

TIME LIMITS (POST 24-MONTH) GUIDELINES

Confidential Ministry of Human Resources	POST 24-MONTH TIME LIMITS (TL) CONSEQUENCES
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Purpose:

The purpose of this document is to ensure that:

- TL consequences are applied appropriately;
- there is consistent practice in applying TL consequences; and
- clients who are post 24 months are advised and understand the potential and actual consequences of non-compliance with their Employment Plan (EP) or Employment-related Obligations (EO).

PRACTICE STANDARDS

Recording

Time limits sanctions cannot be applied for non-compliance that occurred before or in month 24. Regular sanctions must be applied in these months. The date of non-compliance is therefore critical to determine if non-compliance occurred before, during or post 24 months. Therefore, caseworkers must clearly record the date or time period of non-compliance on MIS, and describe the incident of non-compliance.

On MIS (e.g. EPR screen) record the time period or date(s) the client was non-compliant (as determined by the caseworker). Describe the specific activities or conditions with which the client failed to comply, specifically where the client failed to comply.

Communications:

To ensure clarity and understanding of time limit consequences and due process, all clients who are non-compliant post 24 months must be strongly advised in writing of the consequences of their non-compliance, and of their reconsideration and appeal rights. Record the date of any correspondence or communication with the client on MIS.

During the 22-month review, ensure clients are advised of the following by written correspondence (the appropriate **Template Letter**):

- TL implications and consequences of non-compliance of EP or employment -related obligations;

- In addition to written correspondence, ensure that clients involved in an employment program such as JP or TFJ programs are advised that they must continue to meet the requirements or conditions of their employment plan and employment -related obligations even when they obtain part-time employment; and
- Clients working part-time, but who remain on assistance, must also continue to meet the requirements of the employment plan (EP).

Send written correspondence (the appropriate **Template Letter**) to post 24 month TL sanctioned clients. If TL consequences apply and client is ineligible for assistance, enter the Consequence End Date into the appropriate template letter.

Record verbal and written communications pertaining to TL consequences and compliance on MIS (date and brief summary of communications – (e.g. client was advised of his time limit count and specific consequences of non-compliance before and after month 24).

Consequences and Sanctions:

To ensure consistency with time limit policy and equitable treatment, time limit consequences should not apply to those who reached 24 months and were non-compliant in their 24th month. For example client reached 24 months in April 2004 and was non-compliant on April 30 2004.

TL consequence only applies when non-compliance occurs on, during or after the 25th month. For example, confirm on MIS that non-compliance did not occur in April or any month prior to May 1 2004.

It is important to distinguish between active non-compliance and passive non-reporting from a client who goes off assistance. The fact that a client goes off assistance without contacting the EAW is not in and of itself evidence of non-compliance. The non-compliance and sanction must be the cause for the client leaving assistance for the TL sanction to apply.

Important notes on applying TL Consequences:

- The District Supervisor will review all clients potentially impacted by time limits, as per current policy (non-compliant with EP or EO); and
- Before time limit Consequences are applied, the District Supervisor will forward a background note (Time Limits Client Information Sheet) outlining the circumstances of the case to the Policy, Program and Implementation Manager (PPIM) for review.
- If TL consequences are to be applied and client is ineligible for further assistance, EAW closes the EP using the appropriate close code and records employment-related sanction on the sanction (IPP) screen as applicable.

- EAW then updates the time limits indicator (NC-X) on the PE1 screen. A Consequence End Date will automatically appear. The End Date is entered into the appropriate template letter and then mailed to the client.

TL consequences should not be applied to post 24-month TL clients who go off assistance without reporting (e.g. no contact, no stub/HR81). The following procedures will apply:

- Review client file to determine if there is clear evidence of non-compliance with the conditions of the employment plan or employment-related obligations post 24 month period before applying TL consequences;
- If there is no clear evidence of non-compliance, no stub, or no contact with the client, **do not** apply EP sanctions. Record client's ineligibility status on MIS and provide the reason for ineligibility (close the file as applicable with supporting regulation/policy and close codes);
- **DO NOT** apply TL consequences or use the TL close code in this instance;
- Record comments on possible non-compliance, reasons for ineligibility and file closure reason, as well as possible TL implications on MIS ; and
- Place Information (INF) alert (DS authority) – "TL implications to be reviewed in consultation with DS if client reapplies".

IMPORTANT - Where TL consequences are imposed, clients must be advised that they may be eligible for assistance if they meet one of the applicable TL exclusion categories during the consequence period (refer to TL exclusion chart); and this must be recorded on MIS.

TL Discrepancy Report Review

In reviewing the TL Discrepancy report as it relates to TL consequences and EP sanctions:

- Update the post 24-month Non-Compliance indicator (NC-X) if TL consequences apply;
- If TL consequences do not apply or TL consequence is not confirmed upon review, resolve the EP or Employment –related obligation sanctions on the IPP screen with the NEW INFO reason code (resolve code 4) or Recording Error reason code (resolve code 5) on the IPP screen

Re-application Process

Post 24 month clients who re-apply for assistance will be re-assessed during the Income Assistance eligibility determination process to determine and confirm reasons for client leaving assistance, prior compliance with employment-related obligations, and TL consequences on a case-by-case basis.

Procedures:

- Review MIS to confirm if TL consequences have been applied.
- If TL consequences have not been applied, the following procedures will apply:
 - Review for post 24-month Non-Compliance indicator (NC-X) and TL close code;
 - Review MIS for INF alert detailing TL implications or comments detailing compliance status and TL consequences recorded on MIS history;
 - Ascertain applicant's reasons for leaving BCEA to determine if applicant had been EP non-compliant or non-compliant with employment-related obligations (EO);
 - If EO non-compliant, review the time frames and take appropriate action;
 - Review IPP L screen for non-compliance history as applicable;
 - Ensure non-compliance did not occur prior to or during the 24 months of assistance;
 - Discuss TL consequences and non-compliance issues with client and record communications;
 - Review Family Type, EP, Employability score, and review file to ascertain if there is any indication of medical or substance abuse barriers prior to making a determination to apply TL consequences;
 - Only apply appropriate TL consequences after consulting with the District Supervisor (DS);
 - If and when sanctions are applicable:
 - Do not update the IPP screen;
 - Record comments on EP or EO non-compliance on the EPR screen prior to applying TL consequences.
 - Provide client with written communications on non-compliance reasons, ineligibility reasons, TL impact on assistance and the right of reconsideration and appeal.
 - If TL consequences are to be applied and client is ineligible for further assistance, EAW closes the EP using the appropriate close code and records employment-related sanction on the sanction (IPP) screen as applicable.
 - EAW then updates the time limits indicator (NC-X) on the PE1 screen. A Consequence End Date will automatically appear. The End Date is entered into the appropriate template letter and then mailed to the client.

Important notes on applying TL Consequences:

- The District Supervisor will review all clients potentially impacted by time limits, as per current policy (non-compliant with EP or EO); and
- Before time limit Consequences are applied, the District Supervisor will forward a background note (Time Limits Client Information Sheet) outlining the circumstances of the case to the Policy, Program and Implementation Manager (PPIM) for review.

IMPORTANT - Where TL consequences are imposed, clients must be advised that they may be eligible for assistance if they meet one of the applicable TL exclusion categories during the consequence period (refer to TL exclusion chart); and this must be recorded on MIS.