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## Employability and Eligibility

### General Principle

For the purpose of determining eligibility for social assistance or benefits, an applicant is considered to be applying on behalf of the applicant's family, and in accordance with the criteria set out in the *Social Development Policy and Procedures Manual*.

### Definition of Employable Person

*Employable person* means a person who is *not*:

- a dependent child
- a person who does not qualify as a Person with Persistent Multiple Barriers (PPMB)
- sixty-five or more years of age

### Requirement to Seek Work

Employable applicants and spouses must be available for, and actively seeking work at all times. This does not apply to:

- family members where one member is a Person with Disabilities (PWD)
- an adult dependant who does not meet the residency requirements
- an applicant who is a single parent with at least one dependent child who:
  - is under three years of age, or
  - has a physical or mental condition precluding the single parent for leaving home for the purpose of employment.

Persons who fail to demonstrate participation in employment-related activities, including employment search, may be found ineligible for social assistance.

Single parents who indicate lack of child care as an impediment to employment search must demonstrate that all reasonable efforts have been made and no form of child care is available in their community.

Applicants are not required to accept employment that pays below minimum wage.

Applicants/recipient's who are able to access Human Resources and Skills Development Canada (HRSDC) programs, are encouraged to participate as this will satisfy the job search requirement while in the HRSDC program (see ASARET, Chapter 12.2). The administering authority will honour the HRSDC assessment of client need for the HRSDC program.

## Seasonal Employment

Self-employed persons whose employment or business activities are seasonal are required to seek and accept other employment during off-seasons.

## Temporarily Excused

A recipient who is employable, but unable to look for work for a short period of time due to illness or personal circumstances may be temporarily excused from job search activities.

The recipient is still considered employable, and receives assistance at employable rates.

There is no requirement for a recipient who has been designated as PPMB to seek work or participate in employment-related activities during the period when the person qualifies as a PPMB.

Verification of illness, using the *Medical Report (For Persons with Persistent Multiple Barriers) SA 116* and *Persons With Persistent Multiple Barriers Checklist & Decision Form SA 117*, or other circumstances must be documented on the recipient's file with a date when they are able to resume seeking work.

## Proof of Effort

The administering authority may request employable applicants and spouses to prove they are available for and actively seeking work.

## Non-Eligibility

Employable persons who quit work, are fired for cause, or refuse work that is in accordance with provincial labour laws, are *not* eligible for social assistance.

Employable persons who are disqualified from receiving employment insurance (EI) benefits due to quitting work, being fired for cause, or for refusing work, are *not* eligible for basic social assistance.

Employable persons awaiting EI benefits, or who have been disqualified for failing to submit federal EI program report cards on time are *not* eligible for basic social assistance.

Employable persons who quit work for health reasons must provide supporting documentation from a physician in order to establish eligibility for basic social assistance.

Employable persons are *not* eligible for social assistance for a period of 30 days, beginning with the date the employable person or any adult dependant:

- failed to accept suitable employment
- voluntarily left employment without just cause
- was dismissed from employment for just cause

The above does not apply if:

- 1.) the applicant is a single parents with a dependent under three years of age or a dependent under 19 years of age who has a mental or physical condition that results in the parent being unable to leave the home.
- 2.) the applicant or adult dependants whose conduct would otherwise have caused the applicant to be ineligible:
  - is designated as a qualified PPMB
  - is 65 or more years of age
  - has separated from an abusive spouse within the previous 6 months and is in a condition that interferes with his or her ability to accept or continue in employment
  - is in a condition that interferes with his or her ability to accept or continue in employment
  - is receiving or received accommodation and care in a special care facility or private hospital
  - is admitted to hospital because he or she requires extended care

- has a drug or alcohol problem or a mental health condition or a temporary medical condition that interferes with his or her ability to accept or continue in employment.

## Students - Eligibility

Full-time post secondary students who are in a funded program of studies are not eligible for social assistance during the school term. Exceptions to this rule are:

- dependent children under 19 years of age; and
- recipients who are designated PWD and their spouses.

*The “school term”* includes the month in which classes begin and the month in which final examinations are given.

*“A full-time student”* means a person who, during a confirmed period within a period of studies:

- is enrolled in courses that constitute at least 60 percent of a course load recognized by the designated educational institutional as constituting a full-time course load; and
- whose primary occupation during the confirmed periods within that period of studies is the pursuit of studies in those courses.

Employable persons who are students *may* be considered for hardship assistance (see Chapter 7, Hardship Assistance) provided that the employable person:

- remains resident on reserve
- is in a program of study which will lead directly to employment or significantly enhance employability
- enrolled in a “unfunded program of studies” for which student financial assistance may not be provided
- provides documentation that they are in receipt of maximum benefits from the training or educational funding agency (see Chapter 3, Application and Assessment)
- meets all other eligibility requirements

A recipient who has been designated as a Person with Disabilities can elect to be considered a full-time student when enrolled in courses that constitute at least 40 percent and less than 60 percent of a course load recognized by the designated educational institution as constituting a full course load.

Students whose post-secondary education is being sponsored under a federal or provincial government training/education plan remain eligible for social assistance.

Part-time students remain eligible for social assistance provided other eligible requirements are met.

There are no exceptions for loans, grants, or allowances issued through the BC Student Assistance Program (BCSAP), except as indicated in the Flat Rate Exemption and Order of Income table in Chapter 4, Eligibility.

Recipients, who have applied for and are awaiting student financial assistance, are eligible for continued assistance until they enter into the post-secondary program, provided all eligibility criteria has been met.

Social assistance will not be provided for the month after student financial assistance is received.

Students who exhaust their loan, grants and bursaries during the course of a semester, where a student loan or allowance has been provided, they remain ineligible for social assistance, and may be directed to contact their school's student financial aid office or student loan office.

