STEPS TO JUSTICE

Income Assistance Workshop

An OJEN facilitator's guide demonstrating a CLEO public legal information resource.

OJEN • ROEJ
ONTARIO JUSTICE EDUCATION NETWORK
RÉSEAU ONTARIEN D'ÉDUCATION JURIDIQUE

CLEO
Community Legal Education Ontario
Éducation juridique communautaire Ontario

About this workshop guide

This workshop guide is a collaboration between the **Ontario Justice Education Network (OJEN)** and **Community Legal Education Ontario (CLEO)**. OJEN's Steps to Justice workshops introduce audiences to common legal problems and familiarize them with a specific area of law. Using hypothetical scenarios, workshop participants explore a legal topic by navigating the practical step-by-step information on CLEO's Steps to Justice website. They learn how to use the website to find legal information, including the forms, self-help guides and referral information for legal and social services which may be helpful in working through a future legal problem.

This workshop guide was written for use in Ontario high school classrooms, but can be used (or modified) for other audiences. For more information on how to use this workshop guide, please check out our short training video available on the OJEN website ojen.ca/steps-to-justice-workshops-training-video.

We gratefully acknowledge the support of law students who have contributed to this workshop guide through the Osgoode Public Interest Requirement (OPIR) at Osgoode Hall Law School and through placements with Pro Bono Students Canada (PBSC). We would also like to thank the high school students who provide us with their perspectives and feedback on this resource as OJEN summer interns through the Law in Action Within Schools (LAWS) Summer Job Program.

Any legal information in this resource is intended for general educational purposes and should not form the basis of legal advice of any kind. Individuals seeking specific information about their legal problem should always consult a lawyer.

OJEN is a charitable, non-profit, public legal education organization. We develop innovative educational tools that introduce young people to the justice system, help them understand the law, and build their legal capability. We partner with schools and community organizations across Ontario to prepare young people to manage the legal problems that will arise in their lives. For more information on OJEN, please visit ojen.ca.

For over 45 years, **CLEO** has developed clear, accurate, and practical legal rights education and information to help people understand and exercise their legal rights. We produce print and online resources, including the Steps to Justice website, the Family Law Guided Pathways, and CLEO Connect which has information and supports for community organizations. For more information on CLEO, please visit [cleo.on.ca.](https://cleo.on.ca)

STEPS TO JUSTICE INCOME ASSISTANCE *OVERVIEW*

Activity (minutes)	Content
Warm-up (5)	• Clarify differences between criminal and civil law. • Group quiz on income assistance (Slides 2-6). • What is income assistance law about? (Slide 7).
Hook (5)	• Advance to Slide 8 and read the demonstration scenario out loud. • Encourage participants to identify potential legal issues in the scenario. • Switch to Slide 9. Explain that the Steps to Justice website is a tool that can help people understand what they need to do when they have legal problems like this one. The group will next use it to answer questions related to the scenario.
Introduce Steps to Justice (10)	• Distribute the participant handout, "Scenario 1: Demonstration." • Advance to Slide 10. Read the questions about the scenario out loud. • Pull up the Steps to Justice website on the display screen. • As a group, use the Steps to Justice to find answers to the questions about the demonstration scenario on the slide. • Use different searching options (sub-topics, front page keyword search, and header menu) and introduce the actual "steps" to follow. Use the presenter's notes on where to find the information included in this guide for support. • Ask if anyone has questions.
Group work (25)	• Advance to Slide 11. • Divide participants into groups and cue them to pull up Steps to Justice on phones/computer and to start on the income assistance legal topic. • Give each group a scenario worksheet (Scenarios 2-5). • Each group needs at least one device with internet to complete their worksheet. • Circulate and support the groups as needed.
Discussion (15)	• Each group has 3-5 minutes to explain their scenario and what they have learned through their investigation. Participants should refer to the completed worksheet for support. • Address questions and issues arising from their reporting.
Application (Optional)	• Advance to slide 12. • Since the group has practiced using the Steps to Justice website, the presenter may introduce a more complex scenario. • Participants should comment on it reflecting what they have just learned. • As a group, use the website to answer the scenario questions. • Facilitator's notes are included in this guide to support discussion.

Facilitator's Package: Income Assistance

TRUE OR FALSE

1. **When seeing whether I qualify for financial assistance through Ontario Works (OW), the government will look at the income of other people in my household.**

   F – in order to determine whether you financially qualify to receive financial assistance through OW, they must assess the **income** and **assets** of persons in your household.

2. **The Canada Pension Plan is something only old people should worry about. It's just a payment plan for retirees, right?**

   F – dependents should be aware of whether their parents/caretakers are making CPP contributions as they may be eligible for those payouts if something happens to the contributor.

3. **My health condition has made it a little bit difficult to get to work lately. I can apply to the Ontario Disability Support Program (ODSP) because it gives money to anyone who has a health problem.**

   T and F – if you meet the requirements then you could get ODSP. But just having a health condition making it difficult to work does not guarantee you'll qualify for ODSP.

4. **ODSP is only for the worst medical disabilities. I'd never be able to qualify with my small medical condition.**

   F – the requirement is that the health problem "limits your ability to work, look after yourself, or do daily activities at home / in the community" and is expected to last longer than a year. Consulting an approved health professional can result in your health problem being significant enough to warrant ODSP payments.

5. **My ex and I have a kid together and they spend most of the time at their place. I help out with caring for the child as often as I can but my ex usually does most of the work and makes most of the big decisions about our kid. I can still qualify for financial assistance through Canada's Child Benefit right?**

   F – only the **primarily responsible parent** can apply for financial assistance under Canada's Child Benefit.

Facilitator's Package
Scenarios

Start on the Steps to Justice topic, "**Ontario Disability Support Program**" with the question, "How do I start an ODSP application? "Follow the steps from the landing page to answer the questions. The relevant steps are listed in brackets following the question.

Scenario 1: Demonstration

My doctor says that my struggles with mental health might qualify as a disability. Somedays it can be hard to get out of bed, and it's been a struggle to do anything productive. I am not receiving Ontario Works (OW) or any other financial support from the government, but obviously, this makes it hard for me to work. She said the government will help me with my bills because of my health issues through a program called ODSP. How would I start an application for that?

Start on the Steps to Justice topic, "Ontario Disability Support Program" with the question, "How do I start an ODSP application?"

- What are the two main requirements in order to qualify for ODSP? **(Landing page)**
- I'm not on OW. Is there any difference between applying for ODSP because of this? **(Steps 1 and 3)**
- I'm ready to see if I financially qualify for ODSP. How do I start? **(Step 2)**
- What will I need to fill out my application with the ODSP? Is it just me that needs to go the appointment? **(Steps 4 and 5)**
- How long will it take for me to find out if I qualify? I need the money as soon as possible. **(Step 5)**

Discussion

To receive financial assistance for a disability under the Ontario Disability Support Program the ODSP office must determine whether you 1) qualify financially and 2) have a legitimate disability. Before providing assistance, the ODSP office must gather detailed information about you and members of your household, including income, assets, address, housing costs, type of housing. Certain documents may also be required including personal identification documents, and proof of income, assets and education. You should be informed whether you qualified within two weeks of submitting your application, but it can take several more days to receive any money. As a result, applying to Ontario Works for financial support may be more appropriate if you require financial assistance immediately.

Scenario 2

It's just been my dad and I for as long as I can remember. He's always been working to support me so I haven't had to worry about money. He just passed away and I don't know what to do. I don't think he had much savings. How am I supposed to survive without money now?

Start on the Steps to Justice topic, "Canada Pension Plan (CPP)" with the question, "Can I get CPP money for a family member who died?"

- What are CPP contributions? **(Landing page)**
- How do I know how much I'll get? **(Step 2)**
- He passed away about 3 months ago, and I've survived off his savings until now. Am I running out of time to apply? **(Step 2)**
- How do I know if I qualify to receive these benefits? **(Step 2)**
- My dad also made me in charge of his funeral and stuff in case something ever happened to him. That's going to cost even more money that I can't really afford. Can CPP help me with this cost? **(Step 3)**

Discussion

In certain circumstances when a Canada Pension Plan (CPP) contributor dies, their surviving children or spouse may be entitled to receive some of the contributions. In the case of a child, as in the scenario above, this is known as the **surviving child's benefit**. This benefit is paid monthly at a rate that is adjusted every year. In 2022, this rate was $264.53. A surviving child should apply as soon as possible so as not to lose any monthly payments. There is no deadline, but CPP will only pay 12 months' worth of back payments. The child must be under 18 or under 25 if they are a full-time student at a recognized school or university. They must also be legally recognized as a child of the CPP contributor.

CPP also provides a death benefit, which may be available to the executor/estate administrator of the CPP contributor's will, or the individual paying for funeral expenses.

Scenario 3

I just lost my job. I'm trying to find work right now but it's tough to find anyone willing to give me a chance because I didn't finish high school. I have a young child to care for and my bills are coming due soon. Is there any way that I can get financial support for the time being, just to help me get on my feet?

Start on the Steps to Justice topic, "Ontario Works" with the question, "I need money to live. Can I get help from Ontario Works?"

- Am I eligible for Ontario Works? **(Landing page)**
- What will OW look at to make sure I financially qualify for income assistance? **(Step 1)**
- Will OW account for my child and their needs? **(Step 2)**
- My partner and I are thinking of moving in together too. They also have a child to take care of. Will that matter for my OW application? **(Link from Step 2)**
- What kind of information will I need to give OW? **(Step 3)**

Discussion

Ontario provides financial assistance to individuals who can't find work, are unable to work, or are waiting for ODSP assistance through the Ontario Works (OW) program. In order to qualify, OW must determine whether your income and assets are below a certain level. OW will look at both your income and assets, as well as those in your household, such as a spouse. OW will not include the value of your home, one car, or most essential household items such as furniture or appliances. OW will require detailed information and documents regarding your household's income and assets, including rent receipts and bank statements and proof of costs like childcare or healthcare when they determine how much financial support you will receive.

The kinds of relationships in your household are important. OW gives different amounts to people depending on whether they are in a committed relationship, and whether and how many children are in the household. If you live with a life partner, even if you are not formally married, OW requires you to apply as a couple, rather than as two separate individuals. OW can ask you for information to show whether you and another person are a couple.

Scenario 4

I just turned 17 and I live alone. I can't live with my parents because of our rocky history. My dad could get really angry and violent at times, and my mom was no help. I've just gone out on my own and the money I saved from before is quickly running out. Would I be able to get welfare payments from Ontario Works even though I'm under 18?

Start on the Steps to Justice topic, "Ontario Works" with the question, "I'm under 18 and don't live with my parents. Can I get OW?"

- What are some situations that would show that I'm 'on my own' and can't live with my parents? **(Landing page)**
- Will OW call my parents? I really don't want them to because my dad might get angry and try to come find me. **(Step 1)**
- The only adult I can think of that can confirm the abuse is my teacher, but they're away on vacation for the next week and I'm running out of time. Can I get money even though no one's confirmed the abuse yet? **(Step 2)**
- Would I get the money directly from OW? If not me, then who? **(Step 3)**
- OW told me they wanted me to go to counselling with my parents, but I'm scared of what my dad will do if he sees me again. I said I didn't want to go to the counselling and now they won't give me my welfare payments. What should I do? **(Step 4)**

Discussion

When a child under 18 does not live with their parents, they may be able to qualify for OW.

Children under 16 can only receive financial aid through OW if they themselves have a dependent child or children. In order to qualify, they must demonstrate that they cannot live with their parents because of 'special circumstances', such as instances of abuse, serious disagreements about living in the same house, or drug/alcohol problems.

Typically, OW will have to contact the parents to confirm the reason the child is unable to live with them / support them. In instances of abuse, the child can instruct OW not to contact the parents and choose another person to confirm the reasons behind estrangement. This could be a teacher, like in the scenario above, but it could also be another person who can confirm your experience, like a neighbour or a religious leader. Because it can take some time to do this investigation, OW provides emergency support for up to a month while this happens. In most cases, if you are under 18 and receive payments through OW, they will give the money to a responsible adult, called a trustee, who then is in charge of making sure you get the money.

Finally, OW can ask you to do certain things, like take counselling, in order to receive payments. They cannot force you to do so, but they might cancel or change your payments if you do not. If this happens, you can start a process to appeal that decision and give you a chance to explain why it was wrong, from your perspective.

Scenario 5

I am pregnant and to be honest, I'm a bit scared about how I'm going to pay for everything after I have the baby. I don't have anyone else I can really rely on, and I'm not sure how I'll be able to work and take care of the baby full-time. The government should have something to help me right?

Start on the Steps to Justice topic, "Child Tax Benefits" with the question, "I have kids. Can I get child tax benefits?"

- Who is eligible for the Canada Child Benefit? **(Landing page and Step 1)**
- What do you do if you have shared custody of your child vs. sole custody? **(Step 2)**
- How do I know how much money I can get? **(Step 3)**
- This is confusing, should I even apply? I doubt I'm eligible. **(Step 4)**
- Is this the only benefit I can get? Are there other programs to help me? **(Step 5)**

Discussion

If you have a child under 18, you may be able to qualify for the Canada Child Benefit (CCB). CBB is available to a parent or legal spouse who is **any of** the following:

- A Canadian citizen
- A permanent resident
- A protected person (such as a refugee)
- A person covered by the *Indian Act*

Under some circumstances, a temporary resident may also qualify. The 'primarily responsible parent', the parent taking care of the child on a daily basis, should be the one to apply. This is especially true in cases where parenting time is shared, like when parents separate. In these cases, each parent will receive half the benefit.

The amount of the benefit depends on the age of the child and on the income of their parents or legal caregivers. The higher the parent's income, the less financial assistance they will receive. In 2022, the benefit could be as high as $541.33 each month for each child under 6 years old, and $456.75 for each child 6-17 years old. However, if family income is more than $30,000 a year, this amount goes down.

Parents should always apply as soon as the child is born or comes under their care, even if they are unsure if they will qualify for financial assistance. They may even qualify for other child benefits such as the Ontario Child Benefit, supporting low-medium income families, or the Transition Child Benefit, for those not eligible for the CCB.

Display: *Large Group Practice* Scenario 6

I'm struggling with a mental illness that's made it very hard for me to work on a consistent basis. Sometimes I can barely get out of bed and there's nothing I can do about it. It's tough to ask for help, because I feel like people won't believe me and tell me to just suck it up.

I've been working here and there doing yard work, just to pay my bills. My parents died last year and didn't leave me much savings but they did give me their house and car. I'm not sure how this will affect my chances of getting ODSP. But it's still been really hard for me to find work, let alone go every day. In the meantime, my bills have been racking up and I'm starting to get swamped. This only makes my illness worse.

My partner and I also just decided to move in together. My partner and I have been on and off for a while, and have a child together. Up until now, our kid was living with my partner and her parents, but we decided to give it another shot. Although I'm happy she's coming to live with me, I don't think her parents are going to financially support the child anymore. I'm also worried what will happen to my assistance payments if we decide to separate again.

Discussion

Students can draw from their learning to identify potential legal issues and questions to investigate. There are several big issues to be addressed, including: ODSP, OW and Child Tax Benefits. The facilitator should encourage the students to consider how these issues are interrelated and how they might affect each other.

Start from the topic, "Ontario Disability Support Program". Consider questions like:

- Can I get disability benefits?
- If I apply for ODSP, how do I prove my disability?
- Can I work and get ODSP at the same time?

Start from the topic, "Ontario Works". Consider questions like:

- I need money to live. Can I get help from Ontario Works?
- Someone is moving in with me. Can this affect my OW?

- Can I get OW if I live with another adult?
- Will living with my partner affect my OW?

Start from the topic, "Child Tax Benefits". Consider questions like:

- I have kids. Can I get child tax benefits?
- What life changes might affect my child benefit payments from the CRA?

Participant Handouts
Scenarios

Scenario 1 Worksheet: Demonstration

My doctor says that my struggles with mental health might qualify as a disability. Somedays it can be hard to get out of bed, and it's been a struggle to do anything productive. I am not receiving Ontario Works (OW) or any other financial support from the government, but obviously, this makes it hard for me to work. She said the government will help me with my bills because of my health issues through a program called ODSP. How would I start an application for that?

Start on the Steps to Justice topic, "Ontario Disability Support Program" with the question, "How do I start an ODSP application?"

- What are the two main requirements in order to qualify for ODSP?
- I'm not on OW. Is there any difference between applying for ODSP because of this?
- I'm ready to see if I financially qualify for ODSP. How do I start?
- What will I need to fill out my application with the ODSP? Is it just me that needs to go the appointment?
- How long will it take for me to find out if I qualify? I need the money as soon as possible.

Scenario 2 Worksheet

It's just been my dad and I for as long as I can remember. He's always been working to support me so I haven't had to worry about money. He just passed away and I don't know what to do. I don't think he had much savings. How am I supposed to survive without money now?

Start on the Steps to Justice topic, "Canada Pension Plan (CPP)" with the question, "Can I get CPP money for a family member who died?"

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- How do I know if I qualify to receive these benefits?

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Scenario 3 Worksheet

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- What kind of information will I need to give OW?

Scenario 4 Worksheet

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- What are some situations that would show that I'm 'on my own' and can't live with my parents?

- Will OW call my parents? I really don't want them to because my dad might get angry and try to come find me.

- The only adult I can think of that can confirm the abuse is my teacher, but they're away on vacation for the next week and I'm running out of time. Can I get money even though no one's confirmed the abuse yet?

- Would I get the money directly from OW? If not me, then who?

- OW told me they wanted me to go to counselling with my parents, but I'm scared of what my dad will do if he sees me again. I said I didn't want to go to the counselling and now they won't give me my welfare payments. What should I do?

Scenario 5 Worksheet

I am pregnant and to be honest, I'm a bit scared about how I'm going to pay for everything after I have the baby. I don't have anyone else I can really rely on, and I'm not sure how I'll be able to work and take care of the baby full-time. The government should have something to help me right?

Start on the Steps to Justice topic, "Child Tax Benefits" with the question, "I have kids. Can I get child tax benefits?"

- Who is eligible for the Canada Child Benefit?

- What do you do if you have shared custody of your child vs. sole custody?

- How do I know how much money I can get?

- This is confusing, should I even apply? I doubt I'm eligible.

- Is this the only benefit I can get? Are there other programs to help me?