation between the Advocate and the landlord, and it was agreed that the client would have 4 months before the tenancy would end.

The Advocate has provided the client with referrals; he is now in the process of working with various community agencies to secure new housing, obtain assistance in packing his possessions and making arrangements to move without the risks of imminent homelessness. The advocacy provided by the TAPS Tenant Advocate made all the difference between this person becoming homeless or securing housing.

The total number of clients served by The Tenant Advocacy Project for this reporting period is 1228

Volunteer Disability Advocacy Project Annual Report 2013

KIM ROBERTS

PROJECT DESCRIPTION

TAPS' Volunteer Disability Advocacy Project (VDAP) provides legal advocacy and support to economically disadvantaged persons applying for Persons with Disability (PWD) status. The Volunteer Disability Advocacy Project delivers a well-coordinated training and support initiative to volunteer advocates - in the interest of reducing the wait for individuals seeking advocacy services.

OBJECTIVES

1. To assist people with disabilities to apply and qualify for Persons With Disabilities (PWD) status with the Ministry of Social Development and Social Innovation.
2. To train, maintain and supervise an innovative and diverse volunteer network of advocates specializing in disability advocacy.
3. To update and refine the TAPS Disability Advocacy Training Manual
4. To design and deliver a regular training program for volunteer advocates
5. To engage in public legal education on disability issues.

UPDATES AND ACTIVITIES

In February of 2013, Kim Roberts became the new coordinator of VDAP, replacing Stephen Portman. Kim began her position by focusing on developing relationships with existing volunteers and attempting to retain more volunteers who could meaningfully contribute to TAPS on a regular basis. In response to request from volunteers, Kim has also focused on providing expanded training opportunities for volunteers, such as with Umbrella – to learn more about working with people with addiction and with VIHA's Ungent Short Term Assessment (USTAT) and Treatment to learn more about working with people who have severe mental health issues.

VOLUNTEER ADVOCATES

VDAP currently relies on dedicated volunteers. Volunteer advocates engage in an initial interview with a client where they discuss the requirements for PWD status, explain the layout of the form, and listen to the client's explanation of their disability and how it affects their day to day life. After the interview, an advocate writes a 'section one' report for the application. The advocate also ensures that the information provided by the physician and the assessor are consistent. Throughout the process, the advocate ensures that the client understands the process as well as the outcomes.

Volunteer advocates work tirelessly and diligently, committing approximately 3-6 hours a week to their TAPS advocacy position. Prior to engaging in advocacy work volunteers attend a three part training program delivered by TAPS Volunteer Disability Advocacy Project Coordinator that reviews the PWD process, legislation, and professional standards of advocacy. The training program also includes observation sessions with current advocates in order to see advocacy skills and methods

in action. Advocates are provided a training manual which includes all the materials relevant to advocacy for the PWD form. A small portion of advocates also bring forth their own meaningful experience as they live with disabilities themselves, and have personal awareness of how complex the disability application process can be. This is beneficial to both the client and advocate.

CASE TRENDS

TAPS advocates began to notice towards the end of the summer that the Ministry was taking considerably longer to adjudicate applications (135 days as opposed to 90 days). This has had negative impacts on the lives of clients around the province who are awaiting vital benefits. As well, there are no retroactive payments for this designation if a client is approved. The Ministry has stated that they are triaging applications and expediting ones where clients appear to have been diagnosed with palliative or other life threatening conditions. However, clients who are homeless and who are unable to afford accommodation with their basic income assistance cheque, do not qualify for this expedited process.

PROGRAM ACCOMPLISHMENTS

The VDAP project continues to attract a diverse group of committed volunteers. These include undergraduate and graduate students (law, social work, political science, etc.), current and former lawyers, previous income assistance workers, as well as people who live with disabilities.

Kim ran her first two training sessions in June and September 2013 with the valuable assistance of another volunteer advocate who has an extensive background in education. These training sessions took place over three evenings and included at least two shadow shifts for each volunteer advocate. Interest in this training has been very high and the coordinator had to start a waiting list for another training session in early 2014.

With the addition of another scheduler, the workload for the primary scheduler is considerably less. A new process was also implemented where client requests to receive assistance from VDAP are given directly to the scheduler instead of to the coordinator, lessening the coordinator's messages that she has to return. If the scheduler has any questions related to issues falling outside the PWD application process, she then consults with the coordinator.

PUBLIC LEGAL EDUCATION

Kim has provided many public legal education seminars over the past year. The principle public education component of the project is completed through volunteer training seminars that are provided on a biannual basis. Apart from the training seminars, multiple public legal education presentations were given to community stakeholders in the non-profit and governmental sectors. These stakeholders include:

- University of Victoria Law Center
- Mustard Seed Food Bank
- Vancouver Island Health Authority Withdrawal Management Services
- Single Parent Resource Center
- PEERS Victoria Resource Society
- Victoria Native Friendship Center

CASE PROFILE

Jenny, a 50 year old single woman who lives with a severe heart condition, approached TAPS early on in 2013 when she was denied PWD (without going through a TAPS advocate). After consulting with a TAPS advocate, she re-applied with the assistance of TAPS. After waiting over 3 months for a decision, Jenny discovered that she was once again denied. This time she was in the hospital with a severe infection. This placed an incredible amount of stress on her during what was already a traumatic time. The TAPS advocate read the decision by the Ministry and with support from other TAPS staff, approached the Ministry and asked them to re-adjudicate the application. The Ministry re-read the application and automatically approved her for PWD. After a significant amount of time and stress, Jenny was finally approved for PWD and now has access to benefits such as vital nutritional supplements and medical equipment that will undoubtedly assist her in her fragile state of health. Jenny is very thankful for the advocacy services she received from TAPS as she would have had to most likely have gone through a complex appeal process if TAPS had not recognized that her health was in great risk.

This year the Volunteer Disability Advocacy Project worked on 610 case files.

Income Assistance Advocacy Project Annual Report 2013

TASHA PAGE, KIM ROBERTS, STEPHEN PORTMAN,
AND ZOË MACMILLAN

PROJECT DESCRIPTION:

TAPS Income Assistance Advocacy Project offers high quality legal advocacy by four part-time advocates. Information, summary advice, negotiation and representation at hearings in all classifications of provincial income assistance benefits (including hardship assistance, income assistance, persons with persistent multiple barriers assistance, and persons with disabilities assistance) are offered through this project.

OBJECTIVES:

- Enhance access to justice by providing reliable legal information to people living in poverty about their rights, as well as the benefits and entitlements available to them through income assistance programs
- Provide vigorous advocacy services to people living in poverty by negotiation and written submissions with ministry staff and full representation in income assistance appeal hearings
- Offer engaging and informative legal presentations to community groups and their clients about the rights and entitlements of income assistance law
- Educate and empower individuals to effectively advocate on their own behalf

CASE WORK:

CASE TRENDS:

The following case trends were observed by advocates during the reporting period:

1) Immediate Needs Assessments (INA)

Income assistance applicants face extremely long wait times for initial intake appointments with the Ministry. Those in urgent need of assistance can request an immediate needs assessment (“INA”) of their application. Despite the urgency of a client’s situation, TAPS Advocates found applicants waiting up to a month for an INA. During the reporting period, TAPS submitted a Freedom of Information request to confirm issues related to INA, and also spoke with Ministry representatives about this problem. Despite this initiative, no systemic improvement to the INA intake process has been noted. TAPS encourages those who experience unreasonable INA wait times to contact the office of the provincial Ombudsperson to register a complaint.

2) Accessibility

Advocates and clients are continually challenged with accessibility issues with the Ministry in the following areas:

i) Ministry Toll-Free Number

Both clients and Advocates must communicate with the Ministry using their toll-free number. However, due to high volumes and insufficient staffing, callers typically wait over an hour to speak with a worker, or are disconnected due to call volume. Although TAPS has repeatedly

brought the issue to the Ministry's attention there has yet to be an adequate resolution to the situation.

ii) Ministry Offices

Because there is no system to "triage" issues, everyone must wait in excessively long line-ups to speak with a Ministry worker. TAPS Advocates regularly hear from clients who have waited hours in line. TAPS Advocates have also heard of complaints regarding the accessibility at the Ministry's designated "Disability Office". Because of insufficient seating, clients are directed to wait outside while waiting to speak with a worker.

3) "Marriage-like Relationships"

TAPS Advocates continue to assist clients whose eligibility for assistance has been negatively impacted by the characterization of their living arrangements, most commonly for being accused of living in a "marriage-like relationship". Two people are deemed spouses if they cohabit, and display financial and social interdependence consistent with a marriage-like relationship. Advocates have encountered situations where the Ministry is applying this definition without sufficient consideration of the unique needs and experiences of the individual client. The following "Case Profile" highlights the problematic nature of this legislation in real terms.

Sarah is a 21 year-old woman suffering from drug addiction, Post Traumatic Stress Disorder and Schizophrenia. Since the birth of her son this year, she began attending peer counseling sessions and has managed to stay clean with support from friends and family.

Sarah's best friend Tom has always been hugely supportive of her and her newborn son, despite having many challenges himself. The two decided to move in together, so that they can help each other out. After 6 months living together, the Ministry launched an investigation into the nature of their relationship, ultimately determining it is "marriage-like." Sarah and Tom are required to apply for a joint client file; otherwise, Sarah will be found ineligible for income assistance and will owe the government a large debt.

Sarah and Tom have only ever been just friends. After living through three years of homelessness together they trust each other very strongly. Although their life together is different than most roommates, they certainly would never consider themselves spouses. They do not share a bedroom, or go on dates or share finances. Despite this evidence, the Ministry defines them as living in a marriage-like relationship pursuant to the legislation.

Sarah contacts TAPS. Her advocate prepares a submission, including letters from friends, family, and psychiatrists, appealing the Ministry's decision. Despite this, the appeal is unsuccessful. On further appeal, the Employment and Assistance Appeal Tribunal upholds the Ministry's decision that Sarah and Tom are in a marriage-like relationship.

Recognizing the unfairness of this, Sarah's TAPS advocate contacts a pro-bono legal organization and lays out a case for judicial review of the decision. The Tribunal and Ministry agreed to a rehearing after learning of the impending judicial review. Ultimately the decision is overturned and Sarah and Tom happily live together once more!

Public Legal Education:

TAPS Income Assistance Advocacy project has participated in a number of Public Legal Education (PLE) events over the past year, including but not limited to:

The Law Centre
UVic Social Work
The BC Schizophrenia Society
International Day to Eradicate Racism (ICA)
Victoria Native Friendship Centre
Prostitutes Education and Empowerment Resource Society (PEERS)
Downtown Community Centre
Blanshard Community Centre
Fairfield Gonzales Youth Counselors
Victoria Immigrant and Refugee Centre Society
The United Way
Resources
The Umbrella Society
Victoria Brain Injury Society
The Mustard Seed
Research, Education, Empowerment and Support (REES) Network
Single Parents Resource Centre
“Project Connect” (Our Place)
VIHA Stabilization Unit (monthly)

Statistics:

A total number of 1797 clients were helped by TAPS’ Income Assistance Advocacy Project in the past year.

Employment Rights Project Annual Report 2013

BY STEPHEN PORTMAN

PROJECT DESCRIPTION:

The TAPS Employment Rights Project began in June of 2012 with a generous grant from the Victoria Community Literacy Steering Committee. From June to December, the employment rights worker (ERW) provided information and representation, half a day per week, to clients in the various stages of the complaint process through the BC Employment Standards Branch. In December, when funding from the initial grant expired, the project received a second grant from the Victoria Foundation and the focus of the project changed from providing representation to providing information and referral. From January 2013 forward, the ERW has been providing information and referral services, one and a half days per week, targeted at migrant and youth workers in the Capital Regional District. The ERW developed a public legal education presentation that is focused on advising workers on their rights under the Employment Standards Act and has provided this presentation to various community organizations.

OBJECTIVES:

- To promote rights awareness for marginalized workers by providing accurate rights based information
- To increase access to justice for workers who are seeking assistance through information and referral
- To educate and empower individuals to effectively advocate on their own behalf
- To promote economic stability for marginalized workers through dispute resolution assistance

CASE STUDY

Mr. John Doe arrived in Victoria 10 months ago from Bulgaria. He came here to work as millwright in a locally owned private company. The company that hired him did so under Canada's Temporary Foreign Worker Program after having successfully obtained a labour market opinion (LMO). John was also able to obtain a two year working visa on the condition of working for the above noted employer.

When John was hired on by the company in Bulgaria he was told that he would be earning \$20.00 per hour. This was the wage listed in the LMO application. As John was unable to find work at home to adequately feed his family he decided to take the job. When John arrived and received his first pay check he was paid \$12.00 an hour. John could not believe the deception and was barely able to pay for rent and food let alone send money home to his family.

When he questioned his boss about the misrepresentation in wages he was told that \$12.00 per hour would be his wage, take it or leave it. John continued to work for the company as he had no other means to support himself or his family back home. After hearing about TAPS Employment Standards Advocacy Project through a local non-profit organization that serves the migrant community, he decided to give TAPS a call. Our employment rights worker met with John and together they completed a Self-Help Kit as well as a letter of request to correct the misrepresentation of wages made by the employer. After sending the letter, our ERW negotiated with the employer who then agreed to pay John all of his lost wages and to continue to pay him the promised wage amount going forward. We were able to get a fair resolution for John without him having to file a formal complaint to the Employment Standards Branch. John is happy in his work here and feels like his boss has a new found respect for him. He is happy to be able to earn enough money through his labour to help his family and himself live a stable and happy life. He hopes one day to be able to bring his family to live here in Canada and is very grateful for all the support that he has received from our community.

Without our support John would have had to negotiate with his employer on his own and perhaps attempt filing a formal complaint through a bureaucracy he was ill equipped to deal with,

being from a foreign country and with English as his second language. Now that John receives his full pay he is able to send money home to his wife and young child. John has also been able to share his story with other migrant workers in our community and hopes that more workers like him can get help to speak out.

Public Legal Education:

TAPS Employment Standards Advocacy project has participated in a number of Public Legal Education (PLE) events over the past year, including but not limited to:

Beacon Community Services

Victoria Youth Empowerment Society

Worklink Employment Society: Youth Pathways Project

Springboard to Success

Victoria Immigrant and Refugee Centre Society

Inter-Cultural Association

GT Hiring Solutions and Partner Organizations

Threshold Housing Society

Youth Homelessness Forum

Kairos Migrant Workers Presentation

BC Employment Standards Coalition

Community Social Planning Council: Innovative Programs supporting Youth with Barriers to Employment

Statistics:

PLE attendees - 143

Client information and education - 169

Volunteer Coordination Project Report 2013

HEIDI

TAPS relies on the hard work and dedication of its many volunteers. We currently have about 50 active volunteers doing everything from helping people prepare their tax returns to disability advocacy to front desk reception to data entry.

People volunteer at TAPS for many reasons—to join the fight against poverty, to be involved in the community, to help others. Our volunteers are people who have experienced poverty firsthand, people with a commitment to social justice, students, retirees, and people with disabilities. Some have specific skills they want to use, such as writing or drawing or database development; they also come to gain skills and experience—in legal advocacy or office reception, for example. Many simply want to be involved in an organization that helps people.

FRONT DESK

There are ten shifts per week on the front desk, so we need to keep a team of ten active front desk volunteers, plus a few volunteers “on call” to cover shifts if the regular volunteer is away. We have had a very stable group on the front desk, with only two permanent shifts coming open in the past year.

SILENT WITNESS

In June 2013 we held a training session for silent witness volunteers, and we now have several people who are available to accompany TAPS clients to appointments at the Ministry of Social Development.

DATABASE

We continue to fine tune the functioning of our database with the help of our database design volunteer, and continue to keep our database up to date with the help of our data entry volunteer.

TAPROOT NEWSLETTER REPORT 2013

HEIDI

Taproot is published six times per year, in December, February, April, June, August, and October.

In the past year we received a grant from the Notary Foundation for the Taproot expansion project. As part of that project, we have been working to improve the look of the Taproot and to make a better and more accessible e-mail newsletter. We are also working on increasing the distribution of the newsletter to organizations around British Columbia.

We print between 500 and 600 copies of each issue. The newsletter is distributed to our membership by mail or by e-mail. We also deliver newsletters to over 40 organizations around Victoria, including the Disability Resource Centre, John Howard Society, Young Parents' Support Network, the Victoria Native Friendship Centre and the central library.

The Taproot includes articles by staff, board and volunteers. Staff members write articles that inform readers on their rights in relation to income assistance, disability or tenancy. In the past year, we have had articles on what happens when a person on income assistance or disability benefits is incarcerated, and another on the difficulty MSDSI clients face when trying to access the ministry; in tenancy, we had an article on what tenants need to know as they enter into a tenancy agreement; and in employment standards we had an article about what a person can do when they are being treated unfairly at their work. We are also able to keep our readers up to date on what's happening at TAPS.

Several volunteers work on the newsletter team: we have two artists contributing artwork, one regular writer and another who contributes occasional articles. We have a volunteer who proofreads the final copy. And we have one volunteer who takes on the task of distribution, doing the mailout and keeping our delivery list up to date. We also benefit from the help of volunteers from the Garth Homer Society who deliver the newsletters to organizations around Victoria.

TAPS COMMUNITY VOLUNTEER INCOME TAX PROGRAM REPORT 2013

TAPS is an approved community partner with the Canada Revenue Agency hosting trained volunteers to provide free income tax preparation. This service is part of the network across Canada that assists tax filers, regardless of ability to pay, or level of literacy, to have access to Canada's tax system.

Each week, TAPS team of volunteers provide free face-to-face income tax preparation from September through mid-July for eligible individuals (primarily those with low-incomes, the disabled, and seniors). Over the past year we had up to six volunteers working together to serve TAPS clients in the Greater Victoria area in response to a demand that continues to grow unabated. TAPS volunteers may complete up to 10 years of income tax returns for a client.

This is a much needed service in our community as Canada Revenue Agency no longer provides counter service to clients, and other agencies that provide this service either do not provide face-to-face service or do not provide service after April 30 when the tax season ends. As a result, there is a significant demand for TAPS services, especially from those individuals facing low literacy levels or other barriers.

Why do TAPS clients need their income tax done? It enables some of them to receive the income tax refunds to which they are entitled. It enables the majority to participate in many provincial and federal income-tested programs, such as the monthly Child Tax Benefit the Guaranteed Income Supplement for seniors, the Federal and provincial Goods and Services/Harmonized Sales Tax Credit, BC's low-income climate tax action credit, as well as a large number of non-tax related programs such as access to public housing, assisted living for seniors, Medical Services Plan Premium Assistance, Fair Pharmacare, ESL programs at community colleges, Canada Student Loans, and Registered Disability Savings Plans. In cases where clients may have a debt to the Crown, due to an ambulance ride, family maintenance order, unpaid fine, Canada Student loan or other government overpayment, the filing of an income tax return helps to satisfy this debt as the Crown exercises its claim on their income tax refund, and HST credits.

TAPS would like to thank Vancity for the financial assistance they provided to TAPS volunteer income tax project over the past year.

During the year ended August 2013 TAPS Community Volunteer Income Tax Program assisted 974 low income members of our community file 1,500 tax returns, as a result of which they became eligible to receive \$1,519,000 in federal and provincial tax benefits.

2013 Board of Directors

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Erik Kaye

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Hilary Marks

Community Advocate/Student

Richard Stern

IT Software Engineer – BC Association of
Aboriginal Friendship Centres

TAPS Board meets on the last Thursday of every month at 4:45 pm

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