

Manitoulin-Sudbury District Services Board POLICY & PROCEDURES MANUAL	
Section: H. Ontario Works	Effective Date: July 2009
Topic: 5. Income and Exemptions	Replaces: November 2004
Subject: 5.8. Assignments Overview	
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POLICY

Authority **OW Act: Sec. 7(1), 7(2), 7(3), 13, 16(1) and 19(2)**
OW Directives: Dir. 3.8, 4.11, 5.1, 5.2, 5.5,

Where an applicant/participant is expecting income that is owed or due for the same period of time that OW financial assistance was or will be issued, and such income is considered to be chargeable income, the applicant/participant is required to complete a written agreement to reimburse Manitoulin-Sudbury DSB for any duplication of assistance.

Under some circumstances, an assignment and direction may also be required as a condition of eligibility.

Assignments are required to be completed at the time of application **or** when the participant is eligible to receive the income in question. Exception: EI assignments must be completed each time Ontario Works is issued.

Note: The amount of the reimbursement can not exceed the amount of assistance issued for the same time period. In the cases of child or spousal support assignments, the assignment must be for the entire month's worth of support as described by the court order. Clients will be reimbursed the difference, if applicable, once the Manitoulin-Sudbury DSB has been repaid by FRO.

The following chart indicates the most common types of assignments and the forms required:

SOURCE OF INCOME	TYPE OF ASSIGNMENT
Private Agreement for Support	Direction Form #0251 (10/99) Agreement to Reimburse Form #2208 Statutory Declaration Form #032003E or 0500FR
Court Order for Support	Assignment Form #0403 (10/99) Agreement to Reimburse Form #2208 Statutory Declaration Form #032003E or 0500FR

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Lawsuits pending	Assignment and Direction Form #2209 Agreement to Reimburse Form #2208
Private Insurance	Assignment and Direction Form #2209 Agreement to Reimburse Form #2208
Employment Insurance Benefits	HRDC Assignment Form INS#3113 Agreement to Reimburse Form #2208
Canada Pension Plan	Consent to Deduction and Payment Form #ISP 161398B Authorization to Communicate Information Form #ISP 1606 Agreement to Reimburse Form #2208
Workplace Safety Insurance Benefits	WSIB Assignment Form #0840 Agreement to Reimburse Form #2208
Ontario Student Assistance Plan	Assignment and Direction Form #2209 Promissory Note

LIMITS ON MONIES ASSIGNED

Sources of income that are exempted by regulation are not subject to assignment. Examples of such income include:

- payment for pain and suffering in a civil lawsuit up to a maximum of \$25,000;
- an award or grant made by the Ministry of Education and Training to a student enrolled in a post secondary institution.

DUPLICATE PAYMENTS / MONTHS INTENDED

A retroactive or advanced lump sum payment from some sources is considered income in the **months intended** and not in the month received.

Example: Where a retroactive Canada Pension payment is made which

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covers a twelve month period, a retroactive assistance calculation is done for each month. Likewise, a prorated income charge is made against a participant who receives a commutation from the Workplace Safety and Insurance Board.

Should the retroactive payments be for periods outside the time the participant is on assistance, the payments should be viewed as assets in the month received, subject to liquid asset levels.

To determine eligibility the most commonly encountered sources of income include:

- child support arrears outside of the time that a participant was on assistance

Example: A sole support parent on OW since Feb 1, 2000 advises worker on Feb 16th that the ex-spouse paid \$300 in arrears for money owing Oct - Nov'99. Case Manager determines that the individual was not on assistance at that time and money received is below her asset level. There are no deductions made on the individual's assistance. The **income** received was for a retroactive period outside of a time on assistance and **is not** considered income for our purposes, but is subject to current asset levels.

- E.I. Benefits

Example: A single person on OW since Feb 1'00 advises worker on Feb 16th that they received \$300 in arrears due to lost cheques for their claim period from Oct - Nov'99. Case Manager determines that the individual was not on assistance at that time and money received is below his asset level. There are no deductions made on the individual's assistance. The **income** received was for a retroactive period outside of a time on assistance and **is not** considered income for our purpose, but is subject to current asset levels.

FAILURE TO HONOUR AN ASSIGNMENT

An applicant/participant is not ineligible for assistance solely because a person or agency failed to deduct and remit monies to Manitoulin-Sudbury DSB pursuant to an assignment.

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If a participant receives money which has been assigned to the Manitoulin-Sudbury DSB, and subsequently re-applies for assistance, the person cannot be found ineligible for assistance for that reason. However, any such payments are an overpayment and subject to recovery.

PROCEDURE

1. Every time a Case Manager completes an assignment, a copy must be forwarded to the Espanola head office intake worker. The CM must also BF for 3 months.
2. The intake worker files the copy of the assignment in the Assignments Pending Binder.
3. When payment is received by the Manitoulin-Sudbury DSB finance department from **any** external source (i.e. WSIB, CPP, EI, OSAP, etc.) A copy of the cheque is sent to the intake worker who then matches up the cheque with the outstanding assignment.
4. On a monthly basis, the Intake Worker reviews the pending binder. All assignments that are outstanding for over 6 months will be brought to the relevant Case Manager's attention via email. Assignments that are outstanding for over 9 months will be brought to the attention of the Program Manager.
5. In the case of assignments for child or spousal support, the assignment will be sent directly to the FSW who will process and monitor that assignment. Case Managers must notify the FSW if a client with an assignment terminates or is transferred to another OW office.