

Reasons for Decision:

Order # AP2021-0042

On <date removed>, <name removed> filed an appeal of the Director's decision to close their income assistance file. No decision letters were provided as evidence.

<name removed> told the Board that the last document they needed to provide as part of their intake process was confirmation that they were attending addictions programming. <name removed> indicated they provided the Department with this information, and they were advised that they did not qualify for assistance.

The Department stated <name removed> had advised it that they have been suspended from work as a result of failing a drug test. <name removed> had also advised the Department that they were not being paid during their suspension, and they were unable to lift the suspension due to both their criminal record and failing a second drug test.

The Department indicated it was informed by <name removed>'s employer that they have attended addictions treatment twice, but had failed both attempts. The Department provided <name removed> the opportunity to attend addictions treatment, but they did not provide the required addictions assessment. Rather, the Department was provided a letter which indicated <name removed> had not attended any addictions programming.

The Department determined that <name removed> was not eligible for assistance as they did not provide it with the required addictions assessment, and they ought reasonably to have held their previous employment had they followed through with treatment.

In response to a question from the Board, the Department indicated that had <name removed> provided it with proof they were attending addictions treatment, it could consider waiving the requirements in the just cause termination policy.

The Board asked <name removed> if they have attended treatment. <name removed> responded in the affirmative, stating that they began their first counseling session on <date removed>. <name removed> indicated their application for assistance was declined before their scheduled appointment date.

In response to questions from the Board, <name removed> indicated they are currently in receipt of the Canadian Emergency Response Benefit, and no longer requires assistance. <name removed> stated they applied for assistance during the months of <months removed> in order to ensure their rent was paid.

The Board notes that while <name removed>'s evidence is that they began addictions counseling on <date removed>, there was no evidence presented at the hearing that establishes that they advised the Department of their attendance prior to their file closure.

Based on a careful review of the written and verbal evidence, the Board determines the Department's closure of <name removed>'s file was consistent with the legislation, regulations, and policy. The Board confirms the Director's decision to close <name removed>'s assistance file.

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