



STEPS TO JUSTICE

HEALTH & DISABILITY LAW

An OJEN workshop demonstrating a CLEO
public legal information resource.



CLEO

Community Legal Education Ontario
Éducation juridique communautaire Ontario



True or false?

1. I had a bad fall at my job and now I can't work. I applied for financial help from the Workplace Safety and Insurance Board (WSIB), but if they say no, there will be no other options for me!



True or false?

2. I have a disability, but I won't be able to collect Canada Pension Plan (CPP) disability benefit payments since my job did not cause my disability 😞



True or false?

3. If I return to work full-time, my CPP disability benefits will stop.



True or false?

4. I can ask Ontario Disability Support Program (ODSP) to give all of my benefits to my spouse, because she is better with money than I am.



True or false?

5. One of my workers is refusing to do their job because they say it is unsafe. But they can't complain, because other people do the same job all the time with no problems!



Health & Disability Law in Ontario: *What is covered?*

- Canada Pension Plan disability benefits
- Injured at work
- Ontario Disability Support Program
- Safety at work
- Human Rights



Real Life Legal Problems

Demonstration Scenario

Last year, I got in a car accident that left me disabled. It has been rough having to stay at home – I feel like my brain is melting! I've applied to college so that I can get back out into the world and learn things. The college accepted me and offered me an internship that pays \$5,000. It sounds great, but I'm worried I will lose my CPP income if I go back to school.





Human Rights in Ontario

Human Rights Laws

Protect Ontarians against discrimination on the basis of things like:

- **Age**
- **Sex**
- **Gender**
- **Disability**
- **Race and ethnicity**
- **Religion and belief**

They deal with five important areas of life:

- **Services, goods and facilities**
 - **Housing**
 - **Contracts**
 - **Employment**
 - **Membership in vocational associations and trade unions**
- 

Steps to Justice



Steps to Justice
Your guide to law in Ontario

HIDE THIS SITE

Français

Legal Topics About Steps to Justice Latest Updates Embed & Share

Steps to Justice

Step-by-step information about legal problems.
Reliable, practical, and easy to understand.

Tell us what you are looking for...

Legal Topics

- Abuse and Family Violence
- Criminal Law
- Debt and Consumer Rights
- Employment and Work
- Family Law
- Health and Disability
- Housing Law
- Human Rights
- Income Assistance
- Tribunals and Court

Live chat
Mon-Fri 11am-1pm



Last year, I got in a car accident that left me disabled. It has been rough having to stay at home – I feel like my brain is melting! I’ve applied to college so that I can get back out into the world and learn things. The college accepted me and offered me an internship that pays \$5,000. It sounds great, but I’m worried I will lose my CPP income if I go back to school.

Some questions:

- Will this person lose her CPP disability benefits if she goes back to school?
- Assuming that she could go to school and keep her CPP income, can she also accept the internship?
- What information could Service Canada ask for if they reconsider her disability status?
- If she loses her CPP disability benefits, can she receive them again later if her disability comes back?
- What are the criteria for determining whether your CPP disability benefits can restart?



**Using the
Steps to Justice
Website**



Group Work

1. Navigate to the Steps to Justice website:
<http://stepstojustice.ca>
2. Read your scenario with your group.
3. Try to identify the main legal issues.
4. Imagine that you are the person in the scenario. Use the Steps to Justice website to answer the questions on your handout.
5. As you browse, try to find out more about how the law would affect the person in your scenario. What does it say? What are their options?
6. Record your answers on the handout.

If you get stuck, ask for help!



Large Group Scenario

FOCUS AREAS:

- 1) Medical assessments requested by an employer
- 2) Disability qualifications for ODSP

I work for a construction company. I got hurt on the job and it has caused me ongoing back problems. I can't lift anything heavy, so I can't do my job right now. I have been receiving WSIB benefits and everything was fine until my job asked me to see a doctor for a "medical assessment".

My boss does not believe that I am suffering from an ongoing injury. I spoke to my doctor, and he said that it would be a good idea to do the assessment. My doctor thinks that I can lift properly now and that I can slowly transition back to work in about a month. I do not agree. I am in a lot of pain, and there's no way I can go back to work!

My workplace called me and said that if I refuse the medical assessment, they will report me to the WSIB. I don't want to lose my benefits! Can I be forced go to this medical assessment? And, if they decide that I have to go back to work, can I just apply to ODSP and claim that I have a disability?

