

Reasons for Decision:

Order # AP1819-0529

On <date removed>, the appellant filed an appeal of the Director's decision to deny them eligibility under Section 5(1)(a) of The Manitoba Assistance Act. The decision letter was dated <date removed>.

The decision letter did not provide a reason for the denial.

The Department told the Board the medical review panel reconsidered its decision, and denied eligibility again on <date removed>. The Board determined that <date removed> would be the decision date for the purpose of this appeal.

The appellant told the Board their broken bone was healing well, but they was experiencing secondary discomfort from putting weight on their ankle. The appellant stated they are relearning how to walk.

The appellant told the Board they need more time to become physically ready for work. They estimated they would be ready in a few months.

The Department acknowledged the appellant was working on getting better. The Department noted the appellant walked to the hearing, and is testing their limitations in other ways.

The Department stated the appellant's doctor indicated they can work on light duties with temporary limitations. The Department's position is that the appellant does not meet the requirements of Section 5(1)(a) because their limitations will last for less than 90 days and they can work in some capacity.

The appellant questioned whether they could find a job in the general labourer occupation where only light duties were required.

The Department stated it can waive work expectations, and work with the appellant to find training opportunities. The Department stated it could complete an education and training assessment and then refer them to an appropriate resource.

The Department recognized that single General Assistance recipients often do not qualify for training resources, since they have full work expectations.

In response to a question from the Board, the appellant stated the additional funding

available to recipients with a disability would allow them to purchase specialized food and supplements to help rebuild their body, and give them more time to plan their return to work in a manual occupation.

After carefully reviewing the verbal and written evidence presented to it, the Board determines that the appellant would benefit from a temporary extension of their disability eligibility, so that they may complete their recovery and return to work. The Board rescinds the Director's decision, and directs the Department to enrol the appellant under Section 5(1)(a) of The Manitoba Assistance Act effective <date removed> for a period of three months.

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