

Focus Newsletter Summer 1998

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MCSS Pushing Agency Amalgamations

In many areas of the province, MCSS, through the area offices, has been "pushing" agencies toward amalgamation. What is surprising about the process, is that these efforts are, in many cases, not a recommendation of the MSW committees. There seems to be a parallel, unwritten agenda initiated almost entirely by area offices. Queen's Park is denying issuing any directives along these lines to area offices, other than oblique references to saving money with creative solutions in the MSW document. The point is that the amalgamation agenda is coming out of "left field" and not the MSW committee recommendations. Underlying this transparent MCSS agenda, is the goal of reducing the number of agencies in the system. MCSS has very distinctly moved into a role of micro managing the DH system and is forging ahead with little sensitivity to the authority and roles of Boards of Directors.

What is equally disconcerting about these developments, is the fact that MCSS personnel and/or the consultants hired as resources to the MSW process, in most cases, do not have expertise in agency management.

Agency amalgamations in some cases, particularly where there is geographical proximity, may make sense. In other cases, the costs will be greater than the savings. In all cases, very little importance is being placed on the need for agencies to be community responsive and volunteer directed. The community benefit of fundraising, public relations and volunteerism has been a cornerstone in the development of agencies and the actual dollar value of these contributions is priceless. It is precisely because the dollar value is not easily measured that the tremendous benefit is undervalued in the amalgamation equation.

The Government of Ontario is moving to tear apart the fabric of community based organizations, built up by the volunteer sector over some forty years. And because the mechanics are different in each area, the awareness level among agencies varies dramatically.

Amalgamating agencies will not mean reducing beds in the system such as it did with the hospitals. The potential for savings is far less and where agencies operate in distant communities, amalgamation will inevitably erode the value that goes with being identified as a community based service.

OASIS agencies are encouraged to write and express views about what OASIS could and should do to help with this very critical issue.

Setting Industry Standard Admin Benchmarks

An OASIS sub-committee has been working on developing admin cost benchmarks in the hope that they could serve as useful guidelines for ACLs in the industry. In the past years, the lack of industry standards or benchmarks has led to inequities in agency admin budgets. Agencies can be under or over funded, without some reference point to standards.

MCSS has repeatedly, through MSW, asked agencies to cut admin funding with absolutely no data on whether or not there is surplus to do so. There has been an assumption within MCSS that agencies' budgets have the flex to do this. What this assumption conveniently ignores, is the fact that agencies have lost more than 10% of their real purchasing power over the past six years due to inflation, cuts, WCB increases, added operational costs, and absolutely no cost of living adjustments. While there may be exceptions to the rule, most agencies are operating with lean budgets and some are finding it increasingly difficult to make ends meet.

The admin benchmarking project will extend into the fall. If some consensus is reached, a draft report will be provided to all OASIS agencies for input and feedback.

GST/HST News

Rebate for purchases of specially-equipped motor vehicles

It is proposed that, if a person (e.g., an individual, municipality, non-profit organization, charity, or school authority) purchases a new motor vehicle that has been specially equipped or adapted for use

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by an individual requiring the use of a wheelchair, and payment for the vehicle becomes due (or importation occurs) after April 3, 1998, that person will be entitled to a rebate equal to the GST/HST payable on the portion of the purchase cost of the vehicle attributable to its special features.

Charities operating bottle return depots

It is proposed that a charity operating a bottle return depot be allowed to claim a net tax deduction or refund equal to 7% (15% in the participating provinces) of the portion of any deposit refunded in respect to a returned container on or after April 1, 1998, provided that the depot refunds both the deposit and the amount of the tax deduction or refund to the person returning the container.

Respite Care

It is proposed that the exemption for services provided by nursing homes and home care services that are government-funded be extended to all businesses that provide care and supervision of individuals who have limited capacity for self-supervision and self-care due to an infirmity or disability. This includes temporary daytime or overnight care.

This applies to such services provided principally at the supplier's establishment, effective after February 24, 1998. The change-of-use rules that might otherwise apply due to the change in tax status of a person supplying these services will not apply for the reporting period that includes February 25, 1998.

Individual Service Agreement (ISA) Automated Process

Another in a series of OASIS commissioned projects, developed by Woodstock and District Developmental Services, is a fully comprehensive computer software package to develop ISAs. This software, including a well thought out database, captures individual client information on virtually every aspect of what has been traditionally captured on paper. It then leads the operator through the process of collecting information on units of service for each client and establishing a cost per unit of service. The software has a number of valuable built-in reports and will be an invaluable tool for agencies as they go about adapting to the new service requirements.

Legislation - Bill 31

Bill 31: An Act to amend the *Labour Relations Act, 1995*, the *Employment Standards Act*, and the *Occupational Health and Safety Act*

By Filion, Wakely & Thorup
June 8, 1998

On June 5, 1998, Bill 31, the *Economic Development and Workplace Democracy Act, 1998*, received first reading in the Ontario Legislature. The Bill will become effective on the day it receives Royal Assent.

According to a statement made by the Ontario Minister of Labour, Jim Flaherty, Bill 31 is designed to increase investment and promote job creation in Ontario's construction industry and improve workplace democracy in all sectors of the economy to help ensure stable labour relations.

The current law accepts the union's estimate of the *number of individuals* in the proposed bargaining unit as accurate for the purposes of determining whether the union represents 40% of the employees in the proposed unit necessary to obtain a certification vote. An employer cannot object to the union's application on the basis that the union does not actually represent 40% of the employees in the proposed unit.

Employment Standards Act

The primary impact of Bill 31 on the *Employment Standards Act* ("ESA") will be to merge the Office of Adjudication into the Ontario Labour Relations Board, thereby changing the process from one implemented by the Director of Employment Standards (appointed by the Minister), and the adjudicators and referees appointed by the Director, to a process implemented by the Director and the Ontario Labour Relations Board. Consequential amendments will be made to the *ESA* to amalgamate the two entities.

Applications for review or employment standards officer requests for inquiries into potential breaches of the *ESA* which were made prior to Bill 31 coming into force will be heard under the current *ESA*.

Occupational Health and Safety Act

The most significant change to the *Occupational Health and Safety Act* ("OHS") under Bill 31 relates to the merger of the Office of Adjudication and the Ontario Labour Relations Board. As a consequence of the merger, the OLRB will replace adjudicators in resolving issues arising under the *OHS*. Consequential amendments are made to the *OHS* to amalgamate the two entities.

Featured Best Practice - Quality Assurance Manual

[Windsor Community Living Support Services](#) has pulled together its procedures and policies relating to quality assurance into a manual that can be shared with other service providers. The purpose of the Quality Assurance Program is to ensure that the supports WCLSS provides to people are consistent with its mission and beliefs, the plans and agreements in place with individuals and families, the organization's standards, and government requirements. The overall goal is to ensure that individuals being supported are able to experience quality life as a citizen of this community.

The manual includes sections on accountability, tracking, fire/municipal/menu/program policy checklists, summary reporting, and review procedures for community living, work and employment options.

It also includes a way of coordinating the participants in an annual review, ways of protecting privacy and respect, and how to write a summary report. Such a review system ensures that if there is an abuse or neglect situation, it will be exposed.

Anyone wishing to obtain a copy of this document can contact Rick Meloche at (519) 974-4221.

Member Agency Highlights

Lambton County Association for the Mentally Handicapped

John Moore is welcomed as the agency's Interim Administrator. He has extensive banking experience with the Royal Bank of Canada and sixteen years experience as Executive Director of the Peterborough and District Association for Community Living. On a more personal note, John has served as a Volunteer Board Member of Ross Memorial Hospital in Lindsay and has volunteered on a variety of Committees relative to the developmentally handicapped, both locally and provincially.

Mr. Moore is working with the agency on a contract basis, approximately four days per week and is commuting to Peterborough on weekends.

Niagara Support Services

As of April 1, 1998, this agency is formally known as Niagara Support Services for People with Special Needs. Membership registration is currently underway. The benefits are the many outstanding services which are afforded to so many people. Only those who are members will receive literature and communication from the agency such as newsletters, notices of meetings, special announcements, etc. The Board looks forward to the help of the many great volunteers and supporters so that services and supports will only become richer and more satisfying to the families and individuals.

Community Living Association for South Simcoe

C.L.A.S.S. has put a person centered planning working committee together in order to position the agency for the next steps in the development of the Person Centered Planning process and Wraparound support. While reworking the current system, new initiatives will be integrated into Person Centered Planning in order to ensure accountability measures are in place. The agency will be using the 30 outcome based performance measures developed by the Accreditation Council as a benchmark of systems support for participants. These outcomes will be part of the driving force behind the development of guiding service principles and core values.

This process will look at the enhancement of social integration, participation in the community, and valued social status. The service system changes will focus on participant's desires and direction of the services they receive. Individual plans will reflect both the participants' needs and service's ability to directly meet or coordinate other services/supports to meet the participants needs.

Barrie and District Association for People with Special Needs

The evening of June 9th, 1998 was the occasion of the 45th Annual General Meeting of the Barrie and District Association for People with Special Needs. The evening had a Mexican theme - from décor to appetizers to a live Mexican band. Following a most delightful social time, the evening moved to its program portion.

The Employer of the Year Award was presented to the Holiday Inn for all the training and placement that they do with many of our consumers.

The Community Partner of the Year Award was presented to Country Style Donuts and Fresh Food Ideas. Country Style has been the corporate sponsor for the Association's Annual Golf Tournament for three years and we are most appreciative of their support!

The next portion of the evening was entitled "Gifts from the Heart". The Association receives great support from many volunteers throughout the year. There are many, however, who seem to go above and beyond the call of duty. Tribute was paid to five of these wonderful people. Jack Cain, Donna Gage, Doug Grace, Bill Thompson and Mary Trowbridge were all honoured for their various contributions.

Choices

Choices has initiated a restructuring of management to prepare them for ISAs. Four Coordinator of Support Services positions have been created, replacing the former Team Leader, Family Home Program Coordinator and Day Program Supervisor positions. These new positions, while currently responsible for specific program locations and supports within those locations, will, in the future, be responsible for coordinating client caseloads regardless of location. We are quickly moving from a program-based model of service to a support-based model, a model that will allow for more flexibility in service and support location. As ISAs are negotiated with each service recipient, it is expected that new and creative supports will be requested. This model will try to respond to those requests.

[TACL Celebrates 50th Birthday](#)

The Toronto Association for Community Living is celebrating its 50th Birthday! TACL was a pioneer in getting publicly funded education for children with disabilities and in setting up day programs for adults. The Honorary Patron of the 50th Birthday activities is the Honorable Hilary M. Weston, Lieutenant Governor of Ontario and the chairperson of the Patron's Council is the Honorable Barbara McDougall.

Featured Web Site- [Family Village](#)

Family Village is a global community that integrates information, resources, and communication opportunities on the Internet for persons with developmental disabilities, their families, and those that provide them services and supports. Family Village may be reached by e-mail at: rowley@waisman.wisc.edu or visit their website at: <http://www.familyvillage.wisc.edu/>

A Home of One's Own

by Bonnie Shultz, Center on Human Policy from Family Village website

For many people with a developmental handicap, home has meant one of two options: living with family members or living with groups of other people with disabilities. Either way, it has often meant living in a home not of one's own, and having other people make most of the decisions about mealtimes, recreation, roommates, and almost all other aspects of life.

Increasingly, parents and adults with a developmental disability are pursuing help with setting up, for the individual, a "real" home, a home like other people create for themselves in our society.

People with disabilities are beginning to be hard when they ask that agencies and service systems rethink their practices and regulations, especially those that interfere with adults' dreams about homes of their own.

This report on the website discusses some dimensions of these new directions in community living. It reflects the latest thinking about ways adults with a developmental disability can have the same choices of places to live as other people and be supported and fully included in their communities.

"Home" = Housing + Supports

Seeing housing and support as separate issues frees everyone involved to think more creatively. Both issues are crucial, but looking at them separately permits each person (and his or her family and service providers) more choices. Choices might include deciding where and with whom the person will live, working out what kinds of supports the person would need and many other aspects of ordinary living.

Issues - Worker's Compensation -An Overview

From Simcoe Legal Services Clinic Newsletter, May 1998

On January 1, 1998 a large number of significant changes to the Ontario workers' compensation scheme came into effect.

Bill 99 is the legislation of the Ontario Government which altered the previous workers' compensation scheme. The changes begin with the very name of the Workers' Compensation Board, which is now called the Workplace Safety and Insurance Board.

Bill 99 provides that injured workers receiving or entitled to receive benefits must notify the Board of a material (meaning significant) change in circumstances respecting their entitlement to benefits within 10 days after the change occurs. A worker that fails to do so is guilty of an offence and is liable to a maximum penalty of a fine of \$25,000 or imprisonment of 6 months or both. This provision applies to workers receiving benefits under pre-1998 claims. For example, an injured worker who is receiving loss of earning benefits and who obtains a higher paying job must report this within 10 days. Injured workers who experience a change in their circumstances are well advised to notify the Board in writing of the change and to keep a copy of their letter to avoid a future claim that they did not fulfil their obligation to report.

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