

Social Assistance

Under 18 and on your own:

Getting social 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. Information about appealing a decision starts on page 12.

Are you...

- 16 or 17 years old?
- not living at home?

If you need money to live on, you may be able to get social assistance from the Ontario Works (OW) program. The program is sometimes called welfare.

This type of assistance is meant to help you with your day-to-day needs. It helps pay for things like rent, food, clothing, and prescription drugs.

There are rules about who can get it and what you must do to keep getting it.





Can I get social assistance if I am under 18?

If you are under 16 years old and you are not a single parent, you cannot get social assistance on your own.

If you are 16 or 17 years old, you can get social assistance only “under special circumstances”.

You might have to show OW that your parents will not let you live at home, or that it is harmful for you to live there. For example, you might be able to get assistance if your parents are abusing you physically or emotionally.

And in most cases, the OW worker must be sure that your parents cannot or will not support you financially. Even if you may be able to get financial support from your parents in the future, you might qualify for assistance in the meantime.

Your living arrangements must allow you to meet OW rules. The OW worker may want you to be living in a room and board situation—this means that you rent a room in someone’s house and that person provides your meals. But this is not what the law requires in order for you to get OW

assistance. So, if the OW worker says you can get assistance only if you are living in a room and board situation, contact a community legal clinic for help. See pages 16 and 17 for information about how to find a legal clinic.

OW can require you to go to family counselling if your parents agree to participate. But OW should not require family counselling if your parents have abused you. For more information about this, see page 7 under the question “Will my parents have to be involved?”

You must go to school or a training program approved by OW, unless a serious medical condition or other problem makes this impossible.

These rules apply to you even if you are a 16- or 17-year-old single parent. If you are a parent, you will have to participate in a program approved by OW that will help you complete high school, develop job skills, or increase your parenting skills.

If you are living with someone of the same or opposite sex, and this person is your spouse, you will not be eligible for assistance on your own. But the two of you might be eligible as a

couple. Contact a community legal clinic or a lawyer for information or advice about your situation. See pages 16 and 17 to find out how to get legal help.

Where do I start?

Contact your local OW office to apply for social assistance. To find the contact information for the nearest OW office, call ServiceOntario:

Toll-free **1-800-267-8097**

Toll-free TTY **1-800-268-7095**

In Toronto **416-326-1234**

TTY in Toronto..... **416-325-3408**

Tell ServiceOntario the postal code of the place you are living in, and ask them for the phone number and address of the closest Ontario Works office.

The Ministry of Community and Social Services' web site also has a list of OW offices around Ontario. Go to <www.mcass.gov.on.ca> and look for "Ontario Works". You can also find the address and telephone number of OW offices in the government section of the phone book.



How do I apply?

To complete your application, you will need to have an interview. This interview is usually at the local OW office. If going to the local OW office is difficult for you, you can ask to have the interview where you live or at another place that is better for you.

An OW worker will ask you for information to show that you qualify for assistance. You will also have to complete and sign the forms that OW requires.

- ! Even if OW says you will not qualify, it is important to complete your application so that you can get OW's decision in writing. You can then go on to appeal if OW refuses you assistance.

When you go to the OW office, bring:

- any documents that relate to your application,
- at least one piece of identification, if possible, and
- a document that proves you are in school or a training program.

You should tell the OW worker if you need a special diet because of a medical condition. OW may have to consider how much the diet costs when they are deciding whether you qualify for assistance and how much assistance you should get.

To find out more about special diets and which medical conditions qualify, you can contact your community legal clinic. See pages 16 and 17 for information about how to find a legal clinic.

The OW worker might want to see where you live. If you do not allow the visit, OW could refuse to give you assistance.



What if Ontario Works will not accept my application?

By law, OW cannot refuse to take your application. If this happens, ask to speak to a supervisor and insist that they take your application. If there is still a problem, contact your community legal clinic immediately. See pages 16 and 17 for information about how to find a legal clinic.

Will my parents have to be involved?

The OW worker will probably contact your parents. If your parents have physically abused you or are a threat to your safety, they should not be contacted. If you have any reason to fear your parents, tell the worker.

If your parents say they are willing to let you live with them but you do not want to, you will have to show the OW worker why you think living with your parents is not a good idea. If you can, get a letter from a social worker, a counsellor, or another adult—like a friend’s parent—explaining why you should not live with your parents.

The OW worker can require a family assessment before deciding whether you get assistance. If you are afraid that contact with your parents will put you in danger, tell the worker. If you have reason to be afraid, you and your parents can be seen separately. OW cannot refuse you assistance because your parents will not participate in a family assessment.



What kind of assistance will I get?

If you do qualify for assistance, you will get a monthly allowance. The amount you get is supposed to pay for housing, food, clothing, and other basic expenses. You will also get help to pay for prescription drugs and dentists' bills.

! OW will not pay any money to you directly. They will pay your assistance to a **trustee** that they appoint. The trustee could be an adult or a community agency. If you do not have an adult who could act as your trustee, ask the OW worker about other options.

You might also be able to get a Community Start-Up and Maintenance Benefit to help you with the cost of setting up a new place to live. You can spend this money on a last month's rent deposit, on deposits for oil, gas, or hydro, or on furniture or clothes. Ask an OW worker for details.

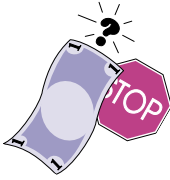
Even if you do not have a permanent address — for example, if you live in a hostel or shelter — you might be able to get money for personal needs.

Will my parents or anyone else be expected to support me?

Maybe. Parents are usually expected to support their children until they are at least 18 years old. The OW worker might ask you to go to court to get financial help from your parents.

If you have a child of your own, you might also be expected to ask your child's other parent for support. You will also be expected to apply for benefits such as the Ontario Child Benefit (OCB) and the National Child Benefit Supplement (NCBS). Contact a community legal clinic or a lawyer for information or advice about your situation. See pages 16 and 17 to find out how to get legal help.

If you are asked to take your parents or your child's other parent to court, contact Legal Aid Ontario, a community legal clinic, or a lawyer for advice.



Can OW cut off my assistance?

Yes. OW can cut off your assistance if you do not attend school or a training program. But your assistance should **not** be cut off if you did not attend because:

- you need medical treatment that makes it impossible for you to attend school or the training program, and you have a doctor's note stating this,
- you cannot start school or a training program for reasons beyond your control,
- you have a child of your own who lives with you and there is no child care available, or
- you had to go into an emergency hostel or shelter.

Each absence from your school or training program has to be justified. Absence due to illness is justified only if the school or training program excuses you from attendance because of illness. If the school or training program is closed for the day, your absence is beyond your control, so it is justified. But if you are suspended or expelled, you will probably be cut off.

! If you think the decision to suspend or expel you was unfair, get legal advice. You may be able to appeal the decision. See pages 16 and 17 to find out how to get legal help.

OW can require you to look for a job or to participate in a community placement if:

- you are waiting to get into a school or training program, or
- you are out of school for summer vacation.

If you do not, they could cut off your assistance.

OW may also cut off your assistance if the worker decides you have to go for family counselling and you refuse.

OW can also require you to stay in contact with an agency or a responsible adult who has agreed to help you meet the OW rules and to report you if you do not. They might even expect you to live with this person. Again, if you refuse, they could cut off your assistance. But, they should not refuse or cut off assistance just because there is **no** responsible adult in your life.



What can I do if Ontario Works refuses to give me assistance or cuts me off?

Get legal advice. See pages 16 and 17 to find out how to get legal help.

If OW refuses or cuts off your assistance, you can appeal the decision 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 that made the decision and ask for an **internal review**. An internal review means that a different person 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 and a blank form-letter that you can use to request an internal review, see the CLEO pamphlet called **Appeals and Internal Reviews**. Turn to the back cover of this pamphlet to find out how to order it. It is also available on CLEO's 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 **30 days** from the date you receive the decision to refuse or cut off your assistance.



Note about mail

The rules assume that if a letter is mailed to you, you receive it **3 days** after it is mailed. 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 meet the time limit. If you miss it, you should still ask for an internal review. Make sure you ask for an extension of time in your request for an internal review 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 date your request is received.

Appeal to the Social Benefits Tribunal

If you get an internal review decision and it says that you are still refused or cut off, 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. You must appeal within **40 days** from the date of your request for an internal review.

To make your appeal, you must use the SBT's Appeal Form. You can get one from your OW office, a community legal clinic, or by calling the Social Benefits Tribunal at:

Toll-free **1-800-753-3895**

Toll-free TTY **1-800-268-7095**

The Appeal Form is also available on the SBT's web site at <**www.sbt.gov.on.ca**>. Look in the "Forms" section.

If you miss the time limit for appealing, you can still appeal to the SBT. In the Appeal Form, ask the SBT for more time and explain why you missed the time limit.

Apply to the SBT for interim assistance

You may be able to get assistance while you wait for your appeal to be decided. This is known as **interim assistance**. The Application for Interim Assistance is part of the Appeal Form. If the SBT orders it, the OW office will have to pay you assistance until your appeal is decided.

If you lose your appeal or you do not go to your hearing, you will have to pay back any interim assistance you get.



How do I get legal help?

For advice or help dealing with OW or filing an appeal, contact your community legal clinic, the local Legal Aid office, or a lawyer.

Here 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**. Turn to the back cover of this pamphlet to find out how to order it. It is also available on CLEO's web site at **<www.cleo.on.ca>**.
- Check Legal Aid Ontario's web site at **<www.legalaid.on.ca>**.
- Phone Legal Aid Ontario at:
 - Toll-free **1-800-668-8258**
 - Toll-free TTY **1-866-641-8867**
 - In Toronto **416-979-1446**
 - TTY in Toronto.... **416-598-8867**
- Try looking in your phone book under "Legal Aid" or "Lawyers".

Justice for Children and Youth

This is a legal clinic that specializes in issues faced by young people under age 18.

The clinic is located at:

415 Yonge Street, Suite 1203
just south of College Street, in Toronto.

Toll-free telephone..... **1-866-999-5329**

In Toronto **416-920-1633**

Web site **www.jfcy.org**

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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