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Spending It All in One Place: The New Minimum Wage

By David Huxtable

On September 15, 2016, the minimum wage went up for workers in BC. The general minimum wage moved from \$10.45 per hour up to \$10.85 per hour for most workers. For servers who work in a restaurant with a liquor licence, and whose "primary duties" are to serve "food or liquor directly to customers," your minimum wage just went from \$9.20 per hour to \$9.60 per hour.

For people not paid by the hour, there were also minor increases:

- For live-in home support workers paid at a daily

rate, your daily minimum went up from \$104.50 per day to \$108.50 per day.

- For people working in summer camps as live-in camp leaders, your daily rate went from \$83.60 per day to \$86.80 per day.
- For residential caretakers, you also received a teeny, tiny raise as well. For an apartment with 9 to 60 suites, your rates went from \$627 per month plus \$25.13 for each suite to \$651 per month plus



\$26.09 for each suite. If your building has more than 60 suites, your monthly rate went from \$2135.71 per month to \$2,217.46 per month.

- There are also new piece rates for those who pick fruits and vegetables.

I know, don't spend it all in one place!

(See Minimum Wage, page 4)

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FIGHTING BC HYDRO RATE INCREASES

By Stephen Portman

Before my time at TAPS, I did not know that BC Hydro could cut a family's electricity off in the middle of the winter, making them unable to heat their home, even if that family simply could not afford to pay their bill. I did not know that someone with an annual income of a million dollars pays the same amount per kilowatt of energy as someone with an annual income of \$10,000. Our hydro rates are a flat tax. In a province as deeply unequal as BC, a flat tax is a regressive tax, plain and simple.

If you are poor, you know that the never-ending increases to your hydro bill have far outpaced increases to income, and it is becoming increasingly difficult to make ends meet.

About once every 10 years BC Hydro goes through a process to review its rate structures—that is, the way it charges its roughly 1.9 million customers across the province for service. As part of this process, BC Hydro brings a “Rate Design Application” before a hearing at the BC Utilities Commission (BCUC), and the BCUC then determines whether or not to



accept BC Hydro's proposal.

I was at the BCUC hearings in Vancouver in early September as part of TAPS' efforts to affect how hydro rates go up and for whom. TAPS is part of a coalition of organizations working with people living in poverty, including anti-poverty, tenancy, and seniors' organizations. We are collectively referred to as BC Old Age Pensioners' Organization (BCOAPO) et al., which is the name of one of the organizations in our coalition—not the best title for an inspired collective of social justice warriors seeking energy justice, but it serves the day.

BCOAPO has talented and passionate legal counsel in Sarah Khan and Erin Pritchard (former TAPS advocate), both of the BC Public Interest Advocacy Centre (BCPIAC). They are

PERSONS WITH DISABILITIES

TAPS has advocates who can help you apply for Person With Disabilities status (PWD) through the Ministry of Social Development and Social Innovation. TAPS can also help you with an appeal if you have applied and been denied. Call TAPS at 250-361-3521 for more information. If you are at the appeal stage, be sure to get in touch with us as soon as possible after receiving your letter of denial, and tell the receptionist you are calling about a disability appeal.

**Check TAPS out on
facebook**

acting with the support and guidance of case manager, past BCUC Commissioner, and faithful TAPS Treasurer Tony Pullman, as well as two expert consultants. There are many other parties that support our effort and our thanks go out to them. Special mention goes to Leigha Worth of MoveUP

(See Hydro, page 3)

(Cont'd from **Hydro**, Page 3)

(Movement of United Professionals) for making the case on behalf of their membership for more affordable rate policies for low-income families.

Our coalition's requests to the BCUC include the following:

- introduce a rate discount for people living in poverty;
- put in place low-income customer rules like waiving reconnection fees and security deposits, and allowing flexible repayment plans for bill arrears;
- set up a crisis intervention fund for customers facing disconnection;
- end hydro disconnections in the coldest months of winter.

These programs would be available to all BC Hydro customers falling under a certain income threshold. The requests are reasonable, and detailed evidence compiled by the team at BCPIAC shows that, if these proposals were followed, there would be a modest but important betterment of the conditions faced by people living in poverty in super-unequal BC, at a cost of about a single dollar (or half a cup of coffee) per month for BC Hydro rate payers who are not poor.

(See **Hydro**, page 6)

TAPS

Annual General Meeting

All welcome

5 pm

November 21, 2016

Call TAPS

*after October 11
for location.*

Note: You must be a member in good standing one month before the AGM to be able to vote.

FEDERAL DISABILITY ADVOCACY PROJECT

TAPS' Federal Disability Advocacy Project can provide information on CPP-Disability, the Disability Tax Credit and the Registered Disability Savings Plan. If you would like to speak with an advocate about any of these benefits, or would like help applying, contact Emily Rogers at TAPS at 250-361-3521.

TAPS STAFF

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TAX CLINIC

**At TAPS
Every Thursday
9 - 11 and 1 - 4
First come, first
served.**

**Check us out at
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(Cont'd from Minimum Wage, Page 1)

These changes are part of the BC Liberal government's phased-in rate increases that began in 2011, when they allowed the minimum wage to increase from \$8 per hour to \$10.25 per hour over the course of a year. Since then the rate has been raised twice; in 2015 it went up 20 cents, and last month it went up another 40 cents.

It's important to keep in mind what a minimum wage is, and who it affects. A minimum wage is the legal minimum that a boss can pay a worker. When a boss pays the minimum, they are, in effect, saying, "If I could legally get away with paying you less, I would." The legal minimum applies to almost everyone. A worker cannot agree to take less to get or keep a job. Even if the worker

agrees (because they are desperate to get or keep the job) they can still report their boss later and hopefully get the wages they are owed. If a boss has hired you for less than the legal minimum (even if it's under the table), they are likely breaking the law, and you should come and see Stephen or David at the Employment Standards Legal Advocacy Project (ESLAP) at TAPS.

You may have noticed that I have said that the legal minimum applies to "most," or "almost all" workers. Of course there is a catch. There is always a catch (and usually, it's a catch 22)!

Employees in the following categories are not protected by the Employment Standards Act and minimum wage laws in BC:

- secondary students working at their high school
- secondary students on "work experience or occupational study class"
- baby sitters
- someone getting EI benefits who is working in a "job creation" program
- people participating in "Youth Community Action" who are getting financial credit towards their tuition
- anyone on a youth or disability allowance or

income assistance who is participating in a work-training program.

ESLAP staff have had people who fall into these categories come in to seek help, and we would encourage people to do so. We will not be able to file a complaint on your behalf through the Employment Standards Board, but there are other means by which workers can have their voices heard.

For the majority of folks reading this, your workplace very likely falls under the Employment Standards Act, and therefore the minimum wage laws do apply to you. Make sure that your employer is paying you the legal minimum (at least!). If you look at your recent paystub and find that you are not making the new rate, you should ask your employer about this. It is possible that they have not heard the news. If your employer resists the new minimum, come in to see Stephen or David at TAPS. If you now realise that you were not making the old legal minimum (that is, \$10.45), come in to see Stephen or David. You have six months to file a complaint about a violation of the Employment Standards Act. ■

TAPS

PWD APPLICATION PROCESS

CHANGES FOR SOME APPLICANTS

On September 1, 2016, the Ministry of Social Development and Social Innovation introduced changes that make it easier for *some* people to apply for the provincial Persons with Disabilities (PWD) designation. Folks are able to apply for PWD through the “Streamlined Application Process for Prescribed Classes” by completing a 2-page form, rather than the 28-page application, if they are enrolled in one of the following programs:

- BC Pharma Care Plan P (Palliative Care Benefits)
- Ministry of Children and Family Development At Home Program
- Community Living British Columbia (CLBC) programs
- Canada Pension Plan Disability Benefits (CPP-D).

To apply for PWD using the “Streamlined Application Process,” applicants must still complete the online application for income assistance (IA). While completing the IA application, use the designated space to indicate whether you fall into one of the above categories. Once you have submitted the online IA application, a

Ministry intake worker will contact you and will provide you with the 2-page PWD form in lieu of the 28-page PWD application booklet.

Be Careful!

The advocates at TAPS are concerned that people may apply for CPP-Disability before applying for PWD in order to have a simplified PWD application process. Be careful, as this may have negative repercussions for you.

Here’s why: People on PWD have access to some medical and dental benefits that are not available through CPP-D. People who qualify for PWD and **subsequently** qualify for CPP-Disability will be able to continue to receive the medical benefits available to people on PWD, even if their CPP amount is above the PWD amount (\$983.42) and they do not actually receive any income through PWD. They will receive what is called Medical Services Only (MSO).

On the other hand, those who qualify for CPP-D **before** they apply for PWD will not even be eligible to *apply* for PWD if their CPP-D amount is greater than the

PWD amount, and will therefore not be able to access the medical services available through PWD. CPP-Disability does not provide any medical coverage.

New Role for Nurse Practitioners

On September 1, 2016, the Ministry introduced changes that allow nurse practitioners to complete Section 2 of the standard PWD application. Previously this section could only be completed by a medical doctor. However, now nurses will be able to complete both Sections 2 and 3 of the PWD application. ■



WELCOMES

We welcome Meg Tronson and Carly Charlebois to TAPS. Meg is doing her Social Work practicum in our income assistance project, and Carly is doing her Nursing practicum in our disability advocacy project. We look forward to working with them through the fall.

We welcome articles from readers. Here is an article sent in to the Taproot. Enjoy!

A TALE OF TWO DECADES

By Ray Ferris

This is a story about the decade of 1950 to 1960 and the present decade, 2010 to 2020.

In June 1957, I took my first job as a social worker in Smithers BC. I was responsible for all child protection, financial assistance, old age assistance, blind and disabled pensions, adoptions and medical social work from Smithers to Kitwanga, some 100 kilometres to the West. I had eight aboriginal villages in my territory, and we did all services except financial on the reserves. There were two old age pensions, the universal one at seventy and a means-tested one at 65. The rules and regulations were mind-boggling. My supervisor also supervised the Burns Lake office 160 km to the east and covered the Telkwa and Houston caseloads.

My weekly caseload journey necessitated an overnight stay in Hazelton and I would cover three to four hundred kilometres, which was no fun in winter on mountain roads. If I got a

letter by Wednesday morning requesting help, I would make a home visit that day or the next and do an eligibility study. There were no street addresses and so careful directions were needed. Usually a cheque would be in the mail on Friday when I got back to the office. It would be picked up at the post office the next day. I always made a point of visiting a couple of my dozen foster homes each week.

Today there are now thirty employees instead of two. Area population has about doubled, so staff ratio has increased seven to eight fold. There are separate financial assistance and child welfare offices in Smithers and Hazelton, as well as separate aboriginal child welfare services. Of course the staff complain about being overworked and overstressed. One would imagine they would give first class service compared with my day. It now takes at least two weeks to get a cheque, and foster parents complain that social workers do not return their phone calls. You be the judge.

(Cont'd from Hydro, Page 3)

On the day I was there, the BCUC hearing room seemed to be filled with people far removed from the realities of poverty. We heard expert testimony from Seth Klein, Director of the BC office of the Canadian Centre of Policy Alternatives. He eloquently presented the case: People living in poverty in BC have "negative wiggle room" in their monthly budgets; energy poverty is real and this is an opportunity to do something about it.

I left the hearing early. I needed to escape for a short walk. It was then that I ran into Chris, who hangs out in Oppenheimer Park and lives in a nearby one-bedroom apartment. I learned that Chris pays \$850 a month for a "coffin" (his word, not mine) and pays roughly \$30 every two months for hydro. It did not sound like a lot until I learned he is living on PWD, the provincial disability benefit. On months where the hydro bill comes due, after paying the bill and rent, he has \$26.42 to pay for everything else.

The night before attending the BCUC, I'd headed to Commercial Drive and found a local spot to take in a pint. As you do, I got talking to a stranger about

(See Hydro, page 7)

(Cont'd from Hydro, Page 6)

energy poverty in BC. He was a homeowner living near the "Drive" and was a self-styled "job creator". He was not generally someone I would have expected to be sympathetic to the noble cause of BCOAPO et al. I was wrong.

When I explained our requests, he came to the same common sense conclusion: It was well past time to make the changes we are calling for. I pushed him a little bit on his feelings around poverty in general, and I would not describe him as sympathetic to the plight of the poor. However, very little explanation was required to convince him of the merits of BCOAPA et al.'s requests.

I know my anecdotal account from a stranger in a bar and Chris at Oppenheimer Park will in no way affect the BCUC's decision on alleviating energy poverty for some of BC Hydro's most vulnerable ratepayers. I wish it did, as the solution is something I feel we can all agree on, rich and poor.

While I have no clear idea of where the BCUC will land on our proposals, our coalition has brought an aggressive and meaningful proposal to the table. It will be months before we hear

PROJECT CONNECT

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live music
cedar weaving
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and

free services including:
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vet care,
photo portraits, foot care, and more!

Wednesday,
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535 Ellice Street

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the BCUC's final decision, but thanks to some incredible efforts it could be good news. Once we know the outcome, so will you. Until then, I want to again acknowledge the incredible work of the team at BCPIAC. Your passion in bringing this fight is fuel for the fire. ■

GOOD-BYES

Zoë Macmillan, our Federal Disability Advocacy Project Coordinator for the past two years, has left TAPS to take on a new challenge. In past years, Zoë was also a Law co-op student and board member of TAPS. It has been a joy to have Zoë at TAPS, and both our clients and the organization have benefitted greatly from her knowledge, patience, and passionate commitment to justice. She has made a significant contribution to TAPS and we thank her for that.

We also say good-bye to Heidi Boudreau, who stepped in as an income assistance legal advocate when we needed the support. We wish her the best of luck in her future endeavours.

Ejemen Iyayi and Caitlin Wright, our two Canada Summer Jobs students, have finished their time at TAPS. We were thrilled to have them at TAPS helping in tenancy and disability.



ABOUT TAPS

TAPS was established and registered as a society in 1989 and serves the Greater Victoria area. We provide legal information and representation on issues relating to income assistance, provincial and federal disability benefits, residential tenancy, and employment standards. We also provide public legal education in these areas and on broader poverty issues.

You can reach us between 9:30 am and 4:30 pm, Monday to Friday, by phone at 250-361-3521 or in person at #302 - 895 Fort Street. The office is closed daily for lunch between noon and 1:00 pm and is closed to walk-in clients on Monday and Friday mornings.

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