



B A F F L E G A B

Semi-annual newsletter of the Community Advocacy & Legal Centre



Volume 22, Number 2

Fall 2013

Vulnerable workers and precarious work: What is it? What can we do? Special Forum in Belleville Nov 28

The Community Advocacy & Legal Centre is a non-profit community legal clinic and a registered charity. We provide free legal services to low income residents of Hastings, Prince Edward and Lennox & Addington counties.

See our website to learn more about what we do!

www.communitylegalcentre.ca

Do you work part-time or on a temporary basis? Do you have a short term contract without benefits? If so, you are not alone. The Law Commission of Ontario (LCO) has studied the evolving nature of employment in Ontario and published a new report, "Vulnerable Workers and Precarious Work." They have found that more jobs are more precarious than in the past.

Workers in precarious work have lower wages, less job security, few or no benefits and minimal control over working conditions. Are you a woman, a single parent or a newcomer to Canada? If so, you are among the group that is most affected. If you are young or disabled, you may also be having even more difficulty finding or keeping permanent employment.

Data from the East Central Ontario Training Board (ECOTB) raise a serious local concern about an often overlooked variety of precarious work: self-employment. While some workers undoubtedly choose to "work for themselves," many others find themselves self-employed because they cannot find traditional employment. Self-employed people in

(Continued on page 2)



CALC Annual Report

Clinic staff and Board have been very active in many new initiatives in 2013 in addition to all our regular work.

Analysis of trends, updates on our projects and highlights of our work in 2013 will be described in our Annual Report, which will be available at our Annual General Meeting on November 28 or on our website at www.communitylegalcentre.ca/about/Board/Annual_Reports.htm.

Local poverty roundtable: End poverty now!

In January 2013, CALC organized an initial meeting of local partners and community members to develop a Poverty Roundtable. We wanted to form the Roundtable to build the capacity of our community to engage in poverty eradication initiatives.

The Roundtable has met monthly and developed a vision and mission statement. **Our vision is a community where everyone experiences a standard of living which is sufficient for their physical, social, emotional and spiritual**

well-being without compromise of dignity or self-respect.

We are committed to working collaboratively with our neighbouring communities and existing networks.

We believe a thriving community is one that has:

- Safe, accessible, affordable housing
- Affordable and accessible transportation
- High quality, nutritious and affordable food

- Inclusive and accessible education and skills development
- Employment opportunities that pay a living wage
- An equitable and respectful income security system
- A safe, caring, supportive community
- Quality health care
- Informed and engaged citizens

If you are interested in working with us to end poverty, please email Deirdre McDade, Acting Executive Director, at calc@lao.on.ca to join the Poverty Roundtable.

LEGAL RIGHTS

Vulnerable workers and precarious work (Continued from page 1)

Hastings, Prince Edward, and Lennox & Addington counties make only a little more than half of the provincial average wage for self-employed individuals. Self-employed individuals in our area may not even be making enough to provide a living wage.

Information from Statistics Canada indicates that most residents of communities in our area also experience a lower median income and these communities have more people living on a low income than the provincial average.

Low income is one of the indicators of precarious work; precarious work is linked to workplace injury, illness and stress. More workers in our area live day-to-day not knowing whether they will work enough that week to meet their basic needs.

The LCO has developed a series of recommendations to improve the lives of vulnerable workers.

Among other things, the LCO recommends extending some protections in the *Employment Standards Act* to self-employed workers and taking steps to stop businesses from labelling people as “independent contractors” when they are really employees.



The LCO also recommends that the provincial government reduce and simplify the current exemptions to minimum employment standards, like the minimum wage.

On November 28, we are pleased to offer the opportunity to learn more about the LCO’s findings and its recommendations when we welcome Patricia Hughes, Executive Director of the LCO at our workers’ rights forum.

We will also hear from Karen Dick of the Workers’ Action Centre

about active workers’ rights campaigns to improve work, including “Raise the Minimum Wage” and “Stop Wage Theft.”

Local activists will tell us about the “Living Wage” movement. The Workers’ Help Centre and the clinic will tell you about their efforts to help local workers.

This event is free of charge. It will be held at Queen of the Most Holy Rosary Parish, 169 North Park Street, Belleville from 8:45 a.m. to 11:30 a.m.

The forum will be followed by our Annual General Meeting at 11:30 (see page 4).

To register for the workers’ rights forum, go to <http://calcvulnerableworkers.eventbrite.ca/> or contact Lynda Morgan at ext. 25.

Christopher Davidson, Clinic Lawyer

Freedom 90: A campaign to end poverty

The Union of Food Bank and Emergency Meal Program Volunteers visited Belleville on June 4. CALC helped to organize an appreciation luncheon in Belleville at the St. Thomas’ Parish Hall for volunteers serving in food banks and meal plan programs.



Freedom 90 is a mock union made up of food bank volunteers who are taking a stand against poverty by urging the Ontario

government to make food banks and emergency meal programs obsolete. The name stems from the idea that food bank volunteers, many of whom have been volunteering for decades, should be able to retire by the age of 90.

Although volunteers are happy to serve their communities; they are concerned that the basic needs of individuals within their communities are not being met.

Each month 412,998 people access food banks in Ontario—160,000 are children. Freedom 90 is advocating raising social assistance rates and minimum wage so that people have enough money to afford housing and food and will not have to rely on food banks.

For more information visit: www.freedom90.ca/.

Megan Quinton, Support Staff

LEGAL RIGHTS

Workers' Help Centre — Easier to find

Since leaving its home at Federation House in Belleville, the Workers' Help Centre (WHC) has been mobile, but now has a permanent home again. Supported by the United Way of Quinte and the Quinte Labour Council, the WHC is furthering its goal of "workers helping workers" at 158 George Street.

The clinic is pleased that the WHC has moved into the lower level of our Belleville office

building and is providing help Tuesday to Friday, 1:00 p.m. to 4:00 p.m. Drop-ins are welcome or call the WHC at 613-696-HELP (4357). If you want to volunteer, contact C.J. at the number above for more information.

The WHC provides confidential assistance to workers who are having trouble with Employment Insurance, Employment Standards, Workplace Safety Insurance Board, and Human

Rights. Although the WHC does not provide legal advice, volunteers can help to explain the legal system and help to complete paperwork.

Any worker can find help at the Workers' Help Centre. If there is a legal issue that we can help with, and the worker is low-income, the WHC will make referrals to us upstairs.

Trisha Simpson, Clinic Lawyer



True or False? If I am renting, I cannot be evicted from my house or apartment in the winter.

FALSE: If your landlord has an eviction order from the Landlord and Tenant Board, the Court Enforcement Office can evict you in any season. You must receive proper legal notice that your landlord wants to evict you. Your landlord must give a valid legal reason and you have a right to a hearing before the Board. Contact us for help if you receive an eviction notice.

New resources for "trusted intermediaries"!

"Trusted intermediaries" - that's probably you! If you are reading this newsletter you probably care a great deal about increasing our legal awareness and legal literacy. There is also a good chance you help others with their problems too. People come to you asking all kinds of questions.

A "trusted intermediary" helps bridge the distance between the legal system and people who need help. Some do it voluntarily because they are a good neighbour, friend, hairstylist, or confidante. Others play that role because they are in a helping profession—a nurse, social worker, clergy, doctor, librarian, MP/MPP office assistant, or court clerk, etc.

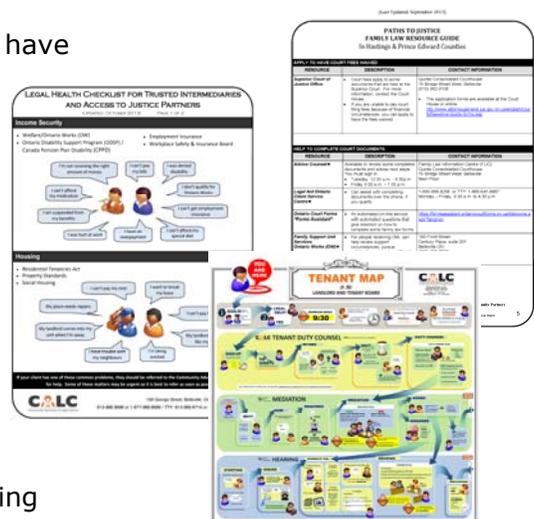
We have been hard at work creating and field-testing new resources to help you. We welcome your feedback and we would be happy to offer training on how to use these resources.

Some of the resources we have created include:

- Family Law Paths to Justice Resource Guides for Hastings/ Prince Edward Counties and Lennox & Addington County
- Legal Health Checklist
- Tenant Map to the Landlord and Tenant Board
- Seven Steps to Solving Tenancy Problems (coming December 2013)

All of these resources are (or will be) available on our website:

[www.communitylegalcentre.ca/legal-information/Tip Sheet List.htm](http://www.communitylegalcentre.ca/legal-information/Tip-Sheet-List.htm)



LEGAL RIGHTS

Tenant School: A new option for concerned tenants!

HURRAY!!! Have you heard the news? It has finally arrived...Tenant School!!!!!!



Our newest community legal education program will help tenants learn the basics about: how to ask a landlord to do repairs, when a landlord can have a rent increase, what to expect when you are moving in to a new place, and all about last month's rent deposits. We will give you all this information in a new

format that includes a short presentation and tools that help you learn about tenant rights.

We want to build legal capability skills and awareness around the legal rights of tenants. Not only will Phase I give easy-to-use information to tenants, but Phase II will also provide "legal health checklists" to help community agency staff recognize legal issues and make good referrals to the legal clinic.

Enjoy reading our new "Seven Steps to Solving Tenancy Problems," available in December, modelled on a booklet by Halton Community Legal Services.

Let us bring Tenant School to you. If you want Tenant School for yourself, a group, or for in-service training, give us a call to book a workshop. Contact Lisa Turik at ext. 29.

Lisa Turik, Student-At-Law

Spinning in the Cycle of Homelessness — Local call to action!

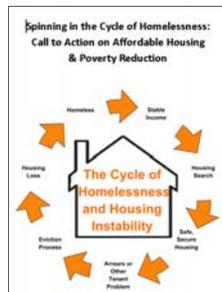
"Spinning in the Cycle of Homelessness: Call to Action on Affordable Housing & Poverty Reduction" is the clinic's latest report that reviews the clinic's housing law work, and provides a snapshot of the dominant issues facing low-income tenants in our community.

We examine our statistics and cases from 2011 and 2012 as the basis for the discussion. We look at the challenges that are presented, both in the course of our day-to-day work and in the

broader context of eviction prevention and affordable housing issues in our community.

"Spinning" contains eight "call to action" recommendations.

The report also provides an overview of recommendations made in past reports and the



steps that have been taken to address them and what remains outstanding.

"Spinning" will be released on National Housing Day, November 21, and will be presented at the Affordable Housing Action Network's (AHAN) National Housing Strategy Day forum (see next page). It will also be available on our website's "housing news" page.

Gina Cockburn, Clinic Lawyer

Board members sought: Want to give back to your community?

Do you want to know more about how poverty impacts on access to justice? Have you wondered how you might get involved? Now could be the time!

CALC is looking for members of the community to stand for election to the clinic's Board of Directors. If you think you might be interested and want more information please go to www.communitylegalcentre.ca/about/Board.htm, call Lynda Morgan at ext. 25, or contact us by TTY. We will need your membership and nomination forms by **November 20**.

Annual General Meeting

All are welcome to attend the clinic's Annual General Meeting on Thursday, November 28.

It is being held at Queen of the Most Holy Rosary Parish, 169 North Park Street in Belleville, from 11:30 a.m. to 12:45 p.m.

If you need an ASL interpreter, please call Lynda Morgan at ext. 25 by **November 22**.

LEGAL RIGHTS

Ontario social assistance: Some positive changes

In September the Ontario government made some positive changes to Ontario Works (OW) and Ontario Disability (ODSP) rules.

Income/ earnings exemption

There will be no deduction from your OW or ODSP cheque for the first \$200 of income earned from work, self-employment or training. Then any money earned over the first \$200 will be deducted at 50%. You still have to report all earnings to OW or ODSP even if you earn less than \$200. This change means that people receiving OW and ODSP can now keep more of the money they earn. People receiving OW will still have to wait three months before these exemptions apply to them. There is no three month waiting period for ODSP.

OW recipients are now allowed to receive \$6,000 in any 12-month period as gifts and voluntary payments without their OW cheque being reduced. This does not include spousal or child support since support is not considered a voluntary payment.

OW asset limit increases

Single adults receiving OW can now have \$2,500 in assets and couples can have \$5,000.

One car of any value is fully exempt. Before, if you had a car worth more than \$10,000 you could not receive OW. We have been advocating for these changes so that people don't have to be completely destitute before they are eligible for OW benefits.

For more detailed information on these changes see the four tip sheets produced by ISAC, at: www.incomesecurity.org/FactsheetsonOWandODSPchangesfromBudget2013.htm.

Deirdre McDade, Clinic Lawyer

Announcement

Do you know someone who needs help with a Will or a Power of Attorney and can't afford a lawyer?

Wills and Powers of Attorney Pilot Project

The Community Advocacy & Legal Centre is pleased to announce that we provide community members with referrals for Wills and Powers of Attorney to local lawyers who volunteer their services.

In order to qualify, people must be financially eligible. Priority is given to people with serious illness.

For more information, please call us at ext "0".

AHAN hosts 8th Annual National Housing Strategy Day Nov 21



On November 21 there is a unique opportunity to learn about "Pocket Housing" as an affordable housing option.

Hear from Paul McNeil, MCP, MCIP, Vice President of Planning and Development with MMM Group in Winnipeg, Manitoba, who has extensive experience in planning, development and property management.

Winnipeg built its first "Pocket Housing" about five years ago, and he will share some of the "lessons learned." The small (250 square feet) self-contained suites provide affordable homes for low-income singles and offer a modest but dignified housing option.

Also speaking will be Angela Pye, Social Planner, Regional Municipality of Waterloo.

Whether you are a housing advocate, a developer, a planner

or a concerned citizen, this presentation will be of interest to you. Join us for this event, which is sponsored in partnership by the Canada Mortgage and Housing Corporation.

It will be held at the Quinte Sports and Wellness Centre, 265 Cannifton Road, Belleville, November 21, from 9:00 a.m. to 3:30 p.m. (lunch provided). RSVP to Tom Johnston at 613-968-3465, ext. 4301 or email johnstont@hastingscounty.com.



True or False? My landlord can request a damage deposit.

FALSE: The only kind of deposit a landlord can request is a last month's rent deposit and it can only be applied to the last month's rent.

WHAT'S NEW AT THE CLINIC

Increasing legal literacy and capability

Several new legal awareness workshops were held in September and October in collaboration with our partners at other community legal clinics and Legal Aid Ontario.

September's workshop was on elder law issues, held for service providers in Prince Edward County, with Judith Wahl, lawyer and Executive Director of the Advocacy Centre for the Elderly (ACE) presenting.

Participants had the opportunity to discuss issues regarding consent, capacity and problems with powers of attorney using real life examples. This was a fantastic opportunity for service providers and community members to network and learn

more about elder law issues and local resources.

In October, we held workshops focussed on family law "paths to justice." These workshops were the culmination of many months of meetings with service providers concerned about access to family justice. We could not have done it without them. At these workshops we introduced our new Family Law Resource Guides, comprehensive family law resource and referral tools for service providers and community members in Hastings, Prince Edward and Lennox & Addington Counties. Copies of the guides can be found on our website at www.communitylegalcentre.ca/referrals/Family_Law.htm.

Another October workshop, on disability law issues, was held in Napanee for service providers. This event was an opportunity for service providers to network and learn more about disability law issues and local resources from the ARCH Disability Law Centre staff. It also provided attendees with information to more accurately red-flag disability-related legal issues and provide appropriate and effective referrals for legal information, advice and help.

You can read more details about these types of events in our Annual Report, which will be out November 28.

Melissa MacRae, Clinic Lawyer

Injured workers' rights update—Clinic now taking new WSIB calls

The employment team is pleased to announce that we will once again be able to answer some of the Workplace Safety & Insurance Board (WSIB) questions from local injured workers. Since February, new staff lawyer Trisha Simpson has been working closely with our sister clinic, the Northumberland Community Legal Centre, to provide service to current WSIB clients, however we were unable to take on new matters. We are now providing information and advice again, and will also be making referrals to the Industrial Accident Victims' Group of Ontario (IAVGO) and Injured Workers' Consultants (IWC), which are other free legal clinics, and the Office of the Worker Advisor.

How can Legal Aid service providers help clients with mental health issues better?

It is our experience that more and more of the people who contact us are facing mental health challenges.



Legal Aid Ontario has decided it wants to improve how it is offering services to people with mental health difficulties.

contacting our intake staff or by email to calc@lao.on.ca.

The difficulties people are experiencing are made worse by their legal problem or are being caused by their legal problem or by living in poverty.

How do you think our clinic services can improve? How can the help offered in family law and criminal law by Legal Aid Ontario be improved? Let us know what you think by

We will also be participating in a conference with the Human Services Justice Network in Hastings and Prince Edward Counties in the Spring of 2014 to explore this issue. We are also consulting with mental health organizations in Lennox & Addington.

WHAT'S NEW AT THE CLINIC

LEARN more about LAW: Legal information columns and workshops

We are pleased to continue providing the community with LEARN LAW Columns, which are distributed through several local newspapers and are available on our "latest news" page at: www.communitylegalcentre.ca/news/Latest_News.htm. The most recent columns published are "Admission to Long-Term Care in Ontario" and "Where Can I Get Help if I am Having Trouble Paying Rent or Utilities."

CALC will continue to provide LEARN LAW columns on a monthly basis on various issues affecting the community. Please keep a look out for new columns on our website or in the Community Press, Bancroft This Week or Bancroft Times.

Over the next six months, we are offering LEARN LAW legal awareness workshops on legal clinic services, employment law, elder law issues, and family law

issues. These sessions are made possible with the help of Legal Aid and local volunteer lawyers and local libraries.



If you are interested in attending or organizing a workshop, please call Ingrid at ext. 0 or email calc@lao.on.ca.

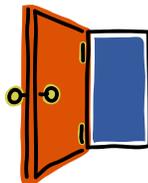


True or False? Lawyers at Legal Aid Ontario's Client Service Centre (CSC) can provide up to 20 minutes of free legal advice in family law or criminal law to eligible callers.

TRUE. Clients need to contact the CSC at 1-800-668-8258 or TTY at 1-866-641-8867.

Increasing access to justice for North Hastings residents

The clinic continues to offer a **drop-in** service on the second Tuesday of each month, from 10:00 a.m. to 2:00 p.m. at 23 Bridge Street West in Bancroft.



government pensions or other areas of law that the clinic can help with.

questions about family or criminal law.

A staff lawyer is available at that time to answer questions about tenant rights, social assistance,

We can also help to point you in the right direction if you have legal questions that we cannot answer, such as

We are hopeful that we will be able to announce the continuation of the drop-in Legal Aid family law advice service in the near future. Watch our website for details.

Gina Cockburn, Clinic Lawyer

Learn more about consumer law online

Consumer "Law Talk" articles are available from the Community Law School (Sarnia-Lambton) at <http://communitylawschool.org/lawtalk>. They have a variety of articles on their website, including: Straight Talk on Collection Agencies, Home Renovations Gone Wrong and Consumer Protection Laws, Watch Your Step on the Internet, Unfair Practices under the *Consumer Protection Act 2002*, and much more!

Also, Community Legal Education Ontario (CLEO) recently announced that they now have consumer pamphlets at www.cleo.on.ca (produced in partnership with the Community Law School (Sarnia-Lambton)). Pamphlets currently on their website are: Credit Repair, Payday Loans and Your Credit Report. Coming soon are: Energy Re-billers, Identity Theft, Internet Agreements, Motor Vehicle Repairs, and Telephone and Mail Agreements. We carry CLEO pamphlets in our waiting room. Drop by and pick one up!

BAFFLEGAB is published semi-annually by:



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Charitable Reg. No: 12464 4121 RR0001
Donations are greatly appreciated!

Do you prefer to receive newsletters by email? Email us at calc@lao.on.ca.

If you would like to support the clinic by becoming a member, please contact Lynda, ext. 25, or visit our website at www.communitylegalcentre.ca/about/Membership.htm to learn more.

Celebrations!

Congratulations to:

- Ingrid Wood, Receptionist, celebrating five years with the clinic this year
- Denise Bird and Carolyn Hamilton, Intake Workers, each celebrating 10 years with the clinic

Charitable donations gladly accepted

If you care about social justice, please consider making a charitable donation to support an Access to Justice Internship Fund. This fund is used to hire summer law interns to increase the help we can offer to people living in poverty, and also offers very important real-life experience for law students who care about public service and helping people who are living in poverty.

Clinic Acting Executive Director appointed

Deirdre McDade has been appointed to Acting Executive Director to cover the self-funded sabbatical leave of Clinic Executive Director Michele Leering from November 1, 2013, to June 2014. Michele will be researching other Legal Aid service delivery models, ways to increase legal literacy and legal capability for "trusted intermediaries," and encouraging reflective practice in the legal profession.

Volunteer opportunities available

The clinic appreciates past volunteers and placement students and thanks them for their hard work and dedication. We need volunteer help with office duties, working with clients, preparing legal education materials and more. For information about volunteer placement opportunities at the clinic, and our requirements, please check the clinic's website at: www.communitylegalcentre.ca/about/volunteers.htm, or email Sharon Powell, Volunteer Facilitator, at calc@lao.on.ca.

**Visit us
online!**



Find us on the Web: <http://www.communitylegalcentre.ca>



Follow us on Twitter: <http://twitter.com/calctweets>



Visit us on Facebook: <http://www.facebook.com/CommunityLegalCentre>

The information in this newsletter is not legal advice. If you have a legal problem in any of the areas of law mentioned in this newsletter, please contact the clinic in your area.

Go to www.legallaid.on.ca to find a clinic serving you.

VULNERABLE WORKERS, PRECARIOUS WORK:
What can we do?

SAVE THE DATE!

THURSDAY NOVEMBER 28, 2013
8:45 – 11:30 a.m.

PLEASE JOIN US AT OUR FORUM ON WORKERS' RIGHTS TO:

- Learn from Keynote Speaker Patricia Hughes, Executive Director of the Law Commission of Ontario about the findings and recommendations in the recent report about “Vulnerable Workers and Precarious Work.”
- Hear from Karen Dick of the Workers’ Action Centre about current workers’ rights campaigns like “Raise the Minimum Wage” and “Stop Wage Theft” and why they are important.
- Learn more about the local “Living Wage” campaign.
- Find out about how the Community Advocacy & Legal Centre and the newly relocated Workers’ Help Centre can help vulnerable workers.

Location: Queen of the Most Holy Rosary Parish
169 North Park Street, Belleville, ON K8P 4P1

This event is free of charge. Register online at <http://calcvulnerableworkers.eventbrite.ca/> or contact Lynda Morgan at 613-966-8686, ext. 25 (or 1-877-966-8686, ext. 25).

If you require ASL interpretation or FM devices, please let us know by November 22.

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www.communitylegalcentre.ca

MEMBERSHIP FORM

MISSION STATEMENT

The Community Advocacy & Legal Centre provides access to justice through quality legal services, advocacy and information for people living on a low income or in poverty. We strive to achieve social justice with dignity by influencing change in our community, our institutions and the law.

The clinic is directed by volunteer members. If you are interested in the services provided by the clinic, live in Hastings, Prince Edward, or Lennox & Addington Counties, agree to our Mission Statement, and are at least 18 years of age, you are eligible to become a member. Being a member entitles you to:

- Attend general meetings of the membership
- Vote at the Annual General Meeting, if your membership is received and accepted by the Board of Directors prior to the Annual General Meeting
- Receive the clinic's semi-annual newsletter, "Bafflegab"
- Stand for election to the Board of Directors

If you would like to become a member of the clinic for 2013/2014 or if you were a member and wish to renew your membership for 2013/2014, please complete the following section and mail, fax, or deliver it to the clinic at the address at the top of this form.

_____, of _____
Please print name *Full address and postal code*

Phone Number _____

I agree to receive emails from CALC at the following email address:

I agree with the Mission Statement and goals of the clinic. I understand that my membership must be accepted by the Board of Directors. I will be provided with a membership card following acceptance by the Board of Directors.

New Member

Renewal

\$2.00 Membership Fee attached

Please waive the \$2.00 Membership Fee

Date

Signature

If you are interested in standing for election to the Board of Directors, please contact Matt Gemmell at 613-966-5222, ext. 243 (a member of the Nomination Committee).