

Ontario Works Policy Directives

3.12 Labour Disputes

Legislative Authority

Section 7(4) of the Act.

Section 28, 34(1) and 49(1) of Regulation 134/98.

Audit Requirements

Deemed employment income from an employer with whom the applicant or participants is engaged in a labour dispute is verified and noted on file, along with all other sources of non-exempt income.

Adequate documentation is on file to support eligibility decisions.

Application of Policy

An applicant or participant engaged in a labour dispute with an employer is deemed to have employment income from that employer equal to the amount of income he/she received from that employer in the month prior to the labour dispute. However, strike pay received by the applicant or participant from his/her union is not considered income for the purposes of determining eligibility.

If the applicant or participant's deemed employment income, plus any other non-exempt income, is less than the budgetary requirements for the benefit unit, he/she may be eligible for assistance ([see Directive 6.1: Calculating Assistance](#) for more information).

An applicant or participant involved in a labour dispute (e.g., a strike or lock-out) must meet all other conditions of eligibility, including asset limits and participation in employment assistance activities, in order to receive assistance.

An applicant or participant may qualify for earnings exemptions if:

- he/she is a re-applicant who exited assistance in the past six months, or
- he/she has been in receipt of assistance for three continuous months ([see Directive 2.2: Re-Applications and Reinstatements](#) and [Directive 5.3: Earnings Exemptions](#) for more information).

An applicant or participant may qualify for child care deductions where child care is necessary to support participation in employment assistance activities ([see Directive 5.4: Child Care Deductions](#) for more information).

If an applicant involved in a labour dispute is in immediate financial need, the Administrator may issue emergency assistance ([see Directive 2.3: Emergency Assistance](#) for more information).