

Reasons for Decision:

Order # AP1718-0371

The appellant appealed that the file was closed effective <date removed>.

The program representative stated that on <date removed> the appellant advised the worker that the appellant was going to <text removed> the following month. The appellant had a meeting with the worker to discuss work expectations where the appellant was advised to attend an employment program once the appellant returned to Winnipeg and re- apply for Employment and Income Assistance benefits. On <date removed> the appellant contacted the worker and was advised to provide confirmation of attendance from an employment program which was not received. The appellant attended the office on <date removed> without an appointment and was very upset and yelling at staff, and Security eventually had to escort the appellant out of the building. An appointment for <date removed> was scheduled and a letter was sent confirming the appointment. The appellant did not appear for this appointment. Another letter was sent on <date removed> advising that the appellant had missed the <date removed> appointment and another appointment had been booked for the appellant for <date removed>. The appellant did not appear for this appointment either. On <date removed>, the appellant was in the office and was advised that the appellant would have to book an intake appointment to re-open the file.

The appellant did not book an appointment and filed this appeal. The program assisted the appellant for the month of <text removed> and the file was closed effective <date removed>.

The appellant attended the hearing with an interpreter. At the hearing, the appellant was provided a copy of the closure letter dated <date removed>, as the appellant did not receive it with the program's report. The appellant said the appellant was never under the impression that the file would close. The appellant said the appellant asked the worker if it would affect the appellant's assistance if the appellant left the Province and said the appellant was not provided with a clear answer. When the appellant returned from <text removed> at the end of <month removed>, the appellant phoned the worker the next day.

The appellant was advised to enroll with an employment program and the appellant attended a few sessions and classes. The appellant stated that the appellant was removed from the program due to telling off the teacher who the appellant said was rude to the appellant. The appellant also advised at the hearing that the appellant is going back to <location removed> on <date removed> and does not know if the appellant will be coming back.

The Manitoba Assistance Act Section 5.4(2) states:

If an applicant, recipient or dependent 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 the appellant has not met the requirements of the program. The appellant's file was closed as the appellant was out of the Province and the program was not aware when the appellant would be returning. The appellant was provided with several opportunities to have the appellant's file re-opened and did not attend any of the appointments that were scheduled for that purpose. The Department has reasonable expectations relating to participants' compliance with the program's requests in order to determine eligibility. The decision of the Director has therefore been confirmed and this appeal is dismissed.

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