

Aug 23  
(4 days  
ago)

**Robert Devet**  
<rdevet@gmail.com>

to Heather

Hello Heather,

I note that the latest ESIA regulatory change (218-142) affects the definition of recipient to now include 'and their spouse.'

Looking at regulation 20, does that mean that the department will continue the practice of depriving a spouse and possibly children of benefits when refusal to accept employment occurs, in spite of the Sparks decision?

My deadline is end of day today. Sorry about that. Hope you can help me out.

Thanks

Robert DeVet

902 865-7585 (home)

902 476-2607 (cell)



[The Nova Scotia Advocate](#)

*The Tyrant's Foe, the People's Friend*



**Fairbairn, Heather J**

Aug 23  
(4 days  
ago)

to me

See what I can do

Heather Fairbairn

Media Relations Advisor

Department of Education and Early Childhood Development / Department of Community Services



**Fairbairn, Heather J**

Aug 23  
(4 days  
ago)

to me

Hey Robert,

No. Changes were made to ensure consistency within Regulations and the ESIA policy manual, and also to support upcoming regulation and policy changes related to the Enhanced Wage Exemption, which will come into effect October 1.

On December 8, 2018, an Interim Policy was communicated to staff, that was to be applied retroactively to the date of the court decision, that states when Refusal to Participate, and Quit/Fired policies are applied, the case remains eligible and the defaulting applicant or recipient receives a Personal Allowance (PA) disqualification of \$275 for 6-weeks. The assistance of the non-defaulting household members is not affected.

Heather Fairbairn

Media Relations Advisor

Department of Education and Early Childhood Development /

Department of Community Services

**Robert Devet**  
<rdevet@gmail.com>

Aug  
23 (4  
days  
ago)

to  
Heather

Thanks, Heather,

Would the department share that policy memo with the NS Advocate? Why was it not included in the policy manual?

Doesn't this run counter to what section 20 of the ESIA regulations now states, after the August 1 regulatory change is applied to its language? And if so, should that not be flagged by the department. It is all online and in the public domain after all?

I will postpone that story until Monday, because the department's responses on this matter need to be included, obviously.

Thanks so much!

**Friel, Glenn P**

Aug 24  
(3 days  
ago)

to me

Hi Robert,

Good Afternoon. I'm helping Heather Fairbairn with media requests today. Here is the response to your follow-up questions from yesterday (below).

Kind Regards,

Glenn Friel

Community Services

[Glenn.Friel@novascotia.ca](mailto:Glenn.Friel@novascotia.ca)

Here is a copy of the interim policy:

***Interim Policy Direction - Policy 5.17.4 and Policy 5.17.5***

*In December, 2017, the interim policy direction was put in place to respond to the Court of Appeal decision that impacted the application of Policy 5.17.4 Refusal to Participate in Employability Activities, Employability Assessment, Job Search and an Employment Action Plan and Policy 5.17.5 Quit or Fired from Employment.*

*The court indicated only the recipient who refused to participate can receive a disqualification. An interim policy was developed and includes both applicants and recipients related to Policies 5.17.4 and 5.17.5. The interim policy applies to all household types including single individuals, single parents, couples, and couples with children. When the Refusal to Participate, and Quit/Fired policies are applied, the case remains eligible and the applicable applicant or recipient receives a Personal Allowance 6-week disqualification.*

The online policy manual will be updated with the interim policy to ensure there is clarity until such time that the necessary approvals and permanent legislative changes are in place. However, as stated in the previous response, the interim policy has been in place since December 8, 2017, and was applied retroactively to the date of the court decision on November 8, 2017. The assistance of the non-defaulting household members is not affected.



Aug 24  
(3 days  
ago)

**Robert Devet**  
<rdevet@gmail.com>

to  
Glenn

Thanks, Glenn!

Robert DeVet

902 865-7585 (home)

902 476-2607 (cell)



[The Nova Scotia Advocate](#)

*The Tyrant's Foe, the People's Friend*