

Ontario Cluster Workshop:
From Challenges to Solutions. Recommending a way Forward
November 19, 2019
Report

Attendees: Rebecca Gewurtz, Marcia Rioux, Emile Tompa, Kathy Papkapyeva, John Stapleton, Michael Mendelson, Margaret Olfield, Margery Wardle, Steve Mantis, Arif Jetha, Alec Farquhar, Dan Samosh, Yin Brown, Laura Cattari, Karl Crevar, Brian Elison, Rachel Gnanayutham, Rachael Dempsey, Tammy Bernasky, Doug Waxman, Sukaina Dada, Adeel Rizvi (volunteer), Debbie Anshan (CART)

The Objective of the meeting: Given the context in Ontario, including 2 recently elected Provincial and Federal governments, how do we consider the policy needs for people with disabilities in order to move forward with the Pan Canadian Strategy on work and disability and what recommendations do we bring forward from the Ontario Cluster to the National Meeting to be held in Ottawa in December?

The day included two panel discussions with respondents from the sector to generate discussion among the Ontario Cluster members.

Panel One: Trends in Disability Expenditures and Income Supports

The first panel discussion focused on disability policy and income security with presentations from John Stapleton and Michael Mendelson and a response from Laura Cattari.

John Stapleton (*Open Policy Ontario and the Metcalf Foundation*) presented on Policy Challenges to the Ontario Disability Support Program (ODSP). He said the system is currently set up so that disability benefits are work based, meaning you must have worked previously to be eligible for the benefit. The ODSP maximum is \$1169 per month and Ontario Works (OW) is too low at \$733.

No conservative government in Ontario has given a rate increase to ODSP/OW since 1984. The previous liberal government had made improvements to social assistance that were supposed to come into effect in November 2019. The current government is following through with some of these changes but have rolled them back significantly. We are unlikely to see further increases with ODSP/OW under this government.

ODSP is 60% higher than OW. This gap is indefensible and no disability advocate thinks that disability benefits should be 60% higher than basic non-disability rates. In fact, both ODSP and OW are really low, and any straight increase to both programs increases the dollar gap. Therefore OW brings ODSP down.

ODSP recipients who work face frequent overpayments and resulting suspensions because their work hours vary month-to-month. Stapleton noted that people reporting earnings experience suspension of benefits up to 75% of all months worked. However, they are not making enough to pay bills. Suspension is immediate when a discrepancy is noted in the system, but reinstatement can take time as case workers sort out what happened. One social assistance rate would solve the current social housing rent and adequacy issues.

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Stapleton argued that we need good and relevant evidence to support programs, not just “any evidence.” He also said the ODSP definition of disability is useful because it is condition-based rather than work-based. Someone is able to work on ODSP (although they may be subject to claw-backs), but program reforms are still needed. He suggested: 1) Disability income needs to be revamped through refundable credits because right now ODSP is welfare dependent. 2) To be more equitable, we need to build disability income outside of ODSP. 3) Reform Ontario Works and the reporting system for earnings so people have autonomy with how they spend their money.

He concluded with a recommendation to go back to the roadmap for income security reform

Michael Mendelson (*Maytree Fellow*) presented on ODSP caseloads. He said the number of ODSP cases (and beneficiaries) have been increasing steadily for two decades. Ontario’s population has also been increasing with Ontario’s older population increasing at a faster rate than the general population.

Mendelson provided a Regression Analysis showing that 97% of the ODSP caseload increase is correlated to the older population increase. The steady increase in ODSP cases is understandable due to an aging population. He argued that measures that make ODSP more difficult to obtain will not restore ODSP to past case levels. Instead, these measures will constitute real cuts for services for older Ontarians. Importantly, he argues this will harm individuals and does not make sense.

Mendelson recommended that we make the Disability Tax Credit refundable. A 2018 Senate report recommended this (see *Breaking Down Barriers, a Critical Analysis of the Disability Tax Credit and the Registered Disability Savings Plan*). It would have an immediate impact on persons with disabilities who fall within the lowest income level. The Disability Tax Credit only applies to people with taxable income. If it were refundable, it would benefit people with the lowest income. To provide maximum benefit, it should not be deducted from ODSP.

Seniors currently have Old Age Security and the Guaranteed Income Supplement. As a long-term strategy, Mendelson suggested a similar basic income for people with disabilities. Any program that involves disability will have a “disability test” and it is important to consider what test would be used; a test of work or a test of condition.

Laura Cattari (*Hamilton Roundtable for Poverty Reduction*) gave a first-hand account of navigating the policy systems. Importantly, any change in circumstance or administrative error usually has a negative impact on the person accessing services. The system is very dehumanizing. She suggested that many people on ODSP are single because after three months of living with someone it is assumed that you can financially

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depend on that person. Cattari argued that the ODSP definition of disability is the best one in Canada. It is not just condition based, but also interaction based. Social interaction, self-care, and employment are all considered in determining disability. She said the Disability Tax Credit works for her but may not work for everyone. She was part of the Basic Income Pilot program in Hamilton which the disability amount was \$6000 and with ramp offs from federal programs, you may meet the poverty line.

Cattari offered an additional theory about why there is an increased ODSP caseload. Many employers do not offer benefits such as Long Term or Short Term Disability so if someone can't work they have nowhere else to turn but OW and ODSP.

She concluded with a suggestion that a Basic Income system needs to account for changes in individual circumstances; there is currently a lack of protection for precariously employed persons if they become sick. Furthermore, ODSP does not take into account replacement or maintenance costs at home or the possibility of a social life.

The Questions and Answer Session brought forward the following points:

- When spouses are working, it is hard for people to qualify for ODSP. Recipients, as a consequence of ODSP, actually choose or are forced to stay single to avoid total dependency on a partner. 78% of cases are single persons so you may not have a lot of secondary earner effects.
- Government encourages saving for retirement but penalizes saving on ODSP. In other jurisdictions, increases in permissible assets has not affected case loads
- Advocate for an increase in basic income. Advocacy should focus on increasing basic income levels for low income people instead of relying solely on ODSP.

Panel 2 Disability Confident Employers

In the afternoon, the focus was on creating disability confident employers. The panelists were Arif Jetha a Scientist at Institute for Work & Health, & Yin Brown a Disability Advocate with the Alliance for Equality of Blind Canadians, Toronto Chapter.

Arif Jetha presented on a forthcoming research project that is funded by the New Frontiers Research Fund focused on preparing for the labour market of the future. The presentation generated a lot of discussion about methodology and what our future labour market might be like for people with disabilities. Discussion was had about a shift to workers generally being less valuable with caution being made about believing that because a job can be automated that it will be. Jetha's project is seeking to understand this potential shift and the extent to which the workplace will be more fissured. One of the biggest demands right now is call centre jobs, but what will the future employer look like? The idea here is to create alternative narratives that might allow us to prepare for the labour market of the future and ensuring that disability is included.

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Yin Brown explored ways to build disability confident employers and suggested a two-pronged approach 1) embed disability inclusion and accessibility in organizational policies and practices, and 2) develop specific disability-inclusion policies and strategies. Existing diversity and inclusion policies need to include disability. Develop an anti-ablism policy within organizations in addition to gender equality, anti-racism and anti-oppression policies. In addition to a specific recruitment strategy for people with disabilities, make disability inclusion a part of performance reviews, staff training, employee awards programs and accommodations.

Brown said that people with disabilities are not well represented in the workforce. To address this, aim for disability representation at all levels of the organization; on Boards, in leadership roles, as front-line workers, and volunteers. A second challenge is when people do not want to disclose that they have a disability. Disability needs to be reframed positively, such that persons with disabilities can exhibit disability pride. Employees with disabilities need to be empowered to become self-advocates. A third challenge is inadequate workplace accommodation. Aim to normalize accommodation for people with disabilities similar to family and religious accommodations and accommodations for pregnant women, indigenous groups, and trans people. There should be on-going check-ins similar to occupational health and safety. The more accessible a workspace is, the less need there will be accommodations. A final challenge is lack of job ready skills. Brown argued that organizations often avoid hiring persons with disabilities out of a non-evidence based perception of legal and financial risk. Funding programs need to be more inclusive of people with disabilities.

Brown concluded that disabilities communities need to be counted and have a voice on accessibility and inclusion. The disability community needs to work together to share information, resources and other opportunities.

Daniel Samosh, a CRWDP Postdoctoral Research Fellow, Centre for Industrial Relations and Human Resources at the University of Toronto and the Institute for Work & Health, then responded to the panel. He talked about his PhD research on disability and leadership. He said there are nearly 650, 000 people with disabilities who can work but are not currently employed. The goal should go beyond just employment to meaningful employment. The nature of work is changing and sometimes employers may fear reprisal if they do hire a person with a disability. Samosh offered a three-pronged approach of 1) career self-management, 2) establishing social networks (mentorship, coaching and succession planning), and 3) organization and societal factors (being proactive and flexible, having people with disabilities in leadership positions). These three areas need to be addressed together. He argued that there is not enough long-term evidence-based data on disability and career outcomes. Yin and Dan agreed that there are positive steps towards having an affirmative disability definition and disclosing one's disability, and looking at disability in a positive way.

The Question and Answer session concluded with the following points:

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- Although jobs can become automated in the future, they may not be automated. In fact, as more things become automated, we might need more people for jobs related to those automated jobs.
- The next few years will be a transitional period and there are opportunities to ensure that elements of the transition are accessible. [but much of this automation has already taken place)
- People with disabilities and other diverse groups need to be included in the development of the training for organizations.

Recommendations

The afternoon roundtable came up with recommendations on ways to move forward in the environment of 2 new governments. The Ontario Cluster has the following minimum recommendations.

A. Put in place a refundable Disability Tax Credit

Work toward Income Security to address poverty among people with disabilities by making the Disability Tax Credit a refundable payment, payable monthly like the Canada Child Benefit. The target would be equal to benefits available to seniors which is approximately \$20,000 per year. In line with the recommendations in the 2018 Senate report on the Disability Tax Credit, the federal government should work with the provinces so the refund would not be deducted from Social Assistance.

B. Establish a Clear Definition of Disability

The ODSP definition of disability is the best one in the country because it goes beyond condition based. It could be considered a model for other policy.

C. Work towards Client-friendly Services

Eliminate the barriers within the OW & ODSP that create a disincentive to employment by making the integration of employment earnings with benefits more user friendly. There is currently a fear and distrust of ODSP. There is also a false presumption that people are trying to cheat the system, but evidence shows that this is not the case. To support this, there should be an investment in system navigational supports.

D. Monitoring and Evaluation

Develop a robust federal system for the collection of data on health & disability and employment & income, including better measures of disability.

E. Collaboration and Partnerships

- i. Build strong working relationships between disability organizations.
- ii. Build a broad based coalition on inclusive workplaces and societies by bringing together impacted parties with the federal, provincial and municipal governments. Aim to establish key priorities and to provide an evidence based proposal for governments to

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change the current paradigm and to base any move forward on the UN Convention of the Rights of Person with Disabilities, which has been ratified by Canada and the provinces.