



**Executive
Council**

*A certified copy of an Order in Council dated
February 20, 2019*

2019-35

The Governor in Council on the report and recommendation of the Minister of Community Services dated January 7, 2019, and pursuant to Section 21 of Chapter 27 of the Acts of 2000, the *Employment Support and Income Assistance Act*, is pleased to amend the *Employment Support and Income Assistance Regulations*, N.S. Reg. 25/2001, made by the Governor in Council by Order in Council 2001-138 dated March 23, 2001, to improve how applicants/recipients (and their dependents) are treated when there is noncompliance with employment related requirements, in the manner set forth in Schedule "A" attached to and forming part of the Report and Recommendation, effective on and after March 1, 2019.


Certified to be a true copy


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Laura Lee Langley
Clerk of the Executive Council

N.S. Regulations 30/2019

FILED

Date February 20, 2019
RACHEL L. JONES
REGISTRAR OF REGULATIONS

Approved by Order in Council
2019-35.....dated
February 20, 2019.....

.....
Laura Lee Langley
Clerk of the Executive Council

Schedule "A"

**Amendment to the *Employment Support and Income Assistance Regulations*
made by the Governor in Council under Section 21
of Chapter 27 of the Acts of 2000,
the *Employment Support and Income Assistance Act***

- 1 The *Employment Support and Income Assistance Regulations*, N.S. Reg. 25/2001, made by the Governor in Council by Order in Council 2001-138 dated March 23, 2001, are amended by renumbering Section 23 as Section 16A.
- 2 The regulations are further amended by repealing Sections 17 to 22 and substituting the following Sections:

Employability assessment

17 A recipient must participate in an employability assessment.

Employment plan

18 (1) A recipient is required to develop an employment plan that shall take into account

- (a) the recipient's
 - (i) skills,
 - (ii) education,
 - (iii) work experience,
 - (iv) volunteer activities,
 - (v) resources in the community,
 - (vi) availability of transportation,
 - (vii) child care needs, and
 - (viii) personal support; and

(b) such other factors that are relevant to enable the recipient to participate in employment.

(2) An employment plan cannot include a plan to participate in an educational program that is not an approved educational program

Employment plan participation

19 A recipient is required to actively participate in their employment plan and engage in services that are part of their approved plan.

Refusal to accept employment

20 An applicant or recipient shall not unreasonably refuse to accept employment, if suitable employment is available.

Quitting or fired from job

21 An applicant or recipient shall not

(a) quit a job without just cause;

(b) quit a job for the purpose of qualifying for assistance; or

(c) be fired from a job for just cause.

Medical examination

22 A caseworker may require a recipient to undergo a medical examination, as the caseworker considers necessary and relevant, if additional information is required by the caseworker for any of the following:

(a) to complete the recipient's employability assessment;

(b) to determine whether an employment plan is appropriate for the recipient.

Legitimate barrier

23 A caseworker may excuse an applicant or recipient who has a legitimate barrier to employment from any or all of the requirements of Sections 17 through 21.

Reduction in assistance

23A (1) Except as permitted by Section 23, if an applicant or recipient does not comply with the requirements of Sections 17 through 22, there shall be a 20% reduction in the calculation of the total basic needs assistance.

(2) The reduction in assistance under subsection (1) lasts for the following

duration:

- (a) 1 month, if the applicant or recipient has taken reasonable steps to remedy the non-compliance;**
 - (b) indefinitely, if the applicant or recipient does not take reasonable steps to remedy the non-compliance.**
- (3) For a family size of more than 1 person, the 20% reduction in subsection (1) is attributed to the person who failed to comply.**