

Participation Agreements and your Ontario Works assistance



If you speak French

Ask a lawyer or a community legal clinic about your language rights. You may have the right to get your OW-related government services in French.

If you are appealing a decision about your right to social assistance from OW, this could mean that you have the right to a hearing before a French-speaking member of the Social Benefits Tribunal, as well as other French-language services. See pages 15 to 18 for [information about appealing a decision](#).



What is a Participation Agreement?

To get financial assistance from Ontario Works (OW), you must agree to participate in “employment assistance activities” which are supposed to help you prepare for and find a job as soon as possible. These activities are set out in a document called a Participation Agreement which is part of your application for OW assistance. You and your OW worker are supposed to come up with the Agreement together.

- ! You cannot get financial assistance from OW unless you sign an Agreement. It is important to understand what you are agreeing to do **before you sign**, because you are expected to do what you agree to.

While you are on financial assistance, an OW worker will review your Participation Agreement with you every 3 months. If you have not been doing the activities in the Agreement, your financial assistance

could be cut off or reduced for 3 months. And if your assistance was ever cut off or reduced before because you did not do what you agreed to do in your Agreement, then your assistance could be cut off or reduced for 6 months. See pages 15 to 18 to find out [what you can do if this happens](#).

You have the right to bring someone with you when you go to the OW office. For example, you could choose to bring a relative, a friend, or someone from a community group or legal clinic.



Does everyone on OW have to sign an Agreement?

When you apply for financial assistance, you have to sign a Participation Agreement before OW will consider your application to be complete.

Your spouse who lives with you must also sign one. A spouse can be someone of the same or opposite sex, whether or not you are legally married to one another. In some cases, your spouse might not

have to sign the agreement. This might be the case if, for example, your spouse is in another country waiting for a visa to come to Canada, or your spouse is in another province because of work or for personal reasons. If OW refuses assistance because your spouse is not completing the application with you, get legal advice.

Other adult family members who live with you might also have to sign Agreements.

If you are applying only for temporary care assistance for a child, you do not have to complete an Agreement.

If you are 16 or 17 years old and a single parent on OW, then special rules apply to you. We have another pamphlet called “**Under 18 and on your own: Getting social assistance**” that explains these rules. Turn to the back cover to find out how to order it. It is also available on our web site at <www.cleo.on.ca>.



Some people who get assistance from the Ontario Disability Support Program (ODSP) must sign a Participation Agreement

and follow the same rules as people on OW.

This applies to you if you are **not** a person with a disability and you are getting income support from ODSP as:

- the spouse of someone with a disability, or
- the child of someone with a disability and you are at least 18 years old.

But if you are the caregiver for your disabled spouse or parent, you might not have to do the activities in the Agreement. See pages 10 to 11 for information about [when people can be excused from doing the activities in the Agreement](#).



What activities might be listed in a Participation Agreement?

A Participation Agreement usually requires you to actively look for a job, or to take steps that could help you find work. So, for example, you might have to agree to spend a certain number of hours each week:

- contacting employers to ask about job openings,
- going to job interviews,
- attending workshops about how to get a job,
- taking part in a job club with other people who are looking for work, or
- going to see employment counsellors.

The activities in your Agreement should be suitable for you. They should be based on what you need to do to find work. You can suggest activities that you think could help you get a job.

If the OW office thinks you need to improve your education or skills, you might have to agree to go to an upgrading

or training program. You could be referred to a literacy program or for classes in English as a Second Language (ESL). If you did not finish high school, you might have to agree to take courses that will lead to a high school diploma.

If the OW office approves, you could work towards becoming self-employed. If you are interested in running your own business, talk to your OW worker first.

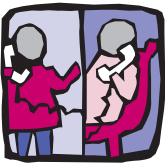
If you need help with drug or alcohol dependence, you could be referred to a treatment program for substance abuse.

You might have to do a community placement. See pages 9 to 10 for [more information about this](#).

You could be required to do more than one type of activity. For example, you might have to look for work and do a community placement.

OW can pay for expenses you have because you are doing the activities in your Agreement. For example, OW can pay for work clothes, tools or equipment that you need, and transportation and

childcare costs. Ask your OW worker or contact a community legal clinic for more information. Page 18 tells you [how to find a community legal clinic](#).



What if I am working or if I am offered a job?

While you are on OW you are expected to make reasonable efforts to find and keep work. If you have a part-time job or casual employment, you are expected to make reasonable efforts to find more work.

Your assistance could be reduced or cut off if you have not made reasonable efforts, unless OW thinks you had a good reason. A good reason for OW is called “reasonable cause”. Examples of reasonable cause could include:

- a workplace that is unsafe or dangerous to your health,
- a health problem that keeps you from doing your job,
- sexual harassment, or harassment for other reasons such as race, religion, sexual orientation, or disability,

- needing to be at home consistently to care for a dependent child, or
- having no way to get to a workplace that cannot be reached by public transit.

If you quit or refuse a job for medical reasons, you will need a letter from your doctor.

The OW worker should consider any reason you had for quitting or refusing a job, when they are deciding if you had reasonable cause.

The OW worker should meet with you and listen to what you have to say. You will have to show your Record of Employment (ROE) and any written notice that you got from your employer.

Make sure you tell the OW worker if you have started any legal action against your employer, such as:

- an Employment Standards claim with the Ministry of Labour,
- a union grievance,
- a human rights complaint, or
- a wrongful dismissal case.

What is a community placement?

Community placements are sometimes called “community participation” or “voluntary placement”. People on these placements work at non-profit, community, or public organizations. For example, they work in schools, daycare centres, food banks, libraries, and community centres.

If you already do volunteer work or have a placement in mind, you can ask the OW worker to recognize your volunteer hours as your community placement.

A community placement is usually no more than 6 months long. But it can be as long as 11 months if it is part of a skills-training plan.

There is a maximum number of hours you can be required to spend at a community placement. The maximum is equal to the number of hours you would have to work at minimum wage to earn the amount you get as OW monthly income assistance.

Placements cannot be more than:

- 8 hours a day,
- 44 hours a week, or
- 70 hours a month.



What if I cannot do the activities OW wants me to do?

If you find that you cannot do what you agreed to do, you can ask OW to change the Participation Agreement. Any change must be negotiated with OW and each change should be put down in writing.

In some circumstances, you should not have to do certain activities. OW will ask you to provide evidence, such as a doctor's letter or other documents, to show why you should not have to do a particular activity. Here are some examples of activities you should not have to do:

- You should not have to do activities that are dangerous to your health or safety. For example, if you have back problems, you should not have to do a job that requires heavy lifting.

- You should not have to do activities that go against your personal or religious beliefs.
- If you are a member of a union or professional association, you should not have to do placements that go against its conditions of membership.
- If you and your spouse have dependent children, both parents should not have to be at placements at the same time, unless your children are in school or you have childcare.

If you are 65 or older, you do not have to do the activities in a Participation Agreement.

If you think you should not have to do the activities in your Agreement because of your circumstances, you should tell the OW worker.

What if I have a disability?

You are expected to make reasonable efforts to participate.

You might not have to do the activities in the Agreement if:

- you have an illness, injury, or disability, and
- you get a letter from a doctor or other health professional that explains why you cannot participate at all.

But, in most cases, you will still be expected to participate. Your activities should be limited to accommodate your disability, and you should only have to do activities that you are capable of doing.

If you have a disability that is expected to last a year or more, you may also want to consider applying to the Ontario Disability Support Program for disability benefits.

You can find information about applying for ODSP benefits in our pamphlet called **“Disability benefits in Ontario: Who can get them, How to apply”**. To find out how

to order it, turn to the back cover. Our pamphlets are also available on our web site at <www.cleo.on.ca>.



What if I cannot start right away?

In some cases, you might not have to do the activities in the Agreement right away. For example, you can delay the activities if:

- you are a single parent and there is no publicly-funded education available for your child who lives with you, or
- you have a letter from someone, such as a doctor, saying that you cannot participate because you are the caregiver for a family member who needs your ongoing physical help every day because they are disabled, ill, or elderly.

In some other situations, the OW worker might excuse you from activities in the Agreement, but only if you can show that it is very difficult for you to take part

in any way. For example, you might be excused if:

- you are a foster parent,
- you are on workers' compensation benefits,
- you are on pregnancy or parental leave,
- you are a victim of family violence,
- you are taking family medical leave for up to 8 weeks to care for or support a family member or close friend who is gravely ill and has a serious risk of dying within 26 weeks.

If your circumstances change, you might have to start doing the activities in the Participation Agreement.



What if my financial assistance is refused, cut off, or reduced?

Ask for the reasons in writing immediately.

You can appeal to the Social Benefits Tribunal (SBT). The SBT is independent from OW and has the power to make a different decision.

But first you must **write** to the OW office and ask for an “**internal review**”. An internal review means that a different person in the local OW office reviews the original decision and decides whether or not to change it.

On the next few pages we give basic information about internal reviews, appeals, and the time limits that apply to them. For more details, see our pamphlet called “**Appeals and Internal Reviews**”. In it you will also find a **blank form letter** that you can use to request an internal review. Turn to the back cover to find out how to order the pamphlet. It is also available on our web site at <www.cleo.on.ca>.

Ask OW for an internal review

Your request must be made **in writing**. You must ask for an internal review within **10 days** from the date you receive OW's decision to refuse you assistance. If the decision is mailed to you, you may have less than 10 days.



Note about mail

The OW rules assume that if a letter is mailed to you, you receive it **3 days** after it is mailed. So, if the decision letter that says that financial assistance is refused, cut off, or reduced is mailed to you, you have **13 days from the mailing date** (3 days plus 10 days) to request an internal review.

The mailing date should be stamped on the envelope by Canada Post. It might not be the same as the date on the letter, so keep both the letter and the envelope.

It is important to try to get your request for an internal review to the correct office within the time limit. But if you send in your request after the time limit, it may still be considered. Make sure you ask for an extension of time in your written request and explain why your request is late.

The OW office is supposed to make a decision on your internal review within **10 days** from the day they receive your request.

Appeal to the Social Benefits Tribunal

If you get an internal review decision within the 10 days, and it says that you are still refused assistance, you have **30 days** from the date of this decision to file an appeal with the SBT.

If you do not get an internal review decision within the 10 days, you can go ahead and appeal the original decision to the SBT. Your appeal must be filed within **40 days** of your request for an internal review.

If you miss the time limit for appealing, file an appeal anyway. In the appeal form, ask the SBT for more time and explain why you missed the time limit.



How can I get legal help?

There are a few ways to find the nearest community legal clinic or local Legal Aid office:

- Look in CLEO’s booklet called “**Getting legal help: Community Legal Clinics in Ontario**”. See the back cover to find out how to order it. It is also available on our web site at <www.cleo.on.ca>.
- Try looking in your phone book under “Legal Aid” or “Lawyers”.
- Check Legal Aid Ontario’s web site at <www.legalaid.on.ca>.
- Or phone Legal Aid Ontario at:
Toll-free 1-800-668-8258
Toll-free TTY..... 1-866-641-8867
In Toronto.....416-979-2352
TTY in Toronto416-598-8867

The law can change, and policies and practices can also change or vary. This pamphlet contains general information. It is not a substitute for getting legal advice about your particular situation.

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