

# Income Security Advocacy Centre

## Recommendations for Ontario Budget 2024

### Fix Ontario Works and the Ontario Disability Support Program

1. Index Ontario Works rates to inflation and double Ontario Works rates
2. Increase Ontario Works recipients' earnings exemptions to \$1000 per month
3. Double the Ontario Disability Support Program rates taking into consideration the impact of inflation and the higher cost of living faced by people with disabilities
4. End clawbacks on current federal income supports and any future federal income supports
5. Eliminate the \$10,000 limit on voluntary gifts and payments for OW, and raise the limit on cash and other liquid assets to \$50,000 for OW recipients and \$100,000 for ODSP recipients

### Stop punishing people for accessing federal benefits during the pandemic

6. Forgive all overpayments due to federal pandemic emergency benefits and work with the federal government to forgive all outstanding federal emergency pandemic debt owed by people living on low incomes

### Ensure no social assistance recipient is adversely affected by social assistance modernization

7. Invest in robust and client-centred life stabilization supports, and implement transparent, evidence-based employment services

### Eliminate the digital disadvantage experienced by low-income Ontarians

8. Introduce a new \$100 per month digital access benefit for all Ontarians receiving social assistance

### Support Ontario workers so they can live a dignified, just, and healthy life

9. Immediately increase the minimum wage to \$20 per hour to bring it closer to the living wage
10. Amend the *Employment Standards Act, 2000* to introduce 10 days of employer-provided emergency leave and an additional 14 days of paid emergency leave during public health emergencies



## About the Income Security Advocacy Centre (ISAC)

ISAC is a specialty legal clinic funded by Legal Aid Ontario. Our 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 organizing, and public education. For further information about our work, please visit [www.incomesecurity.org](http://www.incomesecurity.org) or email us at [info@isac.clcj.ca](mailto:info@isac.clcj.ca).

The following recommendations for the 2024 Ontario Budget have been developed through ongoing consultation with our community partners and shed light on the most urgent investment priorities for low-income Ontarians.

## Fix Ontario Works and the Ontario Disability Support Program

### Ontario Works

As of September 2023, 415,484 Ontarians relied on Ontario Works (OW), many of whom are children to parents who receive OW. OW recipients, some of the most vulnerable, low-income Ontarians, receive up to \$733 a month in financial assistance to help with living expenses, including food, rent, and clothing while they “find sustainable employment and achieve self-reliance”<sup>i</sup>. This amount is shockingly outdated and unjustifiably inadequate, especially considering the record high inflation and rising cost of living in recent years. This low rate does little to equip recipients to achieve any practical level of self-reliance.

Despite an 18 per cent increase in the prices of essential goods and services since 2018, the OW amount for a single person has remained stagnant over the last six years<sup>ii</sup>. As a result, real income from OW has gradually decreased, while the cost of living has risen exorbitantly. Unsurprisingly, if the available provincial social assistance is taken into account, the annual OW income for single adult Ontarians has left them \$18,835 below Canada’s Official Poverty Line (the Market Basket Measure, or MBM), and \$11,927 below the deep poverty line in 2022. Even considering all income from federal and provincial social assistance, which includes OW, federal child benefits, federal GST/HST credits, and the Ontario Trillium Benefit, single social assistance clients in Ontario lived well below the Poverty Line. There is no other way to say it: even with these additional income transfers taken into consideration, these OW recipients would need another \$17,378 of annual income on top of their current annual social assistance amount just to be considered ‘not poor’.

Furthermore, the amount OW recipients can earn without any deductions from their income benefits remains at \$200, followed by a 50 per cent clawback rate for every \$1 of earnings over \$200. In 2023, the earning exemption threshold for ODSP increased from \$200 to \$1,000, followed by an increased deduction rate from a 50 per cent to 75 per cent rate for every \$1 of earnings over \$1,000. Unlike ODSP, the earning exemption for OW clients has not changed since 2013, while previous plans to raise the exemption level have been scrapped<sup>iii</sup>. Revisiting the decade-old call to improve the OW earning threshold is urgent as it will allow vulnerable Ontarians to keep more money in their pockets before clawbacks kick in. A low earnings exemption makes it extremely difficult for OW recipients to leave the program.

- **Index Ontario Works rates to inflation and double Ontario Works rates**
- **Increase Ontario Works recipients' earnings exemptions to \$1000 per month**

## **Ontario Disability Support Program**

ISAC welcomes the Ontario Government's decision to index the Ontario Disability Support Program (ODSP) rate to inflation. As a result of the indexing, the 6.5 per cent increase in ODSP rates in 2023 saw that a single person's ODSP rate increased to a maximum of \$1,308 per month. Indexing the rates to inflation has been a budget ask for many years, and the decision to index ODSP rates to inflation is a recognition of the high cost of living that Ontarians have to grapple with.

However, the ODSP rate for a person with disability was inadequate to begin with, especially considering the additional cost of living associated with a disability, which amounts to a 30 per cent increase to the cost of living for persons with moderate disabilities<sup>iv</sup>. In 2022, the total social assistance income for a single Ontarian with a disability was \$11,760 below, or 43 per cent below the Poverty Line<sup>v</sup>. Considering the fact that Canada's Official Poverty Line does not take the additional cost of living with disability into account, the actual difference is likely to be significantly larger. It is obvious from the numbers that the current ODSP rates do not provide sufficient income to create a financial safety net, or meaningful opportunities to move out of poverty.

The much anticipated Canadian Disability Benefit (CDB) from the federal government holds the promise of filling the current gap between social assistance and the poverty threshold. While the regulations for the CDB are being drafted, the Ontario Government must not consider CDB as a cost mitigation opportunity by cutting down or imposing clawbacks on ODSP payments for recipients who may also qualify for and receive the CDB at a future date. Similar concerns exist with regard to the upcoming federal Canadian Dental Care Plan (CDCP) that aims to cover basic dentistry costs for uninsured Canadians with a household income under \$90,000.

Currently, the Ontario Government imposes clawbacks on OW and ODSP for several federal benefits, including Employment Insurance, Canada Pension Plan Disability (CPP-D), and others, which essentially deprives low-income Ontarians, including persons with disabilities, from availing themselves of the full range of benefits entitled to them. When the CDB is delivered, the province should fully exempt it and all other federal benefits from the calculation of income determined by social assistance legislation by adding the benefit to the list of existing federal benefit exemptions. Failure to do so will defeat the purpose of the CDB in particular. Eliminating clawbacks also eliminates double collection problems by limiting benefit interactions.

- **Double the Ontario Disability Support Program rates taking into consideration the impact of inflation and the higher cost of living faced by people with disabilities**
- **End clawbacks on current federal income supports and any future federal income supports**

## **Asset limits and voluntary gifts**

The current social assistance policy design both forces recipients to rely on their own savings, and the generosity of family, friends, and other charitable sources, while at the same time

restricts support from these sources. This is an incoherent policy choice that results in a deepened and chronic state of poverty experienced by those on social assistance.

While ODSP and OW are different programs, both include asset limits. Eligibility for OW is restricted by a \$10,000 asset limit for a single person and \$15,000 for a couple. For ODSP recipients, the asset ceiling is \$40,000 for a single person and \$50,000 for a couple with disability. These numbers fall significantly short of those instituted in British Columbia, where since 2015, the asset ceiling has been adjusted to \$100,000 for a single person and \$200,000 for a couple with disabilities<sup>vi</sup>. Ontario should follow suit and raise asset limits for people accessing OW and ODSP.

Social assistance rates should be adequate for everyone. Those who have access to additional supports should not be restricted from accessing them as needed. Since September 2017, the Ontario Works policy directive has restricted OW clients from receiving more than \$10,000 in financial payments in gifts and voluntary payments from relatives, friends or other sources, over a 12-month period<sup>vii</sup>. Any amount exceeding the threshold is counted as income and will result in a clawback on the OW benefits that clients are eligible to receive. The six-year-old directive was not appropriate when it was instituted, and certainly does not reflect the post-pandemic reality of record high cost of living and food insecurity in the province. While Ontario's social assistance rates remain stagnant, eliminating the \$10,000 gifts and voluntary payment threshold is a low-cost policy alternative that allows other avenues for vulnerable OW recipients to receive financial support to pay for shelter, food, or winter boots.

- **Eliminate the \$10,000 limit on voluntary gifts and payments for OW, and raise the limit on cash and other liquid assets to \$50,000 for OW recipients and \$100,000 for ODSP recipients**

## **Stop punishing people for accessing federal benefits during the pandemic**

People living on low incomes who applied for and received federal emergency pandemic benefits in 2020 and 2021 but were later determined to be ineligible are still dealing with complicated economic impacts of the COVID-19 pandemic. Even outside of the pandemic context, the interaction of federal and provincial government benefits can create complicated scenarios for people receiving them. There are different, competing policy rationales for how these interactions should be treated; in some cases the federal and provincial benefits “stack” (such as the Canada Child Benefit and ODSP), in other cases, benefits are treated as income, and are recouped by the provincial government (such as CPP-D and ODSP). Additionally, there are many barriers faced by low income individuals who wish to challenge decisions about benefit interactions.

In the case of federal emergency pandemic benefits like the Canada Emergency Response Benefit (CERB) and the Canada Relief Benefit (CRB), people who received these benefits but were later deemed ineligible are required to pay back the federal government. Some have found that the federal government has recouped this emergency pandemic debt without warning, through tax returns and GST/HST credits. While this is problematic on its own, social assistance recipients in

Ontario who are in this situation face even more complications. Not only do they have a large debt owed to the federal government, but they also face being charged with “overpayments” by the province. These overpayments amount to another debt owed to the provincial government in addition to the federal government.

The prospect of a double debt collection from the provincial and federal government for pandemic benefits and the resulting drop in social assistance income puts enormous pressure on those living on OW and ODSP. To mitigate this impact, the Ontario government should stop charging overpayments to social assistance recipients who received any federal emergency pandemic related benefits, and work with the federal government to eliminate all debt related to COVID-19 benefits for all Ontarians living below Canada’s official poverty line. These emergency funds were received and spent over two years ago on the necessities of life during the worst pandemic Canada has seen in a century.

The province has a contingency fund balance of \$5.4 billion<sup>viii</sup> to draw from, and erasing overpayments for low-income Ontarians is an obvious choice to spend some of this surplus on. This would lighten the burden of some of the most vulnerable people in Ontario who live on low incomes and who have been disproportionately impacted by the COVID-19 pandemic.

- **Forgive all overpayments due to federal pandemic emergency benefits and work with the federal government to forgive all outstanding federal emergency pandemic debt owed by people living on low incomes**

## **Ensure no social assistance recipient is adversely affected by social assistance modernization**

The modernization of social assistance in Ontario has been ongoing for several years. Modernization essentially involves two parts – Social Assistance Renewal (SAR) led by the Ministry of Children, Community and Social Services (MCCSS), and Employment Services Transformation (EST) which is being undertaken by the Ministry of Labour, Immigration, Training and Skills Development (MLITSD).

On the SAR side, while some of the proposed changes in Schedule 21 of the *Supporting Recovery and Competitiveness Act, 2021* have come into effect, the sections (Schedule 21 – ss. 1-3, 17, 18 (1), (2), and 22) related to “life stabilization assistance” are yet to be proclaimed. Life stabilization refers to support services related to housing, mental health, addiction counselling, and domestic violence supports, among others, for social assistance recipients. It is a key component of the government’s modernization vision and a necessary precursor for the rest of the changes related to modernization to function properly and for social assistance recipients to be adequately supported.

For social assistance modernization to be person-centered and sustainable, the new system must ensure that client participation in life stabilization services is voluntary, not mandatory, and access to social assistance is not contingent upon participation in the program. Life stabilization services must ensure consistency of service provision across the province with clear, realistic and fair benchmarks in length of access and quality of services. These services must be established through consultation with people with lived experience and through an intersectional lens.

MCCSS has provided some assurance that this “life stabilization” approach will not simply push social assistance recipients into the labour market before they are ready, but the fact that this section is yet to be proclaimed raises concern about MCCSS’ commitment to providing these crucial supports.

Furthermore, without clarity on the funding arrangement between the province and the municipalities, substantial funding for the municipalities who are expected to provide the “life stabilization” services and coordinated arrangement for pre-employment services, the new system risks creating more bureaucratic hurdles for clients and leaving them without any tangible support beyond referrals to “life stabilization” services that do not yet exist. For SAR to work, it is imperative that the province significantly invests in ensuring robust and quality services to which clients can be referred.

On the EST side, MLITSD has continued to roll out its Integrated Employment Services (IES) model that contracts out employment services for social assistance recipients to third-party Service System Managers (SSMs), primarily private organizations selected through a bidding process. Following the roll-out of the IES model in the prototype catchment areas (Peel, Muskoka-Kawarthas, and Hamilton-Niagara), a brief summary of an external evaluation conducted by Goss Gilroy Inc. was shared by the MLITSD.

The highlights reported an 87 per cent employment attainment rate for clients working 20+ hours per week, one year post-program. The summary mentions that 42 per cent of clients served were on social assistance, 48 per cent self-identified as being racialized and 45 per cent were persons with disability<sup>ix</sup>. While the takeaways from the evaluation are positive, the full report has not been shared publically. As such, answers to questions regarding data about sustained employment, type and quality of employment, and equity-deserving groups are not available. Successful engagement of underrepresented groups such as women, First Nations, Métis, and Inuit people, immigrants, Black people, and racialized people is crucial given the structural barriers and inequalities they face. The rapid rollout of EST primarily through for-profit companies without full transparency of its impact nor engagement of the communities they serve, risks creating an unsustainable and fragmented model with significant public costs.

- **Ensure the success of social assistance modernization for social assistance recipients by investing in robust and client-centred life stabilization and implementing transparent, evidence-based employment services**

## **Eliminate the digital disadvantage experienced by low income Ontarians**

The digitalization process of government services and the centralization of social assistance services is moving rapidly ahead, with more than 80 per cent of social assistance applications from all 47 municipalities in the province currently being submitted online. The province’s emphasis on the digitalization of social assistance brings the issues of Ontario’s digital divide to the forefront. Rapid digitalization without accessibility considerations can be extremely limiting for low-income Ontarians, almost 40 per cent of whom do not internet connection at home<sup>x</sup>.

Canadian cell phone plans are among the most expensive in the world, with the median price over 30 per cent higher than the U.S. equivalent<sup>xi</sup>, seven times more expensive than Australia, and 25 times more than Ireland and France<sup>xii</sup>. Such high prices are cost prohibitive for low-income Ontarians on social assistance. Furthermore, clients with low digital literacy and language barriers are faced with numerous challenges when setting up an online account on MyBenefits, communicating with their caseworkers, and retaining communication records to attending online tribunal hearings. The rapid digitalization of social assistance without adequate backend support impedes clients' access to social assistance, while making the Ontario government's digitalization process less effective in its reach and outcome.

There is widespread recognition of cell phone and internet services as basic necessities. The current review of the MBM (which determines Canada's Official Poverty Line), is considering the inclusion of a separate standalone communications component to be added to the measuring the threshold of poverty. The federal government's Connecting Families program is further recognition of the essential nature of internet access, though the program only provides low cost internet service to seniors or families that receive the maximum amount of Canada Child Benefit. This leaves out the majority of families with children, and single adults who make up nearly 62 per cent of OW and almost 80 per cent of the ODSP clients<sup>xiii</sup>.

To cope with rapid digitalization of social assistance amidst a large digital divide, clients need to receive dedicated, monthly funds to help them access increased digital support. This includes ensuring that clients 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.

- **Introduce a new \$100 per month digital access benefit for all Ontarians receiving social assistance**

## **Support Ontario Workers so they can live a dignified, just, and healthy life**

### **The Minimum Wage**

Effective October 1, 2023, Ontario's minimum wage increase to \$16.55 will positively impact the livelihood of nearly one million Ontario workers, the majority of whom are women<sup>xv</sup>. The increase comes as a result of adherence to the *Employment Standards Act, 2000*, which mandates an annual adjustment to minimum wage based on the increase in consumer price index<sup>xvi</sup>. This is a step in the right direction, though it is impossible not to note that this step should have been taken sooner. In January 2019, the Ontario government froze the minimum wage at \$14 per hour and canceled inflationary adjustments for nearly two years, before resuming them in October 2020. If the province had proceeded with planned increases, the minimum wage would have reached to \$17.40 on October 1, 2023<sup>xvii</sup>.

While indexing minimum wage to inflation is an essential and sensible action, the current minimum wage still falls significantly short of the bare minimum. In 2023, the living wage, calculated as the hourly wage a worker needs to earn to cover their basic expenses such as food, clothing and shelter and participation in community, was \$25.05 in the Greater Toronto Area.



This is \$8.50, or 34 per cent higher than the provincial minimum wage, even after accounting for the October 1, 2023 increase<sup>xviii</sup>. Indeed, the current minimum wage fails to meet the living wage in all regions of Ontario by various margins. Similarly, Ontario's current minimum wage falls significantly short of the province's rental wage, the hourly wage that allows tenants to spend no more than 30 per cent of their pre-tax earnings on rent. The hourly "rental wage" for a one-bedroom apartment is \$25.96 and for a two-bedroom apartment it is \$29.90<sup>xix</sup>.

Higher minimum wage has a positive impact on reducing wage inequality among racialized workers, especially women, and increases productivity<sup>xx</sup> and job stability<sup>xxi xxii</sup>. In Ontario, when minimum wage increased from \$11.60 to \$14 in 2018, Ontario's unemployment rate dropped to the lowest level since 2000,<sup>xxiii</sup> the economy added 78,000 full-time jobs, and job and wage growth outstripped the rest of Canada in low-wage sectors such as food and accommodation<sup>xxiv</sup>. Raising the minimum wage can also go a long way in a province struggling with food insecurity, as research finds that a one-dollar increase in the minimum wage lowers the odds of food insecurity by 5 per cent<sup>xxv</sup>.

During these times of unprecedented inflation, raising the minimum wage to \$20 immediately, with annual increases indexed it to inflation will make up the necessary difference with the living wage rates across the province, and also reduce poverty and stimulate the economy.

- **Immediately increase the minimum wage to \$20 per hour to bring it closer to the living wage**

## **Paid Sick Days**

The Ontario Government's recently introduced Bill 149, the *Working for Workers Four Act, 2023* proposes new amendments to Ontario's *Employment Standards Act, 2000 (ESA)*, however, provincially legislated paid sick days remain missing. This absence is even more glaring on the heels of the Ontario Worker Income Protection Benefit (WIPB), the province's short-term answer to the resounding call for paid sick days. The WIPB was a poorly promoted, inaccessible, and inadequate temporary benefit that provided three days of provincially-paid infectious disease emergency leave to workers over the span of nearly two years<sup>xxvi</sup>.

Under the *ESA*, an Ontario worker is not entitled to any paid sick leave from their employer, and is only eligible for three unpaid leave of absences per year to recover from illness or injury. Previous legislation that introduced two paid, job-protected sick days for all workers was scrapped in 2018<sup>xxvii</sup>. Ontario was moving towards being a leader in protecting its workers, but now lags behind British Columbia, where in 2022, workers became entitled to a minimum of five paid sick days each year as well as Quebec where there is a legislated minimum of two paid sick days per year for workers<sup>xxviii</sup>. After years of advocacy at the federal level, 10 days of paid sick leave was also introduced in federally regulated private sector workplaces in 2022. Ontario must catch up to both support workers and remain competitive.

Unfortunately, Ontario appears to have not taken the learnings from the COVID-19 pandemic into account. The pandemic has shown that low-wage, racialized workers are more likely to be denied paid sick days, have been disproportionately affected by the health impacts of COVID-19, and face greater negative economic impacts from the pandemic<sup>xxix</sup>. In Toronto, racialized people constitute 52 per cent of the population, yet accounted for 83 per cent of COVID-19 cases<sup>xxx</sup>.



Research shows that women require more time off due to caregiving responsibilities and are more likely to engage in low- to middle-income jobs, including in health care, working on the front lines of fighting COVID-19<sup>xxxi</sup>. The absence of paid sick leave legislation denies paid sick days to those workers who need them most. It is a gender equity issue that continues to be ignored by the provincial government.

The Ontario government must immediately legislate paid sick days as a public health measure and as a mechanism to ensure income and employment security, as well as racial, gender, disability, and economic justice for Ontarians. Such legislation must be paid in full, adequate to cover the duration of common illnesses, not require a sick note, and be universally accessible regardless of employment status, immigration status, or workplace size. It must also take into consideration special circumstances such as public health emergencies<sup>xxxii</sup>.

- **Amend the *Employment Standards Act, 2000* to introduce 10 days of employer-provided emergency leave and an additional 14 days of paid emergency leave during public health emergencies.**

## Endnotes

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