

## FAMILY TIPSHEET

# Your legal rights during COVID-19 and Coronavirus

Please note: The information provided in this tipsheet is for reference only. It is not intended as a recommendation or endorsement of organizations, news sources, agencies or private businesses, or as a comprehensive resource list. This tipsheet does not contain legal advice.

Resources can change quickly. The information in this tipsheet may not show the most up to date changes based on when you are viewing this information. Please refer to the date this tipsheet was last updated, at the end of the document.

You can also access this tipsheet online at [hollandbloorview.ca/covid-19-tipsheets](https://hollandbloorview.ca/covid-19-tipsheets)

### Pro Bono Ontario Services

The Pro Bono Free Legal Advice hotline is a resource that low and moderate-income families can access to find legal information and advice that relates to **housing, employment, consumer issues and going to court (civil matters only no criminal or family law)**. This hotline generally accepts calls from Monday to Friday between 9:30 a.m. and 11:30 a.m., and between 1:00 p.m. and 3:30 p.m. They offer up to 30 minutes of free legal advice and assistance.

- Website: [www.probonoontario.org/hotline/](http://www.probonoontario.org/hotline/)
- Telephone: 1-855-255-7256
- Pro Bono Ontario also has a free Education Law Program which provides free legal services for low and moderate-income families whose children face challenges to their rights at school. For more information see [Education](#)
- If you are a Holland Bloorview client or a caregiver of a Holland Bloorview client, you can reach out to Hannah Lee, Pro Bono Lawyer. Hannah will be available for consults by telephone during office hours, which are Monday and Wednesdays between 11:00-2:00. If you wish to book an appointment, please email her at [hannah@pblo.org](mailto:hannah@pblo.org) or call at 416-425-6220 ext 6557.

### COVID-related Legal Information

Steps to Justice has published a legal resource “COVID Updates on the Law and Legal Services” covering practical answers to questions people are asking about the law relating to COVID-19, see [COVID-19: Updates on the law and legal services](#)



## **\$600 One-time payment to persons with disabilities**

Holders of the disability tax certificate are eligible for a non-taxable, non-reportable one-time payment up to \$600 in recognition of the extraordinary expenses faced by persons with disabilities during the COVID-19 pandemic. You must have applied for the DTC prior to September 25, 2020. For more information, see [One-time payment to persons with disabilities](#)

## **Changes to EI and New Temporary Recovery Benefits**

The final benefit period for CERB ended September 26, 2020.

(Note that CERB is taxable and the applicable tax was not deducted from the CERB payments. Recipients can expect to receive T4A slips that will report the amount of CERB received in the 2020 taxation year. The applicable tax will not be deducted from the CERB payments, so CERB recipients will be required to pay the tax by April 30, 2021.)

In its place, the federal government has put in place changes to EI (to make it easier to qualify) as well as temporary recovery benefits for those who do not qualify for EI - see the summary below.

For more information regarding changes to EI and the new recovery benefits and how to apply, see the government's website: [COVID-19 benefits and services](#)

You can find a short summary on COVID Recovery Benefits and EI benefits during COVID at the Steps to Justice website at the following links:

[COVID-19 Recovery Benefits \(PDF\)](#)

[COVID-19 EI Benefits](#)

## **Employment Insurance (EI)**

If you are eligible, Service Canada will automatically switch those who were receiving CERB to EI. Those who received CERB through CRA or, who need to apply for EI after October 3, 2020, must apply for EI through Service Canada.

Those eligible for EI special benefits (maternity, parental, family caregiver, compassionate care, sickness), continue to apply to Service Canada in the same manner as previously.



The government made changes to the number of insurable hours you need to qualify for EI regular and special benefits and to the rates of EI payments. Only 120 insurable hours are needed in the past 52 weeks to qualify. EI regular benefits are available minimum 26 weeks up to a maximum of 45 weeks (depending on the region-specific rate of unemployment and insurable hours). The EI rate is set at a minimum of \$500 a week (or \$300 week for extended parental) up to a maximum of \$573/week (or \$344/week for extended parental).

## **New COVID-19 recovery benefits - CRB, CRSB, CRCB**

The new recovery benefits are for people who do not qualify for EI and who meet the new eligibility criteria. They are available for a one year period starting September 27, 2020 until September 25, 2021.

### **Canada Recovery Caregiving Benefit (CRCB) - \$500/week\* for up to 26 weeks**

You can apply for the CRCB for any week falling within the period of September 27, 2020 to September 25, 2021. You must apply within 60 days of the week to which the benefit relates. \*Only one person per household can be paid CRCB for any particular week. Apply after each week of leave in which you are providing care. Taxes deducted from each payment.

#### **Eligibility:**

- You were resident and present in Canada during the week for which you are applying, are at least 15 years old, and have a valid social insurance number
- You earned at least \$5000 in 2019 or 2020 or in the 12 months before you apply (includes maternity/parental benefits)
- You're not eligible for the other recovery benefits or for EI
- You have been unable to work for at least 50% of the time you would otherwise have worked in a week because you are caring for a family member
- You are caring for a child under 12 years old, or a family member who requires supervised care, because: their school or day care was closed or unavailable for reasons related to COVID-19; or, they could not attend school or day care because they contracted or might have contracted COVID-19; or, they were in isolation on the advice of a medical practitioner/nurse practitioner/public health authority for reasons related to COVID-19; or, they would in the opinion of a medical practitioner/nurse practitioner be at risk of having serious health complications if they contracted COVID-19; or, the person who usually cared for them was not available for reasons related to COVID-19.



For more information on the CRCB and for information on the CRB (Canada Recovery Benefit) and the CSB (Canada Sickness Benefit), see the government's website [COVID-19 benefits and services](#)

## **Infectious Disease Emergency Leave**

The Ontario Legislature has passed the *Employment Standards Amendment Act (Infectious Disease Emergencies), 2020* to provide job-protected leave to employees in isolation or quarantine due to COVID-19, or those who need to be away from work to care for children because of school or daycare closures or to care for other relatives see [Employment Standards Amendment Act \(Infectious Disease Emergencies\), 2020](#)

The Ministry of Labour contains further detailed information [Infectious disease emergency leave](#)

## **Assistance for Children with Severe Disabilities**

- In response to COVID-19, the Ministry is changing how they process disability-related expenses under ACSD. [Children with disabilities](#)
- If you have been cut off ACSD or your ACSD amount has been reduced, **and** your child is a client of Holland Bloorview, please contact Hannah Lee at [hannah@pblo.org](mailto:hannah@pblo.org)

## **Education Law**

The duty to accommodate special education needs remains despite the challenges posed by COVID. To that end, families may be directed to reference this [Letter to the Minister of Education, school leaders on respecting the rights of students with disabilities](#) when making requests for accommodation.

As a result of high teacher staff turnover due to COVID-19, the challenge for parents of children with disabilities is to be able to communicate their child's needs in a way that ensures consistency and is to the point.

To that end, this is a Quick Reference one-pager Fact Sheet prepared by Monika Ferenczy, BA, BEd., MEd of Horizon Educational Consulting. It is a one page summary of the child's strengths, needs, personal interests, triggers, verbal cues, winning strategies. This allows temporary or new staff to quickly be apprised of the child's needs.

It should always be used as a one pager in bullet point format. When using the document, please retain the proprietary footer information at the bottom.



As a reminder, Pro Bono Ontario provides legal support for low and middle-income families for education law-related matters (see above).

## Housing

This resource discusses your legal rights if you have fallen behind on your rent and are asked to sign a rent repayment agreement with your landlord.

[Legal information on your rights and rent repayment](#)

*Created by Hannah Lee, Pro Bono Triage Lawyer and the Family Support Specialists at Holland Bloorview Kids Rehabilitation Hospital on October 26, 2020.*

This tipsheet belongs to a set of specialized resources for the COVID-19 and Coronavirus outbreak period. If you are looking for other family resources that have to do with childhood disability, please visit [www.hollandbloorview.ca/resourcecentre](http://www.hollandbloorview.ca/resourcecentre).

