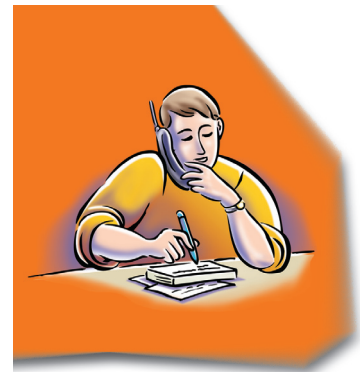


Individual and family assistance



General information



A GENERAL INFORMATION BROCHURE

This brochure is a general information document on certain services offered to individuals by Emploi-Québec, an agency of the Ministère de l'Emploi et de la Solidarité sociale.

This brochure, along with several leaflets and mini-brochures covering Department programs or more specific topics, is available at local employment centres (CLEs). These documents are also available on line at **www.mess.gouv.qc.ca**.

Please note

This brochure cannot be used for legal interpretation purposes. The information it contains was valid in July 2008.

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EMPLOI-QUÉBEC SERVICES



The Ministère de l'Emploi et de la Solidarité sociale, through Emploi-Québec, is tasked to contribute to employment and workforce development and to combat joblessness, exclusion and poverty with a view to economic and social growth. This is why the *Individual and Family Assistance Act* is aimed at encouraging people to engage in activities that promote their social integration, entry on the labour market and active participation in society.

Individuals who want to obtain an Emploi-Québec service are offered reception, assessment and referral by an officer. Assessment makes it possible to determine their interests in undertaking steps to enter the labour market and their eligibility for financial assistance. The officer then, according to their situation, refers them to either public employment services or social solidarity services.



PUBLIC EMPLOYMENT SERVICES

Persons wanting to take steps to enter the labour market meet with an employment assistance officer who works with them to determine the measures or services that match their needs. Next, the officer can draw up an action plan to be carried out as part of an Individualized Integration, Training and Employment Plan.

Employment services and measures

CLEs offer various services to persons who are ready to enter the labour market directly. These include labour market information and placement, either self-serve or with assistance. The services are also available to all Quebecers.

However, people who face particular challenges in entering the labour market (not knowing which job they should be looking for, feeling they do not have the required job skills, not knowing how to go about getting a job, or trouble keeping a job, etc.) can obtain a number of public employment services and measures. They can, for example, obtain specialized career counselling services, skills-development activities, training, and individualized job-search assistance. They may

also be given a hand with expenses related to their entering the labour market. These services vary in intensity, depending on the person's needs.

SOCIAL SOLIDARITY SERVICES

Emploi-Québec's social solidarity services focus on the following: individual assistance, social assistance and support, and financial assistance.

Individual assistance

Social solidarity services consist of personalized support or referral to specialized external resources for customized action aimed at helping individuals in their efforts to achieve social and professional integration and self-sufficiency.

Social assistance and support

Under the *Individual and Family Assistance Act*, the Department has the power to implement social assistance and support measures, programs and services. Currently there are three such programs.

The **Devenir** program is offered to last-resort financial assistance recipients who, because of their socio-occupational profile, are not ready to enter the labour market in the short term and who need special support, but who could be ready for public employment service measures within 12 months.

The **Interagir** program is offered to persons whose access to the labour market can only be considered as a long-term project. Activities are designed to help them develop or maintain skills, attitudes or behaviours that promote their social integration and action contribution to society.

The **Réussir** program is for persons eligible for the Social Solidarity Program who have a severely limited capacity for employment and are enrolled in a secondary-level vocational program or a postsecondary program. **Réussir** enables them to remain eligible for financial assistance while attending a school that has these programs.

Financial assistance

Social solidarity services also consist of financial assistance to an individual or a family to cover basic needs as provided for in the Regulation (housing, food, clothing, etc.) or the expenses involved in participating in a measure or program.

Last-resort financial assistance recipients who participate in a social assistance and support program receive a **support allowance** added to the basic benefit.

Additional expenses, such as childcare and transportation, may be repaid under a social assistance and support program.

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INDIVIDUAL AND FAMILY ASSISTANCE ACT

The *Individual and Family Assistance Act* has two main objectives:

- implement measures, programs and services designed to foster the economic and social self-sufficiency of persons and families
- encourage persons to engage in activities that promote their social integration, their entry on the labour market and their active participation in society.

Adopted in June 2005 and in force since January 1, 2007, the Act includes rules governing employment measures, programs and services and social assistance and support, as well the main components of financial assistance programs:

- Social Assistance Program
- Social Solidarity Program
- Alternative Jeunesse Program
- specific programs.

INDIVIDUAL AND FAMILY ASSISTANCE REGULATION

The *Individual and Family Assistance Regulation* specifies the rules that apply to all measures, programs and services provided for under the Act, notably:

- definitions such as "spouses", "dependent child", "adult" or "spouse"
- the obligations of persons who administer financial assistance for a third party
- debt recovery.

The Regulation also provides for rules regarding the granting or continuation of last-resort financial assistance, notably:

- eligibility requirements
- calculation of needs and benefit amounts
- eligibility for special benefits
- calculation of resources: property, liquid assets, income, earnings and other benefits, parental contribution, etc.

IMPORTANT DEFINITIONS

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SPOUSES

Under the Act, the term “spouses” means:

- two persons who are joined by marriage or civil union or who cohabit
- or**
- persons, of the opposite or the same sex, who cohabit and who are the parents of the same child, unless they establish that their cohabitation is temporary and results from exceptional circumstances related to a serious health problem of one of them or of one of their children
- or**
- persons of full age, of the opposite or the same sex, who cohabit in a de facto union and, at any one time, cohabited for a period of at least one year.

DEPENDENT CHILD

Under the Act, unless other indicated by regulation, children are considered dependents of their father or mother if they are dependent on one of these persons for their subsistence and they:

- are under 18, are not married, and have no dependent children, or
- are 18 or over, attend an education institution, are neither married nor the spouse of another person, and are not the parents of a child who is their dependent.

In cases of **shared custody**, the annual percentage of the time allotted for custody must be **at least 40%**.

ADULT

Within the meaning of the Act, an adult is a person other than a dependent child.

FAMILY

Within the meaning of the Act, a family is composed of:

- an adult and the adult's dependent children
- spouses and their dependent children or the dependent children of either spouse, or
- spouses who have no dependent children.

In some cases, spouses or children continue to be part of a family despite their absence (e.g. death, jail sentence, placement in a rehabilitation centre, in the care of an intermediate resource or a foster family).

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GENERAL ELIGIBILITY REQUIREMENTS



To be eligible for financial assistance, an adult must satisfy the requirements prescribed in the *Individual and Family Assistance Act*, including:

- residing in Québec
- and**
- being a Canadian citizen, an Indian registered as an Indian under the Indian Act, a permanent resident, a person to whom asylum has been granted in Canada or who has, for last-resort financial assistance application purposes, applied for asylum.

Depending on the financial assistance program, there may be other requirements as well.

RIGHTS AND OBLIGATIONS

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The rights of individuals are acknowledged under the *Individual and Family Assistance Act*, as are the obligations of these individuals.

RIGHTS

Individuals have the right to:

- at their request, receive assistance from a Department employee in understanding the eligibility requirements for measures, programs and services and in completing an application for financial assistance.
- be informed of the decision made after an officer has carefully studied their application for financial assistance.
- be informed as completely as possible of their rights, obligations, measures, programs, and services under the Act, including the Work Premium, child assistance, the National Child Benefit Supplement, and the Shelter Allowance Program.
- request that a third party, named by the Department, receive their financial assistance if they are unable to administer the assistance themselves.
- have ten days' written notice enabling them to present their observations or provide documents when the Department has decided to reduce their benefit or cease payment because they misrepresented their real circumstances.

- apply for review or for an administrative review of a decision by the Ministère de l'Emploi et de la Solidarité sociale, in accordance with the rules prescribed in the Act.
- request an appeal by the Tribunal administratif du Québec if they are not satisfied with a review decision.
- the confidentiality of the information in their file.

Comment:

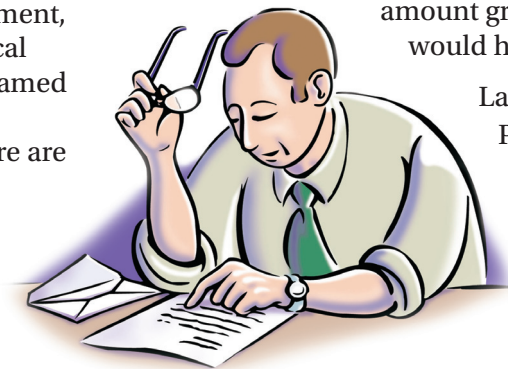
In addition, the Department allows individuals to have access to their file and have another person of their choice be present in all their interactions with the Department.

OBLIGATIONS

Financial assistance program recipients also have certain obligations. Should they fail to comply with these obligations, their application may be turned down or their benefit may be reduced or cancelled. They must therefore:

- complete the last-resort financial assistance application form and send it to the Department.

- provide all the information and documents required to examine their eligibility for assistance and determine assistance amounts, and where applicable, that of their family.
- provide a medical report when informing the Department of their physical or mental limitations to employment or when applying for an increase in last-resort financial assistance and, where required by the Department, undergo another medical check-up a physician named by the Department to determine whether there are such limitations.
- inform the Department as soon as possible of any change in their or their family's circumstances that could modify their eligibility for or continuation of measures, programs or services or the amount of financial assistance granted, by, among other requirements, completing and returning the monthly statement provided for this purpose.
- produce a full statement when the Department considers it necessary (not more than once every 12 months).
- repay any amount unduly granted to them or their family under the Act, unless provided for under the Regulation or



granted as the result of an administrative error of which they could not reasonably have been aware.

Furthermore, under the Social Assistance Program and the Social Solidarity Program, individuals must not:

- relinquish a right or dispose of property or money (liquid asset) without due consideration in order to receive an amount greater than the amount that would have otherwise been granted.

Lastly, under the Social Assistance Program, the Social Solidarity Program and all other programs unless otherwise indicated, individuals must:

- exercise their rights and use the benefits available under other legislation, for example, child support payments or pensions and income replacement from the Régie des rentes du Québec, the Société de l'assurance automobile du Québec or the Commission de la santé et de la sécurité du travail, that could affect their or their family's eligibility for the programs or decrease the amount of financial assistance granted.

FINANCIAL ASSISTANCE PROGRAMS

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LAST-RESORT FINANCIAL ASSISTANCE PROGRAMS

There are two programs established by the *Individual and Family Assistance Act* to provide last-resort financial assistance to independent adults and families whose resources are insufficient for their basic needs — the **Social Assistance Program** and the **Social Solidarity Program**. Individuals or families can be eligible for only one of the two programs at a time.

Social Assistance Program

The Social Assistance Program provides for last-resort financial assistance to independent adults and families **without a severely limited capacity for employment**. It is also aimed at encouraging them to engage in activities promoting their entry on the labour market or their social and community participation.

The **social assistance benefit** is a monthly amount granted to independent adults and families admitted to the Social Assistance Program. It consists of a basic benefit to which a temporarily limited capacity allowance, a Québec Sales Tax (QST) adjustment, adjustments for dependent children, or special benefit amounts may be added, where applicable. Then the amount of the adult's or

family's financial resources, such as earnings, property or liquid assets in excess of the exclusions provided for by regulation, are subtracted from this amount.

Social Solidarity Program

The Social Solidarity Program provides for last-resort financial assistance to independent adults **who can prove they have a severely limited capacity for employment**. Another purpose of the program is to foster their social participation and active contribution to society by providing all the help and support they require.

The **social solidarity benefit** is a monthly amount granted to independent adults and families admitted to the Social Assistance Program. It consists of a social solidarity allowance to which a Québec Sales Tax (QST) adjustment, adjustments for dependent children, or special benefit amounts may be added, where applicable. Then the amount of the adult's or family's financial resources, such as earnings, property or liquid assets in excess of the exclusions provided for by regulation, are subtracted from this amount.

ALTERNATIVE JEUNESSE PROGRAM

Offered on a voluntary basis, the Alternative Jeunesse Program is for people under age 25 who want to acquire or maintain personal, social or occupational self-sufficiency. It provides them with customized support that makes it easier for them to engage in genuine action and achieve their goals.

To participate in the Alternative Jeunesse Program, individuals must be eligible for the Social Assistance Program or the Social Solidarity Program.

How the program works

Alternative Jeunesse Program participants are assigned a CLE employment assistance officer who advises and helps them throughout the process. They work together to produce an action plan based on participants' needs and labour market situation.

This plan helps individuals choose the activities that best meet their needs in terms of:

- getting a job that matches their expectations
- getting the training they need for the job they want



- their readiness for the labour market
- finding tools that are effective in carrying out a successful job search.

Youth Allowance

All Alternative Jeunesse Program participants are entitled to financial assistance in the form of a Youth Allowance for their basic needs as they work towards entering the labour market.

The allowance is granted from the time of their admission to the program and throughout the time taken to implement the action plan produced with the employment assistance officer. Participants may also be reimbursed for additional expenses.

Individuals and, where applicable, family members, may receive last-resort assistance if the Youth Allowance is less than the assistance amount granted under the Social Assistance Program or the Social Solidarity Program.

SPECIFIC PROGRAMS

The *Individual and Family Assistance Act* provides for the creation of specific programs for granting financial assistance to individuals and families with particular difficulties. So far, there is one such program, Financial Assistance for Pregnant Minors.

Financial Assistance for Pregnant Minors

The main purpose of Financial Assistance for Pregnant Minors is to grant monthly financial assistance to destitute minors who are at least 20 weeks pregnant and who participate in the Programme de soutien aux jeunes parents (PSJP: Support for Young Parents Program), part of the integrated perinatal and early childhood services for vulnerable families administered by the Ministère de la Santé et des Services sociaux.

In general, minors who are independent are not eligible for the Social Assistance Program or Social Solidarity Program. Financial Assistance for Pregnant Minors makes it possible for young women to get temporary financial assistance while they are pregnant and until they give birth, provided they meet certain eligibility requirements, for example, further to referral to the Ministère de l'Emploi et de la Solidarité sociale by a local community service centre (CLSC).

THE DEPARTMENT'S OTHER FINANCIAL ASSISTANCE PROGRAMS

The *Act respecting the Ministère de l'Emploi et de la Solidarité sociale and establishing the Commission des partenaires du marché du travail* enables program creation. The rules governing these programs may differ from those provided for under the *Individual and Family Assistance Act* and the attendant regulation.

Under the three following programs, temporary monthly financial assistance is granted to workers so that they can stay in the region where they were working, keep their savings, property and liquid assets, and avoid having to apply for last-resort financial assistance.

Income Support Program for Workers Affected by Collective Dismissals in the Resource Regions

This program is intended for workers in the following resource regions who have been collectively dismissed, ceased working, or been laid off for an anticipated period of at least six months:

- Abitibi-Témiscamingue
- Bas-Saint-Laurent
- Côte-Nord
- Gaspésie-Îles-de-la-Madeleine
- Mauricie
- Nord-du-Québec
- Saguenay-Lac-Saint-Jean

The program begins when a company has dismissed 50 people or more and ends one year after the dismissals. However, at the end of this period, the Department may extend the program for up to one year.

Income Support Program for Workers Affected by Collective Dismissals in the Textile and Clothing Sectors, Excluding the Resource Regions

This program is intended for workers in the textile and clothing sectors in the following resource regions who have been collectively dismissed, ceased working, or been laid off for an anticipated period of at least six months:

- Capitale-Nationale
- Centre-du-Québec
- Chaudière-Appalaches
- Estrie
- Lanaudière
- Laurentides
- Montérégie
- Montréal-banlieue et Laval
- Outaouais
- Ville de Montréal

The program begins when a company has dismissed 50 people or more and ends one year after the dismissals. The Department will accept groups of such workers only until December 31, 2009. If the program is extended, persons who apply before this deadline could receive financial assistance for one year, until December 31, 2011, at the latest.

Financial Support Program for Older Workers Who Have Lost Their Jobs in the Forest Industry

This program is intended for workers aged 55 to 59 at the time of a termination or layoff that occurred between May 1, 2006, and October 31, 2008, inclusively. These workers can receive financial assistance until age 60.

The program applies to the following sectors in particular:

- forestry
- logging
- wood product manufacturing
- pulp and paper.

The Financial Support Program for Older Workers Who Have Lost Their Jobs in the Forest Industry grants monthly financial assistance to dismissed workers who, despite public employment services, cannot re-enter the labour market.

Comment:

Individuals who want to obtain an Emploi-Québec service are offered reception, assessment and referral by an officer. Assessment makes it possible to determine their interests in undertaking steps to enter the labour market and their eligibility for financial assistance. The officer then, according to their situation, refers them to either public employment services or social solidarity services.

FILING AN APPLICATION

The *Application for service* form is available in CLEs or on line at www.mess.gouv.qc.ca. Any adult who wants to receive public employment services must complete the form. The form is a way of collecting all required information about the identity, place of residence, education, and work experience of the applicant(s) and about the jobs sought.



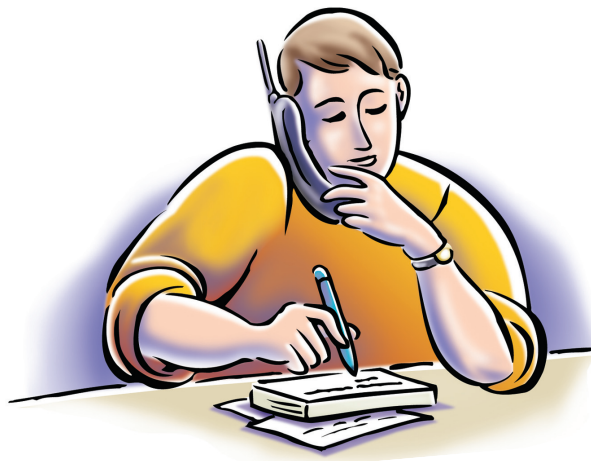
ASSESSMENT INTERVIEW

After filing an *Application for service*, applicants are given an assessment interview during which an employment assistance officer:

- works with them to profile their labour market situation in terms of choosing a career, acquiring skills, looking for a job, and finding and keeping a job
- assesses their abilities and limits as regards the employment process
- proposes a job search process if they are capable of working
- works with them to produce an action plan as part of an Individualized Integration, Training and Employment Plan when they can take steps to develop their employability
- directs them to the appropriate employment measures and services.

OBTAINING SOCIAL SOLIDARITY SERVICES

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To file for financial assistance, applicants must complete the form for the program concerned. Then they must hand it in to the CLE along with the documents needed for studying their application (ID, lease, bank statements, etc.).

In general, eligibility for financial assistance is assessed as of the day the CLE receives the form. This means applicants must submit the form as soon as possible even if they do not have all the required documents. The form can be completed on site and submitted immediately to avoid delays.

INTERVIEW TO DETERMINE ELIGIBILITY FOR FINANCIAL ASSISTANCE

After individuals have applied for financial assistance, an employment assistance officer assesses their eligibility for it and may ask them in for an interview for this purpose.

DECISION

Once an officer has all the required documents and information for determining eligibility, applicants are mailed a **notice of decision** informing them of whether or not they have been accepted. If accepted, they are given the name of the officer assigned to their file and the amount of financial assistance granted.

APPENDIX

SOME TERMS YOU SHOULD KNOW

Active employment measures

Set of structured initiatives under the employment services offered by Emploi-Québec aimed at helping people enter the labour market or keep a job.

Additional expenses

Expenses directly related to participation in an employment measure or program or a job entry process (e.g. transportation and childcare).

Adjustment for dependent children

The additional amount of monthly financial assistance that can be paid to an adult or a family under the Social Assistance Program or the Social Solidarity Program. The adjustment for dependent children is an amount intended to provide for the essential needs of children in recipient families and that are not covered, or only partly covered, by other financial assistance programs, namely, Régie des rentes du Québec child assistance and the federal government's National Child Benefit Supplement.

Administrative review

In accordance with the requirements of a program or measure, a request for an administrative review may be made by an individual who does not agree with a decision handed down within the context of an employment assistance measure, a social assistance and support program, the Alternative Jeunesse Program, a specific

program or another of the Department's programs.

Decisions subject to review include those pertaining to lack of eligibility for one of the above programs, the amount of assistance granted, and the termination of eligibility.

The decision handed down further to an administrative review is final.

Claim

Action taken by the Department to claim back, from an individual or a family, recoverable financial assistance or an amount that should not have been granted. In such cases, the person or family receives a notice of claim.

Claim slip

The claim slip, also called the "drug card," is a document that enables holders to obtain certain drugs prescribed by a physician. The claim slip also entitles them to certain services, such as eye tests and dental care.

A claim slip is issued to adults or families admitted to the Social Assistance Program or the Social Solidarity Program. Under certain circumstances, claim slips may also be given to adults who find a job or who participate in an active Emploi-Québec measure, or to adults or families who do not receive last-resort financial assistance but have high drug-related costs.

Employment assistance allowance

Financial assistance paid to participants in an active employment assistance measure that entitles them to such assistance.

Income

Amounts considered in determining eligibility for financial assistance and the benefit amount granted. Sources of income include earnings, a Régie des rentes du Québec pension, or income replacement from the Commission de la santé et de la sécurité du travail or the Société de l'assurance automobile du Québec.

Individualized Integration, Training and Employment Plan

Dynamic coaching process that comprises an action plan containing one or more activities decided upon jointly by a public employment service worker and a person able to undertake a job entry or re-entry process.

Liquid assets

Amounts of money to which an individual or a family has access in the short term. In general, liquid assets include cash in a bank account or credit union account that an individual or a family has in hand, as well as other assets that can be converted into cash, such as savings bonds, term deposits, or shares.

Parental contribution

Assistance that parents are supposed to provide to their children to meet their needs. Parental contributions apply to the Social

Assistance Program and the Social Solidarity Program and are considered resources that may lower benefit amounts.

Property

All the moveable and immovable goods (furniture, motor vehicle, cottage, residence, etc.) owned by an individual.

Québec Sales Tax (QST)

The financial assistance granted under the Social Assistance Program or Social Solidarity Program is adjusted to account for advances on the Québec sales tax credit. This adjustment is issued monthly and is based on the number of adults in a family.

Recovery

Actions taken by the Department to recover overpayments.

Review

When allowed by law, an individual who is not satisfied with a decision made by the Department may request a review. Decisions subject to review include those pertaining to a last-resort financial assistance program, the amount of a support allowance, or a claim issued under one of the financial assistance programs.

Some decisions cannot be reviewed, for example, those related to public employment services or to an Individualized Integration, Training and Employment Plan.

Special benefits

Under the Social Assistance Program or the Social Solidarity Program, special benefits are financial assistance amounts granted to provide for certain special needs, particularly medical ones (e.g. eyeglasses) or for unforeseen events (e.g. a fire).

Temporarily limited capacity allowance

Within the framework of the Social Assistance Program, a temporarily limited capacity allowance may be granted to adults who demonstrate that their physical or mental condition is such as to prevent them, for a period of at least a month, from undertaking a job entry or re-entry process. A medical report is required. The allowance can be granted in a number of situations (pregnancy; care of a minor under age 5 or of a child with a disability; adult over age 55; adult victims of violence who seek refuge in a shelter, etc.).

Tribunal administratif du Québec

A person dissatisfied with a decision handed down further to an application for review may request an appeal by the Tribunal administratif du Québec. The Tribunal is a body separate from the Department.

FOR MORE INFORMATION

You can contact your CLE or the Bureau des renseignements et plaintes of the Ministère de l'Emploi et de la Solidarité sociale at the following numbers:

- If you live in the Québec City area

418 643-4721

- Elsewhere in Québec, toll-free

1 888 643-4721

You can also write to the Bureau at the following address:

Bureau des renseignements et plaintes
Ministère de l'Emploi et de la Solidarité sociale
425, rue Saint-Amable, rez-de-chaussée 175
Québec (Québec) G1R 4Z1

www.mess.gouv.qc.ca

