

Reasons for Decision:

Order #AP1819-0214

On <date removed>, <name removed> filed an appeal of the Director's decision to close their assistance file. The date of the decision was <date removed>.

The reason given in the decision letter for closing the file was a failure to meet the expectations of the Department regarding attendance at designated programs.

At the hearing, the Department referred to the evidence in its written report, noting it would not review the evidence *in extenso*.

The Department told the Board it did not close <name removed>'s file because they missed appointments due to a funeral. The Department makes allowances for people to attend funerals.

The Department stated <name removed>'s file was closed because of a number of missed appointments and non-attendance at required programs. The Department's report cited seven instances of non-compliance between intake on <date removed> and file closure on <date removed>. The Department noted it closed their file in <date removed> due to non-compliance, but re-opened it when they agreed to attend Jobs on Market. Despite the earlier file closure, <name removed>'s compliance did not improve in May and June.

The Department stated <name removed> explained one incident by saying they had a cleaning job at that time, but did not provide the Department with confirmation of employment when asked to do so. <name removed> told the Department in June that they were not attending classes because of <health condition removed>, but never provided the Department with a doctor's note.

<name removed> asserted their worker did not believe them when they told them a relative had died. The appellant stated they told their worker they had <health condition removed>, but the worker never told them they needed a doctor's note.

<name removed> told the Board their cousin, who was also their best friend, died, and then another close cousin died two weeks later. Shortly after that, their uncle was diagnosed with <health condition removed>, and they have to take care of him. The appellant stated they went to one funeral, but could not attend the other funeral because it was in <text removed>. Given the number of incidents they experienced in a short time period, they stated emotionally they "wasn't themselves". The appellant did not want to go out in public.

<name removed> stated they did not attend the courses required of them. The appellant did not provide confirmation of employment because the job they told the Department about fell through. The appellant told the Board they might have another job possibility.

<name removed> stated they have tried to earn income through self-employment. While July was not bad for cleaning jobs, August has been very slow.

<name removed> stated they live with a friend in a bachelor suite, so they recognize they need to get their own place. The appellant has been applying for jobs online but felt they were not getting hired because they are a visible minority. The appellant also stated there were jobs they were not willing to take, citing McDonald's as an example.

<name removed> stated family and friends were providing them with some support, but the appellant cannot pay their bills. What little cleaning money they earn is spent on food.

In response to a question from the Board, <name removed> stated they were aware of the Department's work and program expectations, but could not meet those expectations because of their <health condition removed>.

The Board asked a number of questions to establish how the deaths in <name removed>'s family affected their ability to meet Department expectations. The appellant was unclear in which month the deaths of their close cousins occurred. The Board noted the record submitted to it showed that the deaths occurred after their file had been closed the first time for non-compliance. The appellant stated they tried to meet expectations, but by the time they made the effort the Department had decided to close their file.

The Board noted the Department's report stated <name removed> was going to see a doctor, and asked if they had done so. <name removed> stated they had not seen a doctor, because their doctor's office was on the other side of town and they were too <text removed> to go out in public. The appellant insisted the Department did not tell them it expected them to submit a doctor's note.

The Board asked if <name removed> was in crisis in <month removed>, because there were instances of non-compliance then. The appellant stated they were not in crisis, but they missed an appointment because they had a scheduled visit with their children, who are in the care of CFS.

<name removed> stated their lack of a driver's license was a barrier to employment in the cleaning field. The appellant's license is suspended until 2020.

The Department stated it was relatively lenient with <name removed> because they expressed a desire to work. The Department noted <name removed> explained their <date removed> absence was the result of having a job opportunity that day, not

because they have <health condition removed>. The Department stated Jobs on Market was still open to <name removed>.

Based on the verbal and written evidence presented to the Board, the Board determined that the Department made significant efforts to bring <name removed> into compliance with expectations, and <name removed> failed to provide sufficient explanation of their non-compliance. The Board confirms the Director's decision to close <name removed>'s file.

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