

Ontario Disability Support Program - Income Support Directives

2.7 - People Involved in Labour Disputes

Summary of Legislation

When employment earnings are reduced due to strike activity, the amount of earnings received prior to the strike will be used to calculate the following month's entitlement. If strike pay is received, it is not to be included as income in addition to the deemed amount.

Legislative Authority

[Section 38 \(5\) and \(6\) of the ODSP Regulation:](#)

Summary of Directive

- If a person's regular earnings are reduced because of their involvement in a labour dispute, they will be deemed to be in receipt of income equal to the amount prior to the dispute.
- The earnings exemptions calculation applied in the month prior to the dispute will be applied for the duration of the strike or lock out, with the exception of child-care costs and disability related expenses, which are not approved during a labour dispute.

Intent of Policy

To provide direction on the calculation of income support when an applicant or recipient is involved in a labour dispute.

Application of Policy

Standards

When a person is involved in a labour dispute, the previous month's earnings are used to calculate entitlement for each month during the labour dispute. The earnings exemptions calculation is applied in the same manner as applied to the gross earnings the month prior to the strike. Child-care costs and disability related expenses are not applied while the person is involved in a labour dispute as these exemptions are for employment related costs, and not for costs associated with a labour dispute.

Stipends or strike pay provided to an employee while on strike are not charged as income as the deemed amount is used to calculate entitlement.

An applicant who is on strike, or has been locked out of their place of employment will have a deemed amount applied when determining financial eligibility. The applicable earnings exemptions are applied in determining the applicant's financial eligibility.

Strike pay will not be considered income for the purposes of determining the applicant's financial eligibility.

Should the applicant require emergency assistance, they should be advised to apply to Ontario Works.

Hyperlinks Associated with this Policy Directive

Related Directives:

[5.3 Deductions from Employment and Training Income](#)