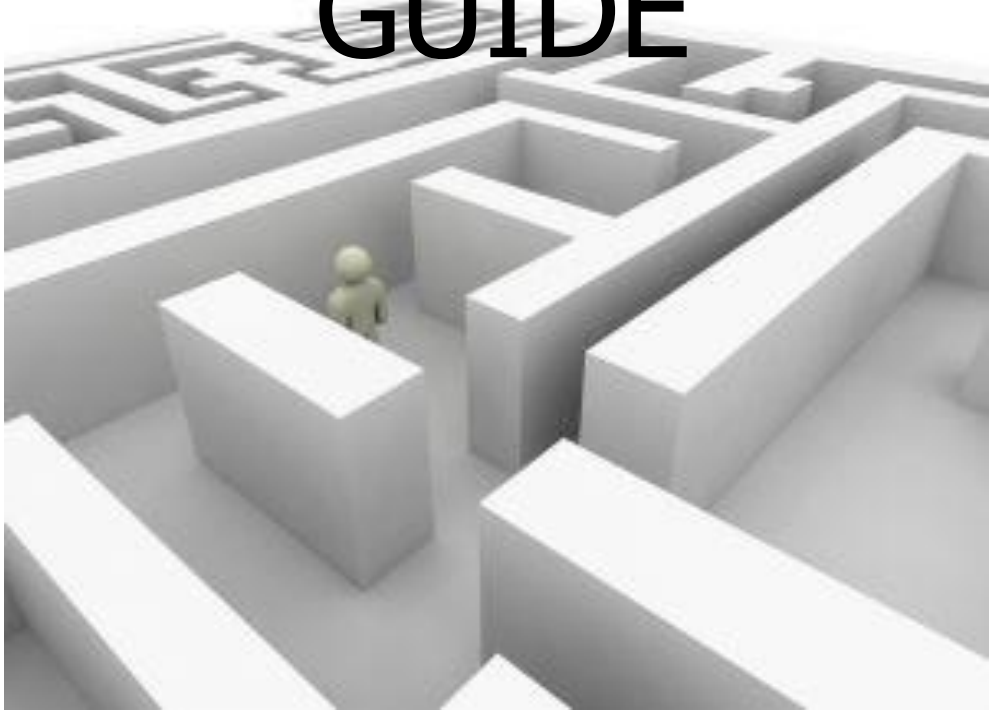


WELFARE RIGHTS GUIDE



A Guide to Income Assistance
in Nova Scotia

WELFARE RIGHTS

INCOME ASSISTANCE IN NOVA SCOTIA

A Self Help Guide

Thanks to all the volunteers, staff and students of Dalhousie Legal Aid Service who contributed to this Guide. Special thanks to community members, and the members of the Halifax Coalition Against Poverty.

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This guide contains general legal information only and is not intended to serve as a replacement for professional or other advice.

Introduction:

This Guide is for people in Nova Scotia who need income assistance. The provincial government provides income assistance and there are laws that determine your rights to assistance. The *Employment Support and Income Assistance Act* and Regulations contain many of the rules around income assistance. The law is administered by the Nova Scotia Department of Community Services (DCS).

Income assistance is also sometimes called welfare, family benefits or social assistance.



You have a right to income assistance. Don't let anyone tell you otherwise. According to the government, income assistance is financial assistance of "last resort" but don't be afraid to get the most you can to make sure that you can eat healthy food, stay in a safe home and live with dignity!

This is a Guide to your rights to income assistance. You have a right to apply for and receive income assistance under the law. You also have a right to be treated fairly. This Guide will help you understand what you are entitled to and to *advocate for* or fight for your rights.

Finally, remember that this Guide contains legal information, not legal advice. The complete answer to your legal questions will depend on your individual circumstances. If you need more help, you can contact an advocate – see the Resources Section of this Guide for more details.

How to use this Guide:

This Guide is designed to give you information about the law and how to advocate for yourself. To help with this, the topics in this guide are divided into three sections: **The Law, The Reality, and Things to Try.** Under “the law” we talk about what *Employment Support and Income Assistance Act* and Regulations say on paper. Under “the reality” we look at ways in which those laws are interpreted in practice. And under “things to try” we look at ways of protecting and fighting for your rights, so that you can effectively advocate for yourself.

The Basics of the Law:

The laws about income assistance are found in the *Employment Support and Income Assistance Act* (ESIA Act). In addition to the ESIA Act, the government has Regulations and rates to deal with the details of the income assistance program and eligibility. The government changes the rates and Regulations often. Updated versions of the rates and Regulations can be found (for free) on the Nova Scotia Government website (you can find internet links to all these documents on page 41 of this Guide).

The law sets the rates for your income assistance, as well as the conditions you will need to meet to be eligible to get assistance. There are three separate types of income assistance provided: a **shelter allowance, a personal allowance, and special needs assistance.**

The Department of Community Services (DCS) is responsible for managing the ESIA Act. DCS has a “Policy Manual” written for their staff that contains interpretations of the ESIA Act and

Regulations. When a DCS caseworker tells you “The policy manual says I can’t give you that...” it is the DCS Policy Manual they are referring to. The Policy Manual is available on the DCS website (see links at page 41 of this Guide).

If you are unhappy with the decision of your DCS caseworker you should look at the ESIA Act, Regulations and Policy Manual to see if his/her decision is correct.

*The ESIA Act and Regulations are the law.
Where the Policy is different from the law, it
is the Act and Regulations that rule!*

The caseworker should make reasonable efforts to explain every decision they make on your file based on the Act, Regulations and Policy as well as the factual basis for the decision.

Advocating For Yourself:

Advocating for yourself can be very important in getting what you are entitled to from DCS. The best way to get results as an advocate is to be prepared, and have all the facts. You have a right to apply for assistance, to be given reasons for DCS decisions in response to your application, and to appeal a decision you don’t agree with. Here are some different ways to advocate for yourself:

Get the Facts:

When you apply for help DCS must give you a decision in writing. Ask for the decision. When you appeal, DCS must give you the reasons for the decision. Make sure you ask for this as well. It will help you understand the case against you, and to prepare the facts and argument in your favour.

Also, under the *Freedom of Information and Protection of Property Act* you have a right to view the information about you in your DCS file. See the Appeal section of this Guide for more information about accessing your DCS file. Your personal information held by DCS can't be released to third parties without your permission, unless by Court order.

Overwhelm the Caseworker with Kindness:

As frustrating as it can be to work with caseworkers, they are told by DCS to work within a certain set of rules and often times they do NOT have the power to get you what you want. So, ask for help. Ask the worker what they need from you to get what you need.

Operation Groundswell:

Because DCS asks for a lot of your personal information and you have to practically beg for your special items before DCS will help you, get other people in the community to help you! Ask your neighbours, religious groups and local organizations to have letters on hand saying that you've asked them all for help and they were not able to assist you. Ask your doctor to write letters on behalf of any medical or nutritional needs that you or your children may have. Sometimes it takes a groundswell of support!

Try Everything and Everyone:

Call the worker. Call the worker again. Keep calling the worker. If that doesn't get you anywhere, ask for the supervisor of that caseworker and call the supervisor. If that doesn't work call the Regional Administrator. TRY EVERYTHING AND EVERYONE. Someone has to listen eventually. It is frustrating and it shouldn't be, but until you start fighting for what you are entitled to, you may never get it!

Appeal:

See section on Appeals, page 44.

Eligibility for Income Assistance:

To be eligible for Income Assistance:

- You must be a “person in need”

The ESIA Act says that a person in need is someone whose income is not enough to meet their basic living expenses, as defined by the ESIA Act and Regulations. DCS decides what qualify as basic living expenses and the amount of assistance you will get.

- You must be 19 years of age or older in order to get income assistance
- If you are aged 16-18, and no longer dependant on your parents for financial support you may also get income assistance (see the chapter on Youth)
- You must be present in Nova Scotia at the time you apply for income assistance
- You must be a Citizen of Canada, a landed immigrant, or a Convention Refugee

You will not be eligible if:

- DCS finds that you separated from your spouse in order to get income assistance
- DCS determines that your current income is enough to live on, according to the Regulations
- You have any assets that could be sold and then used as income, such as any land you may own (for more information on this see the chapter on Assets, page 33)

- You are on strike or locked out by an employer

You may not get income assistance if:

- you are living with someone who is employed
- you quit your job

How to Apply for Income Assistance:

The Phone Call:

- Call the DCS office nearest you in Nova Scotia and say you want to apply for income assistance. The DCS offices are listed in the back of this guide.
- You will be asked a few questions about your current financial situation.
- Your name will be put into the computer to check for prior income assistance use. If you have had assistance in the last 12 months from the same office you will be assigned a caseworker.
- You may find out from this call whether or not you are eligible to receive Income Assistance or you may be contacted by a caseworker within one working day to set up a meeting.



Required Documents:

When a caseworker contacts you he or she will require a lot of information from you. Be prepared to have the following with you:

- A Social Insurance Number Card is mandatory for yourself and any spouse, it may also be mandatory for dependants depending on their age
- A N.S. Health Card is mandatory for yourself and any dependants or spouse
- A lease, occupancy agreement or some proof of your address is required, as well the contact information for your landlord and proof of the amount of rent you pay
- If you have children, you must have their birth certificates
- You will also have to have your marriage certificate, divorce papers, child support court order, if you have them
- If you are living with a disability you may need to get a DCS medical report filled out by your doctor to show that you are not employable

If you do not provide Requested Documents:

- Caseworkers can ask for a lot of personal documents under the ESIA Act and Regulations. If you refuse to provide certain documents a worker will refuse to give you assistance or they can stop it if you already receive it
- If you are unable to provide all the documents the caseworker asks for, they can refuse to give you income

assistance. Sometimes the caseworker will give you more time to get the documents to her/him – but this does not happen all the time. To speed up your application you will need to get them the documents as soon as possible!

False or Misleading Documents:

- Don't misrepresent information or alter documentation. You should always give DCS accurate and truthful information.
- If you provide any documentations or information that is false or altered the worker will refuse to give you income assistance or can stop giving it to you.
- The caseworker can also have you charged with fraud if you give them false information.

Meeting with a Caseworker:

- When you meet with your caseworker in person, you will have to sign an application form and a "Consent to Release Information" form.
- When you sign these forms it allows the caseworker to collect information from places like your bank, your employers, your landlords and other third parties.
- If you do not give your consent or sign the form the caseworker can refuse your application for assistance.

When will I know if I get Income Assistance?

Once all the information is collected, it will usually take 3 to 7 days for a decision. Your caseworker will either call you or send a letter stating the decision.

- If you are eligible you will be told the amount you will receive.
- If you are not eligible you will be given the reasons why.

If Your Application is Denied:

Appeal:

If DCS turns down your application you have the right to *appeal* this decision (see the section in this Guide on Appeals, page 44)

Reapply:

If you feel that your situation has changed or that DCS did not have all the information when they made their original decision, you can *reapply* and give them the new or updated information in support of your application.



Basic Needs:

The Law

ESIA Act s. 3, Regulations 31, 45
and Appendix "A"

These are defined under the ESIA to include food, clothing, shelter, fuel, utilities and personal requirements. Basic needs are divided into two separate categories: the *shelter allowance* and *personal allowance*.

Who is Eligible?

A person who is boarding, renting or owns his/her own home will be allowed both a:

1. *Shelter allowance* and
2. *Personal allowance* for each of the recipient, his/her spouse and each dependent child of the recipient who is 18 years of age or older.

Tip: If you have a dependent child and are not receiving the Canada Child Tax Benefit you may be eligible to receive a personal allowance for a child under 18.

Shelter Allowance:

The shelter allowance is the amount DCS gives you to help you pay for the actual costs of your shelter expenses. The shelter allowance is for rent, mortgage payments, or boarding costs. DCS has a **maximum** rate it will pay. So, if your shelter expenses are less than the maximum rate you will receive only the actual amount you pay. If your shelter expenses are more than the maximum rate, you will have to pay the rest out of

your own pocket. You will also have to pay for your electricity and heating costs out of this money as well.

How much you receive is primarily based on the number of people in your household:

	Maximum amount provided for rent or mortgage per month	Maximum amount provided for board per month
1 person household	\$300	\$223
2 person household	\$570	\$242
3 + person household	\$620	\$282

Note: These rates are current to October 2008. To ensure you are using the up to date rates check the on line resources at page 41 at Appendix "A" of the ESIA Regulations or contact DCS.

Increased Shelter Allowance:

In certain circumstances (listed below) you may be able to get more money to pay for your shelter, if you are:

- disabled;
- fleeing an abusive situation (until the issues related to the abuse have been addressed).
- have a chronic mental, cognitive or physical condition that limits participation in employment services;
- 55 years of age or over;
- a youth aged 16 – 18.

	Maximum amount provided for rent or mortgage per month	Maximum amount provided for board per month
Disabled person or person in certain circumstances	\$535	N/A

Note: These rates are current to October 2008. To ensure you are using the up to date rates check the on line resources at page 41 at Appendix "A" of the ESIA Regulations or contact DCS.

Personal Allowance:

DCS provides a personal allowance to help you pay for all your other expenses, including food, clothing, and personal care items.

Adult	Dependent Child (under age 18)	Dependent Child (age 18 to 20 inclusive)
\$208 renting, own home, boarding	\$133*	\$200*

Note: These rates are current to October 2008. To ensure you are using the up to date rates check the on line resources at page 41 at Appendix "A" of the ESIA Regulations or contact DCS.

The Reality

Shelter Allowance:

Home Owner: You must give proof to DCS of your costs as a homeowner, including the latest property tax bill or assessment and utility costs. If you have a mortgage or loan for your home, you must give DCS a copy of the mortgage or loan agreement, and / or cancelled cheques / receipt of payment.

Renter: You must provide your most recent rental receipt showing the monthly rental cost, and the name, address and telephone number of the landlord. You may also need to provide:

- proof of electrical and water bills not included in rent;
- your lease;
- and in the case of subletting, you will require written proof from the landlord that they know about the sublet.

Roomer/Boarder: You have to have your most recent receipt showing the monthly cost of room/board and the name, address and telephone number of the landlord must be provided.

If you live with a family member, and are paying rent you will need to sign a lease with that family member, and pay rent for your room.



Emergency Shelter for Families: If you and your family need emergency shelter, income assistance can provide this if you have not already been helped (in Nova Scotia or elsewhere). You will be put in the cheapest place to stay but your family will not be broken up. You could be put in a motel.

Expectant Mothers: If you are a single expectant mother, over the age of 19, in your 7th month of pregnancy you may qualify for a larger shelter allowance to help in paying for larger accommodations before the baby is born.

For example, a single expectant mother, over the age of 19, in her 7th month of pregnancy with 1 dependent may qualify for a shelter allowance up to the maximum allowable for 3 persons (mother + dependent + unborn baby) to assist in finding accommodations for 3 persons before the baby is born.

A couple expecting their first child, and the mother being in her 7th month of pregnancy may qualify for a shelter allowance up to the maximum allowable for 3 persons (mother + spouse + unborn baby) to help in finding accommodations for 3 people before the baby is born.

Personal Allowance for Children: DCS will not give you the personal allowance for children if your family receives the Child Tax Credit/National Child Benefit (family allowance).

Hospitalised: DCS may stop paying your shelter allowance and your personal allowance will be reduced if you are in a government-funded institution for an extended period of time, usually more than 30 days:

Shelter Situation	ADULT	DEPENDENT CHILD (Up to age 18)	DEPENDENT CHILD (Age 18 to 20 inclusive)
renting, own home, boarding	\$208	\$133*	\$200*
in hospital 30 days or more	\$105	Not applicable	\$105*
in a residential rehabilitation program	\$81	Not applicable	\$81*

Note: These rates are current to October 2008. To ensure you are using the up to date rates check the on line resources at page 41 at Appendix "A" of the ESIA Regulations or contact DCS.

Special Needs:

The Law

ESIA Act s. 3, Regulations 24-28
and Policy Manual Chapter 6

Special Needs are items or services and anything else that is essential to you or your family that are not included in the **Basic Needs** category. Specific items include dental care, optical care, funeral arrangements, special diets, transportation, and child care. Special needs may include things that are part of your DCS employment plan. And special needs may include other things, necessary to you or your family, that aren't accessible through any other program.

Anyone who is low income may be eligible for special needs assistance, not only people receiving income assistance. However, you must prove that you meet DCS financial eligibility requirements and can not qualify for financial assistance from another source.

Special Needs can be divided into roughly 4 categories:

1. Health (diet, medical, dental)
2. Safety
3. Child Related
4. Employment/training/education Related

The Reality

DCS has the ability to supply special needs assistance, if it is essential to you and your family, you give them the right documentation and you exhaust all other possibilities for assistance. Special needs assistance is not limited to the list in the Policy Manual!

However, **DCS will only approve a special need if it relates to health or safety, or is child or employment related.** When you are asking for assistance for a special need, try to think about how your need can fit into one of the categories, like health or education. Try to think like a caseworker! For example, if you need a phone, think about how your need for a phone could be for medical reasons for you or a member of your family. A caseworker can't approve a special need unless it fits in one of these categories!

Another reality is that **detailed documentation is required for almost ALL assistance for Special Needs.**



If you are unsure about what may be reimbursed you may want to ask your caseworker what information they require to save you time and frustration. If you are not sure what documentation is needed, such as doctors letters, ask your caseworker. Pre-approval from your caseworker

before purchasing an item or service may help ensure that reimbursement is not unnecessarily delayed. **Your money is precious.**

What won't work:

- You live in a “bad neighbourhood” (the safety threat has to be to you, specifically)
- You might have to call 911 one day (the health issue has to affect you specifically)

Getting funding for transportation

What might work:

Medical: - you have lots of doctor’s appointments
 - you are in a support group that meets regularly (mental health, addictions, etc)
 - you have difficulty walking to the store etc. because of a disability or medical condition

Work/
Education:

- You do not live within walking distance from your work, school, employment training program, etc.

SECOND STEP

Documentation is required by DCS for all special needs applications or requests such as:

- The reason for the request (medical, safety, etc.)
- Price/quotes for the item or service you need
- **Most importantly:** documentation from a professional about why you need this item/service

Documentation can come from different people. Think about the professionals in your life who might be the right person to

write you a letter. Get creative! Can your social worker write a letter about your child related needs? Can a mental health worker write a letter about your medical need? Some special needs requests require a prescription from a doctor, but think about other people who could help you out with a letter explaining why you need a particular item or service.

Below is a list of some Special Needs monies available from DCS, alphabetically listed. These items appear in Chapter 6 of the Policy Manual.

This list does not include everything!! If you have a health, safety, child related or employment/training/education need, your caseworker can approve it if you get supporting documentation!

What You Need	When Will DCS Pay For What You Need?
Ambulance	In an emergency situation.
Dental	For the relief of pain, control of prolonged bleeding, treatment of swollen tissue, dentures (including repair), or dental problems that are a barrier to employment.
Food, Shelter and/or Transportation for Medical Attention	Funding may be provided for food, shelter and/or transportation for medical attention outside of you local community when: <ul style="list-style-type: none"> • there is a critical health problem for which no other options are available • scheduled medical attention is documented by a physician; and • scheduled medical attention is not available in the local community
Foot Care	When prescribed by a physician and not covered by other programs.

Guide Dog Allowance	You or someone in your family may be eligible for an allowance of \$60 per month for food and the routine care of a guide dog under certain circumstances.
Hearing Aids	When prescribed by an audiologist.
Maternal Nutritional Allowance	Pregnant women and women with children under age 1 are entitled to a monthly maternal allowance. The allowance begins on the date you inform your caseworker of your pregnancy or birth, and continues until your child reaches age 1.
Medical Equipment for example: wheelchairs, crutches, prosthetics, CPAP machines	Funding may be provided to buy/rent medical equipment, such as prosthetics, CPAP machines, wheelchairs, crutches that are not covered through Pharmacare benefits if certain conditions are met. Ask your worker to explain this to you.
Medical Supplies	
Optical Care	Eye examination – up to \$40 for ages 10-65 every 2 years.
Eye Glasses	<ul style="list-style-type: none"> • (Single Vision) – up to \$90 every 2 years [regular glass or CR39 plastic lenses with frames] • (Bifocals) – up to \$110 every 2 years [Kryptoc (round segment) or flat-top glass or CR39 plastic with frame] • (Special lenses) – maybe covered every 2 years when prescribed by optometrist or physician that are non-cosmetic. • High index lenses with a prescription higher than -5.0 diopter <p>Eye examinations & glasses may be covered more often than every 2 years if there is a medically substantiated reason</p>

	documented by an optometrist or physician.
Orthotics	<p>Custom orthotic supports – up to \$300 every 2 years Orthotic modifications to regular shoes – up to \$100 every 2 years.</p> <p>NOTE: Caseworker may require you consult a second physician</p>
Over the Counter Non-Prescription Medications (like vitamins, pain killers, antacids etc)	<p>Funding may be provided when the needs are documented by a physician or a dietician substantiates the need in writing.</p> <p>NOTE: The Policy Manual says this does not include herbal medications, soap or cleaning products. But if you have a medical need for these items and can support it with documentation, you should ask that this be covered.</p>
Phone	See page 17 of the guide.
Special Clothing	<p>Funding may be provided for special clothing such as, but not limited to, mastectomy clothing, shoes for orthotics when:</p> <ul style="list-style-type: none"> • the special clothing is necessary because of disability or employment; • it is an emergency situation; & • clothes are not available through MSI.
Special Diet	Up to \$150 per month is available to people for special dietary needs. Please see Appendix 1 at the back of the Guide for a complete list of Special Diet allowances.

Pharmacare:

The Law

ESIA Regulations 62-65
and Policy Manual Chapter 9

What is Pharmacare?

Pharmacare benefits provide prescription drug coverage to eligible ESIA recipients who do not have access to a private medical plan. Non-prescription drugs and medical needs are not covered under this program.

Only medications and medical supplies approved by the Department of Health and listed on the Nova Scotia Formulary will be covered. If you are not sure if your prescription drug is covered you should ask your doctor to check before you fill the prescription. If it is not covered, there may be a similar medication that is covered and will work for you. The Formulary is available on the Department of Health's website:

<http://www.gov.ns.ca/health/Pharmacare/formulary.asp>

- OR -

<http://tinyurl.com/cbuga7>

Some medications are only approved by exception, and will require your doctor to request an exception on your behalf. It is important to remember the ESIA program cannot provide financial assistance with the cost of prescription medications that are not on the Nova Scotia Formulary.

If you have Pharmacare coverage, you will be responsible to pay \$5.00 per prescription (called the "co-pay"), unless you meet the criteria to be exempt from the co-pay. If you are disabled or have many prescriptions each month, you may be eligible for co-pay exemption.

Who is Eligible?

Pharmacare benefits can be provided to people receiving Income Assistance, and their spouses and dependants; and clients of the Services for Persons with Disabilities program. Your Nova Scotia Health Card acts as your Pharmacare card and you will need to show it to the pharmacist in order to get your prescriptions covered. Not all pharmacies have access to the provincial plan so it is worth checking ahead.

If you are not currently receiving income assistance you may still be eligible for special needs assistance with your prescription costs. If your **chargeable income** is less than your **allowable expenses**, including drug costs, you may be eligible for assistance.



You will be advised that you need to register for the Nova Scotia Family Pharmacare program and the ESIA program may be able to assist with your "out of pocket" expenses for the deductible and co-pay amounts you are required to pay.

Am I still eligible for Pharmacare Coverage when I am no longer receiving financial assistance from the ESIA program? See Next Page >>

Extended Pharmacare:

When your Pharmacare benefits have been discontinued because you don't have a "budget deficit" (when your income is greater than your eligible expenses), you may still be eligible for Extended Pharmacare. Your caseworker will review your case and include your average monthly drug costs during the last six months in the budget. If you have a budget deficit when the medications are included in the budget you may be eligible for Extended Pharmacare.

Transitional Pharmacare:

If you are no longer eligible for income assistance because you are now working, you may still be eligible for Pharmacare benefits. Transitional Pharmacare provides prescription drug coverage for 12 months after your income assistance is terminated, if you have no benefits at your place of work or through any other source. So if you get a job that pays too much for you to receive income assistance but your new job does not have a drug plan, you will continue to be eligible for Pharmacare for 12 months after you stop receiving income assistance.

For more information on special needs and coverage of non-prescription drugs, please see the Special Needs section on page 15 of this Guide.

Things to Remember

If you have any other drug plan, or if a family member has you included in their drug plan, you will have to use that one before you qualify for Pharmacare. If that plan does not cover the

total cost of the drug, you can submit receipts to DCS and they may pay the remaining amount, if it is over \$5 per prescription.



If you are receiving income assistance and Pharmacare is your only drug coverage, you will need to present your Nova Scotia Health Card at a pharmacy in order to have the prescription covered. You will have to pay \$5 for each

prescription unless DCS exempts you. You may not have to pay this fee if you have a disability, have more than 3 prescriptions per person in your household a month, or if your prescription is for a very small dosage (daily or weekly) and it has to be taken frequently.

Remember to keep your Health Card current and complete your renewal forms on a timely basis to prevent a disruption in coverage.

Things to Try

You can ask your caseworker to “waive” your \$5.00 co-pay from the beginning which means that your total costs will be covered. You will need to show that your expenses put you in a deficit situation each month and that your co-pay for prescription drug costs for you and your family would impose undue hardship.

Employment:

The Law

ESIA Regulations 17-23
and Policy Manual Chapter 7



When you begin to receive income assistance, you will be required to participate in a DCS employment assessment to determine whether you are employable (i.e. able to do paid work). The assessment will involve you providing information about your work history, childcare needs, medical information, previous education, volunteer experience, availability of transportation and other factors that contribute to your employability.

You may be required to participate in a medical examination. If you are living with disabilities, DCS will require documentation to verify your disability.

Employment Plan:

If the DCS assessment finds that you are not employable and you do not have a disability, you will have to participate in an Employment Plan geared toward making you more employable. An Employment Plan might include educational upgrading such as participation in a DCS-approved educational program, finishing high school or getting your GED, participation in Employment Support Services provided by DCS (classes, workshops, etc.).

Employment Income:

When you apply for income assistance, 100% of your earned income will be counted against your eligibility for assistance. If you become employed while receiving income assistance, you are entitled to keep the first \$150 per month you earn. Unfortunately, if you are earning more than \$150 per month, you will have 70% of your earned wages deducted from your income assistance cheque.

Gratuities (Tips) and Commissions:

When you apply for assistance, 100% of the gratuities (tips) and other commissions you earn will be counted against your eligibility for income assistance.

While working and receiving income assistance, 70% of gratuities (tips) and other commissions will be deducted from your income assistance cheque.

Profit from a Business:

If you operate your own business, DCS will count your net profit as your income.

If your business is not very profitable, and your profits are less than a 40 hour minimum wage job, you may still be eligible for income assistance. The Supreme Court of Nova Scotia struck down Regulation 50(1) in a court case reported as *Sparks v. Minister of Community Services*.

If your business is part of your Employment Plan, the net profit from a business is not deemed to be at least equal to the minimum wage hourly rate for 40 hours of work per week for an initial period of operation of up to 18 months, as decided by a caseworker. Here, you may be able to invest profit from your business back into the business to make the business more successful in the future.

Employment Expenses:

If you become employed either on a part-time or full-time basis you can apply to DCS for employment-related expenses such as transportation, childcare, clothing and other costs that are directly related to your employment (see chapter on Special Needs).

Refusing to Accept Employment:

You may be cut off or considered ineligible for assistance if you “unreasonably” refuse to accept “suitable” employment, participate in an Employment Plan or an approved educational program.

Quitting a Job:

At the time of applying for income assistance, if you have quit or been fired from a job within the last 4 months, DCS can refuse to provide you income assistance for 6 weeks after your application, if;

- DCS finds you quit either “without just cause” or just so that you could qualify for income assistance, or;
- You were fired “with just cause.”

These same rules apply, and can result in your income assistance being cut off for a period of 6 weeks, if you have been receiving income assistance while working and quit or are fired.

The Reality

If you receive income assistance and do not have a disability that stops you from working, you must participate in an Employment Plan. One of the most common reasons that DCS cuts people off their income assistance is for what it calls “failure to participate” or “non-participation” in an Employment

Plan. This could mean anything from missing Employment Support Services appointments to out and out refusal to participate.

If you quit or are fired from your job, you WILL be cut off and will have to provide information about why you shouldn't be. If you quit for a good reason, you need to tell your worker. You might have quit because you didn't have proper supports from DCS, like childcare or transportation. If this is the case, tell them!

Things to Try

If you are cut off your assistance for "failure to participate" or "non-participation" in your Employment Plan, you need to show that your "non-participation" was not **unreasonable**, or that you had **barriers to participating**. For example, maybe you or your kid was sick, you had a medical appointment, you had to look for a new apartment or were otherwise attending to some essential task and could not go to class, make the appointment or show up for work, etc. A barrier could also be the fact that you didn't have supports from DCS, like a transportation allowance to get to meetings, or a phone allowance to confirm meetings. If you can provide clear reasons for why you could not participate to your caseworker and their supervisor, you may be able to get back on assistance without having to go through the appeal process.

If self-advocacy with DCS does not work, you can appeal. And as soon as you file your notice of appeal, you should request **emergency assistance** until the appeal is heard.

IMPORTANT:

Participation in an Employment Plan is tied to receiving income assistance benefits. If you do not take part in a plan your worker can cut off your Income Assistance benefits.

Post-Secondary Education:

The Law

ESIA Regulation 67
and Policy Manual 7.3.1 – 7.3.2

Students and Income Assistance:

As a general rule, if you or your spouse are attending a post-secondary (after high school) educational program, you will not be eligible for income assistance. If you are in a program where you are eligible to receive a student loan, DCS will expect you to apply for a student loan and to live off the money you receive from your student loan.

However, there are some exceptions to this rule. You may be eligible to receive income assistance while attending a post-secondary educational program, if:

- Your Employment Plan with DCS recommends that you attend a post-secondary program of two years or less (i.e. community college programs).
- You are approved under the **Career Seek** Pilot Project (see below)
- You are supported by the Labour Market Agreement for Persons with Disabilities program
- You or your spouse have pursued other sources of income, such as student loans, but they are not available or are insufficient; and you have received income assistance for at least six months immediately prior to attending the post-secondary educational program and are available for work when not involved in the post-secondary educational program

- You were receiving Family Benefits on April 30, 2000, and started a postsecondary educational program before September 30, 2001

Career Seek:

Career Seek is a Pilot Project (at the time of printing this guide) of DCS following public criticism that DCS was discriminating against people in financial need, who chose to pursue a university education, by not providing income assistance to individuals enrolled in post-secondary educational programs of more than two years.

Participants in the Career Seek Pilot Project are eligible to receive assistance while attending university. However, DCS will not provide assistance for costs relating to tuition, books, student fees, child care, and transportation. To be eligible for Career Seek, applicants must:

- Be recipients of income assistance at time of application and have been on income assistance for at least 6 months but not more than a total of 12 months in the past 5 years
- Complete a DCS Employability Assessment
- Develop an education plan with DCS that outlines the type of program to be taken; number of courses to be carried; how long it will take to complete the program; and what the participant's plans are for work after graduation
- Provide transcripts to the caseworker at the end of the first semester and at the end of the year and meet with the caseworker before beginning the next semester of study
- Be available to participate in work experience programs or other forms of employment that would support the program of study and career goal during the non-study periods

- Consult with and receive written agreement from the caseworker prior to changing the agreed upon program of study
- Complete the program of study within a maximum period of time as agreed upon in the education plan

The Reality

DCS will often provide income assistance to people who want to pursue a community college program to increase their employability.

Unfortunately, DCS is especially reluctant to provide income assistance to people who wish to pursue a university degree.

Things to Try

Apply for the Career Seek program. Many caseworkers do not tell their clients about the program. If you think you meet the criteria to receive assistance and attend a post-secondary educational program but you are denied, appeal the decision.



Assets:

The Law

ESIA Regulations 54-61
and Policy Manual 5.7.10 – 5.7.16

Assets are things of value that you own. Assets are also cash you have in the bank. DCS will expect you to use your assets before they will consider providing you with assistance.

Assets and Income Assistance Eligibility:

You are not eligible for income assistance if you are a single person (family size of one person) with more than \$500 worth of assets. If you have a family size of more than one person, you are not eligible if you have more than \$1000 worth of assets.

Also, DCS can deny income assistance to anyone who has spent or disposed of assets within 1 year before the date of their application if a supervisor decides that the assets were spent in an “unreasonable manner”.

However, the Regulations provide that if your assets were spent or disposed of in order to meet your basic needs, for personal or family shelter expenses or necessary housing repairs, replacement of necessary household items, or for the purchase of a home you are still eligible for assistance. You may also be eligible if your assets were spent on other purchases or payment of debts if they were approved by a DCS Supervisor in advance.

The Reality

If you are denied assistance because DCS determined that you “unreasonably” spent your assets, you will need to prove that, in fact, the assets were spent reasonably or were spent on basic needs. Paying for your medicines is an example of “reasonably” spent assets. So would buying new furniture for your kids’ bedrooms. Taking a Caribbean cruise, on the other hand, would most likely be viewed as “unreasonable” by DCS (not to say we don’t all deserve a vacation!).

Proving “reasonableness” in this case will require documentation such as receipts, or bill payment records that can serve as proof of purchase.

Things to Try

Apply for approval in advance from a supervisor, if you expect to receive a lump sum of money in the future. If it happened in the past, write an explanation for DCS of how you spent your assets and why this expenditure was reasonable and necessary.

Keep copies of bills, receipts and other documents to show how the money was spent or your assets disposed of. Provide DCS with copies of receipts and other supporting documentation. If they still deny you, appeal.

Overpayments:

The Law

ESIA Act s. 3(f), ss. 14-17, Regulation 68
and Policy Manual 8.1.1 – 8.1.6



What is an overpayment?

An overpayment is any income assistance payment made by DCS that:

- was paid in error (even if it was DCS that made the mistake).
- was paid to cover emergency expenses like an overdue electricity bill in excess of the monthly shelter allowance.
- was paid based on false or misleading information supplied by the recipient or applicant.
- was paid to a person with the agreement that it would be repaid upon the deferred sale of an asset or from deferred income or otherwise.

What happens if I am charged with an overpayment?

If you receive an overpayment, DCS will consider this as a debt you owe them and you will be expected to voluntarily pay it back to DCS. If you are currently receiving income assistance, you will be required to pay it back through monthly deductions from your income assistance cheque, with or without your consent. If you are no longer receiving income assistance and you decide not to repay the debt, the government can take legal action to recover overpayments.

In order to recover an overpayment, DCS can:

- take your Income Tax Refund or your Goods and Services Tax (GST) rebate from the Federal Government before it reaches you.
- deduct the amount owing from your monthly income assistance cheque.

DCS can also take legal action against you including a claim against your estate if you are deceased.

If you have received income assistance that was paid to you by mistake or was a higher amount than what DCS decided you should receive, you may be told by your caseworker that you have received an “overpayment”. An overpayment is any amount of money that you have received from DCS that your caseworker says you weren’t entitled to. This can include a variety of payment and services, including the income of a spouse, Employment Insurance Benefits, or special needs or services paid that were higher than the amount allowed. DCS may also find that you have received an overpayment if your caseworker says that you provided “false or misleading information” about your income, expenses, or special needs.

IMPORTANT:

It is important to understand that the overpayment you received may not be the result of your mistake. However, you will have to pay it back unless you can get it waived (see below on how to do this).

If the overpayment was due to an error by DCS and you knew about the error and tried to tell them about it, you still have to pay it back, but **it will be limited to the last 6 months** that you received this higher amount of money. But this also means that if you didn’t know about the mistake and didn’t know you were receiving extra money, you will still be required to pay all the extra money back to DCS.

Recovery of Overpayments:

When DCS tells you that you received an overpayment, they will want to start recovering the money immediately. If you are no longer receiving income assistance, DCS will ask you to pay the money back and if you don't pay it back, they may send the debt to a collection agency.

If you are still receiving income assistance, DCS will set up an automatic deduction from your income assistance cheque each month until the amount is paid in full. For example, if you receive \$504 a month and you were told that you have to pay back an overpayment in the amount of \$45 each month, then your monthly cheque will be \$459.

Forgiving or Reducing Overpayments:

The amount deducted each month from your cheque to pay back an overpayment is between \$15 and no more than \$45. The caseworker may agree to reduce the monthly deduction if you can show "extraordinary circumstances" that prevent you from paying the higher amount. But the minimum monthly amount is \$15. Of course, the total amount is just being paid back more slowly – reducing the monthly payment doesn't mean you will have to pay back any less money. So, you may also want to apply for a waiver of the overpayment.

The only person with the authority to waive an overpayment is the Minister of Community Services. To have the overpayment waived you need to write a letter showing why the overpayment causes undue hardship, and outlining any special or extenuating circumstances.

Spouses and Overpayments:

If you and your spouse received income assistance together and are now charged with an overpayment, DCS may try to recover the amount from both of you, even if you're separated. You may be able to object to being asked to pay, if you were

not the persons receiving the income assistance cheque. For example, your spouse might have received some money that he or she didn't tell DCS about, but you also didn't know about it. DCS may agree to collect the money from your spouse and not from you. However, for most overpayments, DCS will try to recover the money from both of you equally after you're separated.

Things to Try

- If you disagree with the assessment of the overpayment, you can appeal. You should ask to receive both the reasons for the overpayment as well as the overpayment worksheets so that you can better understand why the decision was made and prepare your case.
- If you find that your monthly payment is not financially feasible, sometimes you can arrange with your case worker to make a lower monthly payment.
- If you have been paid an overpayment and feel you cannot repay it, you can apply to the Minister of DCS to waive part, or all, of the sum. The Minister **may** waive the amount if you can show that repaying the overpayment would:
 1. Not be possible because of death, bankruptcy, permanent absence from the Province of the person or other cause;
 2. Cause you undue hardship; or
 3. Be contrary to the purpose of the Act.

Youth and Income Assistance:

The Law

ESIA Regulation 66
and Policy Manual 5.10.1

If you are 16 to 18 years old special conditions are attached to any application you make for income assistance.

Conditions for Applying:

- You must be unable to live with your parents: this can be due to an unsafe environment, a decision by a parent to no longer support you or due to an irresolvable conflict with your parents
- You must attend high school or an equivalent program
- You must be willing to live in a supervised environment, if this is determined to be in your best interests by DCS
- As well, you will be required to comply with various DCS requirements depending on your needs. These can include:
 - Receiving medical attention
 - Receiving counselling
 - Participating in employment planning

Returning to live with your parents or refusing to do any of the above will lead to assistance being denied or cut-off.

You may be able to live on your own if you can convince the worker you have the right life skills. A letter from a teacher or counsellor can help with this.

Cohabitation:

The Law

ESIA Regulations 6, 15(3), 68(1)
and Policy Manual 5.2.8.

What is cohabitation?

Cohabitation is defined as a couple living together in a “marriage-like relationship” or where a couple presents themselves in the community as spouses. Where DCS finds that a couple is cohabiting, they will treat the spouses as financially dependent on one another, regardless of what the actual financial arrangements are.

How does cohabitation affect my income assistance?

Both married and unmarried couples are eligible to receive income assistance. However, eligibility will be determined based on whether a couple’s **combined household income** meets DCS financial eligibility requirements.

Even if you are not married and living as a couple but not dependent financially on one another, DCS will reject your application for assistance unless you give them information about both of your incomes (total household income). If the person you are living with is not prepared to disclose information and/or not prepared to support you financially, this can create a big problem because DCS will treat you as though you are withholding information, and/or assume that you are being supported financially.

DCS has the power to terminate or stop your assistance if they believe you are cohabiting and not disclosing that fact.

The Reality

IMPORTANT:

If you have shared financial resources of any kind with another person, you will need to prove that you are NOT living together in a spousal relationship.

DCS will use evidence (proof) like shared credit cards, shared bank accounts or loans, a phone bill in someone else's name or any other proof that your money is "mixed up" with someone else's money to show cohabitation. They will then cut you off assistance by saying that you didn't disclose this relationship.



Even if there is no proof of shared financial resources, DCS can also use other proof like school records that have

you and your ex-partner listed at the same residence, if you receive mail for someone else at your house, if someone else's vehicle is registered at your address, or anything else they think shows that you "represent yourselves to the community to be each other's spouse."

How does DCS get this evidence?

When you applied for Income Assistance you signed many consent forms that give DCS the power to get things like your

bank records, or check your information with the Department of Motor Vehicles. They can even check to see if you *applied* for a credit card or loan with someone else. They can ask old landlords or neighbours if they think you're in a spousal relationship, and use what people "think" about your relationship as evidence too.

Things to Try

Don't give DCS any proof that will lead to a false accusation of cohabitation! Think about any "official" information out there that might show you are connected to another person financially, including shared bills. Then take steps to fix it: ask your friend to register their car at their own address; be sure to cancel any joint credit cards you have, or switch them to your name only. You may have just been helping out a friend to let him or her send their mail to your house, but this could have very serious consequences for you.

This is especially important if you used to share finances with a partner in the past! And it becomes even more important if you continue to see that person, say for example at child access visits. Lots of us forget to switch things into our own names, or we keep things like the power bill in our name so we can avoid the security deposit.

REMEMBER:

If you have kept something in someone else's name because you can't afford a security deposit, call your worker and tell them this. DCS should pay for a security deposit for you.

If you are cut off because DCS says you are cohabiting, you should appeal this decision right away. You should also tell DCS to put you back on assistance until your appeal is heard.

Then start to gather your proof that you are not cohabitating, i.e.: do you have documents that show or people who can confirm that you are not cohabiting? Some examples:

- leases for different apartments in each persons name
- bills for each person in at different addresses
- mail that goes to different addresses
- friends or family members who can say you don't live together
- teachers, bankers, doctors or other professionals who know you're not a couple
- proof that the other person was not in the province for a period of time



Appeals – The Legal Process:

The Law

ESIA Act s. 7 ss 12-13, Assistance Appeal Regulations and Policy Manual 12.1.1-12.1.9

If you have applied for or are receiving income assistance you may appeal *any* decision made by DCS on your file, within **30 days** of the decision. If you want to appeal, below is a brief outline of the steps you must take:

- You can first appeal the caseworker's decision through what is called an administrative review; this is where someone new to your file, such as a DCS supervisor, reviews the assessment to see if your caseworker came to the right decision.
- If you are not satisfied with the decision of the administrative review and wish to continue with your appeal, you must let DCS know **in writing**. Your appeal will then go to the Assistance Appeal Board who will hold a hearing and listen to both sides of the story.

STEP 1: Appealing the Decision

To get the appeal process started you must file a written notice of appeal with DCS. The notice must include:

- a. The decision being appealed
- b. Why you are appealing (in no longer than a sentence or two)
- c. Your name and signature
- d. The notice must be dated

Sample Appeal Letter

Date
Your name and Address
Your file number

Dear Name of Worker:
I am appealing your decision on (date) when you told me I could not get assistance because I do not have legal custody of my daughter.

Sign your name and print it.

Submit the notice of appeal to your local Department of Community Services office.

Helpful Hint: You can call the coordinator of appeals if you are not sure where to send your letter of appeal.

Phone: (902) 424-3768 / Fax: (902) 424-0502

STEP 2: Administrative Review

Once your Notice of Appeal has been received, DCS will conduct an Administrative Review. This gives DCS the opportunity to uphold, overturn or vary (change) the original decision.

You will receive the Administrative Review decision by mail. You can appeal this decision! If the decision is upheld and you still want to appeal, you must let DCS know in writing that you wish to continue the appeal within **10** business days. If you do not respond within 10 business days, the decision of the Administrative Review will be final.

Helpful Hint: You have a right to see your file before you go to a hearing. You need to ask to do this in writing. You can get copies of documents you need to make your case.

STEP 3: Appeal to the Assistance Appeal Board

If you decide to continue your appeal after receiving the Administrative Review decision, an Assistance Appeal Board hearing will be set up by DCS. At the hearing you will have the opportunity to tell your side of the story. DCS is usually represented by your caseworker and their supervisor. You have the right to be represented by an advocate throughout the appeals process (see below for more information). The Appeal Board Chairperson will hear both sides and make a decision based on the law.

Before the Hearing:

Review your DCS file and ask for copies of any documents you think will help your case. Make sure you have all the facts and are ready to present the evidence by having witnesses come and testify on your behalf, and to present any documents you think are helpful. Review DCS' decision and reasons for their decision to deny your application. Compare those reasons to the ESIA Act and Regulations and prepare your own reasons why you think DCS made the wrong decision. Present those reasons to the Appeal Board in person and/or in writing.

At the Hearing:

You need to attend the hearing, and to bring any witnesses, documents or other evidence that you need to the hearing as well. DCS will be represented by the caseworker, but there may be other DCS people there as well like the supervisor or a lawyer. The Assistance Appeal Board consists of one person appointed by the Minister of Community Services. They will usually ask the DCS representatives to present their case first. Listen carefully and don't be afraid to take notes, to remind yourself of things you want to ask, or things you want to say later in the hearing. After DCS has presented its case it will be your turn. Have each of your witnesses give their evidence.

You can ask them questions but let them tell their story. Don't forget to take your turn, to give your evidence. You will also be given a chance to "sum up" or to tell the Board why you think DCS was wrong to deny your application.

An Assistance Appeal Board hearing is like a meeting, and also a bit like going to court. It will be in a board room and everyone will sit around a big table. It is a good idea to go to the hearing and to bring someone with you for support.

Helpful Hint: You can also bring an advocate with you to help you give your side of the story. An advocate does not have to be a lawyer, but can be someone who knows how to speak at hearings like this. It can be a family member or a friend.

It is important to bring documents or any other evidence (including other people, or witnesses) that will support your appeal to the hearing. It is best to organize what you want to say at the hearing beforehand. As well, bring the section of the Act, regulations and policy manual that supports your appeal.

Helpful Hint: Both sides can bring witnesses, but they should only be in the room when they are saying what they need to say. Do not be afraid to ask that DCS witnesses leave the room except when they are giving their evidence. A witness is different than a support person. You can have a support person with you during the whole hearing.

STEP 4: After the Hearing

The Appeal Board must give a decision within 10 business days of the Hearing. The decision will be mailed to you in writing. It will state the facts of the case and the reasons for the decision, based on the law. If you win, DCS must grant you the assistance the Board says you are entitled to, and grant it to you back to the date you first appealed the decision.

If you think the decision does not reflect the ESIA Act and regulations, it can be reviewed by the Supreme Court of Nova Scotia. You should talk to a lawyer at this point.



RESOURCES:

Income Assistance Legislation and Policy:

ESIA Act, S.N.S. 2000, c. 27

<http://tinyurl.com/d7bc73>

ESIA Regulations, N.S. Reg. 25/2001

<http://tinyurl.com/dlaucv>

ESIA Policy Manual

<http://tinyurl.com/cvlagr>

Guides to Employment Support and Income Assistance:

Guide to ESIA (Handbook)

Written by Department of Community Services

<http://tinyurl.com/cja6as>

Social Assistance and You: Mini Guide to Applying for Social Assistance in Nova Scotia

Written by individuals and groups affected by social assistance reform

<http://www.povnet.org/node/1867>

Groups and Organizations:

Dalhousie Legal Aid Service

Legal representation and information for people with low income

Tel: (902) 423-8105

2209 Gottingen St, Halifax

legalaid@dal.ca

Nova Scotia Legal Aid Commission

Legal representation for recipients of income assistance

Tel: (902) 420-3450 or Toll-Free 1-877-420-6578

Check Blue Pages for your local office

nsia.exec@ns.sympatico.ca

Halifax Coalition Against Poverty

Advocacy for people with low income. Focus on political tactics and low-income tenants advocating for each other.
2420 Agricola St., Halifax
Tel: 444-5060

Community Advocates Network

A network of social assistance recipients and their advocates working toward social assistance reform.
2165 Gottingen St., Halifax
Tel: 422-0859

Legal Information Society of Nova Scotia

Legal information line
Tel: (902) 455-3135

Recorded information on your rights
Tel: (902) 420-1888

Dial-A-Law:

1-800-665-9779 (Toll Free in NS)
questions@legalinfo.org

Nova Scotia Human Rights Commission- Halifax

Tel: (902) 424-4111 or 1-877-269-7699 (Toll Free in NS)
TTY: (902) 424-3139
hrcinquiries@gov.ns.ca

Department of Community Services (DCS) Offices:

Central Region:

Cole Harbour District Office

PO Box 1
51 Forrest Hills Parkway
Dartmouth, NS B2W 6C6
902 435-7472

Dartmouth District Office

Suite 400, 277 Pleasant Street
Dartmouth, NS B2Y 3Z6
902 424-3298

Halifax District Office

PO Box 2561
3rd Floor, 2131 Gottingen Street
Halifax, NS B3J 3N5
902 424-4150

Lakeside Sub-Office

PO Box 190
1492 St. Margaret's Bay Road
Lakeside, NS B3T 1M6
902 876-0580

Portland District Office

Royal Bank Building
4th Floor, 44 Portland Street
Dartmouth, NS B2Y 4B7
902 424-1600

Sackville District Office
40 Freer Lane
Sackville, N.S.
B4C 0A2
902 869-3600

Sheet Harbour Sub-Office
PO Box 52
Bluewater Building
Suite 210, 22756 Highway 7
Sheet Harbour, NS B0J 3B0
902 885-2974

Western Region:

Annapolis District Office
PO Box 70
752 Saint George Street
Annapolis Royal, NS B0S 1A0
902 532-2337

Digby District Office
PO Box 399
84 Warwick Street
Digby, NS B0V 1A0
902 245-5811

Hants District Office
PO Box 2350
80 Water Street
Windsor, NS B0N 2T0
902 798-8319

Kings District Office
76 River Street
Kentville, NS B4N 1G9
902 678-6176

Lunenburg District Office

Suite 105, 99 High Street
Bridgewater, NS B4V 1V8
902 543-5527 ext. 2221

Middleton District Office
PO Box 1000
101 Magee Drive
Middleton, NS B0P 1P0
902 825-5021

Queens District Office
PO Box 1360
123 Henry Hensley Drive
Liverpool, NS B0T 1K0
902 354-2771

Shelburne District Office
PO Box 9
2447 Highway 3
Barrington, NS B0W 1E0
902 637-2335

Yarmouth District Office
10 Starrs Road
Yarmouth, NS B5A 2T1
902 742-0741

Northern Region:

Baddeck Sub-Office
521 Chebucto Street
Baddeck, NS B0E 1B0
902 295-3815

Cheticamp Sub-Office
Trois Pignons
15584 Cabot Trail
Cheticamp, NS B0E 1H0
902 224-4106

Glace Bay District Office
Senator's Place

633 Main Street
Glace Bay, NS B1A 6J3
902 842-4000

Ingonish Sub-Office
PO Box 84
36243 Cabot Trail Highway
Ingonish, NS B0C 1K0
902 285-2652

North Sydney District Office
184 Commercial Street
North Sydney, NS B2A 3Y7
902 794-5110

Port Hawkesbury District Office
Unit 3, 218 MacSween Street
Port Hawkesbury, NS B9A 2J9
902 625-0660

Port Hood Sub-Office
PO Box 68
86 High Road
Port Hood, NS B0E 2W0
902 787-4000

St. Peters Sub-Office
PO Box 365
9999 Grenville Street
St. Peters, NS B0E 3B0
902 535-3000

Sydney District Office
Provincial Building
Suite 25, 360 Prince Street
Sydney, NS B1P 5L1
902 563-3300

Antigonish District Office
325 Main Street
Antigonish, NS B2G 2C3
902 863-3213

Colchester District Office
PO Box 950
60 Lorne Street
Truro, NS B2N 5C6
902 893-5950

Cumberland District Office
PO Box 399
26-28 Prince Arthur Street
Amherst, NS B4H 3Z5
902 667-3336

Guysborough District Office
PO Box 90
Chedabucto Centre
Unit H, 9996 Highway 16
Guysborough, NS B0H 1N0
902 533-4007

New Glasgow District Office
PO Box 488
678 East River Road
New Glasgow, NS B2H 5E5
902 755-7363



Eastern Region:

Appendix 1: Money Available for Special Diets

Low Fat: \$27/month

Low sodium (salt): \$27/month

High Fiber Diet/Chronic Constipation: \$27/month

Oral Nutritional Supplements (i.e.: Ensure, Boost): up to \$150/month

High Calorie/Protein Diet: \$66/month

Infant Formulas: \$28 to \$121/month

Milk/Dairy Free Diet: up to \$150/month

Wheat Allergies: up to \$150/month

Failure to Thrive: up to \$150/month

Chronic Fatigue/Fibromyalgia: \$54/month

Diabetes: \$5 to \$68/month

Cardiovascular Disease: \$27/month

Celiac Disease (Gluten Free Diet): \$30/month

Crohn's Disease/Ulcerative Colitis: \$66/month

Cystic Fibrosis: \$133/month plus money for supplement or additional amount specified by a nutritionist.

Dialysis: \$27/month, plus up to \$150 per month for a supplement of Nepro or Supplena purchased at VGH.

HIV/AIDS: \$66 to \$101/month

Hyperlipidemia: \$27/month

Paraplegic Diet \$36.50/month

What we do: *Dalhousie Legal Aid Service is a legal aid office providing access to legal representation to individuals and groups who would otherwise not be able to afford a lawyer.*

Currently we represent low income clients in a number of ways, as we:

- deal with family law problems such as custody, access, support and child protection.
 - provide advice and advocacy to clients regarding Family Benefits or Social Income Assistance matters.
 - represent tenants in Residential Tenancies complaints.
 - represent young people in criminal matters where Nova Scotia Legal Aid cannot because of a conflict of interest.
 - provide advice to people with debt problems, like student loans and Nova Scotia Power cut-offs.
- provide legal information and advice to community organizations and groups like tenants' organizations, transition houses and anti poverty groups.
 - serve as a teaching clinic for third-year law students who want to learn about the practice of the law.

What we don't do: Personal injuries, civil claims for damages, criminal matters for adults, property or immigration.

Who we are: Our Executive Director is Donna Franey. Our Community Legal Workers are Cole Webber and Fiona Traynor. Our staff lawyers are: Shawna Hoyte, Susanne Litke, Claire McNeil, Heather McNeill and Susan Young. Our Office Manager is Reena Cipryk and our support staff includes Lynette Colley, Melinda Shaw, Susan Jones, and Cathy Leiper. And up to 44 third year students have the experience of working with us and the community each year.

Dalhousie Legal Aid Service

2209 Gottingen Street
Halifax, NS B3K 3B5
Phone: 902-423-8105
Fax: 902-422-8067
Email: legalaid@dal.ca

Visit our website at:
<http://law.dal.ca/dlas>



**Dalhousie Legal Aid Service
A Community Service of
Dalhousie University Since
1970**



Presented By:

Dalhousie Legal Aid Service



2009