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**United Way
Northumberland**

THE HELP & LEGAL CENTRE OF NORTHUMBERLAND

SEPTEMBER 2023

REPORT FROM THE CHAIR— BETH BELLAIRE

A Year of Expansion, Revisions and Renewals

Unlike the past few years, 2023 has felt like a year of real progress with an expansion of our office space, a full revision of our By-Laws, and a renewal of our programs to pre-pandemic levels and beyond.

As announced at last year's Annual Meeting, we were the grateful recipients of a generous grant from Ontario Trillium Foundation that has allowed us to expand and refresh all of our office space. While our address remains the same, our footprint has grown, enabling us to create a more welcoming space for staff and clients alike. Hallways were widened to ensure AODA (Accessibility for Ontarians with Disabilities Act) compliance. As well, the renovation included a much-needed meeting room that will provide assistive technology and enable people of all abilities to participate. The room will be used for client workshops, community meetings, and other group activities, giving users improved access for activities at the Centre for years to come. Finally, the grant was used to add more offices, giving staff well-ventilated, safe and quiet places to meet with clients, as well as creating a dedicated room with online access to accommodate clients required to attend remote legal hearings. I want to thank John Bell, a board member, who managed this expansion for us. His expertise and commitment to details ensured

that all was accomplished on time and within budget – a truly exceptional outcome! If you haven't had a chance to see our new digs, please do try to drop by – I know you will be impressed!

Another major task that was tackled this year by our board of directors was a full review of our by-laws to ensure they were fully compliant with the new Not-For-Profit Corporations Act that governs and regulates entities such as us. This required several meetings of our Governance Committee and a lot of guidance from Lois Cromarty, the ED of our legal clinic. The raft of changes resulting from this will come before the membership at the upcoming Annual Meeting. Again, many thanks to the Governance committee members for their dedication to this complex process. It is reassuring to know we are well ahead of the game in getting this done now.

The board also addressed Communications in detail this past year. Building on a report that was done pro bono for us by Rob and Emily Washburn (Thanks, Rob & Emily!), we struck an ad hoc Communications Committee that has updated and expanded our policies and procedures related to this area, culminating in a complete renewal of our website, to be rolled out this fall, and a robust social media strategy

that should greatly improve our virtual image and our online reach. Thanks to those who served on this committee: your work was indispensable.

Finally, I will briefly comment on the services of each of our agencies, since much more detail is recounted in the following pages of this newsletter. The COVID pandemic forced us to reduce the delivery methods for many of our programs, requiring some of our clients to interact with us online or on the phone, but I am pleased to report that all programs are back up and running at least as accessibly as before, with in-person options as well as virtual channels being available across the board. Our outreach sites in communities such as Brighton, Bewdley, Colborne, Campbellford, Roseneath, and Port Hope offer services on a regular schedule, allowing for those without easy access to Cobourg to still get that personal touch. And we are even expanding our outreach through such venues as partnerships with other agencies. We are really pleased with the linkages we have established with the Northumberland Fare Share Foodbank in order to better serve joint clients, and we hope this partnership is the first of many.

So, all in all, an excellent year. Thanks to all the staff and volunteers for always going above and beyond, and to my fellow board members for your commitment to our cause. Working with all of you is such a rewarding job!

Legal Centre Report 2022-2023 An Exit from COVID-19 Lois Cromarty, ED

As of April 2022, Ontarians started to see the lifting of all COVID-19 restrictions imposed by the Province. This included an end to mandatory masking in schools and most indoor public places. The Legal Centre has been fully staffed and open to walk-ins since then, although we did continue masking until the summer of 2022 to protect both clients and staff.

Since the pandemic had restricted our movements for so long, we needed to reconnect with the rural communities we serve. One of our first steps was to restart in-person satellites: biweekly in Campbellford and Brighton; then we added in satellites in Port Hope at the Community Health Centre, and at the Cobourg Fare Share Food Bank. Satellites are also now in Colborne, Bewdley, and Alderville.

Our Board of Directors saw the need to improve our office space – 30+ years in the same space meant we were long overdue for a make-over! - and to improve office health and safety design to address COVID best practices in social distancing and ventilation. In addition, COVID changed the way our clients can access justice, with all the Tribunals (eg. Landlord Tenant Board, Social Benefits Tribunal, etc) moving to a “Digital First” model of remote hearings. In order to have a means to allow clients to connect,

we needed a “hearing” room. Thank you to the Ontario Trillium Foundation for funding the refresh of our offices and the creation of such a venue in our space. The hearing room has been well used since it was installed!

I want to thank the staff for all their efforts during and after the pandemic. Staff continued to work hard, even while enduring 7 months of renovations going on around us, multiple moves of furniture, purging 30 years of accumulated “stuff”, and converting several years of files to scans. We never had to close for renovations, thanks to our excellent contractor, Kyle Boyce, who scheduled the work in the least disruptive way possible. In that time, we dealt with 5014 requests for legal advice in the fiscal year, and opened 625 files for representation. We closed 682 files, returning an estimated \$2.15 million (combined lump sum and ongoing monthly increases) to our clients and the community.

Note that the dollar figure does not include the value of the eviction prevention work we do for clients. We are working on a way to capture the dollar value of helping someone to stay housed: saving on moving costs, saving

on utility deposits, increased transportation costs if the tenant has to move away from work and other services, not having to pay an increased rent because of the rent differential between market rent and existing rent. It is harder to put a value on is the physical and mental health price paid by tenants who are facing eviction to account for the loss of stability when uprooted from family, schools, medical services or on the costs paid by the community when someone becomes unhoused. Back in 2006, it was estimated that the costs of all the services to support someone who was homeless was a million dollars. <https://www.newyorker.com/magazine/2006/02/13/million-dollar-murray>

Thanks to our funders, large and small, for supporting the work that we do and the clients that we serve. Legal Aid Ontario’s ongoing yearly support benefits our whole community, as does our project funding from the Department of Justice (Sexual Harassment in the Workplace and Independent Legal Advice for Survivors of Intimate Partner Violence).

On a happy note, two of our staff, Sharee Bhaduri and Jayden Davies-Neira, welcomed additions to their families. Congratulations!

Social Assistance Update 2023– Peter Vance

The first 8 months of 2023 has seen life continue to become less and less affordable for social assistance recipients in Ontario. While the cost of living has increased dramatically during the first two-thirds of the year, social assistance rates have continued to remain very low. There have been some changes to report, some good, some bad, but the situation remains downright ugly.

Starting with the bad news first, Ontario Works (OW) rates remain relatively unchanged for the last five years. This, in spite of massive increases in the

cost of living, OW recipient continue to receive the same rates as they did back in 2018.

Slightly less bad, is news that the province increased Ontario Disability Support Program (ODSP) rates by 6.5% and have promised to index future rate increases to inflation at the end of July every year going forward. The indexing to inflation part is great; however, the rate increase is still far too

low for people on ODSP to afford food, shelter, transportation, medication, costs related to disability and other necessities of life.

We continue to see social assistance recipients having to choose between food and shelter, with more and more people either slipping through the cracks and becoming homeless, or packing up their lives and moving away from the communities that they call home to seek out affordable rental housing elsewhere.

On the slightly brighter side, starting in February of this year, ODSP recipients who are able to work can now earn up to \$1,000 per month without it affecting their benefits. If someone on ODSP receives more than \$1,000 in net earnings, then ODSP will deduct 75% of every dollar earned over \$1,000 in the month.



The Help Centre Report - Patricia Kamphorst, Executive Director

2022/2023 has been a year of positive changes and growth. Thanks to a grant received from the Ontario Trillium Foundation, THC has been able to expand and renovate its premises. This grant has allowed the agency to add more offices, a meeting room to meet clients in private and a boardroom to provide workshops and learning sessions.

This renovation has modernized our offices and provided a more bright and positive atmosphere for our staff and clients.

We continued offering a wide range of programs and services free-of-charge to clients throughout Northumberland County. Now that the pandemic restrictions have finally been completely lifted, we have seen an increase in the number of clients that visited our agency in the last fiscal year. Six thousand (6,000) clients have been assisted and more than 14,000 service interactions have been provided.

1,230 individuals were assisted with income tax returns, 1,332 income tax returns were prepared, and e-filed and \$3,858,076 million dollars were brought back to our clients and into our community. An average of 50 clients per month have received housing supports, referrals, information

and advocacy, assistance with rental & Rent-Geared-to-Income applications. We welcomed 93 new clients and served over 500 clients.

171 clients were assisted with energy advocacy and grants, they also received information about energy con-

35 new English-as-a-Second-Language learners have been assessed and they participated in our English classes at Trinity United Church in Cobourg and at the Public Library in Port Hope.

Throughout the year we assisted 351 seniors. We have been working in collaboration with Community Care and the GAIN Team and more recently we started a new partnership with FareShare Food Bank, and we are providing and delivering 21 SOS customized food boxes a month.

The Money Management program continues to generate interest. During this fiscal year we provided 227 sessions. We have seen an increase in people requesting Northumberland Eat Vouchers, Thrift shop and Pearl vision vouchers too.

We won't be able to do our job without the financial support of our funders. We want to express our gratitude to our core funder Northumberland United Way. We also want to say thank you to Northumberland County, who has been financially supporting our Housing, Landlord Liaison and Tax programs for the last 5 years.

As ever, our biggest strength is our staff and volunteers. Thank you for your ongoing resilience, support, and care for our clients. I also want to extend my gratitude to our Board of Directors, who generously volunteer their time and expertise to support THC.

Clients Served in 2022/2023

Housing (588)
Seniors (351)
Money Management (227)
Utility - LEAP (171)
Utility - OESP (185)
Taxes (1,230)
Forms (150)
Fax (40)
Christmas Hampers (71)
Backpacks (30)
Mission Thrift, Blue Box, Pearl Vision (106)
ESL learners (35)
Phone calls information (1,300)
Wellness Check-ins (255)
Sleep Country Vouchers (118)
Northumberland Eat Vouchers (293)

servation plans and 185 clients received assistance with the Ontario Electricity Support Program application.

Senior Support Program– Shannon Basso, Senior Support Worker

The last year was a whirlwind for the Seniors Support Program! With 30% of the Northumberland County population being seniors, we are proud to have the Senior Support Program and all the services we offer. Some of these services include phone and home wellness checks, assistance with forms, advocacy and referrals to others programs/supports, and transportation to medical appointments.

With the cost of living rising, many of our senior clients are finding it difficult to keep up with these costs and afford the basic necessities. This is why the Senior Support Worker was thrilled to be asked to collaborate with the Fare Share Food Bank on one of their new programs. Fare Share created a senior program called Support Our Seniors (SOS). With this program, seniors will have a food box delivered to them at the beginning of each month. Each client is given op-

tions for their food box and can customize it to their likes and dietary needs. Many clients have expressed to the Senior Worker just how much they appreciate the SOS Program and the financial relief it has given them. Through this collaboration with the Fare Share Food Bank, more seniors have become aware of the services both agencies have to offer and access them more programs/supports.

With funding received from the 100+ Guys Who Care Northumberland, we were able to cover the cost of 224 meals through Community Care's Meals on Wheels Program! This was a huge support for clients who rely on these meals but find it difficult to afford the cost on a fixed pension.

Many of our clients find it difficult obtaining transportation to medical appointments due to being in rural areas, finances, or just feeling uncomfortable going to appointments alone. To assist clients with this stress, the Senior Support Program offers free medical transportation. Clients are grateful to have this service and support at their appointment.

Overall, it was a great year for the Senior Support Program. Many connections were made within the community that has allows the program to grow and reach new clients all over Northumberland. We look forward to the next year and implementing all the new plans for the program!

KPMG's Value for Money Audit of the WSIB Appeals Process, Lois Cromarty, ED

The WSIB hired accounting firm KPMG to conduct a Value for Money (VFM) audit of the Dispute Resolution and Appeals process to improve efficiency and effectiveness.

KPMG cites delays in the appeals process as the chief problem to be addressed. The report appears to lay the blame for this on injured workers and their representatives. KPMG recommends "solving" this problem by cutting the time limit to object to decisions from 6 months to 1 month, cutting the amount of time for injured workers to find a legal representative, establishing a roster of qualified representatives from which workplace parties must draw and creating a mediation mechanism where the original decision maker would also be the mediator on objections.

The need for the KPMG-proposed "solutions" is not borne out by the facts. 92% of all appeals were resolved within 6 months in the first quarter of 2022. The number of appeals from injured workers decreased by 37% from 2001 to 2021. The numbers do not support the need for short time

limits. KPMG put forward solutions in search of a problem.

The KPMG recommendations ignore the reality that it is the WSIB adjudication system that creates delays and inefficiencies in the appeals process, not injured workers. To fix this, better adjudication at first instance is required. The case manager/decision-maker needs to apply the proper weight to evidence from injured workers and to reports from treating practitioners, particularly when there is no evidence to the contrary. There should be a single decision-maker who deals with the injured worker as a whole and who does not

shuffle issues off for others to decide.

The WSIB needs to bring back the "look to grant" adjudication principles, and rule on all possible avenues to entitlement without being prompted to do so by the person ob-

jecting (as is the case now).

KPMG's recommendation to make the original decision-maker (ie. the one who denied the benefits in the first place, causing the need for an objection) also be the mediator who will resolve the worker's objection defies logic.

There is no fairness to have the same person who denied or limited entitlement then become a mediator to resolve an objection. KPMG recommends that injured workers put forward what benefits they want to receive. This assumes that workers know the full extent of what they are entitled to receive (which is seldom the case). Given that decision makers seldom change their decisions currently, a "successful" mediation that would resolve the injured worker's objection would rely on the worker bargaining to take less than full entitlement.

The WSIB must NOT get into the business of telling injured workers if they can have a representative or who that representative must be. That recommendation raises more questions than it answers – who would qualify to be on the list? How many would be on the list? If a representative was successful in too many appeals, would they be removed from the list? A limited list of representatives, coupled with the recommendation for 30 day time limits, would see injured workers lose out on benefits that they are entitled to receive because they would be unable to get proper, timely, independent legal advice and representation.



The Help and Legal Centre of Northumberland's Social Justice Award for 2023, Beth Bellaire, Chair

This monetary award was initiated to recognize a youth or youth group who has dedicated time and energy to the cause of social justice and has demonstrated a commitment to improving the lives of low-income residents of Northumberland. This year, we have two recipients: Gabriella de Haas and Dylan Rickerby. Gabriella, or Gabi to her friends, is a recent graduate of St. Mary Catholic Secondary School. While there, Gabi, an Anishinaabe Kwe herself, was deeply involved in many indigenous initiatives. She led the school community in recognizing two National Days of Truth and Reconciliation as well as spearheading Red Dress Day campaigns, and she raised

awareness of Missing and Murdered Indigenous Persons. More broadly, she championed Terry Fox campaigns and Christmas hamper drives.

As his nominator states, "Dylan has made considerable contributions to social justice locally, working to both shift public attitudes and to improve the immediate safety and well-being of vulnerable and unhoused people in Cobourg." He volunteered at the emergency warming room this past winter and was a founding member of the local overdose-prevention site. He has also worked to enlighten his fellow students by arranging for school presentations on social inequity. Our presenter this year is Linda Mackenzie-



Nicholas, a founding Board member of our organization and a tireless advocate for social justice, both in her career as an education leader in the union movement as well as in her community life where she has most recently been very active supporting our healthcare system and the people working in that field. Finally, a heartfelt thank you to Alison Lester, a local lawyer and past board member, who has generously supported this initiative financially. Alison is a great community supporter and has taken on this award as a special interest of hers.

Housing Support Program—Debbie Wood, Housing Support Worker

Hard to believe it's been a year already since our last Annual Meeting. What's that saying - time flies when you are having fun. Sadly, many people in our community are not having fun as they become more and more anxious about housing and food insecurity. Through the last year we have had more youth accessing our services for housing and food. Seniors also continue to struggle.

However, there have also been positive pieces of news with support from Northumberland County. One of the big pieces was the purchase of 123 King Street, East in Colborne, saving 23 tenants from becoming amongst the ones looking for housing. The best news was for our 91-year-old client that resides in that building. Our Housing Support Worker (HSW) was able to advocate for her with the County and she received a meaningful reduction in her rent, thus allowing her a better quality of living!

During the winter months when the warming room was open in Cobourg, our HSW would spend a couple of hours with clients that were using the warming room and talk to them on their housing needs, providing information and referrals, as well as filling out Rent Geared to Income applications for housing. The wait time for housing on the centralized wait list is extensive but it gives clients the option of signing up for the Canada Ontario Housing Benefit (COHB). This is a great housing subsidy as it is portable, meaning that a client can take it anywhere in Ontario. The only mandate is that when it is being offered the client must reside in Northumberland County.

Another support brought to housing from the County was the Housing Stability Program that assists residents that currently are facing eviction or living with no fixed addresses. This benefit pays up to \$500 towards rent and takes into consideration what people are

receiving as their shelter benefit towards housing.

Last fiscal year, clients also saw a one-time Housing Benefit from the federal government of \$500 for low-income renters. The Federal Government also supplied low-income families with a one-time grocery benefit to assist with food costs. These two benefits are based on the previous year's income tax returns – this is just one more reason for people filing their income tax returns every year.

The HSW was able to attain housing for 25 people. This included finding homes in the county and in other regions outside of the county. Rental costs continue to increase with tenants paying much more than 30% and are far closer to at least 50% of their monthly income. Throughout the year and always, clients are welcomed with empathy and compassion. Whether it is to find housing for our clients or just to be there to listen to them.

Utility Arrears Assistance Program– Karen Cummings, Sr. Program Coordinator

The Help Centre continues to be the intake agency for many provincial utility programs offered in Northumberland County. The ever-increasing cost of maintaining our natural gas and electricity accounts has created a huge demand for change in the way we view our everyday lives. Understanding how Time-of-Use (TOU) rates work is a first step towards helping to manage your electricity costs.

Did you know that with Time-of-Use rates it's cheaper to plug in your computer at 9 p.m. than at 9 a.m.? Or that you'll pay less for electricity by using your electric lawnmower on the weekend than during the week? Shifting your electricity usage to times when electricity is cheaper is one way to lower your electricity costs. Time-of-Use rates vary according to demand. They are cheapest when demand is lowest: during the evenings, on weekends and on holidays. As daytime begins, more people turn on their lights and appliances, and businesses ramp up their operations for the workday. These are high demand times for electricity. Time-of-Use rates follow a similar pattern: as the demand for electricity rises, the price increases, and as it decreases, so does the price.

SUMMER WEEKDAYS (May 1 – October

31) In summer, electricity use peaks during the hottest part of the afternoon, when air conditioners are running on high.

On-Peak hours are midday.
WINTER WEEKDAYS (November 1 – April 30) In winter, less daylight means electricity use peaks twice: once in the morning when people wake up and turn on their lights and appliances, then again when people get home from work. There are two sets of On-Peak hours to reflect this.

Knowing the associated costs of keeping your family warm makes the winter something to dread. Through advocacy work by groups like the Ontario Energy Board – Financial Assistance Working Group and LIEN – Low Income Energy Network, both of which The Help Centre is an active participant, there is help for those struggling to keep their energy bills up to date. The Ontario Electricity Support Program applies a monthly credit to electricity bills for those approved. Eligibility is based on the total household income and the number of people in the family. The Help Centre assists low-income customers to apply to the program and in 2022/23 a total of 191 applications were processed. Even with these credits ap-

plied, Ontarians still feel the struggle to keep up so, with help from the Low-Income Energy Assistance Program, The Help Centre continues to offer assistance with a grant of up to \$600 if there is a threat of disconnection on an electricity or natural gas account that is in arrears and facing a disconnection of service.

Every day a resident reaches out for help when they just can't keep their account up to date. In 2022/23 a total of 164 LEAP applications were processed. As the lead intake agency for energy related assistance, we assist with completing LEAP grant applications, advocating with the utility to waive deposits, requesting holds on any pending action, helping to arrange longer term payment arrangements and to facilitate the cancellation of third-party contracts. We also assist by advocating with other social agencies for additional funds if needed to ensure the continuation of the utility accounts. These programs and all other Help Programs are also offered through our outreach program where we could meet at a convenient location, making it easier for the individual to access our services throughout Northumberland County.

Fundraising Committee Report– Ashley Bouman

The past year has been a whirlwind of activity regarding the fundraising and marketing components of The Help and Legal Centre of Northumberland. There has been an expression of new talents and ideas through the committee, as well as developing a comprehensive communications plan as we focus on branding, community engagement and digital content.

Marketing trends show that a concrete presence online and through social media is vital to furthering donation support and keeping Northumberland in-

formed about the impact of poverty within the county and the support and resources that THLCN provides.

We held our 13th annual Empty Bowls event in late April at the Knights of Columbus Community Centre in Cobourg. Guests of the event enjoyed appetizers compliments of Lalie & The Dutch; cheeses from the Empire

Cheese Cooperative; different artisanal soups donated by Albert Koppelman, The Lass & Ladle, Prep Food Co., and Trattoria Gusto; with desserts from The Shortbread Co. and the K of C Ladies Auxiliary, who also supplied the tea and coffee. Don Owen and Bruce Longman provided the musical entertainment for the evening. The energy was vibrant, and it was nice to see

familiar faces of the long-time supporters of Empty Bowls mingle with those who were experiencing the event for the first time.

A big thank you to our local potters who display their talent of bowl making, led by Brenda Sulli-

van and with assistance from Wendy Menary, Terrie MacDonald, and Eموke Wilson. Together, they donated 100 bowls. Everyone went home with a unique creation as a memento of the night and a concrete reminder that there are many who regularly go without in Northumberland.

I would also like to recognize Third Street Law, the exclusive Porcelain sponsor of the

evening. Other supporters of the event included SMM Law Professional Corporation and T's Landscaping & Snow Removal as Copper sponsors; Karen Chalovich Investment Group, The Northumberland Labour Council, and Lester & Associates as Stoneware sponsors; and Kay & McCourt as the Wine Sponsor.

Our next major event is the annual golf tournament now held in honour of one of our founding members, Doug Lloyd, scheduled for September 12, 2023, at Shelter Valley Pines Gold Club.

The fundraising committee proudly announces that bigger and better things are on the horizon. With our unwavering dedication and passion for making a difference, we plan to take our fundraising efforts to new heights. Our committee has been hard at work brainstorming innovative ideas and strategies to maximize our impact, connect with the community, and exceed our fundraising goals for the 2023 - 2024 fiscal year.

As chair of the fundraising and marketing committee, I would like to thank everyone in our wonderful community who supports THLCN, whether it is with their time as a volunteer, a follower of our social media accounts who like and share our posts, people who refer our services to community members in need and a big thank you to our donors. Your help makes our help possible.



National Day for Truth and Reconciliation

We respectfully acknowledge that The Help and Legal Centre of Northumberland is located on the traditional territory of the Anishinabek. We recognize and appreciate their historic connection to this place.

As settlers, we are grateful to live and work here and we thank all the generations of Indigenous people who have cared for this land. The Help and Legal Centre of Northumberland respectfully acknowledges that the Mississauga Nation and all indigenous peoples are the stewards and caretakers of Mother Earth for all generations.

We make this acknowledgement to speak the truth of our history, to respect our roles as treaty peoples, to work towards true reconciliation with each other over past injustices, and to commit to a more collaborative rela-

tionship that will lead our peoples into a better future.

We recognize that such land acknowledgements are a small piece of reconciliation. We are committed to engaging in continuous outreach to Indigenous clients in Alderville First Nation and across the county. We aim to build trust by providing excellent, reliable, and appropriate services to these communities.

The Truth and Reconciliation Commission's report detailed 94 calls to action. As part of the journey to reconciliation, the Board of Directors of THLCN takes time at each Board meeting to reflect and discuss a number of the recommendations from the TRC, including what progress has been made to date by the federal government to address each. The Board then considers what is happening locally, and what THLCN can do to support the implementation of the recom-

mendations here in Northumberland. September 30 marks the National Day for Truth and Reconciliation. The day honours the children who never returned home and Survivors of the 140 federal residential schools in Canada. As the National Day for Truth and Reconciliation approaches, we encourage everyone to take time to reflect, to learn and to take action to move along the journey of reconciliation. We invite you to learn about the Indigenous communities wherever you live and work, about the Treaties that apply to that territory and to learn how to better work with and serve Indigenous communities.

Wills and Powers of Attorney– Emily Collins

There is nothing worse than losing a loved one. It's something that is inevitable in each of our lives but that doesn't make it any easier.

In order to make it easier for your loved ones after you die, you should have a will drafted. This is important even if you are a low income person. If you die without having a will, your loved ones will face hurdles because no one will have the authority to deal with things like your belongings, your car, and your bank account. While there are steps they can take to get that authority, it is stressful and time consuming. Having a Will ensures that those that matter to you are taken care of.

We do not draft wills at our clinic. However, we have great partnerships with Queens Elder Law Clinic, Renfrew County Legal Clinic and with local private bar members Alison Lester, Melanie Racine, and Doug Mann who produce wills for free for the low-income clients who we refer to them. Low-income clients who need a will should contact our office to see if they are eligible for a referral to one of these services. Our Clinic aided 23 clients to get a

will done last year.

It's also important to think about what would happen if you become unable to manage your money or to make decisions about your health. For that you need Powers of Attorney (PoA). Because the PoAs end when the person who has granted the PoA dies, you need a will so that there is someone authorized to carry on with decisions afterward.



A PoA means that you choose someone to make decisions for you if you are no longer able to do so. Giving someone your PoA for Personal Care means that the person you choose can make decisions on your behalf in regards

to your health. For example, they can make decisions related to your health care and medical treatment. They are also responsible for communicating your medical wishes, such as pain relief and life support to doctors and medical professionals.

To deal with "property", there are two options for PoA. According to CLEO, "A General Power of Attorney for Property...lets your attorney manage your finances and

property only while you are mentally capable. If you become mentally incapable of managing your property, the General Power of Attorney for Property ends and your attorney can no longer act... A *Continuing Power of Attorney for Property* lets your attorney go on acting for you if you become mentally incapable of managing your property...(but) the document must either be called a Continuing Power of Attorney, or state that it gives your attorney the power to continue acting for you if you become mentally incapable."

The Continuing PoA for Property takes effect as soon as it is signed and witnessed, unless the document says that you want it to take effect at a later date (eg. if you later become incapable of managing your finances). When you give someone your PoA for Property, they can make decisions about your property and finances for you. For example, they will have access to your bank accounts and investments, and can take money out of the accounts, sell your home on your behalf, or pay your monthly bills. Because of the important role that this person can play, you need to think carefully about who to choose. Our office can draft the PoAs for you. Last year our own Sarah Cooling assisted in the drafting and commissioning of approximately 57 PoAs for both Property and Personal Care.

Employment Law Update – Changes to Canada's EI sickness benefits & minimum wage increase Community Legal Worker – Jordan Tilley

Canadians who are facing illness or injury need to feel confident that they are supported and that their jobs are protected as they recover. The Government of Canada took action in late 2022 to improve Employment Insurance (EI) sickness benefits. We are currently seeing many of our clients benefit greatly in 2023 from these changes.

Individuals who qualify and establish a claim will be able to receive up to 26 weeks of EI sickness benefits if they are sick and require this time to recover. EI sickness benefits are paid at 55%



of the applicant's average weekly insurable earnings, up to a maximum entitlement of

\$638. Please note that you must get a medical certificate showing that you are unable to work for medical reasons and for approximately how long. Medical reasons include illness, injury, quarantine or

any medical condition that prevents you from working.

These changes to the EI sickness benefits will provide over 170,000 Canadians per year with additional time and flexibility to recover so they can return to work after an illness or injury.

In other news, minimum wage is increasing to \$16.55 an hour on October 1, 2023. This represents a 6.8 per cent (\$1.05) increase from the current \$15.50 per hour minimum wage.

If you are an employee that has questions regarding these new changes or any other employment related matters, please contact the Northumberland Community Legal Centre at 1-800-850-7882 or (905) 373-4464.

Sexual Harrasment in the Workplace (SHIW) —Sharee Bhaduri

The Legal Centre is continuing to provide public legal education and advice related to SHIW and SHAPE. This year we have assisted many workers who are or have been sexually harassed. We have also provided information and resources to employers about their responsibilities.

SHIW is still a huge issue within the Canadian workforce. Every day numerous sexual harassment complaints are filed. Victims of SHIW feel powerless and often afraid to report SHIW. SHIW is "unwanted sexual behaviour" that occurs in a work-related environment. This could be in the workplace, at the office party or at a work-related event. Unwanted Sexual behaviour can be sexual touching, sexual jokes and comments, displays of a sexual nature that are demeaning and humiliating to a person.

There is a positive duty on employees to report unsafe work conditions and this is established in the *Occupational Health & Safety Act (OHSA)*. It includes reporting sexual harassment even if it does not involve you. By reporting it, you have fulfilled your obligation

and now it is the responsibility of your manager, supervisor, and employer to look into. It is important to keep a written record if you report anything.

Some tips for record keeping include the following:

- ◆ Remember to document who, what, where and when things happened
- ◆ Keep any evidence - texts, photos, images, notes,
- ◆ Always follow-up any verbal discussion with an email summarizing the verbal discussion
- ◆ Keep a record of any and all communication in a safe place outside of work

It is important for victims of SHIW to seek independent legal advice. There are various legal issues that can arise when dealing with a SHIW situation that could affect your workplace rights. We encourage victims to contact the Legal Centre at

(905) 373-4464 for free, and confidential legal advice.

Employers also have legal obligations to ensure that the workplace is a safe place and are required to have appropriate harassment policies in place. If you are an employer in Northumberland County you may also contact us for a variety of free training opportunities including workshops about harassment policies, procedures and training obligations.



Migrant Workers in Northumberland County – Community Legal Worker Jordan Tilley

As of August 2023, there are approximately 125-150 migrant workers in the Northumberland County region. The majority of the migrant workers live and work in Colborne and Port Hope, working on tree nurseries, vegetable and apple farms.

The Seasonal Agricultural Worker Program (SAWP) allows employers to hire temporary foreign workers (TFW) when Canadians and permanent residents are not available. Most of the migrant workers that are working in Northumberland are part of this program, minus a select few. This program allows Migrant Workers from participating countries the ability to work here for a maximum period of 8 months, but most in Northumberland County are on a three-six month placement. As per usual, migrant workers in the Northumberland County region hail from Mexico, Guatemala, Jamaica and Trinidad and Tobago.

Our partnership with Horizons of Friendship is still going very strong and we are continuing to facilitate and deliver legal services to migrant farmworkers across Northumberland County. We are very proud to say that we are currently visiting migrant workers in person and attending monthly workshops for migrant workers. These

monthly workshops held for migrant workers across Northumberland County take place at Victoria Park in Cobourg, ON. We are very grateful for



our partnership with Horizons of Friendship who facilitates these events and farm visits to assist the migrant workers in this community.

We are currently providing currently providing confidential legal advice to migrant workers relating to Canadian

Pension Plan, Workers' Rights, Employment Insurance, WSIB, etc. In addition, the Legal Centre continues to work with organizations like the Migrant Rights Network in advocating for migrant workers across

Canada in working for justice.

Encampments by Marisa Conlin

The Waterloo encampment decision, formally known as [The Regional Municipality of Waterloo v. Persons Unknown and to be Ascertained, 2023 ONSC 670](#), is an important reminder that the *Canadian Charter of Rights and Freedoms* applies to all Canadians not just those fortunate enough to afford homes in this era of the financialization of housing.

In *Waterloo*, the Court did **not** find that the people living in the encampment breached the municipality's By-Law prohibiting tents. The Court refused to permit the Municipality to clear the encampment.

The decision is lengthy, but the key take away is that the By-Law prohibiting the tents and other temporary shelters violates the Section 7 Charter rights to life, liberty, and security of the person.

The decision indicates that there were not enough available shelter beds for all of the people who were homeless and living at the encampment. Importantly, it also provides an analysis of whether shelter beds are truly accessible. The factors that the Court considered regarding true accessibility include:

- ◆ Whether people felt safe in a shelter
- ◆ The needs of women and gender-diverse individuals
- ◆ Accommodation of substance use
- ◆ Accommodation of physical

and mental health disabilities

- ◆ Shelter spaces for couples
- ◆ Uncertainty about the availability of shelter beds on any given night; and
- ◆ Support for individuals who do not want to be exposed to substance use.

The Court indicated that these factors meant that there were even fewer shelter beds in the Waterloo than the actual physical number of available beds.

As a result of this decision, municipalities should look at the number of truly accessible shelter beds they have available when determining how to work with people living in tents. Municipalities can support people living in en-



campments and other living nearby by making washroom and garbage/recycling facilities available to encampments and assisting with access to other services and supports that encampment resi-

dents identify as needs.

Municipalities can also:

Work to create more truly accessible shelter beds; and

Make and enforce orders related to property standards.

As part of a two-tier municipality, the Town of Cobourg, is not responsible for shelter, but there are still things that the Town can do to support its residents. The Town has representation at County Council where it can advocate for improvements to shelter and social services.

The Town has direct authority to bring about positive changes. For example, some Cobourg residents recently lost their home because the landlord failed to maintain the property. The *Municipal Act* allows towns like Cobourg to make orders requiring prop-

erty owners to make repairs. The *Act* also allows towns to make the repairs themselves and recover the cost from the property owner.

The Legal Centre was one of the organizations that signed a letter to all municipal councils in Ontario about encampment evictions. To read it, please

go to <https://clcyr.on.ca/blog/open-letter-to-municipalities-deploring-homeless-encampment-evictions/>.

NORTHUMBERLAND COMMUNITY LEGAL CENTRE SATELLITES

The Northumberland Community Legal Centre has the following satellite locations:

Colborne:	First Wednesday of every month between 11 a.m. –12 p.m. at the Colborne Library
Port Hope:	Third Tuesday of every month between 2 p.m. and -3 p.m. at the Port Hope Community Health Centre
Bewdley:	Call for An Appointment
Cobourg:	Northumberland Fare Share, 700 D'arcy Street Cobourg—Please contact us for an Appointment
Brighton:	Every other Thursday from 2:00 – 3:00 pm. at Brighton Public Library – 35 Alice St, Brighton, ON
Campbellford:	Every other Thursday from 3:30 – 4:30pm. at 65 Bridge Street East, Campbellford, (Co-Located w/ Community Living)
Alderville:	Call for an Appointment

Please call us at 1-800-850-7882 or (905) 373-4464 if you have any questions or to schedule an appointment at one of our satellite locations.

Tenant Duty Counsel Services - Sarah Cooling

Northumberland Community Legal Centre's Tenant Duty Counsel has faced a very busy year with many challenges due to technological changes at the Landlord and Tenant Board.

NCLC's Tenant Duty Counsel Program staff assisted 55 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 infor-

mation and legal resources, we may also provide summary advice, document preparation, referrals and in some cases representation. Likewise, TDC often assists with negotiation and LTB Mediation.

Northumberland County stats are



impressive and highlight the dedication and experience of our TDC workers.

For the period of April 2022 to March 2023 we had 184 cases on our dockets, we assisted 55 different Tenants by providing them with 406 separate legal services, addressing 264 matters,

in 102 different hearing blocks. Tenants are facing increasing pressure in the number of eviction applications filed by Landlords and we have been extremely busy as a result.

One unfortunate statistic to keep in mind is that of the 184 separate cases, 78 Tenants did not attend their Landlord and Tenant Board Hearings. In some cases it is because they did not receive the paperwork and in many other instances it was due to lacking the technological equipment and skills to enable them to participate in the proceedings.

This is a phenomenal increase in the number of Northumberland Tenants dealing with matters before the Landlord and Tenant Board. In most cases eviction applications make up the bulk of these Applications.

Tenants in Northumberland County have faced a difficult year, dealing with an extraordinary number of "No Fault" evictions, leaving many Tenants homeless thru no fault of their own.

Special thanks go out to Peter Vance and Jordan Tilley for all of their hard work in assisting with the Tenant Duty Counsel Program.

We have on average been dealing with at least 2 hearing blocks a week that often last several hours to an entire day each. This is intensive work and I appreciate your assistance with the provision of TDC services.

Clients and Services for the Fiscal 2021-2022 year

Clinic	Clients served		# of services provided	
	#	%	#	%
Northumberland Community Legal	55	100	406	100
Total	55	100	406	100

Your Way Forward– Missy McLean

“First there’s the trauma of the abuse and then there’s the trauma of trying to get help and navigate the courts and systems, and survivors often tell me the second one is worse.”

– Service provider during interview with Legal Centre staff

The Northumberland Community Legal Center is proud to be in the second phase of its Your Way Forward project, a five-year initiative focused on enhancing and increasing access to legal support, service and information for victim-survivors of gender-based violence (GBV), which includes intimate partner violence and family violence.

The Legal Centre is working with eight other legal clinics across Ontario to explore and better understand the unmet needs of people experiencing GBV in each of their communities. The work is funded by the Department of Justice and is also supported by the federal government’s Strategy to End Gender-based Violence.

Launched in April 2022, the first phase of the project comprised a community needs assessment that included extensive community outreach by clinic staff to introduce the project and connect with

private bar lawyers, frontline staff from social service organizations, healthcare providers, and members of the law enforcement and justice sectors.

Project lead and clinic social worker Missy McLean, together with staff lawyer Sharee Bhaduri, conducted more than 70 semi-structured, qualitative interviews with service providers and community stakeholders to gain insight into the services and supports currently available to survivors and to learn more about what’s working, where gaps exist, and to identify opportunities to improve and build upon existing systems.

Phase II of the project is now focused on expanding service provision for clients. The Your Way Forward team is drawing on insights uncovered through the needs assessment and continuing to build on relationships established with community partners including Victim Services of Peterborough Northumberland, the Family Law Information Centre, local private bar Family Law practitioners who specialize in representing victim-survivors of GBV and Northumber-

land County Community & Social Services, to name just a few.

Supports and services being provided to clients through the Your Way Forward project include system information provision, wraparound system navigation support, crisis intervention and supportive counselling and assistance accessing inde-

pendent legal advice and representation. This summer, Missy completed the Family Court Support Worker training offered by Luke’s Place, an award-winning non-profit organization solely devoted to improving the safety and experience of women and their children as they proceed through the family law process after fleeing an abusive relationship. This training significantly enhances her social work skillset and allows her to provide more specialized support to victim-survivors, including in-depth risk assessment and safety planning as well as helping clients understand and navigate Family Court processes that can often be complex, confusing and overwhelming.

Through this project, the Legal Centre is continuing to work towards truly holistic service provision that significantly reduces the risk of re-traumatization and referral fatigue for survivors and, instead, is both restorative and preventative in terms of clients’ legal and non-legal needs, and overall legal health and wellbeing.

The Help and Legal Centre of Northumberland invites you to
our:

Annual General Meeting

When: Tuesday September 19, 2023 at 5 pm
Where: St. Peter’s Church, 240 College Street,
Cobourg, Ontario

****FREE BBQ STARTING AT 5 P.M.**

All are welcome – Light refreshments will be served

For more information please call the: Legal Centre at: 905-373-4464 or 1-800-850-7882 or the Help Centre at: 905-372-2646 or 1-888-698-3382



LEGAL AID ONTARIO
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**Northumberland
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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



United Way
Northumberland



United Way
of Greater Simcoe County



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