



2015 ANNUAL REPORT
Providing advocacy, education, community building

"It is justice, not charity, that is wanting in the world."

—MARY WOLLSTONECRAFT

WHO WE ARE

Together Against Poverty Society (TAPS) is the largest anti-poverty organization on Vancouver Island. We have a positive impact on people's lives in ways that honour and promote human rights, justice, and a healthy, sustainable community. TAPS is a recognized leader and resource for citizens, community groups, and social agencies attempting to reduce poverty. Our education and advocacy services touch over 4,000 people per year – and we are not yet meeting the needs of all who approach us. We provide services to residents of the Greater Victoria area and adjacent municipalities including the Western Communities, Saanich Peninsula and the Southern Gulf Islands.

TAPS was established and registered as a Society in 1989, receiving charitable tax status in 1994. TAPS is a non-profit society whose membership is open to individuals or groups concerned with the preservation of civil society, the social justice movement, the eradication of poverty, as well as the continuing moral progress of those ideals.

THE PURPOSES OF TAPS

- to better the lifestyle and living conditions of persons on a low income
- to enable social services and faith-based groups to network for the purpose of helping persons requiring assistance
- to make the general public aware of the problems persons on low income have and ways in which they could assist in solving these problems
- to focus a special interest on the welfare of children.
- to educate and inform persons on low income of their rights and to provide a support system assisting such persons.
- to form a network of people in poverty to enable them to solve their own problems.
- to maintain current records of what assistance is available for persons in need and where to obtain this assistance.z

WHAT WE DO

- Advocacy services in the areas of income assistance, federal and provincial disabilities benefits, employment standards and tenancy including information, summary advice, negotiation and or representation to persons of no, low or fixed income;
- Training for low income persons and other interested community groups and organizations, which then enables them to advocate for themselves or for their members;
- Identify, research and address issues relating to poverty with particular emphasis on those that affect our local community and;
- Work in cooperation with other community groups and social service providers in advancing poverty issues.

Executive Director's Annual Report 2015

Writing from my desk in reflection on the past year has provided the opportunity to be impressed. TAPS has certainly gone through our share of challenges and despite them the team is more cohesive and invigorated than at any other time over my past 5 years as a member of this family.

Having spent the better part of the year on the sidelines in recovery gave me the chance to witness the growth of our organization from the perspective of the community. Taking this time allows me to report back that TAPS' energy and passion continues to not only permeate the lives of those we serve but now increasingly impacts upon the lives of the broader public who view us as not only as a service provider but as an important change maker.

Our work in representing the wrongfully displaced tenants of View Towers is proof positive of the changing nature of our organization. Moving beyond our traditional individual based client service model, TAPS Tenant Advocates worked to mobilize community to bring awareness to structural inequality in the treatment of renters. This work served as the catalyst to TAPS leadership in planting the seeds for the City of Victoria Housing Affordability Task Force and opened the door to a strengthened relationship with the Residential Tenancy Branch.

The work of TAPS Income Assistance Legal Advocacy Project helped set the stage for the important legislative change that came into effect this year that effectively ended child support claw backs from income assistance payments to single parents. Low-income families are now able to retain 100% of child support payments. TAPS was one of many advocacy organizations across the province who fought for over half a decade to see British Columbia become the first province in Canada to end this practise.

TAPS individual legal advocacy projects continue to deliver high quality legal advocacy services. I am proud to say that not only do these projects continue to provide important legal advocacy to some of our region's most vulnerable citizens, we have expanded the legal advocacy areas in which we now provide service. TAPS Federal Disability Advocacy Project was extremely successful in its first year, providing legal advocacy to more 850 people. This is an incredible achievement and is demonstrative of the need we had heard about repeatedly from members of the community. TAPS Employment Standards Legal Advocacy Project continues to lead the province in advocacy innovation as it completed the first full year of operations with over 300 workers asserting their rights in employment disputes. The stories that have come from this project continue to inspire our team and I know that the year ahead will be filled with exciting advances for low income workers in need.

Volunteers continue to be the key to our success. With over 50 people freely giving their time and compassion, our organization continues to grow from the ground up. TAPS bi-monthly newsletter, Taproot, has grown its circulation by nearly double and is a leading source of public legal education to people living in poverty. TAPS work at disseminating knowledge to the community is a source of great pride and must be held as a cornerstone of efforts in the coming years.

While this reflection has given me the opportunity to look back with pride I am of course drawn to thoughts of the future. I am humbled by the opportunities that are opening up before us as TAPS demonstrates leadership in the fight for social justice. I returned this year to an organization that is confident, self-aware and ready for the next challenge.

KELLY NEWHOOK

Executive Director

November 2015

AGM December 2015 President's Report

My partner, Bill Burrill, and I moved back to Victoria in the mid-1990s and in 1995 Bill began volunteering at TAPS as the Treasurer. By 1998 Bill became President of TAPS and remained in that position until his death in 2005. After Bill's death, I put my name forward as a member of the TAPS' Board. Three years later I was President and I have been President for seven years.

It has been an amazing journey. Some of my best memories are the parties! Bill loved to cook and he was a master of the barbecue. The marinating started the day before the barbecue and the charcoal had to be just right in his well-used Weber – but what results! We used to have all the staff and volunteers over to our house for a summer party. Not only was the food (usually barbecued halibut) delicious but it was wonderful to celebrate the dedication everyone had to the common cause of eliminating poverty. The parties were noisy– but good food and conversation (often accompanied by the guitar playing of Art Farquarhson and the singing of Jacquie Ackerly) led to new ideas for funding and new dedication to our important role in Victoria.

Over the years, the staff and volunteers have gone on so many marches, so many demonstrations. We have written so many letters, struggled with fundraising strategies and got so angry at so many ill-conceived notions and legislation. I want to acknowledge all those – both staff and volunteers - who have been involved with TAPS over the years; their time and commitment have made the success of TAPS possible.

Our legal advocates assist more than 5,000 clients each year. When I think of the thousands we have helped, I know we are delivering on our promise of legal advocacy and support for those in need.

I have decided to not run for President again. Several excellent people have put their names forward to run for President and Vice-President. I am pleased to know the organization will be in good hands.

We have grown so much over the years. We started with a few dedicated anti-poverty people in the 1980 and one advocate in the first year in 1989. Now, we have eight staff and an executive director. Our programs have grown as well. We continue to provide legal advocacy for those on income assistance, people requiring disability benefits and those with tenancy issues. We also do hundreds of tax returns each year for low-income people. And now we offer representation for employees who are not in a union. Employment Standards are an important addition to our services.

I want to acknowledge the hard work of Kelly Newhook, our Executive Director. Before Kelly came, I was acting as the executive director and I know what a challenging position that is. I also want to thank Stephen Portman who was Interim Executive Director when Kelly was away. He also did an incredible job – and continues to do so in his work with Employment Standards.

I feel honoured to have been part of TAPS for so many years. We have accomplished so much; we have advocated for thousands of people, we have pressured the government for positive social change and we have been an important part of the social justice community of Victoria.

I wish all the best to those who will continue the good work of TAPS.

DR. JOAN MCHARDY

President

Income Assistance Legal Advocacy Project 2015

RAIA MELNYK, KIM ROBERTS, STEPHEN PORTMAN, ZOË MACMILLAN,
THEA MCDONAGH, YUKA KUROKAWA, JENNIFER MATTHEWS

PROJECT DESCRIPTION:

TAPS Income Assistance Legal Advocacy Project offers high quality legal advocacy services to economically disadvantaged people accessing benefits from the Ministry of Social Development and Social Innovation (‘the Ministry’).

OBJECTIVES

- Enhance access to justice by providing reliable legal information to people living in poverty about their rights and the benefits and entitlements available to them through provincial income assistance programs
- Provide vigorous legal advocacy services to people living in poverty through negotiation with Ministry staff, composition of written submissions, and full representation in income assistance appeal (EAAT) hearings
- Offer engaging and informative public legal education presentations to community groups and their clients about the rights and entitlements of income assistance law
- Educate and empower individuals to effectively advocate on their own behalf

CASE TRENDS:

1) Accessibility Issues

Accessibility at the Ministry is an on-going challenge for legal advocates and clients alike. People trying to access the Ministry through the general 1-866 number are continually on hold for over 30 minutes, and advocates receive ongoing complaints about long lines at the Ministry when waiting to see a worker.

The Ministry also recently transitioned one of its two offices in Victoria to a Service BC Office. While clients are able to collect their Ministry benefits and submit documents, they are no longer able to speak with Ministry workers, and are therefore increasingly reliant on telecommunication to access information about their income assistance. This is a major barrier to service, directly resulting in an increase in demand on TAPS services.

In addition to raising this issue at the local level, TAPS IA advocates have also engaged in broader advocacy work with the British Columbia Public Interest Advocacy Centre (BCPIAC) and other co-complainants seeking to initiate a systemic Ombudsperson investigation into barriers to access at the Ministry. TAPS will be working closely with this coalition in the months ahead in an effort to bring some much needed change with respect to access issues at MSDSI.

2) Compliance Reviews/Investigations and Duty to Accommodate

The Ministry has the authority to request substantial personal information from clients to determine their ongoing eligibility for provincial benefits. TAPS has seen an increase in the number of clients required to comply with the Ministry's investigative arm to receive their assistance. Ministry investigations are a stressful and arduous process. They involve stringent deadlines, and the collection of documents from numerous government agencies, financial institutions, landlords, etc... Clients unable to comply with the request within the Ministry's strict timelines are determined ineligible for assistance until documents are provided. TAPS has directly supported many clients under investigation, and successfully assisted these individuals to maintain their eligibility for Ministry assistance.

3) BC Hydro for low-income people

During the reporting period TAPS experienced an influx of income assistance and PWD recipients who received disconnection notices from BC Hydro. This was due to unannounced changes to BC Hydro's equal payment plans which left these people with unpaid BC Hydro bills. TAPS legal advocates supported these clients through crisis grant applications to the Ministry. Through this work, it became clear that there was a need for improved communication between TAPS, BC Hydro, and the Ministry. TAPS has since been in contact with the Ministry and BC Hydro to begin planning for new policies that will alleviate this disconnect in service provision.

4) Ending the Lifetime Ban

The Income Assistance Legal Advocacy Project has long struggled in assisting clients that have been banned from receiving Ministry income or PWD assistance because of fraud convictions. People who received income assistance that they were not eligible for risked fraud related charges and the lifetime ban if their debt to the Ministry exceeded \$5000.00. In August 2015 this regressive legislation was repealed, reflecting a shift to accountability through repayment of the monies owed, rather than punitive approaches towards people already facing hardship.

CASE PROFILE:

Earlier this year, Sally approached TAPS for support in completing her compliance review. Sally had received the PWD designation from the Ministry because of the significant restrictions she faced completing daily living tasks. Sally disclosed that her neurological challenges directly impacted her organizational and sequencing abilities. She had difficulties managing her own financial affairs, and as a result had accumulated what would have been a debt of over \$10,000 to the Ministry for income not reported. The consequences this kind of overpayment could have been a life time ban from the PWD assistance she relied on to maintain her wellbeing, and possible criminal charges.

TAPS prepared a submission to accompany the documents Sally was requested to provide in the investigation. The submission demonstrated that the debt owing to the Ministry was a direct result of Sally's cognitive challenges, and that the Ministry's own policies outlined a client's right to accommodation for their disabilities.

The submission was successful. The Ministry dropped the compliance review, calculated no debt to be repaid, and did not seek criminal charges.

While this was a very successful immediate outcome for Sally, it also draws attention to the need for continual Ministry accommodation for people like Sally who face ongoing barriers to accessing basic entitlements and supports from Ministry programming.

PUBLIC LEGAL EDUCATION:

TAPS Income Assistance Legal Advocacy project has participated in a number of Public Legal Education (PLE) presentations over the past year, including but not limited to:

- Research, Education, Empowerment and Support (REES) Network
- UVic Social Work
- Youth Service Provider Network of Greater Victoria (YSPN)
- AIDS Vancouver Island (AVI)
- Seniors Entitlement Services
- VIHA Stabilization Unit (monthly)
- Law Center
- Financial Empowerment Resource Network
- Action Committee for People with Disabilities (ACPD)
- Law Foundation Legal Advocacy Training Course
- Phoenix Human Services
- Broadbent Institute – Stand Up for Progress tour
- William Head Institution Career Fair
- Prostitutes Education and Empowerment Resource Society (PEERS)

STATISTICS:

A total number of 2186 clients were helped by TAPS' Income Assistance Legal Advocacy Project in the past year.

Tenant Legal Advocacy Project 2015

YUKA KUROKAWA, JOHN COOKE & NOAH ROSS

PROJECT DESCRIPTION:

The TAPS Tenant Legal Advocacy Project aims to enhance access to justice by providing unique legal advocacy services to the tenant community of Greater Victoria and surrounding region.

OBJECTIVES

- Provide legal information and advice to tenants regarding their rights and responsibilities under the British Columbia Residential Tenancy Act (RTA) and Manufactured Home Park Tenancy Act
- Engage in negotiation on behalf of tenants with their landlords toward the equitable resolution of disputes
- Represent tenants at Residential Tenancy Branch (RTB) Dispute Resolution hearings
- Provide engaging and informative community Public Legal Education for tenants, community service providers and other stakeholders regarding tenancy issues, rights and responsibilities
- Educate and facilitate the empowerment of individuals so they are able to effectively advocate on their own behalf

CASE TRENDS:

1) Dispute Resolution Delays

Long wait times for Residential Tenancy Branch hearings continue to create challenges for tenants looking to resolve their concerns in a timely manner. The current wait times for urgent matters, such as emergency repairs, is 9.2 weeks, and the wait to have a monetary claim heard, such as the return of a security deposit, is 20.5 weeks. These unreasonable delays are subjecting tenants to significant stresses. If a landlord refuses to fix a stove and the tenant cannot afford to pay for the repairs on their own, they have to wait over two months for a hearing to request an order that the landlord conduct the repairs. The tenant may not be able to cook hot meals during this time, and may suffer physically, emotionally and financially as a result.

2. Impacts of Residential Tenancy Branch Service Cuts

The recent closure of the front desk services at the Victoria Residential Tenancy Branch office has had a noticeable impact on tenants' experiences with the residential tenancy system. Tenants are no longer able to access an Information Officer in person. Instead they are required to call the RTB Information Line or look up the information on their own on the RTB website. Tenants are now required to file applications for hearings and other paperwork at the Service BC Office, where workers are not specifically trained to inform tenants about RTB procedures. As a result, tenants are experiencing issues with obtaining the information that they need to successfully navigate the residential tenancy system. For example, some tenants have submitted incomplete forms, which have negatively affected their hearing claims and the outcome of

their disputes with their landlords. The changes to RTB services are disproportionately affecting marginalized individuals, because they often lack the resources or skills to successfully access services online or over the phone.

The closure of the RTB front desk services has put noticeable pressure on the Tenant Legal Advocacy Project. Case numbers have increased due in part to misinformation by staff at Service BC and the inaccessibility of information from the RTB. TAPS has actively expressed these concerns to various levels of government and continues to provide feedback with the goal of improved service.

3. Working with Community Agencies

Throughout the reporting period, Tenant Advocates have worked in cooperation with a number of community agencies in their efforts to support tenants and their legal rights. This approach has allowed clients to access support for needs that intersect with their tenancy issues (such as mental health challenges and human rights concerns). It has also provided the Advocates with opportunities to engage in a range of creative strategies when negotiating with Landlords. Some examples include: working with Vancouver Island Health Authority (VIHA) clinicians specializing in hoarding issues in the efforts to have an eviction notice rescinded; working with BC Housing management and outreach workers to negotiate a transfer in order to avoid an eviction; and working with Ministry of Social Development and Social Innovation (MSDSI) workers when trying to resolve late payment of rent issues that occur as a result of MSDSI administrative errors.

CASE PROFILE:

TAPS Tenant Advocates were approached by tenants of a large apartment complex following a fire that displaced 70 residents. The tenants believed the landlord had failed to comply with the Residential Tenancy Act (RTA) by providing misinformation about the state of the tenants' suites and their personal property, coercing tenants into signing agreements to end their tenancies, and failing to provide tenants with access to their personal property. With the assistance of the BC Public Interest Advocacy Centre (BCPIAC), the Tenant Advocates filed a request to the Residential Tenancy Branch, asking the Director to investigate the landlord. The request required a lengthy process of liaising with a number of affected tenants, gathering affidavits and other documentary evidence, and compiling a detailed legal submission.

The Director of the RTB denied the request on the grounds that the landlord had already complied with orders that were determined at hearings that were brought forward by two of the affected tenants, and that other tenants have access to individual remedies through the dispute resolution process. The advocates believed that the Director's analysis was flawed based on the fact that the decision failed to consider all of the evidence submitted, misstated the purpose of the investigation section of the RTA (s. 96.1), and reflects a failure to understand the jurisdiction of the RTB. TAPS Tenant Advocates with the assistance of BCPIAC then filed a petition for judicial review with the BC Supreme Court. Following this action, the RTB decided to reconsider whether to conduct an investigation.

Unfortunately, the RTB again decided not to accept the investigation request. At this point TAPS decided to not proceed with a judicial review. Despite the RTB's decision, TAPS is still proud of the work done on this file.

PUBLIC LEGAL EDUCATION:

TAPS Tenant Advocacy project has provided 21 Public Legal Education workshops to tenants and service providers at various organizations in the Greater Victoria area, including:

- Island Health Authority Stabilization Unit (monthly)
- “Project Connect” at Our Place
- Single Parent Resource Centre
- Young Parents Support Network
- University of Victoria Law Centre
- Students of Pro Bono Students Canada, UVic Chapter
- Victoria Immigrant and Refugee Centre Society
- AIDS Vancouver Island
- Seniors Entitlement Service

STATISTICS:

A total of 1345 clients were helped by the Tenant Advocacy Project during this reporting period.

Volunteer Disability Advocacy Project Annual Report 2015

THEA MCDONAGH

PROJECT DESCRIPTION:

The Volunteer Disability Advocacy Project (VDAP) provides legal advocacy and support to economically disadvantaged people who are applying for Persons with Disability (PWD) status with the Ministry of Social Development and Social Innovation. The project delivers an extensive training and support initiative to volunteer advocates in the interest of assisting individuals with the lengthy and complex application process.

OBJECTIVES

- To assist people with disabilities to apply and qualify for Persons with Disabilities (PWD) status with the Ministry of Social Development and Social Innovation.
- To recruit, train and supervise a diverse volunteer network of advocates to support clients in the PWD application process.
- To encourage individuals living with disabilities to become VDAP volunteers through our Peer Volunteer Project.
- To update and refine training materials and resources used by the VDAP volunteers.
- To provide ongoing training opportunities for volunteer advocates.
- To engage in public legal education on disability issues.

UPDATES AND ACTIVITIES:

During this reporting period VDAP launched our Peer Volunteer Program. This new program is contained within the VDAP project and focuses on recruiting individuals who are living with disabilities to become VDAP volunteers. TAPS recognizes the unique perspective offered by volunteers with lived experience and the value they bring to the position. TAPS strives to be an accessible organization that offers opportunities to people with disabilities as equal and full participants in their community. This is done by ensuring they have adequate support from the coordinator and the tools necessary to be successful in the position. VDAP currently has 11 volunteers who live with disabilities.

VOLUNTEER ADVOCATES:

Prior to engaging in advocacy work, volunteers attend a three part training program delivered by TAPS Volunteer Disability Advocacy Project Coordinator that reviews the application process, legislation, and professional standards of advocacy. In preparation for the most recent training session, the VDAP Coordinator approached several volunteers for suggestions on how to improve the curriculum. Utilizing their feedback, the VDAP Coordinator increased the focus on skill

development and expanded the practice sessions. This has achieved good results and we have received positive feedback from new volunteers. After completing the training, new advocates attend 2-3 observation sessions with experienced advocates in order to gain further advocacy skills. Advocates are provided with a training manual which includes all the materials relevant to the volunteer position and meet with the Volunteer Disability Advocacy Project Coordinator regularly to ensure the quality of their work. VDAP currently has 15 dedicated volunteers that meet with clients on a regular basis.

During the period covered by this report the VDAP Coordinator recruited, trained and supervised the addition of 32 new VDAP volunteers. As a result, the project has been able to increase the financial stability and medical coverage for 578 individuals in the Greater Victoria area. TAPS continues to enjoy a strong reputation among clients and other service providers as being experts in assisting people to apply for PWD.

CASE TRENDS:

Many of our clients have significant difficulty accessing a family physician. As a result they are forced to use physicians at walk-in clinics that may not be familiar with their health conditions and have limited time to spend on the applications. To address this issue, the project now has a registered nurse who is available to work with clients as an assessor to fill out section 3 of the application. This is a great asset to our clients as the nurse spends several hours with the client to ensure that the application is as strong and detailed as possible.

CASE PROFILE:

James is a 53 year old First Nations man who first accessed the VDAP project in the summer of 2014. James had applied for PWD due to numerous injuries he sustained working on construction sites and as an amateur fighter. In addition, James suffered significant mental health impairments due to a history of abuse in residential schools, foster care and later in life, the army.

James' first application was completed with the help of another organization but was denied. This was due in part to the fact that James did not have a regular family physician. He had only seen the doctor who completed the application once and had not felt comfortable sharing all of his history. The Coordinator assisted James to request a reconsideration and although several attempts were made to get further cooperation from the physician, they were unsuccessful. James was advised that without the support of his physician an Employment and Assistance Appeal Tribunal hearing would not be beneficial. Instead, James was referred to the VDAP project to reapply.

Although James still had the same physician, 2 things were different about his second application. He had now known his physician for approximately one year and he accessed TAPS' nurse assessor to complete section 3 of the application. In May of 2015, James' second PWD application was denied and again the Coordinator assisted him to request a reconsideration. The Coordinator liaised with the physician and the assessor to prepare the additional evidence required for James' reconsideration. The Coordinator drafted a submission to go with the evidence from the medical professionals. James' reconsideration was successful and he was approved for PWD in July. Without the support, expertise and encouragement of the VDAP project James would have faced likely insurmountable challenges to obtaining the benefits he required.

PUBLIC LEGAL EDUCATION:

The Volunteer Disability Advocacy Project Coordinator has participated in many public legal education seminars over the reporting period. The principle public education component of the project is completed through volunteer training seminars that are provided several times per year. These seminars are open to individuals interested in volunteering with TAPS as well as existing advocates at other community organizations. Apart from the seminars, multiple public legal education presentations were given to community stakeholders in the non-profit and governmental sectors. These stakeholders include:

- University of Victoria
- Vancouver Island Health Authority Withdrawal Management Services
- AIDS Vancouver Island
- Island Community Mental Health

STATISTICS:

This year the Volunteer Disability Advocacy Project worked on 578 case files.

Employment Standards Legal Advocacy Project (ESLAP)

STEPHEN PORTMAN, JENNIFER KING
 ESLAP SPECIAL ADVISORY BOARD: KENDRA STRAUSS,
 LISA COWAN, TONY SPRACKET, JAMES COCCOLA, ALVARO MORENO,
 DAVID HUXTABLE

PROJECT DESCRIPTION:

ESLAP has continued to build momentum in year two of operations. In the year covered by this report the program effectively advocated on behalf of low income workers through negotiation, mediation and representation in the fight for justice on behalf of these workers. This work includes providing accurate rights based information to those who are equipped to advocate on their own behalf against employer contraventions of the Employment Standards Act. TAPS Employment Standards Advocates worked aggressively over the past year to provide effective full representation services to workers who need help in balancing the power relationship between employer and employee.

OBJECTIVES:

- To promote rights awareness for marginalized workers by providing accurate rights based information
- To increase access to justice for workers who are seeking assistance through information and referral
- To educate and empower individuals to effectively advocate on their own behalf
- To promote economic stability for marginalized workers through dispute resolution assistance

UPDATES AND ACTIVITIES:

This first year we have developed project guidelines for effective dispute resolution with employers and strategic navigation of Employment Standards Branch enforcement procedure. While we see a number of trends, we have also found that in many ways, “Every case is a test case” in terms of some sections of the Act where there is little publicly available precedence for low-income and marginalized workers, or where specific details of grounds and enforcement are at the “Discretion of the Director.”

We have also grown a strong working relationship with The Law Centre for referral of low-income civil cases for Constructive Dismissal, Employment Insurance reconsiderations and appeals, and Human Rights Complaints as well as with the Vancouver Island Human Rights Coalition. TAPS has proved an excellent home for this project in terms of connecting with other poverty-fighting agencies around town where we can often fill the gap for workers who might not otherwise have the financial breathing room to pursue outstanding wages or seek justice in unfair working conditions.

We have been active with the local and provincial Fight for \$15 Campaign and the Victoria Coalition in Support of Temporary Foreign Workers. ESLAP is also excited to have recently begun a research project in collaboration with the Community Social Planning Council, Vancouver Island Public Interest Research Group, and the Retail Action Network.

CASE TRENDS:

The following case trends were observed by advocates during the reporting period:

- 1) High Complexity of Cases – The past year demonstrated a marked increase in the level of complexity in cases being brought forward through complaints to the Employment Standards Branch. Additional time has been required by staff in obtaining and reviewing documentation from employers and from the Employment Standards Branch. The average time dedicated per case file has increased substantially from last years report. Examples of complex factors include: employers who are also landlords; workers with vulnerable migration status; and alleged discrimination because of ablism, agism, and racialization.
- 2) Wage Theft – Unpaid wages continues to be the longest standing case trend in the project. The number one reason for workers accessing our services results from employers not paying agreed upon wages. This act of theft results in significant hardship to clientele. Advocacy staff worked across projects and bureaucracies to insure basic housing and shelter supports are in place where wage theft results in risks to workers ability to survive. Examples of wage theft include: uniform charges and other illegal deductions for business costs like spoilage; denial of final paycheques; inaccurate payroll records; and unpaid hours and overtime.
- 3) Timelines at the Employment Standards Branch – Timelines continue to be a problematic trend for workers served by the project as the Employment Standards Act does not contain any statutory timeline for resolving employee complaints. The lack of sufficient resources at the Employment Standards Branch have led to lengthy appeal periods that often extend over our annual reporting periods. Workers may be required to wait over 12 months to see the return of stolen wages. This has resulted in some workers failing to engage in the appeal process as they are unable to contribute the necessary time and energy to see an appeal through to completion.

CASE PROFILE:

Tom is a 42 year old man who has lived in Victoria for as long as he can remember. Throughout his time spent in this community he has worked as a janitor at various department stores. Tom took great pride in his work as a janitor and even though he has lived with lifelong challenges stemming from schizophrenia and borderline personality disorder he is quick to talk about his skill and dedication to his trade.

For the past 9 years he worked for Vic Janitorial Inc. where he was paid \$11.00 per hour. Tom often worked 10 hours a day 7 days a week. Sometimes he received overtime pay and sometimes he did not. Whenever he raised concerns over accounting errors with respect to his payroll his concerns were brushed aside. This past January he was fired from his job when new store management wrongfully accused Tom of vandalizing the bathrooms that he was required to clean as part of his job. Tom's employer terminated him without paying any severance, outstanding vacation pay or unpaid overtime. As a result of the immediate termination and the employers' failure to pay wages owing, Tom ended up homeless for the first time.

Tom was wrongfully denied EI and Income assistance as the employer maintained that he was terminated for just cause. TAPS Employment Standards Advocate met with Tom and picked up the case. Through our advocacy services we were successfully able to recover \$11,000 of unpaid wages from Vic Janitorial Inc. through the employment standards complaint process. We connected Tom with local housing supports to get him off the street in the middle of winter.

Lastly, we were able to assist Tom to establish a trust account so that he can benefit from the return of his wages while he continues to receive his disability pension. Tom has now found another job placement and is happy to report that he is paid fairly. Never again will Tom be taken advantage of by the boss.

PUBLIC LEGAL EDUCATION:

ESLAP has provided Public Legal Education (PLE) to approximately 225 participants over the past year, including but not limited to:

- Victoria Disability Resource Centre
- AIDS Vancouver Island
- Fernwood Community Association
- Single Parents Resource Centre
- Beacon Springboard to Success Program
- Victoria Immigrant and Refugee Centre Society
- Intercultural Association of Greater Victoria
- The Law Centre
- BC Federation of Labour

STATISTICS:

This year the Employment Standards Legal Advocacy Project worked on 293 case files.

Federal Disability Advocacy Project Annual Report 2015

ZOË MACMILLAN

PROJECT DESCRIPTION:

TAPS' Federal Disability Advocacy Project (FDAP) provides legal information, advocacy and support to persons with low or fixed incomes applying for federal disability benefits. These benefits include Canada Pension Plan Disability benefits (CPP-D), the Disability Tax Credit (DTC), and the Registered Disability Savings Plan (RDSP).

FDAP is a new project at TAPS that applies the highly successful and innovative VDAP model to connect persons with disabilities with trained volunteer legal advocates. The addition of federal benefits advocacy to TAPS' current resources enables TAPS to provide more inclusive service to clients who desperately need a comprehensive examination of their rights and entitlements under both provincial and federal rules.

FDAP, initially a privately funded pilot project, commenced activities in September 2014 with Ryan Tonkin Coordinating. Under his direction and guidance the project saw an immediate uptake from the community. The cases have been varied, including assessments and applications for all of the federal benefits covered by the project.

OBJECTIVES:

1. To assist persons with disabilities to apply and qualify for CPP-D, DTC, and RDSP
2. To recruit, train, mentor and supervise a select group of volunteer federal disability advocates
3. To create a federal benefits advocacy training manual
4. To raise community awareness of federal benefits including the DTC and RDSP

CASE TRENDS:

CPP-D Recovery & Ministry of Social Development – Provincial PWD recipients are required as a condition of their eligibility to pursue all means of income and support. This includes federal benefits. Starting in September, FDAP has been overwhelmed by individuals needing to apply for CPP-D as a condition of their continued eligibility for provincial disability benefits. While the CPP-D application itself can be overwhelming, clients are approaching the organization with short timelines from the ministry and often in distress due to the nature of their disability. FDAP has been able to assist these individuals navigate the steps to comply with the ministry's demands, explain the differences between provincial and federal benefits, and help complete the CPP-D applications. In doing so, FDAP has been able to bridge the service gap which individuals often experiencing when dealing with both a provincial and federal system of benefits. This means a continuity of benefits and sense of security in planning for their financial future.

The applications completed through the assistance of the FDAP project have had a high rate of success, with clients receiving sometimes large sums of retroactive benefits. For example, one client assisted through the FDAP project, received a total of \$31,000 in retroactive CPPD payments and tax reassessments due to DTC eligibility.

In July, Zoë Macmillan took over the FDAP Coordinator role due to Ryan's departure from the organization. Zoë previously worked in the provincial Income Assistance Legal Advocacy project. Following a July feature in the Times Colonist spotlighting Victoria Foundation funded projects, FDAP saw an increased in demand from the public.

CASE PROFILE:

During the reporting period the FDAP project assisted Ellie, a woman whose CPP-D application had been entangled in bureaucracy and a series of denials for over 5 years. The case had been handled by various individuals and even local law firms, to no avail. FDAP's application for leave to appeal the case identified a crucial legal error in the reasoning of the federal government. This error has wide implications, including the denial of potentially hundreds or even thousands of applications waiting on appeal, which were filed prior to April 1, 2012. The retired judge and current tribunal member agreed that FDAP's position has a reasonable chance of success. Leave to appeal her case was granted. With the help of the FDAP Advocate, Ellie was finally given a chance to have her case heard after years of denials.

The total number of clients served by the Federal Disability Advocacy Project over the past year was 852. This is an incredible number for a project in its first year of inception.

Community Volunteer Income Tax Annual Report 2015

PROJECT DESCRIPTION

TAPS is an approved community partner with the Canada Revenue Agency and supports trained volunteers to provide free income tax preparation. This service is part of a network across Canada that assists tax filers, regardless of ability to pay, or level of literacy, to have access to Canada's tax system.

Each week, TAPS team of volunteers provide free face-to-face income tax preparation on a year round basis for eligible individuals (primarily those with low-incomes, the disabled, and seniors). Over the past year we had up to six volunteers working together to serve TAPS clients in the Greater Victoria area in response to a demand that continues to grow unabated. TAPS volunteers may prepare up to 10 years of income tax returns for clients who are in arrears with their tax filings.

This is a much needed service in our community as Canada Revenue Agency no longer provides counter service to clients, and other agencies that provide this service in Victoria either do not provide face-to-face service or do not provide service after April 30 when the tax season ends, or do not prepare prior years' returns. As a result, there is a significant demand for TAPS services, especially from those individuals facing low literacy levels or other barriers.

Why do TAPS clients need their income tax done? It enables some of them to receive the income tax refunds to which they are entitled. It enables the majority to participate in many provincial and federal income-tested programs, such as the monthly Child Tax Benefit, the Guaranteed Income Supplement for seniors, the Federal Goods and Services Tax credit, BC's low-income climate tax action credit and PST refund, as well as a large number of non-tax related programs such as access to public housing, assisted living for seniors, Medical Services Plan Premium Assistance, Fair Pharmacare, ESL programs at community colleges, Canada Student Loans, and Registered Disability Savings Plans. In cases where clients may have a debt to the Crown, due to an ambulance ride, family maintenance order, unpaid fine, Canada Student loan or other government overpayment, the filing of an income tax return helps to satisfy this debt as the Crown exercises its claim on their income tax refund, and GST credits.

STATISTICS

During the year ended August 2015 TAPS Community Volunteer Income Tax Program assisted 1,237 low income members of our community file 1,890 tax returns, as a result of which they became eligible to receive \$1,833,000 in federal and provincial tax refunds and credits.. The average refund received per client for the year covered by this report was almost \$1500.00.

TONY PULLMAN

TAX VOLUNTEER COORDINATOR

TAPROOT Newsletter Annual Report 2015

Taproot is published six times per year, in December, February, April, June, August, and October.

The newsletter is distributed to our membership by mail or by e-mail. It is also available as a pdf on our website. We print about 500 copies of each issue. We also deliver newsletters to over 40 organizations around Victoria, including the Disability Resource Centre, John Howard Society, Young Parents' Support Network, the Victoria Native Friendship Centre and the central library. We have successfully increased the number of people and organizations receiving *Taproot* via e-mail from 126 recipients in 2012 to 413 in 2015, an increase of over 300% of people who receive our newsletter by e-mail.

The *Taproot* includes articles by staff, board, volunteers as well as members of the community who want to express their views or share their experience. Staff members write articles that inform readers on their rights in relation to income assistance, disability, tenancy or employment standards. In the past year, we have had articles on various topics, including: the closing of the Residential Tenancy Branch office in Victoria; the Ministry of Social Development and Social Innovation's duty to accommodate, in particular, the needs of people whose disabilities may interfere with their ability to meet Ministry demands; and workers' rights in relation to wage theft by employers. We have also had several articles by people in the community. One article was by someone with firsthand experience with homelessness describing her years trying to keep a roof over her and her child's head.

Several volunteers work on the newsletter team: we have two artists contributing artwork, and a writer who contributes occasional articles. We have a volunteer who proofreads the final copy. And we have one volunteer who takes on the task of distribution, doing the mailout and keeping our delivery list up to date. We also benefit from the help of volunteers from the Garth Homer Society who deliver the newsletters to organizations around Victoria.

HEIDI
TAPROOT EDITOR

Volunteer Coordination Project Annual Report 2015

TAPS relies on the hard work and dedication of its many volunteers. We currently have about 50 active volunteers doing everything from helping people prepare their tax returns to disability advocacy to front desk reception to data entry.

People volunteer at TAPS for many reasons—to join the fight against poverty, to be involved in the community, to help others. Our volunteers are people who have experienced poverty firsthand, people with a commitment to social justice, students, retirees, and people with disabilities. Some have specific skills they want to use, such as writing or drawing or database development; they also come to gain skills and experience—in legal advocacy or office reception, for example. Many simply want to be involved in an organization that helps people.

FRONT DESK

There are ten shifts per week on the front desk, so we need to keep a team of ten active front desk volunteers, plus a few volunteers “on call” to cover shifts if the regular volunteer is away. We have had a lot of new volunteers come onto the front desk over the past year, while keeping a core group of long-time ‘front deskers’.

SILENT WITNESS

We always have between eight and ten people who are available to accompany TAPS clients to appointments at the Ministry of Social Development.

MEMBERSHIP DATABASE

We continue to fine tune the functioning of our database with the help of our database design volunteer, and continue to keep our database up to date with the help of our data entry volunteer.

OFFICE VOLUNTEERS

We have a small team of office volunteers who help us with such things as mail outs and photocopying jobs, making coffee, watering plants and keeping the office tidy.

HEIDI

TAPS’ VOLUNTEER COORDINATOR

2015 Board of Directors

MEMBERS OF THE EXECUTIVE

Dr. Joan McHardy – President

Past Chair, BC Chapter of the Canadian Evaluation Society

Brenda McBain – Vice-President

Consultant

Barb Celu Amberstone – Secretary

Writer, Community Volunteer

Tony Pullman – Treasurer

Retired Chartered Accountant

MEMBERS-AT-LARGE

Michel Pierre Janisse

Fund Development Professional

Erik Kaye

Public Servant

Hilary Marks

Community Advocate/Student

Richard Stern

IT Software Engineer – BC Association
of Aboriginal Friendship Centres

Gail Snider

Executive Director – Non-profit

Marika Albert

Program Manager – Community Social
Planning Council

Danielle Allen

Lawyer

Bhupinder Singh Dulka

Student

Tony Sprackett

Retired – Public Servant

TAPS Board meets on the last Thursday of every month at 4:45 pm



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GRATEFULLY ACKNOWLEDGES OUR FINANCIAL PARTNERS:



... and our many generous individual donors. *Thank you!*