**ITA’s Workforce Development Agreement**

**Amended Agreements (2018/19 – 2019/20)**

**Amended Participant Eligibility**

1. “**Eligible Participant**” means an individual who meets the eligibility criteria listed below and any additional criteria set out in Appendix 1 of Schedule “A” and is deemed eligible by the Service Provider to receive Services under this Agreement, as further described in section 5.05 of Schedule “A”:
2. a Canadian citizen, permanent resident or protected person (under the Immigration and Refugee Protection Act, S.C. 2001, c. 27) legally entitled to work in Canada;
3. living in British Columbia;
4. not a full-time student (i.e., not enrolled in high school or in post-secondary training);
5. not actively participating in another provincially or federally funded labour market program;
6. whose employment status is:
7. Unemployed, or
8. Precariously Employed
9. “**Unemployed**” means [demographic currently defined in your agreement(s)] working less than 20 hours per week and actively seeking full time employment; or (b) working less than 20 hours per week and has a disability and is unable to work full time and is seeking an increase in hours or is seeking more sustainable employment are eligible.
10. “**Precariously Employed**” means an individual who does not meet the definition of Unemployed, but who:
11. is working in unstable or unsustainable employment (including self-employment) as evidenced by:
12. irregular hours of work (such as casual labour or on-call work);
13. unreliable remuneration (such as piece-work or commission); and/or
14. earnings that cannot support an individual or their family; or
15. is working, but has a total employment (including self-employment) income that is below the market basket measures set out by Statistics Canada;

<http://www12.statcan.gc.ca/census-recensement/2016/ref/dict/tab/t4_5-eng.cfm>

1. is working in an industry or occupation that is likely to be replaced by technology or automation in the near future;
2. is working in an occupation or profession that is clearly lower than their skills or qualifications and that provides no imminent prospect of advancement; or
3. has Just Cause for leaving their current employment.
4. “**Just Cause**” means having just cause for voluntarily leaving or taking leave from employment because the individual had no reasonable alternative to leaving or taking leave, having regard to all the circumstances, including any of the following:
5. sexual or other harassment,
6. obligation to accompany a spouse, common-law partner or dependent child to another residence,
7. discrimination on a prohibited ground of discrimination within the meaning of the Canada Human Rights Act,
8. working conditions that constitute a danger to health or safety,
9. obligation to care for a child or a member of the immediate family,
10. reasonable assurance of other employment in the immediate future,
11. significant modification of terms and conditions respecting wages or salary,
12. excessive overtime work or refusal to pay for overtime work,
13. significant changes in work duties,
14. antagonism with a supervisor if the employee is not primarily responsible for the antagonism,
15. practices of an employer that are contrary to law,
16. discrimination with regard to employment because of membership in an association, organization or union of workers,
17. undue pressure by an employer on the individual to leave their employment, or
18. any other reasonable circumstances.

d) “**Sustainable Employment**” means a Participant’s having obtained Employment and, as determined by the Contractor acting prudently and reasonably, having the skills to maintain that Employment or find alternate Employment as needed

**Clarifications**

1. EI Eligibility or reach back status is no longer part of the eligibility criteria. If an applicant has an active EI claim (is in receipt of EI Benefits), they are eligible for the program. You are to request that they contact Service Canada and disclose their intended purpose to participate in the program and also provide Service Canada with the length of the training. It is up to them to manage their relationship with Service Canada and any impact their participation in the program may have on their active claim.
2. The statement “*not actively participating in another provincially or federally funded labour market program*” refers to other WDA or LMDA funded training and employment programs, but it does not refer to the services offered at the WorkBC Centres. We would like to encourage Work BC referrals.  The WorkBC Case Manager may keep the client file open when a client is referred to one of our WDA programs.
3. The Market Basket Measures (MBM) link provided in (c)ii is one potential eligibility criteria for service providers to consider when reviewing an applicant’s eligibility. Please become familiar with Employment and Social Development Canada, and Stats Canada MBM that identifies the level of employment income required to sustain both an individual, and an economic family unit, in regions across the country. The table referred to in (c)ii provides the income level for an individual in a geographic area, as well as the combined income level for an “economic family size” of 2, 3, 4, and 5 persons.

Example: Referring to <http://www12.statcan.gc.ca/census-recensement/2016/ref/dict/tab/t4_5-eng.cfm>, an individual applying to a program may or may not meet other eligibility criteria, but if they are Employed, they may be deemed to be Precariously Employed, and meet the MBM eligibility, if they live in the Vancouver area and their annual employment income level is at or below $19,976. Or, say they were part of a family of 4 persons (2 adults and 2 children), the combined income for that family would need to be at or below $39,951.