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Northumberland Community Legal Centre

(funded by Legal Aid Ontario)



The Help Centre

(A Proud United

Way Member Agency)



United Way
Northumberland

THE HELP CENTRE OF NORTHUMBERLAND

SEPTEMBER 2014

REPORT FROM THE CHAIR BY Krista Skutovich

Another extraordinary year behind us, and once again, it has flown by. It would be an understatement to say that the 2013/14 year was busy. Here are just a few of the things that happened: strategic planning, staffing changes, funding changes, fundraising events, new funding opportunities, new partnerships, new proposals, new students, new volunteers, even a new Board Chair- and all this while doing an AMAZING job serving the residents of Northumberland County.

Read this newsletter, and you'll know what I mean. Look at the amazing work- quality and quantity- that our small agency does for people. And not just individuals and families, but our community as a whole. The spinoff effects of the services we provide are huge (think of income tax return dollars and legal settlements reinvested in Northumberland, for example), not to mention the collective action in which we participate, and lead.

It does, though, take a LOT of dedicated people to make effective change. There is a lot of behind-the-scenes work that happens in an effort to better serve our community and fur-

ther our mission of social justice. Since the rest of this newsletter will tell you about the services we provide, and impact we have, I'll focus on the *people* who make it all happen and their behind-the-scenes work.

Our staff: Small in numbers, but mighty, we couldn't ask for better staff. Ask anyone who has come through our doors for service. Under the direction of Lois Cromarty, the Legal Centre has been recognized as a model agency for others, has forged new partnerships, taken the lead in local anti-poverty work, and is constantly being innovative with new projects (not to mention being very creative with making space for students and staff in our small office space!). In addition to delivering thousands (yes, thousands) of services with just two staff, on The Help Centre side they recruit volunteers and students, deliver countless presentations, forge new partnerships and make sure every person coming through the door is not only assisted, but welcomed. This year we welcomed Patricia Orantes

Crowe as the new Managing Director- another great addition to our team.

Our funders: Legal Aid Ontario and Northumberland United Way continue to see the value in the work we produce and support us with core funding to continue that

work. Our agency clearly wouldn't be able to survive without them. Our project funders like Greenshield Canada, the Homelessness Partnering Strategy and Rotary Club, among others, also allow us to be innovative and help our programs and services evolve to meet the ever-changing needs of local residents. Without these unique funding opportunities we would never have reached where we are today.

Our volunteers: We absolutely could not survive without volunteers. We've always relied on them, and will continue to, since (unfortunately) the need for our services continues to grow. Our volunteers, including students, do a lot of unrecognized work, too, though, like organize fundraising events, approach donors, help with administrative work, provide computer support, not to mention serve as receptionists, provide income tax assistance, draft

Con't on Page 3

2013-14 by the Numbers: Still Busy after all this Time by Lois Cromarty

Demand for legal services increased over the prior year. We received 5336 requests for service (compared to 4853 the prior year), and opened 437 files (407 last year). We appeared at 200 hearings in the year, and closed 414 files in 2013-14 after completing the needed representation and advocacy on behalf of our clients. These files produced \$1,473,170 in lump sum awards to our clients (\$1,546,664 the prior year) plus \$24,468/month ongoing (\$293,616 in the year).

It goes without saying that these funds make a huge difference in the lives of our clients. Part of the explanation of how these successes come to be is the inclusive approach to legal services that we use here at the clinic. All our staff try to determine "what happened before what happened" so that our clients get not only their immediate legal need addressed but also other underlying issues that the client may not have considered. For example, we have found that a large proportion of applicants for disability benefits have been the victim of crime in the past. If only the application for disability benefits is dealt with, the client may never even be aware that they



could be eligible for an award from Criminal Injuries Compensation. We now include a simple question in the client interview about past circumstances, and this has led to more money in the hands of our clients. The legal health checklist that we have developed is now being used by other legal clinics as a tool to help ensure the delivery of holistic legal services.

We have continued to train the next generation of lawyers and paralegals. In 2013-14, we trained 22 paralegal and law clerk placement students. Our articling student from the prior year finished her articles, was called to the Bar and now has a full time position at a different legal clinic. For the first time, we also had a Queens' Law School extern who came to the clinic once per week to obtain course credit. Being creative with human capital resources in this way has given the Legal Centre an ability to serve clients and to improve access to justice. At the same time these young professionals get a solid grounding in legal skills, along with a hefty helping of the social justice values that we strive to achieve daily in our



work.

We always have a lot of people to thank for working with us to extend the reach and scope of services to our clients. Firstly, thanks to the Board of Directors of NCLC (THCN) for their vision and support. Thanks also to Legal Aid Ontario for continued financial support. The results achieved for clients could not have been done without the tremendous efforts by our clinic staff. Their dedication does not go unnoticed and should not go unrecognized. When you see one of them, please be sure to extend a thank you on behalf of the community we serve.

Thanks also to the other lawyers who help us to provide extra services to our clients. Thanks to Community Advocacy and Legal Centre in Belleville for their continued work under our collaboration agreement to share services to allow our clients access

to wrongful dismissal services. Thanks as well to local lawyers Doug Mann, Bruce Coleman, Alison Lester, and Allan McCracken, and for our volunteer lawyer Dari Haddon for their work in the wills program.

All in all, another successful year has come and gone at the Legal Centre.!

(Continued from page 1)

wills for those in need, and many, MANY other things. Included in this group is our Board of Directors, who is likely the most active and dedicated Board you will ever meet. In fact, this year, we are saying goodbye to a founding member of the agency, Wilf Day, who has continued to be involved in the agency as a volunteer Director since its inception. Wilf, your passion and expertise will be greatly missed.

Our supporters: We have an ever-growing group of local supporters who often raise funds for us outside of our events (like at the Jiggs Dinner in Cobourg or Labour Day picnics of the past), who attend our fundraising events regularly, who give generously as individual donors, and who spread the good word about our agency not only to other potential supporters, but to potential clients. They are our (unpaid) marketing department, and they do

a great job at letting others know about us, what we do, and how we can help.

Our clients: It takes courage to ask for help, and, unfortunately, more and more people are having to be brave every day by walking through our doors or calling our offices for assistance. It is the clients that give us, as an agency, the will and passion to continue moving forward with our social justice work. Our clients often also share their stories publicly, in order to help others, spread the word of available assistance and keep hope alive for those struggling with their own situation, be it a workers' compensation battle, or battle with a utility company.

*Note: many of our 'people' cross over into multiple groups. I can think of more than one person who falls into at least 2 or 3 of these categories... amazing people!



We are so small compared to many other agencies, but wow, we make a HUGE impact in Northumberland County. Just continue reading the newsletter. I would bet that everyone reading this will learn at least one new thing about the services we provided last year, and you will be not only im-

pressed, but amazed. All of these things are possible because of the dedicated and committed groups of people listed

above- thank you. Thank goodness for great, dedicated people to further our social justice work, because as Dr. Seuss's *The Lorax*, said "Unless someone like you cares a whole awful lot, nothing is going to get better. It's not."

The Legal Centre in the Community by Gillian Reiss

The Legal Centre serves all of Northumberland County. We participate in community development, outreach and legal education in order to reach more community members.

In the 2013-2014 fiscal year, the Legal Centre was engaged in 39 different community development efforts. One of the ways in which we reach out to members of our community is through what we call "satellite clinics". The Legal Centre recognizes that transportation can be a significant barrier for residents with low-income. Instead of making community members always come to us in

Cobourg, we come to their communities! We meet with clients about their files and provide advice on a drop-in basis. For the first time, the Legal Centre has established a satellite clinic in Hastings, where we meet with clients at the Civic Centre on the second and fourth Friday of the month from 12pm to 1pm. We also meet clients at satellite clinics in Bewdley, Colborne, Brighton and Campbellford.

The Legal Centre is similarly engaged in outreach and public legal education. We inform agencies and individuals about the

legal areas that we practice and the services that we provide through events, presentations and materials. We participate in meetings and committees so that we can advocate and create solutions based on the complex needs of our client populations. For instance, the Legal Centre attends meetings about how to best serve seniors.

If you would like a Legal Centre representative to assist with a committee or forum that relates to our services, please contact us at 905-373-4464.

It wouldn't be possible - Karin Cummings, Senior Staff

The Help Centre experienced a busy year assisting Northumberland residents with completing government forms, free photocopying and faxing, income taxes, utility and rent assistance, credit and post-bankruptcy counselling, budgeting, distributing backpacks for kids and food hampers, advocacy with outside agencies and many other requests for assistance ... none of these programs and services would be possible without the support from the United Way Northumberland. We remain a



Thanks

proud United Way agency and continue to provide these programs and services as our way to help create positive change. In addition to our local United Way support, in 2013/14 we also received program funding through United Way Simcoe County / Service Canada for the

Rural and Remote program; Lakefront Utilities, Veridian Connections and Enbridge Gas supporting the LEAP assistance program; Union Gas for supporting the Winter Warmth program; Northumberland County for Community Homelessness Prevention and the Rotary Club of Cobourg to assist with costs

for the Community Volunteer Income Tax Program. Generous donations from the Labour Counsel and from individuals in our community have also contributed to our continued ability to offer our services to Northumberland residents. The Help Centre would like to say Thank You all for your belief and valued support. Finally, we owe a special thanks to our board of directors and our dedicated staff, volunteers and students over the past year; we would not have been able to do what we do without you!



Description	total services	Description	total services	Description	total services
Advocacy provided	239	Client follow-up - BP	147	Outreach	180
Rent assistance inquiry	73	Copies	268	Rental listings provided	320
Application - Rent	37	Credit counseling	112	Requested tax slips	64
Utility assistance inquiry	270	Faxing	394	Resume / CL - updates	40
Application - Utility	258	Form / other pamphlet provided	167	Sleep country letter	76
Post-Bankruptcy (in-house)	41	Form completed	147	Tax adjustment / follow up	36
Backpacks for kids	128	Form requested	49	Tax intake	978
Budgeting assistance	102	HAP Referral	137	Tax pickup	622
Christmas Hampers	33	Referrals	433	Tax prep	1,460
Client follow-up	256	Inquiry only / information provided	992	Use of phone	230
				Total	8,289

The Help Centre: Financial Assistance Programs - Karin Cummings, Program Coordinator

The Help Centre began a federally funded early intervention program in 2012 as part of the Homelessness Partnering Strategy - Rural and Remote. We are extremely fortunate to continue to receive this funding allowing us to further enhance our Budgeting / Money Management program to Northumberland residents. We offered help to individuals and groups in the area of simple to in-depth budgeting processes and financial literacy. This program helps our clients better manage their money through a working budget, tips on cost saving and future planning. The program is geared to the low income client although it is available to anyone that wants to take better control of their money. We offer this one to one for as many times as needed or in a group setting as a workshop. In 2013/14, through direct client support and Life Skills training workshops conducted throughout Northumberland, we were able to help 267 families toward successfully managing their money and their households.

As intake agency for LEAP and Winter Warmth program funding for Northumberland County residents, we ex-

perienced an extremely busy fall and winter with a huge increase in need. How could we forget that most of us felt the need to start our furnaces earlier than the prescribed October and continued heating through extreme cold and a horrific ice storm leaving many of us without power, running water and fresh food? Some residents were still heating their homes through mid-May. This made for a sizable increase over the previous year in the cost of heating and those that heat with Hydro, saw this extreme with bills accumulating much higher than what they were able to maintain and suddenly were faced with disconnection notices to pay the arrears in full. The utility companies took the weather conditions into consideration by pushing off these notices past their normal policies but at some point had to address them. The Help Centre was able to successfully avert disconnection of services or assist to have the service reconnected with grants totaling \$44,600.00 helping 266 families.. In 2013/14, The Help Centre received a one year contract with the County of Northumberland to

manage a Community Homelessness Prevention fund. These funds allowed us to continue to assist residents facing imminent eviction from their housing if arrears not paid as well as assistance with last month rent if unable to raise it. Through these grants we were able to help 29 families stay housed through \$20,550.00 in housing grants.

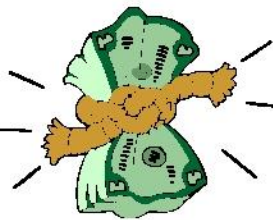
Lastly, to round out our financial assistance programs, The Help Centre was fortunate again to provide Credit Counselling services through Peterborough Credit Counselling Services. The trained credit counsellors have helped many Northumberland residents solve their money management and debt problems as well as provide the required post-bankruptcy counselling for those working through a bankruptcy or consumer proposal. This service has been enhanced by my own training and registration as a Bankruptcy and Insolvency Counsellor. With these combined efforts, we have met with 153 individuals in our Cobourg offices, successfully providing advice and guidance to these families in becoming financially stable.

Community Volunteer Income Tax Program: Leo Nicholas

So far this year we have assisted a total of 1210 individuals and 462 families to file a total of 1968 T1 submissions to the Canada Revenue Agency. This year, our outreach program had to be expanded to provide more clinics in areas of the county such as Campbellford, where we had to double the number of clinics over the 2013 instances. Brighton, Colborne and a number of Long Term Care facilities such as Legion Village, Streamway and The Golden Plough also saw an increase in the demand for our service. This year, we added 2 special clinics at The Campbellford

Community Resource Centre to accommodate the Community Living residents in Campbellford and Hastings.

While the exact figures are not available at the time of writing - the amount of money going back into the community from filing returns through this program is estimated at an astounding amount in excess of $\frac{3}{4}$ of a million dollars.



The entire cost of preparing a return by a tax service at a conservative estimate of \$40.00 per unit also remains in the community. For the first few weeks of July, there was a demand for tax preparation service at the rate of 6 per day. This demand was created by individuals who did not file their 2013 tax return; not realizing that it was necessary to file in order to be eligible for the benefit.

Our sincere gratitude is extended to the Community Projects & Events Committee of the Rotary Club of Cobourg, who generously provided financial assistance to offset the cost of this valuable service.

Sometimes You're the Windshield, Sometimes You're the Bug: Injured Workers fight back to win on some issues but face big battles on others by Lois Cromarty

In April this year, the Ontario Workplace Safety & Insurance Appeals Tribunal (WSIAT) ruled that a section under the Ontario's Workplace Safety & Insurance Act that limits entitlement for traumatic mental health stress cases is unconstitutional, as is the associated WSIB policy on that issue. The Act says that there is no entitlement for mental stress unless the worker suffers "an acute reaction to a sudden and unexpected traumatic event" arising out of and in the course of employment.

Up until this WSIAT decision, the WSIB found, for example, that a woman who had experienced certain forms of sexual violence in the workplace would not be entitled to compensation because those circumstances were "not bad enough" to fit within the narrow exemption. With this WSIAT decision, it may be possible for injured workers who had previously been denied compensation for mental stress to ask the WSIB to look again at their cases. Call the Legal Centre for help if you know a worker in these circumstances.

Another common occurrence, sadly, is that injured workers get fired or laid off within days of telling their employer that they have a work injury or that they are going to file a WSIB claim. Employers do this to hide claims to avoid facing increased WSIB premiums. To add insult to injury, the WSIB does not really punish employers who hide claims. In a recent claim, the WSIB fined the employer \$250 after hiding 3 claims!

A recent Human Rights Tribunal of Ontario ruled in favour of an injured worker who claimed that he had been discriminated

against in his employment when he was fired for trying to file a WSIB claim. Speak to the Legal Centre if this has happened to you as there are time limits that apply to file a Human Rights complaint.

A private lawyer in Toronto, Richard Fink, has filed a class action lawsuit against the WCB on behalf of injured workers whose Non-Economic Loss were reduced due to pre-existing conditions. The lawsuit claims that the WSIB has no official policy foundation to decrease NEL awards on account of pre-existing conditions if there was no pre-existing impairments (eg. no prior symptoms). Speak to the Legal Centre if you would like more information on this.

On the negative side of things, injured workers are facing two major attacks on benefits. Firstly, the WSIB is trying to pass policies under which injured workers will be denied or cut off benefits due to "pre-existing conditions" such as degenerative disc disease and aging. These policies if passed are profoundly unfair to injured workers and are in direct opposition to the original principles on which the Workers' Compensation system was founded. "(B) enefits under the draft Policy can be reduced or eliminated based upon the fact that the worker had a pre-existing condition that he was unaware of, and which caused him no problem and which, had the injuring process not occurred, might never have progressed on its own into a symptomatic and disabling condition. The draft Policy eliminates the need for the decision maker to determine whether the worker's compensable injury itself was a significant contributing factor to the onset and development of his or her resulting disablement. The decision maker instead is able to reduce or eliminate benefits on the basis of whether a

post accident X-Ray, for example, shows any type of underlying degenerative condition, regardless of whether the underlying condition was in any way disabling prior to the injury." This quote is from a submission put together by the Legal Centre for the Provincial Legal Clinics Workers' Compensation Network). We urge everyone to contact the WSIB, as well as the Ministry of Labour and the Premier's office to object to these draft policies.

The Industrial Accident Victims' Group of Ontario (IAVGO), another legal clinic, has obtained truly disturbing documents through a freedom of information request that identifies increasing surveillance practices by the WSIB. The WSIB is using surveillance as a mechanism to verify claims and to potentially stop payments. The documents show about 100 "red flags" and "frauds" that are used as a basis for ordering surveillance of injured workers. These "flags" include language barriers, psychological problems, lack of stable housing, temporary employment, claims of chronic pain, distance travelled to see family doctor etc. This shocking list unfairly targets workers who have a low income, those in precarious employment, new immigrants, workers with disabilities and others. IAVGO is working with injured workers' groups to raise awareness to stop these practices.

As can be seen from the first two instances, injured workers can win battles that are good for those who are not yet injured at work. As can be seen from the last two instances, more wars still need to be fought. If you are working and have not yet had a workplace injury, be thankful - and remember, you can take steps to make the WSIB system better.

L.A.S.T. By Brittany Smith

The Northumberland Community Legal Centre participates in various community outreach programs with the intention of creating better access to justice for the communities of Northumberland County. These programs allow the members of Northumberland County to gain valuable knowledge of the resources available throughout the county.

We have been very proud to participate in an ongoing community outreach project titled Legal Aid Services Together or @L.A.S.T. This is part of the Five County Network ("FCN"), a unique group of clinic, SLASS, and LAO employees working towards a holistic legal service model delivery for low income residents of the counties we serve. The L.A.S.T. project employs a local Access to Justice Coordinator ("A2J") to participate and plan events for members of the community. These

events are meant to enhance understanding of important areas of law based on identified needs within the community.

During the last few months the local coordinator has been able to participate in a variety of community events including: the N.E.A.R.N. (Northumberland Elder Abuse Resource Network) Seniors Education Day where seniors living in Northumberland County were able to come and visit stands set up by community agencies and gain valuable information about resources in the county available for seniors. The attendees were treated to a presentation by Judith Wahl. She is the Executive Director for the Advocacy Centre for Elders which is a specialty legal clinic that deals with issues surrounding elders. During this presentation

she discussed common legal issues experienced by seniors all over the province. We also have been attending the Brown Bag Lunches hosted by the Campbellford Memorial Hospital where community agencies meet to discuss their services to promote better referrals between agencies to help get clients the help that they need. Also, we have continued to participate in the Warkworth Community Lunches where members of the community can enjoy a local, fresh, and healthy meal while being able to obtain effective information from the community organizations that attend.

The local coordinator is also in the midst of planning additional outreach sessions which we hope to have in the very near future. Input about what areas of law or issues that should be covered from the community is always greatly appreciated. The more input we have the better our sessions can meet the needs of the public we serve.

Tenant Duty Counsel Services by Sarah Cooling

Northumberland Community Legal Centre's Tenant Duty Counsel have had another extremely busy year assisting Tenants at the Landlord and Tenant Board. We assisted many tenants appearing before the Landlord and Tenant Board with their rights and responsibilities.

The Northumberland Community Legal Centre receives funding from the Advocacy Centre for Tenants in Ontario (ACTO) to provide Tenant Duty Counsel Services at all Landlord and Tenant Board hearings held in Northumberland County.

As TDC we provide a variety of services to Tenants appearing before the LTB. We provide information and legal resources, we also provide



summary advice, document preparation, referrals and in some cases representation. Likewise, TDC often assists with negotiation and LTB Mediation.

NCLC was fortunate enough to have a wonderful articling student this year who was able to attend the Landlord and Tenant Board hearings to assist as Tenant Duty Counsel. Likewise, we had many Paralegals, Paralegal students and law clerks who attended the Landlord and Tenant Board hearings to observe the process and shadow our legal workers to gain experience in this area of law.

Tenant Duty Counsel statistics for Northumberland County highlight the

dedication and experience of our TDC workers.

In the 2013-2014 fiscal period TDC managed to save tenants a total of \$48,677.18 in waived rent arrears, damages, filing fees, rent abatements etc. Likewise, TDC saved Tenants moving costs by preserving their tenancies, allowing them to remain in their rental units, in 62 instances and delayed termination in 19 instances.

Over the past year, our Tenant Duty Counsel have worked very hard to assist tenants in exercising their rights. We have advised and informed tenants of their obligations and continue to assist tenants in our rural community to access justice and enforce their rights under the current Legislation.

A Collaborative Success By Teresa Williams, Community Legal Worker

The Northumberland Community Legal Centre has had continued success with several collaborative efforts. Among them is our partnership with the Community Advocacy and Legal Centre in Belleville. The Northumberland Community Legal Centre does not provide services with respect to wrongful dismissal claims. We looked elsewhere for legal resources to meet the need for assistance with Wrongful Dismissal advice, representation etc. This began a collaborative agreement between

Northumberland Community Centre and the Community Advocacy and Legal Centre.

From April 1, 2012 to March 31, 2013 Northumberland Community Legal Centre referred 47 clients to the Community Advocacy and Legal Centre in Belleville that were provided with summary advice



about their Wrongful Dismissal issues.

It is this kind of collaborative effort that allows residents of Northumberland County to get assistance within their community that is otherwise not available. Thank you to the Community Advocacy and Legal Centre for their assistance.

FUNDRAISING REPORT BY ELIZABETH GREAVES

It is encouraging to reflect on what a small group of community volunteers can do - when our forces are joined by staff members who also volunteer for all our events. Of course, without the generous support of local businesses and the reliable participation of community members, our results would not be as encouraging and rewarding.

Last year we recognized the ongoing struggle many residents of Northumberland County have with our Empty Bowls event. The support of the Northumberland Potters' Guild, Rosewood Estates, Joseph's Estate Winery make this a very special evening - and then we add the support of local businesses who donated auction items - despite this March evening following one of the most difficult winters ever for local businesses.

In June we celebrated our 4th annual golf tournament - again with great

support from various business sponsors.

We had yard sales - one in Port Hope and one in Cobourg at Rosewood Estates - during the summer. These events are wonderful at building community, cleaning out closets and basements, recycling gentle-used treasure and meeting various neighbours.

The autumn is the season where we focus on supporting the Northumberland United Way Campaign with various events. In addition to a canvas of all board and staff, we hosted a BBQ near our offices at the Fleming Building and

we always join the Souper Bowl event held in the Fleming Building each spring.

We are also grateful for the significant support we received from the community during the Christmas season, and

for being chosen as the recipients of external fundraising events: a Jiggs Dinner, hosted by the Kiwanis Club of Cobourg; a 50/50 draw at the Labour Council's Labour Day picnic and a motorcycle ride organized by the J and L Riders.

All the funds raised remain in our com-

munity and allow us to continue to provide essential services to economically-disadvantaged residents of Northumberland County. As important as we believe these services to be, we never lose sight of the manner in which we deliver them - with respect, integrity and the belief that when basic needs are met, ALL in our community will be able to contribute back to those who assisted them when they had needs.

Many thanks to the hundreds of Northumberland residents who share our faith in the value of community-based services.

Merci



Law Reform By Teresa Williams, Community Legal Worker

Again this year, the Northumberland Community Legal Centre has seen an increase in our law reform activities. With that, we have seen some great successes for the 2013/2014 year. In the past two years or more, the Legal Centre has been involved with provincial and local campaigns about minimum wage and about social assistance benefits.

For years, the Legal Centre has fought for the minimum wage rates in Ontario to be a living wage. A wage that residents of Ontario could feed their families with and still pay shelter costs such as rent, hydro, utilities, etc.

Also, the July 2014 Ontario Budget raised the rates for people in receipt of social assistance. Many people in Ontario who receive Social Assistance are disabled persons with symptoms that prevent them from working. The Legal Centre has continually written submissions,

answered questionnaires, presented to the Provincial government and may other activities, to provide information to the government about why Social Assistance rates should be increased.

The Legal Centre did a presentation at the Ontario Pre-Budget consultation in Peterborough, and a submission to the Canada Pre-Budget consultation.

At page 6 you can view Executive Director, Lois Cromarty's article about Injured Workers, you can see the extensive law reform work that has been done for workers who suffered injuries at work.

The Ontario government re-introduced legislation to index the minimum wage to inflation and bring in new protections against wage theft. The new bill introduces many changes that workers and supporters across the province have been calling for.

If passed the new legislation would:

1. Index the minimum wage to the cost of living;
2. Give workers 2 years to claim unpaid wages;
3. Get rid of the unfair \$10,000 limit on the unpaid wages that can be claimed;
4. Make temp agencies and client companies jointly liable for ESA violations;
5. End WSIB rating system loopholes that provided an incentive for companies to use temp agencies;

Ban recruitment fees for all migrant workers.

The Legal Centre supports these changes and will advocate for them.

We have tried, and will continue to try to get the Consent and Capacity Board of Ontario to hold hearings within Northumberland County. We will also continue to try to have Service Ontario accept Landlord and Tenant Board forms, including Applications, Fee Waivers and fees.



Social Media Darlings by Brittany Smith

2013-2014 was an innovative year for NCLC! This year our Social Media activities have been more active than ever with discussion and the latest in the world of law and Legal Aid Ontario. NCLC is now up to 161 Likes on Facebook and continuing to climb. Spread the word and Like us on Facebook!

We also continue to gain new twitter followers regularly with over 100 retweets and mentions including significant retweets by the Legal Aid Ontario Clinic Resource Office



(@CRO_LAO).

Our webpage is also a great way to stay up to date with both NCLC and The Help Centre events, updates and news.

Rental listings are updated on a weekly basis and these listings are often shared by our Facebook and Twitter accounts.

Our goal in using social media has been to engage and educate. Numbers indicate that our



goal of providing public legal education through information on policy changes, key decisions and new articles on our practice areas has undoubtedly been helped by the daily online updates on our Twitter account,

Search us on Facebook at The Help Centre of Northumberland and on Twitter at @NCLC_Legal. Visit our webpage: www.thehelpcentre.ca.

First Migrant Worker Health Health Fair in Northumberland County

By Teresa Williams, Community Legal Worker

On August 14, 2014, the Northumberland Community Legal Centre partnered with the New Canadians Centre and Horizons of Friendship to held the first ever Migrant Worker Health Fair. 70 or more workers attended.

For many years, the Legal Centre has been breaking down barriers to connect with migrant workers within Northumberland County. The first Migrant Farm Worker Health Fair is an indication of the successes of partnerships and continued work.



The Health Fair was modeled after a similar evening in Niagara Region (Virgil, Ontario). The idea of holding the event was to provide health, financial, legal and agency information. It was to introduce workers to service providers and each other.

There were 15 vendors present at the Health Fair. There were representatives from:

- The Ministry of Labour;
- Agricultural Workers Alliance;
- Occupational Health Clinics for Ontario Workers;

- Cycle Transitions;
- Peterborough Aids Resource Network;
- Northumberland St. John's Ambulance;
- Kawartha Pine Ridge District Health Unit, Sexual Health Department;
- Kawartha Pine Ridge District Health Unit; Communicable Diseases Department;
- Port Hope Community Health Centre;
- Port Hope Chiropractic and Health Centre;
- Horizons of Friendship;
- New Canadians Centre;
- Northumberland Community Legal Centre;
- The Help Centre; and

Legal Aid Ontario

The migrant workers were given information that will help them prevent repetitive strain injuries, tell them where they can get health care medication if needed, talk about how to use pesticides safely, tell workers how they can ensure that they are being paid wages that they are owed. Many migrant workers ride bicycles as a mode of transportation.



to show workers how to maintain their bicycles. They were given small gift bags with practical items and information and a meal was provided. They also donated three bicycles for our workers to enter a

draw to win. Workers had to have a full "passport" from visiting each vendor booth to have their names entered in the draw. Congratulations to the winners.

As this was our first Health Fair, the workers completed surveys to indicate how they thought it was or what changes could be made for next year. The workers have indicated that they thought the Health Fair was either "good" or "excellent." We have also received positive feedback from the vendors. A representative from the Ministry of Labour told us that of "30-40" migrant worker health fairs in the last two years, the one in Northumberland was one of the best. We have had positive feedback from vendors, committing themselves to attend in following years.



Thank you to the Fellowship Baptist Church in Cobourg for letting us use their space. Thank you to our vendors, our volunteers, translators, photographers, and cooks. Thank you to Niagara North

Legal Community Legal Assistance for inviting us to attend their 2014 Migrant Worker Health Fair.

Cycle Transitions was at the Health Fair

Twitter

Changes to the Small Claims Court Rules - Effective NOW! By Dawood Nasir

The Small Claims Court changed some of its rules on July 1, 2014. All the changes can be found in Ontario Regulation 44/14 but here are some of the more important ones that you should know about.

These changes are important because they give more power to the Court. And, if you are a defendant, you now have more responsibilities. If you are a defendant, you should make sure you learn and understand these new rules.

A "plaintiff" is the person who is suing, and a "defendant" is the person who is being sued in the case.

Service of Defence by Defendant

When you are a defendant in a case at the Small Claims Court, you have a chance to make a response to the person who is suing you. This response is called a "defence." In the past, the Court staff would give the defence to the person who was suing you, and anyone else involved in the case. Those other people are called "parties."

After July 1st, 2014, the Court will not be doing this anymore. This means that if you are a defendant in a case, you will have to give the defence to all the people involved in the case yourself. Giving the defence to other party is called "serving." It is important to "serve" the defence, because that is the

only way that other people involved in your case will know what you will be arguing at the trial.

Here are some of the ways you can "serve" your defence on the other parties:

- By giving a copy to the other party in person.
 - By mailing a copy to the other party.
- By faxing a copy to the other party.



Make sure that you give a copy of your defence to other people in your case within 20 days after you get a copy of the claim from the person who is suing you. After you give a copy to all other people in your case, you have to go to the Court, and swear that you did so. You can get in criminal trouble if you lie about doing that. You also have to give a copy of your defence to the Court.

Striking Out, Stay and Dismissal

When you make a claim (sue someone) in Small Claims Court it is called bringing an "action." Starting July 1st, 2014, if the court thinks that your case has no chance of being successful when it goes to trial, the Court has the power to stop it from going to trial.

The Court can also say that only part of your claim can go ahead to trial and the stop the rest of it from going to trial. This can be temporary or permanent. The Court has said that it will use this power in a careful way, and only use it when it is clear that the claim will lose at trial.

If the Court is thinking about stopping your claim, it will contact you and give you a chance to tell them why you think your claim should go to trial. It is important that you give the Court a response within 20 days from when the Court lets you know that it is thinking about stopping your claim. Other people in your case will also have a chance to tell the Court what they think.

Some people are not allowed to sue people without the Court's permission. These clients are called "vexatious litigants." These are people that have been told by the Court in the past that they have to get the Court's permission before suing someone. If you have been told by the Court that you are a "vexatious litigant," then you have to write to the Court and ask for permission to sue someone.

Questions?

If you want to know more about these changes, please give us a call. You can call us at 905-373-4464 or toll-free at 1-800-850-7882. You can also come see us in person. We are open 9:00 am to 5:00 pm Monday to Friday, except Thursday, when we are closed at 2:00 pm.

If you have any questions about the Small Claims Court, you can visit the Ministry of the Attorney General's website at: www.ontario.ca/attorneygeneral, or contact them by telephone at 1-800-518-7901.

You can also contact the Law Society Referral Service, which is a service provided by the Law Society of Upper Canada at 1-800-268-8326. Calling this number will get you a half hour of free legal advice in the area of law you need help with.



Northumberland
Community Legal
Centre

*(funded by Legal
Aid Ontario)*

Tel: 905-373-4464

1-800-850-7882

Fax: 905-373-4467



The Help Centre

*(A Proud United
Way Member Agency)*

Tel: 905-372-2646

1-888-698-3382

Fax: 905-372-2205

Wills Program by Sarah Cooling

Over the last six years, the Legal Centre has been working on a Wills project with an amazing volunteer lawyer, Dari Hadden, and five exceptional members of the local private bar. Doug Mann, Bruce Coleman, Allan McCracken and Allison Lister.

Six years ago, NCLC recognized that on occasion a legal need presents itself but the Legal Centre is not equipped to meet it. Such is the case with creating wills and powers of attorney for low-income people. The Legal Centre does not have the expertise in this area, and it is not a traditional "poverty law" focus for any legal clinic. As such, the Legal Centre looked for a way to meet the need, without using legal clinic staff resources.

We are so very fortunate and grateful to have secured volunteer legal services to meet this need. In 2013, NCLC had 139 calls for assistance with wills and estates and we were able to assist 27 low-income clients in getting wills or powers of attorney prepared free of charge through the generosity of the lawyers in the local private bar who donated their services and expertise to provide the security and dignity that such documents give to low-income clients in the County.

We are so appreciative of the work that Dari has done with these clients. We know how much are clients have been helped by her and how much her assistance has meant to them. We cannot adequately express our gratitude for her work and assistance with the Wills program, it has meant the world to us and our clients.

Lastly, we are so thankful to the private bar lawyers' unstinting assistance with this program and our clients are so grateful for the difference they have made in their lives.



Northumberland Community Legal Centre presents

12TH ANNUAL JUSTICE FORUM: SENIORS INCOME SECURITY

In partnership with the Ruth Clark Activity Centre for Seniors and
Northumberland Elder Abuse Response Network

Friday, October 17, 2014

9:00am to 12:00pm

Ruth Clarke Centre, 81 Mill Street South, Port Hope

RSVP to the Legal Centre by Friday October 10th

905-373-4464 or williamst@lao.on.ca

Join us for our 12th annual Justice Forum, where you will learn about senior's rights. Our guest speaker, Gerda Kaegi, Professor Emerita and Co-Chair of the Elder Health Coalition in Ontario, will speak about securing income sources for seniors. Light refreshments will be served.