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## HELP! HELP!

### I HAVE AN IMMEDIATE NEED!

#### GETTING INCOME ASSISTANCE WHEN YOU NEED IT

By Raia Melnyk

As the weather gets colder, people may find their need for government support becomes increasingly urgent. The usual wait from the time a person completes an online application for Income Assistance with the Ministry of Social Development and Social Innovation (the Ministry) and the time they are able to receive a cheque is from 4 to 6 weeks. Many people simply cannot wait that long.

If you find yourself in need of financial assistance and you are not currently receiving any provincial Income Assistance or "Persons With

Disabilities" assistance, please consider the following: if you have an immediate need for food, shelter, or urgent medical attention (which includes things such as the need for medical supplies, prescriptions or medical transportation), you have a BC Hydro disconnection notice or you are a pre-release prisoner, you have what the Ministry considers an "Immediate Need".

The Ministry's policies, which are posted online on their "Online Resource" ([www.gov.bc.ca/meia/online\\_resource/](http://www.gov.bc.ca/meia/online_resource/)



application/immneeds/policy), state that during Stage 1 of your application process—which is where a person applies online for Income Assistance—Ministry staff must determine whether

(See Immediate Needs, page 4)

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Poverty  
Society**

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# DISABILITY BENEFITS: THE SIGNIFICANCE OF SYNTHESIS

By Ryan Tonkin

## Identifying Need

For many years TAPS has provided high quality, face-to-face legal advocacy to people seeking Person with Disabilities (PWD) designation through the Ministry of Social Development and Social Innovation (MSDSI). More recently, Tony Pullman has guided the expansion of TAPS' services to include free income tax preparation for low income individuals, seniors and persons with disabilities.

These two projects clearly highlighted a gap in access to services. The Income Tax project observed that many TAPS clients do not claim the Disability Tax Credit (DTC), though they may be

eligible to do so. As a result, these clients also do not take advantage of the tremendous benefits of Registered Disability Savings Plans (RDSPs). In addition, TAPS' disability advocacy project consistently receives a high volume of inquiries regarding the federal Canada Pension Plan disability benefit (CPP-D).

## TAPS: Increasingly Comprehensive Service

Many clients require information and advice not just about the benefits and burdens of various government programs considered in isolation, but also about the relationships between the benefits themselves, as well as interactions between disability benefits and the diverse and often unique circumstances of their own lives.

In order to address the identified access gaps, TAPS is excited to introduce its Federal Disability Advocacy Project (FDAP). This project enables TAPS to offer more comprehensive, unified service to persons with disabilities. It is intended to

## NEW STUDENTS AT TAPS

We would like to welcome Rachel Young to TAPS. Rachel is a student with the UVic School of Nursing and she is doing her practicum at TAPS advocating for those applying for provincial disability benefits.

We also welcome our new pro bono law students, Jennifer Jones and Caitlin Shane, who are providing tenant advocacy services, and Raj Mallhi, Jordan Thorne, and Nikolai Sittman who are doing research work in our tenant advocacy project.

synthesize TAPS' services. FDAP connects TAPS' provincial, income tax and federal benefits programs, so that persons with disabilities are empowered to pursue income security in the most informed manner possible.

## FDAP

FDAP services include information, eligibility assessments, and application assistance. These three services are offered for each of three federal benefits: CPP-D, DTC and RDSP.

Almost all individuals who have worked in Canada



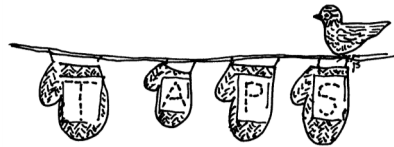
# TAPS ATTENDS BC FEDERATION OF LABOUR CONVENTION 2014

*By Stephen Portman*

For the first time in TAPS' 25 year history our organization attended the BC Federation of Labour Convention, which took place at the end of November. This was an incredibly exciting experience and I would like to extend our sincere gratitude to the International Brotherhood of Electrical Workers (IBEW) for sponsoring our attendance at this event. Specifically, I wish to thank Phil Venoit, Secretary for IBEW Local 203 for his efforts in providing sponsorship and in assisting with logistics to make our attendance possible.

TAPS Employment Standards Legal Advocacy Project (ESLAP) was a major hit at the conference. There was plenty of buzz around our efforts in advocating on behalf of non-unionised workers. TAPS used this opportunity to launch our newly minted Workers Rights card and gave thousands away to delegates who were attending from all over the province. At the end of the conference it was evident that people were excited by the work of ESLAP and by all

of the other amazing work that we do at TAPS. Through the continuing support of the labour movement we are able to advocate on behalf of some of the most marginalised workers in our communities in matters that fall under the *Employment Standards Act*. We look forward to continuing this work.



## TAPS' ANNUAL GENERAL MEETING

TAPS held its Annual General Meeting on November 20<sup>th</sup>, with board members, staff, volunteers, long-time supporters of TAPS and interested community members attending. This year is TAPS' 25 year anniversary and President Joan McHardy spoke about the history of TAPS over these years, and the need for all of us to keep up the fight

*(See TAPS' AGM, page 7)*

## TAPS ADVOCATES

**John Cooke** Tenant Advocate

**Jen King** Employment Standards Legal Advocate

**Yuka Kurokawa** Tenant Advocate and Income Assistance Advocate

**Zoë Macmillan** Income Assistance Advocate (on leave)

**Thea McDonagh** Income Assistance Advocate and Coordinator of the Volunteer Disability Advocacy Project

**Raia Melnyk** Income Assistance Advocate

**Stephen Portman** Interim Executive Director and Employment Standards Legal Advocate

**Ryan Tonkin** Federal Disability Advocacy Project Coordinator

Taproot is published bi-monthly. Newsletter artists:  
Mitch Lindsay  
Joan Stiebel

**Together Against  
Poverty Society**

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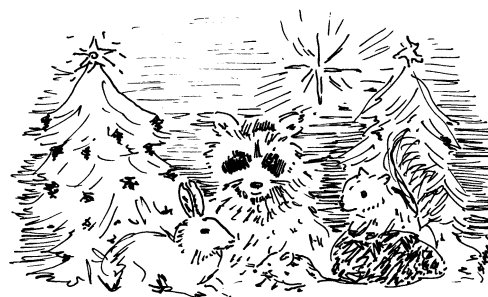
*(Cont'd from Immediate Needs, Page 1)*

an applicant has an "Immediate Need". These needs do not need to persist for any minimum period of time. However, you will have to meet the Ministry's income and asset requirements. The availability of shelters and food banks, according to the Ministry's own policies, does not negate an "Immediate Need".

If you have an "Immediate Need", the Ministry's policy states: "Staff must ensure the applicant is provided with or informed of and directed to other available resources (e.g. food/sundries vouchers, bus tickets for local travel, shelter referral, provided funds for urgent medical attention such as transportation or referrals to medical centers or Medical Services Plan (MSP) etc.) until an intake interview can be held to determine eligibility." Providing the applicant with resources to meet their need in the interim does not mean that the applicant no longer requires an expedited eligibility interview.

If you are a person who does not have a mental or physical disability that precludes you from working and this is your first time applying for Income Assistance, you are required to complete a five-week work search before proceeding to

## *TAPS' Staff, Volunteers and Board Wish All of You A Happy Holiday Season*



Stage 2 of the Income Assistance application, where applicants who have been deemed eligible for income assistance are informed of their rights and obligations as a person receiving provincial Income Assistance; if you have been on income assistance before, you are required to complete a three-week work search. However, if you have an "Immediate Need", you are not required to complete a work search before proceeding to Stage 2. The Ministry should provide you with Hardship Assistance in this case.

Hardship Assistance here is usually the same amount of money as you would receive if you were provided with Income Assistance, but it is conditional: in order to continue to get your Hardship Assistance, you must comply with your work search requirements (the Ministry will inform you of

what these are). Please note: this does not mean that you have to find a job in the three/five week work search period. Rather, it means that you must follow through on your work search plan. If you do not, you will not receive your Hardship Assistance.

Recently, a substantial number of clients have come to the TAPS office because the Ministry has failed to comply with their "Immediate Needs" policies. Clients have reported going to the Ministry's offices, often more than once, and telling the Ministry worker that they need assistance due to one or more of the identified "Immediate Needs", and receiving no assistance.

Here is what we suggest you do if you find yourself with an "Immediate Need" and you are not currently receiving any sort of provincial Ministry

*(See Immediate Needs, page 5)*

(Cont'd from Immediate Needs, Page 4)

assistance: Apply online for basic Income Assistance at [www.sdsi.gov.bc.ca/bcea](http://www.sdsi.gov.bc.ca/bcea). On question 91 of your online application, it will ask if there is any additional information you would like to include: in the box that is offered for your answer, write "require an Immediate Needs Assessment" and then state that you have a need for food, shelter, and/or urgent medical attention, have a BC Hydro disconnection notice and/or are a pre-release prisoner.

### WRITE FOR TAPROOT

Have you had a difficult time getting a benefit you needed from MSDSI? Had a nightmare with a landlord from hell? An exploitative boss? Or some other adventure in poverty, and you want to let others know about it? Then write up your experience for the Taproot. Please make your article 600 words or less. Drop off or mail articles with your name and contact information to Heidi at TAPS at #302 - 895 Fort Street, Victoria, BC V8W 1H7, or send by e-mail to [volunteers@tapsbc.ca](mailto:volunteers@tapsbc.ca), or by fax to 250-361-3541.

After you have submitted your online application, either call or attend the Ministry's offices the next business day. At this point, state again your need for an "Immediate Needs Assessment". If you are attending the Ministry's offices, please write down the date, time and name of the worker or receptionist that you speak to. As well, do not provide original documents (whether this is a prescription, eviction notice or hydro disconnection) as documents often get lost and you may have to provide them again.

If you are unsuccessful in getting assistance when you follow up with the Ministry either in person or on the phone, contact Together Against Poverty Society and ask to speak to an income assistance advocate. Please state that you need assistance with an "Immediate Needs Assessment".

It is important to know that the Ministry and its workers should provide applicants with assistance, whether it is through referrals or the provision of resources, and that these applications are supposed to be dealt with on an urgent basis. The Ministry's own policies state: "The availability of shelters

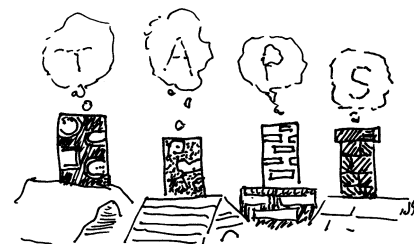
(See Immediate Needs, page 6)

### TAPS' SILENT WITNESS PROGRAM

Many of our clients find that appointments with the Ministry of Social Development and Social Innovation (MSDSI) can be stressful. Some find that having another person at their appointment lessens their stress and helps the appointment proceed smoothly. At TAPS, we have volunteer silent witnesses who can accompany individuals to ministry appointments. If you would like a silent witness to accompany you to an appointment with the ministry, call TAPS at 250-361-3521.

### TAX CLINIC

TAPS holds a tax clinic for people with low incomes on Thursdays from 9 am to 11 am and from 1 pm to 4 pm. No appointments. First come, first served.



## FREE HOLIDAY DINNERS

### Gordie Dodd Christmas Meal at Our Place

Friday, 12 December  
5 pm - 6:30  
Our Place, 919 Pandora  
No cost.

### Our Place Holiday Meal

Tuesday, 16 December  
11:30 - 2 pm  
Our Place Society, 919  
Pandora  
Adults only. No cost.

### ARC Holiday Meal

Monday, 22 December  
12 noon - 1:30 pm  
ARC 525 Johnson,  
Community Dining Room  
Everyone welcome. No cost

### 12 Step Holiday Meal

Thursday, 25 December  
12 noon - 2 pm  
Kirk Hall, 680 Courtney St.  
Everyone welcome. No  
cost.  
Sponsored by 12 Step  
Recovery Community

### Christmas Spirit Dinner

Thursday, 25 December  
Two sittings: 12 - 2 pm and  
3 - 5pm  
1800 Quadra, Glad Tidings  
Register at:  
xmasdins@telus.net  
or 250-472-1040  
Free. Everyone welcome  
Outdoor BBQ 11 am - 6 pm  
while food lasts.

## GUDRUN DOHERTY

We are sorry to report that long-time friend of TAPS Gudrun Doherty died recently. Gudrun was an avid advocate for those living on the margins and those living in poverty. We will always remember the Christmas dinners at the Doherty's house for all of TAPS' staff, volunteers and friends.

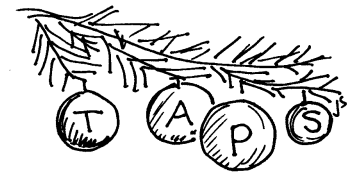
In Memory of  
Douglas Harold Orr  
1949—2014  
Fellow iconoclast  
and lasting friend of TAPS

*(Cont'd from Immediate Needs, page 5)*

and food banks is **not to be considered** as negating an immediate need." [emphasis added] The policies also state that meeting the "Immediate Need" in the interim **does not mean** the applicant no longer requires an expedited eligibility review.

Together Against Poverty Society's Income Assistance Legal Advocates can help you with these matters if you are unsuccessful on your own. We are sorry to report that we are unable to assist clients with initial online Income Assistance applications as we do not

have the space or computers to provide this service. If you would like to speak with an advocate or be directed to resources that could help you with your initial online Income Assistance application, please call TAPS at 250-361-3521. ■



*(Cont'd from Federal Disability, page 2)*

have contributed to the federally managed Canada Pension Plan. This pension plan provides a benefit to contributors who become disabled. The disability benefit is a taxable monthly payment available to contributors who have a severe and prolonged disability, and are thereby not able to maintain gainful employment. The various differences between CPP-D and PWD were discussed in issues #95 and #96 of *Taproot*. A distillation results in four primary categories of applicants who might benefit from a CPP-D application:

1. Your (or your spouse's) income or assets make you ineligible for PWD.
2. You can complete the

*(See Federal Disability, page 7)*

## PERSONS WITH DISABILITIES

TAPS has advocates who can help you apply for PWD (Person With Disability) status through the Ministry of Social Development and Social Innovation. TAPS can also help you with an appeal if you have applied and been denied. Call TAPS at 250-361-3521 for more information. If you are at the appeal stage, be sure to get in touch with us as soon as possible after receiving your letter of denial and tell the receptionist you are calling about a disability appeal.

*(Cont'd from Federal Disability, page 6)*

- activities of daily living without assistance, but cannot be employed.
- Your monthly payment would be higher on CPP-D than on PWD.
  - The Ministry (MSDSI) has lawfully required you to apply for CPP-D.

The Disability Tax Credit is a non-refundable amount that can be claimed both federally and provincially. This means that qualified persons or their spouses/caretakers can pay approximately \$1,500 less income tax each year.

Income tax can be refiled for up to ten years, which may trigger significant refunds. In addition, qualifying for the DTC triggers automatic eligibility for a Registered Disability Savings Plan. The RDSP makes the DTC valuable, even if a person pays no income tax and can therefore not benefit from the tax credit directly.

The federal government contributes \$1,000 each year to low income RDSP holders under the age of 50. In addition, the government will also contribute significant matching funds to account holders able to make contributions. For example, an RDSP holder able to contribute \$500 will attract an additional \$1500 in government grants. Persons with prolonged disabilities that are present at least 90% of the time and significantly restrict them in one or more of the following eight categories should consider contacting Ryan Tonkin at TAPS for information about RDSPs: (1) speaking, (2) hearing, (3) walking, (4) bowel or bladder functions, (5) feeding, (6) dressing, (7) vision or (8) the mental functions necessary for everyday life. ■

*(Cont'd from TAPS' AGM, Page 3)*

against poverty. Stephen Portman spoke about TAPS' accomplishments and challenges over the past year. He outlined the recent changes in staffing and discussed some of the strategic wins that the organization has had over the past year.

We welcome Marika Albert, Bhupinder Dulku, and Danielle Allen as new board members, while Cara Barter has stepped down from the board. We thank Cara for the contribution she has made during her time at TAPS. The position of secretary is now split between two co-secretaries, Barbara Amberstone and Richard Stern.

Michelle Mungall, MLA for Nelson-Creston, was the guest speaker, and she spoke eloquently about the fight to end the clawback of child support money from income assistance payments. We thank Ms. Mungall for taking the time to speak at our AGM. ■



## ABOUT TAPS

TAPS was established and registered as a society in 1989 and serves the Greater Victoria area. We provide legal information and representation on issues relating to income assistance, provincial disability benefits, residential tenancy, and employment standards. We also provide public education in these areas and on broader poverty issues.

You can reach us between 9:30 am and 4:30 pm, Monday to Friday, by phone at 250-361-3521 or in person at #302 - 895 Fort Street. The office is closed daily for lunch between noon and 1:00 pm and is closed to walk-in clients on Monday and Friday mornings.

## TAPS IS FUNDED BY



Province of British Columbia



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OF GREATER VICTORIA  
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and Other Generous Supporters.

## TAPS BOARD MEMBERS

### President

Joan McHardy

### Vice President

Brenda McBain

### Co-Secretaries

Barbara Amberstone

Richard Stern

### Treasurer

Tony Pullman

### Members-at-Large

Marika Albert

Danielle Allen

Bhupinder Dulku

Michel Janisse

Erik Kaye

Hilary Marks

Gail Snyder

Tony Sprackett

## BECOME A MEMBER OF TAPS

\$5 unwaged (we can waive this)    \$20 waged    \$80 organization

Taproot is mailed/e-mailed to members.

Donations are appreciated. Charitable tax receipts provided.

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### Together Against Poverty Society Membership Registration 2014 - 2015

#302 - 895 Fort Street, Victoria, BC, V8W 1H7

**Annual Membership Fees** (Please circle one)

Unwaged: \$5 (we are happy to waive this fee)

Waged: \$20

Organization: \$80

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ e-mail: \_\_\_\_\_

Please send me the newsletter by:  regular mail

e-mail

please do not send me the newsletter