

Edmonton facts

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Edmonton Social Planning Council

New AISH more like Welfare

by Brian Bechtel

Recent changes to Assured Support for the Severely Handicapped (AISH) make the program more like welfare. The provincial government insists the new legislation reduces barriers that discourage people from working and connects people to appropriate work or training. It also claims that "people can get back on income support quickly if their efforts to support themselves by working are unsuccessful." All these nice words, however, appear to be code for: Get off public assistance and get a job, even if you have a disability.

Employment training

An addition, Section 5 of the new AISH legislation allows the Alberta government to "refer the person to any employment training program and services that are designed to enhance the person's ability to be employed."

Section 6 of the AISH legislation already gave the "Director" the power to deny benefits to anyone who "has refused or neglected to avail himself of appropriate training or rehabilitative measures." Section 6 didn't make a lot of difference to clients because there was no mechanism to refer AISH recipients to employment training. There was no way of knowing if the person "had refused to avail himself."

The latest Section 5 addition changes that. The Director can now refer AISH clients to training then cancel benefits if the person fails to cooperate. If the AISH client starts the training then decides it is inappropriate or too difficult, they risk losing their AISH benefits.

Conflict of interest

Social Services contracts private firms to provide employment training to welfare and AISH clients. Those firms depend on government contracts to stay in business. Their assessment of clients, therefore, is not arms-length or independent. If Social Services wants a contractor to say a person quit a training program for no good reason, the contractor would have to say so or lose its funding.

The same concern applies to employment. The Minister has promised there would be "rapid reinstatement." However, the Act doesn't protect this key promise. We are also told the regulations that accompany the Act will include this promise but regulations can change without public involvement. The government can redraft regulations without tabling the changes in the Legislature.

Just like welfare

In January, the Edmonton Social Planning Council learned the provincial government was planning to freeze the AISH program and create Open Doors, a new welfare program. Open Doors would be for welfare clients who couldn't work and for persons with disabilities. The new welfare program would pay clients \$610 a month—\$213

less than AISH—and save the government \$14 million.

After 10 days of media coverage, Dr. Lyle Oberg, then minister of Social Services, relented. At a January 26, 1999, media conference, he announced that AISH would stay intact. There would be no new welfare program, no Open Doors and no cuts to benefits. Dr. Oberg talked about "more support for persons with disabilities who want to work."

Words like "support" and "want" imply the employment program is voluntary. However, the voluntary nature of the employment program seems to end after the person agrees to be referred.

The *Social Development Act*, which governs the delivery of welfare programs, uses identical wording to the new AISH regulation. "When, in the opinion of the Director, an applicant...has refused or neglected to avail himself of appropriate training or rehabilitative measures, the Director is under no obligation to provide or continue to provide any services or social allowance to that person...."

The clause in the Act predated the 1993 welfare reforms but—as with AISH—the clause had little impact because Social Services provided few training programs. When Social Services introduced its new welfare program, Supports for Independence (SFI), and became actively involved in training programs, it found a way to track compliance and justify terminating benefits.

With SFI, welfare clients took training or lost their benefits. Theresa McBryan, featured on the front page of this *Edmonton Facts*, was one of those clients who lost their AISH benefits. She wanted to take training but lost her benefits because she got sick and couldn't attend part of the training program. Even a doctor's note proving her illness couldn't save her benefits.

In January, when the Edmonton Social Planning Council launched its attack against the secret plan to freeze AISH, we took issue with the Government of Alberta's plan to put people with disabilities on welfare. Yes, Dr. Oberg relented and scrapped the plan to freeze AISH and create Open Doors. However, it appears that when Dr. Oberg's plans were thwarted, he simply resolved to make AISH more like welfare.

Dr. Oberg is now the minister of the new Department of Learning. The Department of Social Services no longer exists. Instead we have a new Human Resources Department responsible for both welfare and AISH. Although the department names and ministers have changed, the programs haven't.



Richard Siemens

Theresa McBryan selling *Our Voice* on an Edmonton street

From: *The War at Home*

by Pat Capponi

Pat Capponi tells many stories, including Theresa McBryan's. A single parent, Theresa began collecting AISH in 1983 after she suffered an emotional breakdown. She volunteered to give up her AISH benefits and take job training through the welfare program, Supports for Independence—a decision that eventually left her completely vulnerable and without any support. The following is an excerpt from Pat's new book, *The War at Home*.

Theresa wanted to work, and to learn, so she gave up her assured income under AISH in order to attend

"Watching them, it's like... a peep show, indecent. The way they manoeuvre to protect themselves."

Grant MacEwan Community College on a full-time basis, where she completed the Graphic Design and Illustration Program. After completing the course, she went back on social assistance while searching for a full-time job in the graphic design industry, or temporary and part-time positions in the retail field. She lived outside Edmonton in a town called Bon Accord. After her car died, she had to take the Greyhound, when she had bus fare, or hitchhike into the city when she didn't, for interviews and to submit job applications.

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Brian Bechtel is the Executive Director of the Edmonton Social Planning Council which supported Theresa McBryan's appeal. See *The War at Home* above.

More changes needed

by Mirella Sacco

Some of the changes to AISH and Assured Support are a step in the right direction. I am certain no one who receives such benefits would refuse a \$32 increase. Nor would they argue against raising the amount of income you can earn from \$165 to \$200 per month. Unfortunately, however, the proposed changes do not address some issues, such as the following:

Tax refunds are calculated as income. When your refund is about \$5 and you pay \$25 to have the return processed, it can be very frustrating. Accumulated interest from Savings Bonds and RRSPs are calculated as income and deducted from your benefit, even though we do not receive this interest. All prescription medications will continue to be controlled, even non-addictive medications. A person can only receive a two-week to one-month supply, even though a three-month supply would be more convenient and cost-effective for the recipient and the government department.

All the mentioned changes would be very easy and simple to implement. I would urge anybody who would like to see some of these changes to call your MLA or Clint Dunford, minister of Human Resources, and voice your opinion.

Mirella Sacco lives on AISH and works part time.

Editor's Note: On May 19, 1999, Belinda Outzen won an appeal against Human Resources, the provincial government department now responsible for Supports for Independence (welfare). Outzen,

now on welfare, worked for about seven months last year. In March, Revenue Canada sent her an income tax refund of \$227.76. When she told welfare officials, they deducted it from her next benefit cheque. Outzen, with the help of the Philia

Advocacy Group, appealed the decision. The government-appointed appeal panel ruled that the refund was an asset not income. Since Outzen's cash and assets fell below the \$2,500 allowed by welfare, the government had to return the money.

The War at Home:

continued from front page

On October 30, 1996, she was referred to the Goodwill Rehabilitation Services of Alberta and their Power of Work program by her social assistance worker, and on December 2, 1996, she began attending the compulsory work-readiness classes. Then, perhaps as a consequence of living on a poverty diet of "tea and potatoes," she got sick. Her doctor told her to take ten days off, and she did, sending in her doctor's note.

It wasn't good enough for the system. Her income of \$394 a month, already drastically reduced from the level of AISH, was cut off, which meant that she had to give up her apartment, and most of her furniture and possessions. She found herself living in a friend's unheated garage, the only other alternatives being a women's shelter or life on the street....

The judge at the Court of Queen's Bench ruled that the appeal panel didn't follow the correct procedure by failing to provide McBryan with proper reasons for denying her benefits. This required that a new appeal panel be struck, which it was — and, of course, that new panel

upheld the department's original decision.

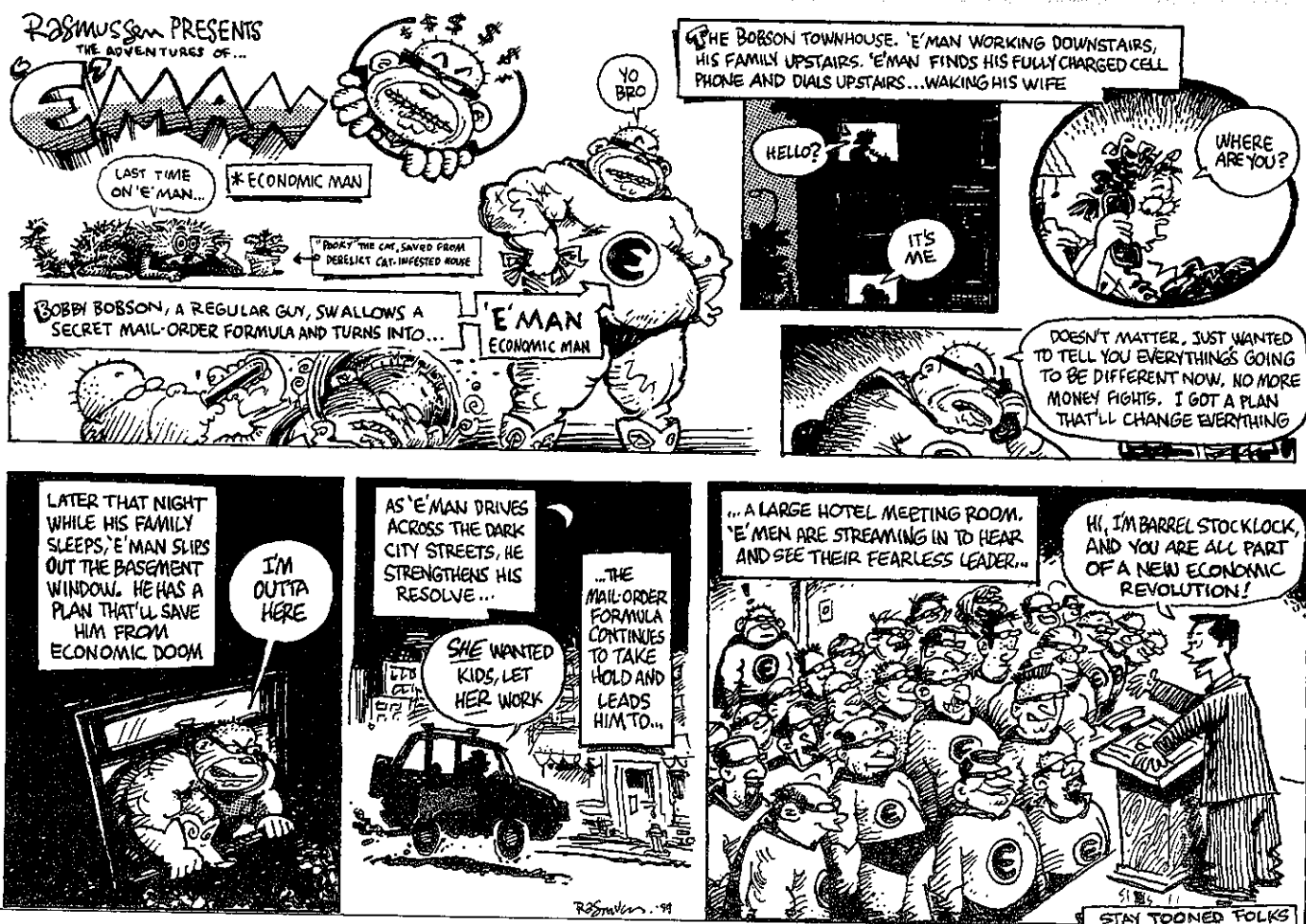
Theresa is an articulate, motivated, intelligent woman. She doesn't fit the public notion of who a welfare recipient is. The fellow denied income and sleeping on the riverbank could never have garnered the support she has, would never have been able to jump through all the legal hoops, fill in and understand all the forms and jargon, even look sympathetic and clean in court....

The judge in the second court challenge ruled unequivocally against her. "Luck of the draw, we got clobbered by a redneck judge." Social services politicians, agencies. She sighs deeply.

"There's something almost awful, almost disgustingly horrible about these people. Sometimes, watching them, it's like—I don't know—a peep show, indecent. The way they manoeuvre to protect themselves."

She points out that what they've spent on lawyers could have enabled them to pay out her stipend for ten years.

The War at Home is available in Edmonton bookstores.



Job training for the disabled

Another poorly thought out and sexist half measure in the land of opportunity

by Wendy Koenig

For the severely disabled, a step into the workforce is often a step into unemployment. Unfortunately, the provincial government chooses to ignore this unpleasant truth. According to federal statistics, between 1986 and 1991, only a small number of the severely disabled actually got jobs. The official unemployment rate for the severely disabled is 30 per cent and climbing. The unofficial rate is probably much higher.

Two out of three disabled Canadians on social assistance live below the poverty line, as do almost one in three Canadians who depend on Canada Pension Plan disability benefits alone.

Workplace discrimination a barrier

If the provincial government really wants to help the severely disabled get jobs, it must make sure employers will hire them and accommodate their needs.

In late March, the Canadian Human Rights Commission released its annual report. Canadians can file discrimination complaints on 11 grounds. Last year, 32 per cent of complaints—almost one in three—concerned discrimination because of disability. Most of these complaints related to work. Simply put, employers are more likely to hire, keep or promote a non-disabled person than a disabled person.

Changing that means focusing on employers. In every province, federal human rights law and human rights codes require that employers provide "reasonable accommodation" for people with disabilities. However, governments do a poor job of educating people about the law. Many employers don't know they must provide this accommodation. And most disabled people don't know they have the legal right to ask for it. Nor do they have the health or stamina to fight employers.

Accommodation could mean rewriting a person's job description to take out duties they can't perform because of disability. It could mean part-time work, work from home, extremely flexible hours, or more frequent rest breaks. For a person who develops severe carpal tunnel syndrome, accommodation could mean buying a voice-activated computer (for about \$10,000). Most employers don't want to accommodate.

According to federal statistics, a disabled person who requires some accommodation is less likely to have a job. In 1991, about 29 per cent of disabled people who required job accommodations were unemployed, compared to 15 per cent who did not require accommodations. Severely disabled workers are more likely to need job accommodations, and that explains their higher unemployment rates.

The classic dilemma—carrot or stick?

The provincial government could provide financial incentives to employers that hire and keep disabled people. Or it could pass employment equity law—known as "affirmative action" in America.

Employment equity law compels employers to have a staff that mirrors the available workforce. If 10 per cent of the available workforce has a disability, 10 per cent of the staff must have a disability. Employers must set targets (in American terminology, "hiring quotas"), then make reasonable plans to meet those targets or quotas. Employers that fail to do this risk financial penalties.

In Canada, employment equity law applies to federal government departments, federal agencies and Crown corporations, and industries that fall into federal jurisdiction. Those industries include airlines, railroads, big bus and truck companies that cross provincial borders, the telecommunications industry, the grain and nuclear industries, banking and so on.

Federal enforcement mechanisms lack clarity and effectiveness. Many Canadians don't like the law because it has overtones of the dreaded "reverse discrimination" against people who fall into groups not statistically disadvantaged. But at least the law is a step in the right direction. It recognizes that fair treatment for disabled people (and other groups that face systemic job discrimination) will not happen on its own.

Other solutions, beef up education funding

The provincial government is very keen to get disabled people working (for their own good of course). Maybe publicly hiring more people with disabilities would be a good place for the government to start. Our elected officials could lead by example.

Those people who develop a disability while young and get an education that allows them to work around their limitations are more likely to find work. An obvious solution to the poverty-unemployment problem would be to invest in formal

education for young disabled people. This would make more sense than pumping it into questionable "job training" programs for older generations.

According to federal statistics, about 20 per cent of disabled people not in the paid labour force in 1991 were active in the unpaid labour force, or the volunteer sector. The reason is pretty obvious to anyone disabled or a volunteer.

Employers are less likely to fire volunteers. If you have a disability, your health may vary. You may be able to work occasionally, but not on any predictable or reliable basis. You may work more slowly or make more errors than non-disabled workers. If this is the case, employers will be reluctant to fork out cold hard cash.

However, we live in a time of government cutbacks and downsizing. The volunteer sector is providing services formerly provided by government, with no more money or staff. Charitable groups and non-profit agencies may tolerate less-than-peak work if they can get that work done free.

A few years ago, the federal government changed the Canada Pension Plan disability rules to allow people too disabled for regular paid work to volunteer. In the past, they would have lost their benefits. We are recognizing that volunteer work helps people develop skills that might lead to paid jobs if and when their health improves.

In the book *The End of Work*, author Jeremy Rifkin theorizes that because some kinds of jobs are disappearing, our society will never again see full employment. Rifkin suggests directing the unemployed to the many important tasks in the unpaid volunteer workforce. The key issue here is encouraging people to volunteer rather than coercing them to volunteer by threatening to cut off benefits. Perhaps the AISH program could go a step further than CPP, and provide a small money bonus for disabled people who volunteer.

Wendy Koenig, a former journalist, is now president of the ME/CFS (Myalgic Encephalomyelitis/Chronic Fatigue Syndrome) Society of Edmonton, an all-volunteer organization with about 350 members many classed as moderately or severely disabled. During her 15-year career as a journalist, Koenig worked for the *London Free Press* and the *Edmonton Journal*.

Flaws become crystal clear

By Wendy Koenig

A great book to read if you want to understand the disability/employment issue is *Living with a Disability in Canada: An Economic Portrait*, produced jointly by Human Resources Development Canada and the Canadian Council on Social Development, and published in 1996.

If you read this book, the flaws in the provincial government approach will be crystal clear.

The author, Gail Fawcett, divides people with disabilities into three categories—mildly, moderately and severely disabled. According to federal statistics, about 71 per cent of mildly disabled people, 45 per cent of moderately disabled people, and only 25 per cent of severely disabled people, are in the workforce.

Disability is not a static state. People with disabilities can have what Fawcett calls "exciting turnovers" in their health. If you look at 1989 statistics, your chance of a big improvement in your health and ability to work was 76 per cent if you were mildly disabled, 20 per cent if you were moderately disabled, and 4 per cent if you were severely disabled.

Fawcett points out that some people are so disabled they will never be gainfully employed, no matter what we do to help them. Yes, work is good for self-esteem, and yes, disabled people want to work. But the reality is, some can't. Does the provincial government understand this? Do the rest of us?

To get on AISH, one must suffer from a permanent disability so severe it prevents one from working and cannot be ameliorated by any known therapy. The

AISH population has a relatively small chance of improving enough to work. It would therefore make more sense to target job training programs at mildly and moderately disabled people more likely to use their skills (acquired at taxpayer expense) in the workplace.

The other major fallacy in the provincial government approach is the assumption that we can fix the whole problem of poverty and unemployment among disabled people by concentrating only on the disabled person. Give him or her job training, and presto, he or she has a job (and no longer has to depend on the public purse).

Are the politicians running Alberta really this naive?

Living with a Disability in Canada can be obtained by contacting Enquiries Centre, Human Resources Development Canada, 140 Promenade du Portage, Phase IV, Level 0, Hull, Quebec, K1A 0J9; Fax (819) 953-7260.

The double whammy

Being a woman and disabled

by Wendy Koenig

Compared to disabled men, disabled women are five times as likely to be abandoned by their spouses. According to federal statistics, disabled women are twice as likely as other women to become single parents. The average Canadian woman in the 25 to 44-year age group had an 8 per cent chance of becoming a single parent. If you were disabled, that chance shot up to 16 per cent.

Whether you live in poverty depends heavily on how and when you became disabled and on what you did before the disability. Those with private disability insurance (often through employers), those who become disabled because of workplace accidents or environmental factors (and are eligible for workers' compensation benefits), and those who have worked long enough to qualify for Canada Pension Plan disability benefits are less likely to be poor.

If you did not work and must depend on social assistance, you are more likely to be poor. Since women often postpone their career to bear and

raise children, it is women who most often end up on poverty-level social assistance benefits when they become disabled. The situation becomes more complicated with parenthood. The disabled women with the least likelihood of workforce participation are those with children under six years of age.

The disabled person who has the best chance of working is the person who has someone to share household tasks, such as grocery shopping, cooking, laundry and cleaning—perhaps even rises to and from work and help with personal grooming. In our society, women still bear the responsibility for most household tasks. That does not change when women work outside the home or when they become disabled.

About 70 per cent of the people hit by Chronic Fatigue Syndrome (CFS) are women. The average age of onset is 39—in the midst of the childrearing years. CFS is not the only disease which takes its major toll on females. Most immune disorders (multiple sclerosis, lupus, rheumatoid arthritis,

even diabetes) hit women at much higher rates than men. Women disabled by these diseases would be equally hard hit by discriminatory programs that did not take into account their special needs.

As president of the Myalgic Encephalomyelitis/CFS Society of Edmonton, I have seen the human faces of the statistics—very ill women struggling as single parents to raise their children on poverty-level incomes. I've seen women give their children to other family members or put a child into the child welfare system temporarily because they were alone and too sick or poor (or both) to carry on.

Persistence pays off

by Terese Brasen

In April, we told the story of Elaine. Cut off welfare, Elaine has no income. Elaine's daughter has asthma—severe asthma—and Elaine can't afford the medications. "A couple of times we got samples from the doctor, but it's sort of like we have worn out our welcome."

In August 1998, the province introduced the Child Health Benefit—extended health and dental benefits for families with net incomes under \$20,921. The new benefit is part of the National Child Benefit. In 1998, the federal government increased its support for low-income families. This allowed the provinces to reduce welfare payments, then reinvest the money saved in work incentives, benefits and services for low-income families.

The federal government increased the Child Tax Benefit in July 1998. In August, the province decreased SFI rates by the same amount. It then used those new federal dollars to create the Child Health Benefit and cover prescription drugs, dental, optical and ambulance services.

The Child Health Benefit is for children up to 18. The children cannot have treaty status. The parents must be Canadians not receiving social assistance or post secondary funding.

Excited and hopeful about the new benefit, Elaine didn't waste time applying. Then the bad news: Elaine and her daughter were told they didn't qualify. Elaine has received education bursaries. Since the benefit is not for post-secondary students, she was told it was not for her.

When Social Services first introduced the new benefit, it didn't pay the full cost of drugs, dental, optical and ambulance bills. The benefit included a co-pay from 40 to 10 per cent. The patient paid part of the bill, the benefit plan covered the rest.

In January 1999, the department dropped the co-pay and started covering the whole bill. Kathy Lazowski, the spokesperson for Social Services, told the *Edmonton Journal* too few children had signed up

for the program. The program was expected to cover health costs for 138,000 poor children. Only 35,000 children had registered. The new money is federal money, through the National Child Benefit, and the provincial government risked not living up to its agreement and reinvesting the money it saved on SFI (welfare) and Student Financing.

When Elaine learned about the January announcement, she made another call to Social Services. Since the department had dropped the co-pay, it might also have relaxed other eligibility requirements. Finding the right number took some digging, but Elaine eventually reached the Child Health Benefit information line. "The person said, No you don't qualify. I told her about the bursaries. They are for tuition only, not living expenses. She said Advanced Ed made up the rules."

Elaine called back later, asking to talk to a supervisor. There was no supervisor available, but the new customer service representative interpreted the eligibility rules differently. "She said if you are not a student now, you qualify." Elaine has just received her application form. It took some persistence but—in the end—she qualified for the new benefit. The Child Health Benefit will not put food on her table but it will remove one major stress.



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