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## DON'T LET THE GRINCH STEAL YOUR CHRISTMAS

### WHAT YOU NEED TO KNOW ABOUT PRECARIOUS SEASONAL WORK

*By David Huxtable*

During the annual orgy of consumerism that occurs each December, many retail outlets increase the number of staff they employ on a temporary basis, resulting in more short-term employment opportunities for some. Here's what you need to know if you are working a temporary job during the holiday season.

#### **Working for cash**

Some people are happy to work for cash because they believe it will save them money on their income taxes, CPP, EI, and other deductions.



This can be true, if you make enough money in the year to pay income tax. Many people making the minimum wage, or close to it, pay very little tax. Other folks might be concerned about having their earnings deducted from their PWD allowances or EI. Fair enough. However, if you are not making

remittances to CPP and EI, you are not making contributions to those plans, and this may have negative repercussions for you in the future. Just something to think about.

#### **Keeping track of your hours**

Regardless of whether you are working for cash, or working through payroll, you need to keep track of every hour you work. Use a calendar at home, or use the calendar on your phone. Mark down the hours you work each and every day, and note the

*(See Seasonal Work, page 6)*

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## TAKE ACTION! THE VICTORIA TENANT ACTION GROUP

By Yuka Kurokawa  
and Emily Rogers

Are you a renter? Concerned about demovictions? Renovictions? Giant rent increases that force people out of their homes? Then why not join other tenants and their allies in the Victoria Tenant Action Group (VTAG)? Learn about tenant rights. Share your experience. Get peer support. Develop strategies for action. Fight for change. All of us together—one big collective voice—can make decision makers pay attention.

TAPS' tenant advocates have been working to get this tenants' rights group up and running, and VTAG's public launch, on October 11, was

buzzing with energy, enthusiasm and ideas. Those who attended expressed concern about the lack of available and affordable



housing, the need to build more social housing, difficulty accessing help from the Residential Tenancy Branch, and the failure of the current *Residential Tenancy Act* to adequately protect tenants.

VTAG has set up different working groups that members can get involved in, like the Policy Working Group, which focuses on bringing in policy changes at the municipal, provincial, and federal levels, the Peer Support Working Group, which focuses on providing support to tenants dealing with challenging tenancy issues, and the Resource Working Group, which is creating educational materials and planning information workshops.

VTAG is building support and now has more than 50 members in the

## SILENT WITNESS PROGRAM

Appointments with the Ministry of Social Development and Poverty Reduction (MSDPR) can be stressful. Some find that having another person at their appointment lessens their stress and helps the appointment proceed smoothly. At TAPS, we have volunteer silent witnesses who can accompany individuals to ministry appointments. If you would like to be connected with a silent witness, call TAPS at 250-361-3521.

### TAPS HOLIDAY CLOSING

TAPS closes  
for the  
holidays at  
noon on

**Friday, December 22.**  
We re-open on  
**Tuesday, January 2.**



Follow us on twitter  
[@tapsbc](https://twitter.com/tapsbc)

Capital Regional District. We look forward to maintaining this momentum and welcome new members to the movement. Take action! Get involved. Contact us at [tenants.victoria@gmail.com](mailto:tenants.victoria@gmail.com) or find us on our Facebook page—Victoria Tenant Action Group. ■

# TAPS' ANNUAL GENERAL MEETING

TAPS' Annual General Meeting was held on November 22, and with 35 people in attendance we reviewed the work of the past year. Our income assistance advocates helped 2565 people on low incomes, our tenant advocates helped 1912 tenants, and our employment standards advocates helped 145 workers. The Volunteer Disability Advocacy Project helped 911 people apply for provincial disability benefits, while our Federal Disability Advocacy Project helped 712 people navigate federal disability programs. TAPS' newest project, the Outreach Legal Advocacy Project, just got going in the summer and has already helped 103 people. These are not just numbers, but real people accessing income benefits they are entitled to, staying in their homes, getting back wages owed to them, and accessing disability supports.

We said a few good-byes to board members who have reached their six year limit (three consecutive two-year terms): Brenda McBain, TAPS President for the past two years, our Treasurer Tony Pullman, and Michel

Janisse. We thank Brenda, Tony and Michel for all they have given to TAPS, and wish them well in the future. Of course, they will remain close to TAPS. Tony will continue as a tax volunteer, and Brenda has whispered that she plans to join our crew of front desk receptionists.

New to the board are Amy Baylis and Jeffrey McEown. We welcome them to TAPS and look forward to working with them in the coming year. We will have the names of the new board president, vice-president, secretary, and treasurer in the next issue of the Taproot.

TAPS' Annual Report is available on our website at [www.tapsbc.ca](http://www.tapsbc.ca). Or drop into our office to read a hard copy.

On another note: TAPS' income assistance advocate Jen Matthews and board member Hilary Marks have been appointed to the Minister's Advisory Forum on Poverty Reduction. We will have more on this in the next issue of Taproot.



Together Against  
Poverty Society

## TAPS STAFF

**Doug King**

Executive Director

**Khalela Bell**

Outreach Legal Advocate

**Izzy Dehler-Hyde**

Coordinator of the  
Volunteer Disability  
Advocacy Project

**David Huxtable**

Employment Standards  
Legal Advocate

**Daniel Jackson**

Income Assistance Legal  
Advocate, Federal Disability  
Legal Advocate, and Tenant  
Legal Advocate

**Yuka Kurokawa**

Tenant Legal Advocate

**Jen Matthews**

Income Assistance Legal  
Advocate

**Emily Rogers**

Tenant Legal Advocate

**Caitlin Wright**

Federal Disability Legal  
Advocate

**On Leave**

John Cooke  
Thea McDonagh  
Stephen Portman

Taproot is published bi-monthly. Newsletter artists:  
Mitch Lindsay Joan Stiebel

## INTRODUCING TAPS' NEW EXECUTIVE DIRECTOR

Even though I've only been on the job as Executive Director at TAPS since early October, I can already tell that there is something very special about this organization and its devoted team of staff and volunteers. There can be no mistake that I have incredibly large shoes to fill, with the departure of Kelly Newhook, someone who in many ways became synonymous with the success of this organization. Luckily, I

find myself surrounded by a staff that couldn't be more dedicated and capable of independently advocating for our clients.

Before moving to Victoria in July of this year, I worked in Vancouver's Downtown Eastside for a legal advocacy group called Pivot Legal Society. During my stay at Pivot, a non-profit society similar in size to TAPS, I saw periods when the organization expanded as new opportunities presented themselves, and difficult times when financial instability led to retraction. Throughout the years, though, my friends and co-workers at Pivot taught me a valuable lesson: instead of trying to dictate every aspect of the organization's work—what should be done, how to do it—the role of the Executive Director, first and foremost, should be to create and maintain a well-resourced and healthy environment, where staff have the tools they need to confidently make decisions and flourish in their work.

And there is certainly a lot of work in front of us. TAPS is one of the largest providers of legal advocacy

## PERSONS WITH DISABILITIES

TAPS has advocates who can help you apply for Person With Disabilities status (PWD) through the Ministry of Social Development and Poverty Reduction. TAPS can also help you with an appeal if you have been denied. Call us at 250-361-3521 for more information. If you are at the appeal stage, 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.

## 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 Caitlin or Daniel at TAPS at 250-361-3521.

Check us out at  
[www.tapsbc.ca](http://www.tapsbc.ca)

services in British Columbia, and is responsible for a truly awe-inspiring amount of service to more and more clients every year. Sadly, despite positive developments in many aspects of our work, and commitments by government to implement a poverty reduction strategy, the number of people

*(See Executive Director, page 5)*

(Cont'd from Executive Director, Page 4)

needing our help is not likely to go down any time soon.

When we look back at 2017 we will likely remember it for the multiple levels of crisis that have made life difficult and tragic for low-income and marginalized residents: a housing crisis that continues to drive up rents and home prices, and drive out low-income people, who are increasingly unable to access the private rental market at all; an opioid overdose crisis that, from January up to September only, took the lives of 155 people on Vancouver Island, making 2017 already the

worst year on record. These are difficult and stressful times for low-income people in our province, people who need support and solidarity now more than ever.

There will be a lot of learning in my first few months on the job, and a lot of new relationships to form, but I am incredibly honoured to join the TAPS team, and am optimistic that 2018 will be another successful year for one of BC's oldest and most trusted legal advocacy organizations.

*Douglas King*  
Executive Director



## TAX CLINIC

At TAPS

Every Thursday

9 - 11 and 1 - 4

First come, first served.

Note: There will be no tax clinic on December 28

## BECOME A TAPS MEMBER!

Want to support TAPS? Why not become a member! We are happy to waive the fee, so it doesn't have to cost you anything. You will get the Taproot mailed or e-mailed to you.

### Together Against Poverty Society Membership Registration 2017 - 2018

Together Against Poverty Society, #302 - 895 Fort Street, Victoria, BC, V8W 1H7

Annual Membership Fees:  Unwaged \$5 (we are happy to waive this fee)

Waged \$20

Organization \$80

Method of payment:  Cash  Check  N/A

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ e-mail: \_\_\_\_\_

I would like to join TAPS' mailing list to receive:  E-mails from TAPS about its work

Taproot—TAPS' newsletter

>>>  by e-mail

by postal mail

## VOLUNTEER AT TAPS!

**Come and volunteer  
on our busy front  
desk—  
a great way to  
participate in the fight  
against poverty!**

**Call Heidi  
at 250-361-3521**

**Check TAPS out on  
facebook**

*(Cont'd from Seasonal Work, page 1)*

breaks that you took. Bosses must keep track of the hours you work, by law. However, sometimes employers make mistakes, and sometimes they will try to rip you off. Either way, you should keep track of your own hours. If there are hours missing from your pay, it will be much, much easier to have this corrected if you have evidence.

### **Daily overtime**

During busy seasons, bosses will often ask or demand that their workers put in long hours. If you work over 8 hours in a day, every hour between 8 and 12 should be

paid at 1.5 times your regular wage, and every hour over 12 should be paid at double your regular wage. So, if you make \$12 per hour, and you work 13 hours one day, you should be paid \$12 per hour for the first 8 hours, and \$16 per hour for the second 4 hours, and \$24 per hour for the time after that:  $(\$12 \times 8) + (\$16 \times 4) + (\$24 \times 1)$ . The only way your boss can get around this is if they ask you, ahead of time, if you would be willing to work under an averaging agreement. This must be voluntary, agreed to beforehand, and signed by you. This agreement cannot allow you to work over 40 hours per week. Any daily hours over 12 must be paid double time.

### **Weekly overtime**

If you work over 40 hours in a week, you are also entitled to overtime, regardless of how many hours you work per day. Finally, you must be allowed to have 32 hours free from work every seven days, or overtime rates of 1.5 times your regular wage apply to the hours you worked during that 32 hours.

### **Get contact information for your boss**

During holiday seasons, we see an increase in “pop-up” shops that disappear after the seasonal rush. Make sure

you know who you are working for. Get the owner’s name. Ask for a cell phone number and address that is not the store address. If an owner doesn’t want to give you this information, be very, very wary about working for them.

### **Commission sales**

It is legal to pay people purely by commission, as long as they make at least the minimum wage in every pay period. If you do not make enough in commissions in a pay period, your boss must make up the difference. If you work on commission, you may or may not be entitled to overtime and holiday pay (it’s complicated).

### **Vacation pay**

You are entitled to vacation pay after working for five calendar days. This vacation pay should equal 4% of your total wages, or two weeks’ wages after one year. Some employers will “bank” this pay, and pay you out when you take vacation. Others will pay out vacation pay on each paycheck – particularly if the employment relationship is going to be temporary. If you know the job is temporary, ask to be paid out on each cheque. Even if you are paid in cash, you are entitled to vacation pay.

*(See Seasonal Work, page 7)*

*TAPS Wishes  
All of You  
a Happy  
Holiday  
Season!*



*(Cont'd from Seasonal Work, page 6)*

### **Stat holidays**

You only get stat holiday pay if you have been employed for 30 calendar days and worked for 15 of those 30 days. If you qualify for holiday pay, you should be paid an "average day's pay" for that holiday, regardless of whether you work it or not. If you do work it, you should receive an average day's pay and time-and-a-half for every hour you work, up to 12 hours. If you work over 12 hours, you should be paid double time for any hours over that. An average day's pay is calculated by adding up all your wages (including paid vacation) over a 30 day period and dividing it by the number of days that you worked.

### **Termination**

Generally, if you work a day over three months, you are entitled to one week's notice of termination, or one week's

pay. However, if you are hired for a seasonal job, there is a strong possibility that the job will end within three months. In this case, your boss does not need to give you any notice that your job is ending, and you do not qualify for severance pay. A boss also does not need to give you notice if you are hired for a definite term. For example, if you are hired to work in a store from December 1 to January 8, your boss does not need to give you notice that your job is coming to an end. There are other limitations to getting notice of termination or severance pay, but this is the most common one that will affect seasonal workers.

If you have any questions about your rights as a worker, call David at TAPS at 250-361-3521. ■



## **BECOME A MONTHLY TAPS DONOR!**

With your support, individuals and families living in poverty in our region will have access to critical legal advocacy and educational services. TAPS' services are unique in their design and delivery, and offer knowledge, empowerment and, in many cases, a new sense of hope.

Select a monthly amount that's affordable to you, and TAPS will automatically deduct it from your checking account each month. You'll never have to write a check, buy a stamp or find an envelope again.

Monthly donors receive the following benefits:

- Updates on TAPS programs
- Annual tax receipt for all your donations during the year
- Taproot delivered to your e-mail.

See the monthly donor form on page 8 of this newsletter.

## ABOUT TAPS

TAPS was established and registered as a society in 1989. We provide legal information and representation on issues relating to income assistance, provincial and federal disability benefits, residential tenancy, and employment standards to people in the Greater Victoria area. 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.

## TAPS IS FUNDED BY



**And Other  
Generous Supporters**

## TAPS BOARD MEMBERS

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Brenda McBain

### Vice President

Marika Albert

### Secretary

Ryan Tonkin

### Treasurer

Tony Pullman

### Members-at-Large

Amy Baylis

Nathan Cartwright

Patricia Cochran

Sarah Cunningham

Linda Doctoroff

Bernice Kamano

Hilary Marks

Jeffrey McEown

Felicity Smith

## Thank You for Supporting TAPS' Legal Advocacy!

The best way to support TAPS is by becoming a monthly donor! Please submit this form and your voided check to: Together Against Poverty Society, #302 - 895 Fort Street, Victoria, BC, V8W 1H7

Date: \_\_\_\_\_

*Please debit my bank account (attach VOID cheque):*

\$10 \$25 \$35 \$50 \$100 Other amount \$\_\_\_\_\_ (please specify)

*I would like this donation debit to be processed through my account on the 25th of each month.*

Signature: \_\_\_\_\_

Donor Name: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ e-mail: \_\_\_\_\_

This donation is made on behalf of: an individual a business

*A tax receipt for your total monthly donations will be sent to you at the end of the calendar year.*

I would like to join TAPS' mailing list to receive: E-mails from TAPS about its work

Taproot—TAPS' newsletter

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