

**2021 Budget consultations submission**

**to the Ontario Minister of Finance**

The Honourable Peter Bethlenfalvy  
Minister of Finance  
c/o Budget Secretariat  
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95 Grosvenor Street  
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**Income Security Advocacy Centre**

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## **The Income Security Advocacy Centre**

The Income Security Advocacy Centre (ISAC) is a specialty legal clinic funded by Legal Aid Ontario. ISAC's mandate is to advance the rights and interests of low-income Ontarians with respect to income security and employment. We carry out our mandate through test case litigation, policy advocacy, community development and public education.

Founded in 2001, we are governed by a community Board of Directors representative of all regions of Ontario. Our Board includes legal clinic caseworkers and people who identify as low-income, with representation from Indigenous communities, racialized communities, people with disabilities and recipients of income support benefit programs.

## **Recommendations**

Informed by ongoing consultation with our community partners on issues relevant to our mandate, we make the following seven recommendations for the Spring 2021 budget:

### **Investing in Justice for Workers:**

- **Recommendation #1 - Legislate employer-paid sick leave:** Legislate 10 Personal Emergency Leave days in the *Employment Standards Act, 2000*, including 7 days of paid sick leave. Legislate an additional 14 days of paid sick leave during declared pandemics.
- **Recommendation #2 - Enforce workplace health and safety:** To protect workers and curb the spread of COVID-19, mandate increased and ongoing proactive inspections of Ontario workplaces for health and safety violations, with at least quarterly inspections for high-risk sectors and impose deterrent penalties on violators.

### **Investing in Income Security Programs**

- **Recommendation #3 - Immediately reinvest provincial savings into social assistance:**
  - a) Raise social assistance rates immediately by 1.5% to restore the 2018 cut, and by 10%, 7% and 5% for the subsequent three fiscal years after for Ontario Works (OW) and by 5% for the subsequent three fiscal years after for the Ontario Disability Support Program (ODSP), to follow the goals set in the *Roadmap for Change* (2017).
  - b) Reinstatement retroactively to March 2020 and distribute automatically for the duration of the pandemic, the Emergency Benefit in the amount of \$100 for single individuals and \$200 for families.
- **Recommendation #4 - Allow Ontarians to keep more money in their pockets:**
  - a) End all clawbacks on COVID-19 related federal benefits including the Canada Recovery Benefit (CRB), the Canada Recovery Sickness Benefit (CRSB), the Canada Recovery Caregiving Benefit (CRCB), and Employment Insurance (EI) for the duration of the pandemic. Forgive all overpayments – which only deepen poverty – for those social assistance recipients who accessed the Canada Emergency Response Benefit (CERB).

- b) Eliminate the \$10,000 limit on voluntary gifts and payments and raise the limit on cash and other liquid assets to \$20,000 for OW recipients. For ODSP recipients, eliminate the \$10,000 limit on voluntary gifts and payments and raise the asset limit to \$100,000. This will help alleviate poverty among social assistance recipients in the present and in future.
- **Recommendation #5: Ensure the success of modernization of social assistance:**
    - a) Invest in robust trauma-informed and client-centred wraparound services including addiction and mental health supports, childcare, disability supports, and housing to provide life stabilization services and to address barriers to employment for those who are ready and able to work with such supports. Increase co-design of services with recipients.
    - b) Implement a new digital access benefit to pay for essential phone and internet equipment, and digital literacy training that will assist with using new digital tools and platforms.
    - c) If you do keep the Reform of Employment Services pilot, ensure there is sufficient job training and that there are quality jobs that are long-term, stable and provide decent wages and meaningful work.

### **Investing in Access to Justice**

- **Recommendation #6 - Ensure timely adjudication of Tribunal matters:** Immediately fill adjudicator vacancies at the Social Benefits Tribunal and Human Rights Tribunal of Ontario with qualified and competent candidates to ensure timely and effective case hearings.
- **Recommendation #7 - Invest in Legal Aid Ontario:** Increase LAO funding to cover future potential shortfalls and develop a longer-term, structurally stable funding plan. This will support low-income Ontarians in accessing justice throughout the pandemic and beyond.

### **A. Investing in Justice for Workers**

#### **1. Legislate employer-paid sick days and personal emergency leave**

The COVID-19 pandemic is now in its second wave in Canada and is far from over. Over six thousand Ontarians have died of the disease,<sup>1</sup> vaccine shipments are delayed, widespread vaccination is unlikely to occur this year and we now have community spread of more contagious variants of COVID-19. The need for legislated employer-paid sick days in Ontario as a public health measure has never been greater. If Ontario is to contain and curb the pandemic, there must be universal, accessible and permanent employer-paid sick leave for all.

Staying home when sick is one of the most effective containment strategies for infectious diseases.<sup>2</sup> But workers without paid sick days must choose between caring for their health or earning an income to support themselves and their families. Inevitably, many will choose to go to work while sick, leading to the spread of illness, costs for businesses and the economy and avoidable health

care expenditures.<sup>3</sup> Conversely, numerous studies have shown that when workers have access to paid sick days, the spread of illness is contained, the workers and their co-workers are more productive, and the burden on public health resources decreases.<sup>4,5,6,7</sup>

Paid sick days are also critical to achieving equitable protections for workers in Ontario. Low-wage and racialized workers have been hardest hit by the pandemic. They are more likely to be engaged in the precarious work deemed “essential,” including work in grocery stores, cleaning, delivery, long term care and farm work.<sup>8</sup> This is work where the risk of contracting COVID-19 is higher. And yet, these workers are less likely to have paid sick days. In other words, those workers most in need of paid sick days do not have access to them. It should come as no surprise, then, that low-wage and racialized individuals constitute disproportionate numbers of those who have contracted the illness.<sup>9</sup> In Toronto, 83% of people with reported COVID-19 infection identified as racialized, even though racialized individuals constitute only 53% of the city’s population.<sup>10,11</sup> Not only is this unjust, but this is a threat to public health and the economy.

While the Canada Recovery Sickness Benefit (CRSB) is an important retroactive income support, it is not a substitute for employer-paid sick days for three key reasons:

1. The CRSB is not accessible to all workers. Only those who earned \$5,000 in the previous year and who have a valid Social Insurance Number (SIN) number can access it. This excludes undocumented and migrant workers, many of whom perform essential work that puts them at high risk of contracting COVID-19.
2. The CRSB provides only partial income replacement for many workers. Unsurprisingly studies have shown that in such circumstances, many workers cannot afford the time off and will choose to go to work sick.<sup>12</sup> Paid sick leave must provide full income replacement in order to be effective.
3. The CRSB does not support workers who need only a day or two off for testing or vaccination. It is only available to workers who must self-isolate for longer periods of time. As a public health measure, the CRSB is simply not enough.

Legislating employer-paid sick days is crucial to containing the pandemic and to longer term public health benefits. In order to “flatten the curve,” protect Ontarians, minimize health care expenditures and restore our economy, Ontario must legislate paid sick days for all.

**Recommendation #1:** Legislate 10 Personal Emergency Leave days in the *Employment Standards Act, 2000*, including 7 days of employer-paid sick leave. Legislate an additional 14 days of employer-paid sick leave during declared pandemics.

## **2. Strengthen enforcement of workplace health and safety laws**

On May 30, 2020, Bonifacio Eugenio-Romero tragically died of COVID-19. He contracted it while labouring at a farm in southwestern Ontario before passing away in hospital.<sup>13</sup> Since then, three more migrant farm workers have died of the virus, while over 1,600 have contracted it.<sup>14</sup> The staggering numbers reflect the squalid living and working conditions that migrant farm workers in Ontario are regularly forced to endure.

Regular, widespread enforcement of workplace health and safety standards can help prevent similar tragedies in the future – and contain the pandemic. The SARS Commission, which investigated Ontario’s response to the 2003 SARS epidemic, reported that enforcement of workplace safety laws

is an “integral” infection control measure.<sup>15</sup> That report also highlighted the Ministry of Labour’s “sidelined” role as a key failing during the deadly outbreak.

In January 2021, the Province finally expanded its workplace safety inspections to sectors vulnerable to COVID-19 outbreaks. This comes with the news that a staggering 11,400 workers in Ontario have contracted the disease due to work-related exposures, with 259 active workplace outbreaks in the Province.<sup>16</sup> But inspections alone are not enough. In order to protect workers and prevent the spread of COVID-19, inspections must be proactive and ongoing, rather than one-time inspection blitzes, and violations must be accompanied by meaningful penalties if they are to be deterrent to other employers. Prior to January 2021, the Ministry of Labour issued only two fines – one to a worker – since the pandemic began. Workers must also be educated about their rights and how they can report workplace violations without fear of reprisal by the employer.

Failure to adequately enforce workplace legislation, which in Ontario includes both the *Occupational Health and Safety Act* and the *Employment Standards Act, 2000*, has the greatest impact on historically disadvantaged groups and communities. Women, racialized workers, recent migrants (including temporary foreign workers) and single parents, are more likely to be working in precarious jobs,<sup>17</sup> including the low-paid work deemed essential during the pandemic.<sup>18</sup> Workers in these forms of “non-standard” employment, including temporary, part-time, or contractual employment, are more vulnerable to employer exploitation and abuse<sup>19,20</sup>. Not surprisingly, employment standards violations such as unpaid wages are more likely to be found in workplaces with these features.<sup>21,22</sup>

Workers deserve safe working conditions, and investment in proactive and ongoing enforcement can save lives and curb the spread of COVID-19. A swift and strong enforcement response to uphold the health and safety rights of Ontarians is needed.

- **Recommendation #2:** To protect workers and curb the spread of COVID-19, mandate increased and ongoing proactive inspections of Ontario workplaces for health and safety violations, with at least quarterly inspections for high-risk sectors and impose deterrent penalties on violators.

## **B. Investing in Income Security Programs**

### **3. Reinvest provincial savings into social assistance**

The Province has seen significant savings from several sources during the pandemic and we recommend reinvesting these to support social assistance recipients and address poverty. This will not only support vulnerable populations but boost the economy as well.

Under Ontario’s social assistance system, a single person receives only \$733 per month from Ontario Works (OW) or \$1,169 if they are a person living with a disability and qualify for the Ontario Disability Support Program (ODSP).<sup>23</sup>

Although it is well-documented that these programs are severely under-funded<sup>24</sup> and force recipients to live in deep poverty (based on both the Market Basket Measure<sup>25,26</sup> and the CFLIM-AT),<sup>27,28</sup> and even though the costs of safe housing and nutritious food far exceed these amounts,<sup>29</sup> the Fall 2020 Budget provided no core income support increase.

We also note with great concern that since 2017, OW rates have increased by only \$12 and ODSP rates by only \$18.<sup>30</sup> Rates have not increased with inflation or at all in the previous two fiscal years; because of this, benefit rates are effectively being reduced in real terms. The rates must reflect increased costs of living both during and independent of the pandemic, including housing costs based on average market rents, utility costs, the increased cost of a nutritious food basket and groceries,<sup>31</sup> transportation, essential communication devices including telephone and Internet, personal protective equipment, delivery services, and extra costs that people with disabilities experience based on their specific needs. Without raising the rates to a livable level, no other reforms are possible. We recommend following the rate increases set the in the *Roadmap for Change* (2017).<sup>32</sup>

The COVID-19 pandemic has disproportionately impacted low-income people. While some higher income earners save money by self-isolating and experience an “isolation dividend,” low-income people lose money without less to food banks<sup>33</sup> and other resources, and experience the “isolation deficit.”<sup>34</sup> This, in addition to the effect of failing to bring people closer to income adequacy is particularly grave with rising costs<sup>35</sup> during the pandemic. Social assistance recipients are falling even further below the poverty line, living in substandard housing or worse, becoming homeless, while living with increased food insecurity and in poor health.

We understand that there have been increased costs for the Province during the pandemic and appreciate that the Province enabled social assistance recipients who received CERB and CRB to maintain drug and dental benefits. The Emergency Benefit was also helpful, though it was unfortunately short-lived and unevenly distributed.<sup>36</sup>

We also note, however, that there have also been significant savings to the Province from three sources: increased federal transfers, provincial savings (including lowered social assistance caseloads), and clawbacks on federal benefits.

- **Federal transfers:** The Province received \$182 million<sup>37</sup> through the Canada Social Transfer. Further, of the COVID-19 pandemic recovery money, only 6% of money is coming from the Province with the rest coming from the Federal Government.<sup>38</sup>
- **Provincial savings:** According to the 2020-21 Third Quarter Finances, the social assistance expenditure was \$427 million less than expected because of federal benefit and income support programs.<sup>39,40</sup>
- **Clawbacks:** Because we do not yet know how many social assistance recipients were eligible for federal benefits, it is difficult to calculate the total amount of savings from provincial clawbacks. However, we do know that ODSP recipients were clawed back \$900 with CERB and dollar for dollar with the CRB at \$2000. This amounts to significant savings for the Province. Both OW and ODSP recipients who live in deep poverty should have access to the full amount of federal benefit initiatives. Ending clawbacks that impede this access is essential so that social assistance recipients do not experience disproportionate hardship during the COVID-19 pandemic.

Therefore, even in the midst of a pandemic and high unemployment, the Province has saved money when it should be spending money on social services. The Province clearly has the fiscal room to reinvest and provide urgently needed increased income security to social assistance recipients for the duration of the pandemic and beyond.

Further, the Province could follow the lead of provinces such as Alberta and British Columbia and increase asset limits. Both Alberta and British Columbia have liquid asset exemption levels of \$100,000 for people with disabilities.<sup>41</sup> This is an easy and low-cost way to alleviate further poverty for ODSP recipients. Similarly, raising the asset limit to \$20,000 for OW recipients will allow those who have experienced job losses or other difficult circumstances during this unprecedented time to avoid liquidation to the point of deep poverty before receiving assistance. Finally, the need is greater now more than ever for external financial assistance during the pandemic. Eliminating the \$10,000 limit on voluntary gifts and payments, for both OW and ODSP recipients, will assist greatly.

ISAC recommends that the Province invest in poverty-eradicating measures and a robust social assistance program because everyone deserves to live with health and basic human dignity, particularly during a pandemic. Major investments in social assistance in this and subsequent budgets are good for Ontario's economy. Investments in direct benefits to low-income people have a disproportionately high economic return because low-income people spend their money in their communities at local businesses, which increases corporate tax revenue and keeps the economy going.<sup>42</sup> Poverty reduction investments could further save Ontario \$3.9 billion in health care system costs and \$1.1 billion in justice system costs.<sup>43</sup> As well, failing to improve incomes for people on OW and ODSP results in lost "opportunity costs," which includes \$19.4 billion to 25 billion in lost personal revenue when safe and stable jobs are not available and \$2.7 to 3 billion in lost income tax revenue.<sup>44</sup>

The Province has the money to reinvest in social assistance which is good for all Ontarians.

- **Recommendation #3:** Immediately reinvest provincial savings into social assistance:
  - a) Raise social assistance rates immediately by 1.5% to restore the 2018 cut, and by 10%, 7% and 5% for the subsequent three fiscal years after for Ontario Works (OW) and by 5% for the subsequent three fiscal years after for the Ontario Disability Support Program (ODSP), to follow the goals set in the *Roadmap for Change* (2017).
  - b) Retroactively to March 2020, reinstate and distribute automatically the Emergency Benefit in the amount of \$100 for single individuals and \$200 for families for the duration of the pandemic.
- **Recommendation #4:** Allow Ontarians to keep more money in their pockets:
  - a) End all clawbacks on COVID-19 related federal benefits including the Canada Recovery Benefit (CRB), the Canada Recovery Sickness Benefit (CRSB), the Canada Recovery Caregiving Benefit (CRCB), and other federal benefits including Canada Pension Plan Disability (CCP-D) and Employment Insurance (EI) for the duration of the pandemic. Forgive all overpayments – which only deepen poverty – for those social assistance recipients who accessed the Canada Emergency Response Benefit (CERB).

- b) Eliminate the \$10,000 limit on voluntary gifts and payments and raise the limit on cash and other liquid assets to \$20,000 for OW recipients. For ODSP recipients, eliminate the \$10,000 limit on voluntary gifts and payments and raise the asset limit to \$100,000. This will help alleviate poverty among social assistance recipients in the present and in future.

#### 4. Ensure that modernization supports social assistance recipients.

The Province's announcement to modernize social assistance includes changes to employment services, increased digitization of service-delivery, and additional monitoring of recipients. We urge the Province to ensure its modernization processes are inclusive, supportive and do not leave vulnerable individuals behind.

**Employment Ontario:** As part of the Province's modernization of social assistance, Ontario is moving forward with a plan to integrate employment services for social assistance recipients with services available to the general public through Employment Ontario. That model will first be piloted in three communities and include funding for third-party and sometimes foreign and private service providers.

Notably, this resembles the JobsNow pilot that took place in Ontario in 2008 with WCG, one of the three System Service Managers (SSM) contracted for the current pilot.<sup>45,46</sup> The *Final Report* on the 2008 pilot found that it shifted Ontario Works from a "client-directed approach to results-based delivery" and found that only "13% of all participants found sustained employment for the full 18 months of the pilot".<sup>47</sup> Further, 72% of participants earned \$10 or less (approximately \$12 or less in 2020 dollars).<sup>48,49</sup> While there was some job satisfaction, roughly half of the jobs were part-time and one third lasted three months or less.<sup>50</sup>

The first problem the pilot highlighted was that jobs were short-term, precarious and low-paid, and there was no lasting job retention for a majority of the participants. Second, the JobsNow pilot found that these outcomes were attributable to a lack of wraparound services to support meaningful workforce participation and listed lack of job training, childcare and transportation as reasons for these outcomes.<sup>51</sup> Since the JobsNow pilot demonstrated "no significant impact" on the amount of benefits paid compared to the control group that received regular OW programs, this model does not predict savings to the Province.<sup>52</sup> We recommend addressing these issues with the current pilot.

ISAC agrees that training and employment supports are essential. However, we are concerned that the proposed model may not consider the numerous reasons that bar social assistance recipients from labour market attachment. In addition to those cited above, these might include physical and mental health challenges, and housing needs that are foundational to both start and maintain employment.<sup>53</sup>

Further, the realities of the labour market must be considered. It is the increase in precarious employment, growing levels of working poor and cuts to other social and disability programs that force people to rely on social assistance, a point which the Attorney General missed in her 2019 report on ODSP.<sup>54,55</sup> Some ODSP recipients are immunocompromised and asking them to take often low-paid, precarious front-line jobs during the COVID-19 pandemic could be dangerous. A single-minded focus on moving people into any job, in a context where almost a quarter of new jobs in Ontario offer very low pay and little security,<sup>56</sup> may not lead to financial independence but to work in unsafe working conditions. These are often intensified during the COVID-19 pandemic.



For people with disabilities who require accommodation, there are stereotypes that disabilities are continuous, permanent and change very little over time, a description that excludes the majority of persons with disabilities.<sup>57</sup> A more comprehensive understanding of disability includes people with episodic disabilities such as multiple sclerosis, rheumatoid arthritis, some forms of cancer and mental health issues.<sup>58</sup> The labour market remains ill-equipped to accommodate disability-related employment barriers, with compliance rates with the *Accessibility for Ontarians with Disabilities Act, 2005* hovering between the 40% and 67%.<sup>59</sup> It is imperative that all of these complex interactions are considered during the proposed integration of employment services for social assistance recipients with Employment Ontario.

**Digitization:** ISAC recognizes that during a pandemic there is an increased need for remote access. However, without increased IT support, social assistance recipients could be further isolated. While features such as digital two-way messaging might assist with reaching caseworkers, the reality is that current rates for access to the Internet and cellphone data plans in Canada are among the most expensive in the OECD countries and are unaffordable for many social assistance recipients.<sup>60,61</sup> Some must skip a meal to afford the cost of these services.<sup>62,63</sup> In addition, the cost of equipment such as computers or cellphones to access digital platforms can be out of reach.

During the pandemic, free services such as libraries and drop in centres that might normally assist with such issues remain closed or have limited access. Even after the pandemic, they may not allow for the privacy required. Some recipients lack the technical literacy to use these means of communication, may have low literacy skills, or may not speak English or French and require interpretation services. We therefore have concerns that the “digital first” approach that is part of modernization will result in further isolation of social assistance recipients from caseworkers, particularly when assistance is required for unique and complex cases. We recommend a financial investment to assist recipients pay for increased IT support. This includes ensuring that appellants have access to Internet with adequate broadband as well as technological hardware needed to be able to participate in digital and remote hearings at any tribunal.

**Increased scrutiny:** Alongside modernization, there is an increased use of monitoring after the Ministry of Children, Community and Social Services hired 17 Program Integrity Analysts to monitor recipients for fraud allegations. Since the Deputy Minister, Ms. Janet Menard, stated “the majority of those [allegations] are ruled out as being unsubstantiated,”<sup>64</sup> we wonder why the Province is choosing to spend between \$1.1 million and \$1.4 million on these positions.<sup>65</sup> Social assistance needs to be less, not more punitive. ISAC recommends spending money on supporting rather than policing recipients.

- **Recommendation #5: Ensure the success of modernization of social assistance:**
  - a) Invest in robust trauma-informed and client-centred wraparound services including addiction and mental health supports, childcare, disability supports, and housing to provide life stabilization services and to address barriers to employment for those who are ready and able to work with such supports. Increase co-design of services with recipients.
  - b) Implement a new digital access benefit to pay for essential phone and internet equipment, and digital literacy training that will assist with using new digital tools and platforms.

- c) If you do keep the Reform of Employment Services pilot, ensure there is sufficient job training and that jobs are long-term, stable and provide decent wages and meaningful work.

## **C. Investing in Access to Justice**

### **5. Social Benefits Tribunal**

We seek a commitment to an ongoing and timely appeal process at the Social Benefits Tribunal. The Tribunal is a key forum where social assistance recipients can appeal decisions concerning their benefits, including decisions about overpayments, the cancellation of payments, or eligibility for shelter and special diet allowances. Access to the timely adjudication of these issues is crucial to recipients' livelihoods.

We are therefore concerned that over the last couple of years the number of adjudicators at the Social Benefits Tribunal has been reduced significantly causing lengthy delays. Currently, there are only 11 full-time and 10 part-time members (not including the Associate Chair and Vice Chairs).<sup>66</sup> This is a drastic reduction from the 19 full-time and 15 part-time members serving on the SBT as of the end of March 2018.<sup>67</sup> In 2019-2020 only 36% of appeals were scheduled for hearings with notices sent within 30 days after receiving the appeal, far below the 82% of appeals scheduled for hearings in 2016-2017.<sup>68</sup>

Requiring people who live in deep poverty to wait over a year for a hearing to receive benefits causes undue hardship, especially during the COVID-19 pandemic. We therefore recommend that the Province immediately appoint a full complement of adjudicators to the Tribunal.

### **6. Human Rights Tribunal of Ontario**

The Human Rights Tribunal of Ontario is an accessible forum where Ontarians can seek individual and systemic redress for discrimination and harassment. This has made the Tribunal an important forum for low-income individuals from marginalized backgrounds, including those who identify as Black, racialized, Indigenous, migrants, disabled, and/or LGBTQ2SI.

The Tribunal is only as effective as it is appropriately resourced. Since 2018, staffing shortages and the hiring of unqualified members have undermined the Tribunal's capacity to hear cases in a timely way. Prior to 2018, the Tribunal had 22 full-time adjudicators handling over 3,000 claims per year.<sup>69</sup> It now has only 11 full-time adjudicators, while the number of new discrimination claims has risen to over 4,400 in the past three years.<sup>70</sup> Experienced adjudicators with human rights expertise have been removed, while some of the new appointees (including in leadership) lack the human rights and legal training required for the job. This has led to significant delays. In 2016-2017, 92% of parties were offered mediation dates within five months of agreeing to mediation, but in 2019-2020, only 27% of cases received mediation dates within the same time frame.<sup>71</sup> Multiple hearing dates are sometimes scheduled years apart, with decisions provided well over a year later.

For applicants before the Tribunal, justice delayed is justice denied. We urge the Province to immediately fill Tribunal vacancies with qualified and competent adjudicators.

- **Recommendation #6 - Ensure timely adjudication of Tribunal matters:** Immediately fill adjudicator vacancies at the Social Benefits Tribunal and Human Rights Tribunal of Ontario with qualified and competent candidates to ensure timely and effective case hearings.

## 5. Invest in Legal Aid Ontario

Ontario's network of legal clinics provide critical legal services to low-income communities in such areas as social assistance, housing, health, employment and human rights. Clinics are small, independent, non-profit agencies that are governed by community-elected boards of directors and funded by Legal Aid Ontario (LAO).

The COVID-19 pandemic has put that funding at risk. LAO has historically depended on funding from the Law Foundation of Ontario, funding that is variable and tied to market forces. This funding has been significantly reduced due to the pandemic. At the same time, demand for legal aid services has risen during the pandemic from low-income Ontarians facing job loss, evictions, domestic violence and other issues. Legal Aid clinics have been instrumental to helping them secure much-needed supports during the pandemic.

We therefore urge Ontario to immediately increase its LAO funding to cover potential future shortfalls resulting from decreased Law Foundation of Ontario contributions. We also urge the Province to work with LAO to develop a funding plan that ensures structural certainty. Crucial services such as those provided by LAO cannot be dependent on variable Law Foundation of Ontario funding.

Investing in legal aid is fiscally prudent. A report by the Canadian Forum on Civil Justice, which comprehensively reviewed the return on investment that comes from investing in legal aid, found that each dollar invested in legal aid could multiply in vast costs savings in other areas such as healthcare, housing and welfare programs.<sup>72</sup> It also leads to better individual and community well-being as low-income Ontarians access legal help to stay in their homes, maintain their incomes and overcome socio-economic barriers.

- **Recommendation #7 - Invest in Legal Aid Ontario:** Increase LAO funding to cover future potential shortfalls and develop a longer-term, structurally stable funding plan. This will support low-income Ontarians in accessing justice throughout the pandemic and beyond.

Thank you for your consideration of our submissions.

## End Notes

- <sup>1</sup>As of February 11, 2021, 6,596 Ontarians have died due to COVID-19. See Government of Ontario (2021). *All Ontario: Case numbers and spread*. Retrieved February 11, 2021, from <https://covid-19.ontario.ca/data>.
- <sup>2</sup>Decent Work and Health Network (August 2020). *Before It's Too Late: How to close the paid sick days gap during COVID-19 and beyond*. Retrieved February 11, 2021, from [https://d3n8a8pro7vhm.cloudfront.net/dwhn/pages/135/attachments/original/1604082294/DWHN\\_BeforeItsTooLate.pdf?1604082294](https://d3n8a8pro7vhm.cloudfront.net/dwhn/pages/135/attachments/original/1604082294/DWHN_BeforeItsTooLate.pdf?1604082294), p. 4.
- <sup>3</sup>Xenia Scheil-Adlung and Lydia Sandner (2010). *The Case for Paid Sick Leave*. World Health Report Background Paper. World Health Organization. Retrieved February 11, 2021, from <https://www.who.int/healthsystems/topics/financing/healthreport/SickleaveNo9FINAL.pdf>, p. 9.
- <sup>4</sup>Piper K, Youk A, James AE III, Kumar S. (2017). *Paid sick days and stay-at-home behavior for influenza*. PLOS ONE, 12(2). Retrieved February 12, 2021, from <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0170698>.
- <sup>5</sup>Decent Work and Health Network (August 2020). *Before It's Too Late: How to close the paid sick days gap during COVID-19 and beyond*. Retrieved February 12, 2021, from [https://d3n8a8pro7vhm.cloudfront.net/dwhn/pages/135/attachments/original/1604082294/DWHN\\_BeforeItsTooLate.pdf?1604082294](https://d3n8a8pro7vhm.cloudfront.net/dwhn/pages/135/attachments/original/1604082294/DWHN_BeforeItsTooLate.pdf?1604082294), p. 9.
- <sup>6</sup>Mark Daku and Jody Heymann (2014). *Ensuring equitable access to sick leave*. Canadian Medical Association Journal. September, 186(13) pp. 975-976. Retrieved February 12, 2021, from <https://www.cmaj.ca/content/186/13/975>.
- <sup>7</sup>Soumitra Bhuyan et al. (2016). *Paid sick leave is associated with fewer ED visits among US private sector working adult*. American Journal of Emergency Medicine, 34(5), pp. 784-9. Retrieved February 12, 2021, from <https://pubmed.ncbi.nlm.nih.gov/26851064/>.
- <sup>8</sup>Decent Work and Health Network (August 2020). *Before It's Too Late: How to close the paid sick days gap during COVID-19 and beyond*. Retrieved February 12, 2021, from [https://d3n8a8pro7vhm.cloudfront.net/dwhn/pages/135/attachments/original/1604082294/DWHN\\_BeforeItsTooLate.pdf?1604082294](https://d3n8a8pro7vhm.cloudfront.net/dwhn/pages/135/attachments/original/1604082294/DWHN_BeforeItsTooLate.pdf?1604082294), p. 5.
- <sup>9</sup>Decent Work and Health Network (August 2020). *Before It's Too Late: How to close the paid sick days gap during COVID-19 and beyond*. Retrieved February 12, 2021, from [https://d3n8a8pro7vhm.cloudfront.net/dwhn/pages/135/attachments/original/1604082294/DWHN\\_BeforeItsTooLate.pdf?1604082294](https://d3n8a8pro7vhm.cloudfront.net/dwhn/pages/135/attachments/original/1604082294/DWHN_BeforeItsTooLate.pdf?1604082294), pp. 4-6.
- <sup>10</sup>City of Toronto (2020, July 30). *Toronto Public Health releases new socio-demographic COVID-19 data*. Retrieved February 12, 2021, from <https://www.toronto.ca/news/toronto-public-health-releases-new-socio-demographic-covid-19-data/>.
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- <sup>29</sup> Average rent for a one-bedroom apartment in Ottawa, for example, is \$1244 and is \$1,417 in Toronto. The cost in Sudbury is \$921 and in Peterborough it's \$990. See Canada Mortgage and Housing Corporation. 2021. *Rental Market Report: Canada and Selected Markets*. Retrieved February 11, 2021, from <https://assets.cmhc-schl.gc.ca/sites/cmhc/data-research/publications-reports/rental-market-reports/2020/rental-market-report-69720-2020-en.pdf?rev=be3a15d8-891d-4f56-85fb-f79ae68e93c9>. The cost of a Nutritious Food Basket (NFB) in Ottawa is around \$300 for a single person, according to Ottawa Public Health. In York Region, it is \$292. In Sudbury, \$336. Public health units in Ontario publish annual Nutritious Food Basket statistics to monitor the cost and affordability of a nutritious diet for individuals in various age and gender groups. These numbers represent the NFB amount for an average single adult male in these communities.
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- <sup>38</sup> Macdonald, David.(January 2021). *Picking up the tab: A complete accounting of federal and provincial COVID-19 measures in 2020*. Canadian Centre for Policy Alternatives. Retrieved February 11, 2021, from <https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2021/01/Picking%20up%20the%20tab.pdf>, p. 33
- <sup>39</sup> Ontario Ministry of Finance. *2020-21 Third Quarter Finances*. Retrieved February 11, 2021, from [https://www.fin.gov.on.ca/en/budget/finances/2020/ofin20\\_3.html](https://www.fin.gov.on.ca/en/budget/finances/2020/ofin20_3.html).
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