

Gladnet

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Cornell University ILR School

Year 1993

Canada (Ontario): Ontario Regulation
438/93 made under the Vocational
Rehabilitation Services Act

THE ONTARIO GAZETTE

**ONTARIO REGULATION 438/93 made under the
VOCATIONAL REHABILITATION SERVICES ACT**

Made: July 23, 1993

Filed: July 26, 1993

Amending Reg. 1095 of R.R.O. 1990 (General)

Note: Regulation 1095 has not been amended in 1993. For prior amendments the Table or Regulations in the Statutes of Ontario.

1. Regulation 1095 of the Revised Regulations of Ontario, 1990 is amended as the following Part:

PART IV

**OPERATING GRANTS TO ORGANIZATIONS FOR SUPPORTED
EMPLOYMENT PROGRAMS**

27. In this Part.

"support" includes job development activities, individual planning for employment, placement activities, the provision of goods and services required by the individual to enable him or her to obtain employment and to remain employed, and necessary follow-up services,

A supported employment program@ means a vocational program established under subclause 5 (i) (ii) of the Act which provides individualized training and support for a disabled person to enable the person to obtain and maintain employment;

"training" includes assistance to facilitate the development of skills required to function in the workplace. O. Reg. 438193, s. 1, pari.

28. A disabled person is eligible for supported employment if,

(a) he or she would not otherwise be able to obtain or maintain employment in a competitive work setting without training or support; and

(b) he or she is not ineligible for goods or services under section 8.

O. Reg. 438193, s. 1, part.

OPERATING GRANTS

29.-(1) A grant under this Part for the operation of a supported employment program, including necessary costs incurred in commencing operation, may be paid to an organization for the provision of a supported employment program if all of the following conditions are met:

1. The program applies only to disabled persons.
2. The organization keeps separate books of account for the supported employment program and those separate books of account,
 - i. set forth the expenditures and revenues of the supported employment program,
 - ii. contain a separate record of money received by the supported employment program under the Act and from other sources, are prepared in accordance with generally accepted accounting principles and generally accepted auditing standards as set forth in the handbook of the Canadian Institute of Chartered Accountants.
3. The organization keeps records showing in respect of each disabled person receiving services,
 - i. the person's name, address, date of birth and sex,
 - ii. the date upon which training or support is first provided for the person,
 - iii. the nature of the person's disability,
 - iv. any information that may affect provision of training or support for the disabled person, if the person has withdrawn from the supported employment program, the date and circumstances of the withdrawal, and
 - vi. the date of the disabled person's placement in employment.
4. The organization forwards not later than the last day of the fourth month following the end of each fiscal year,
 - i. its annual financial statement together with an auditor's report on it prepared by a licensed public accountant, and
 - ii. a reconciliation report in a form provided by the Minister together with a report on it prepared by a licensed public accountant.

(2) The reconciliation report required under paragraph 4 of subsection (1) shall include a statement of the financial assistance payable by Ontario, the actual

payments made by Ontario with respect to the fiscal year and the balance that may be owing by or repayable to Ontario.

(3) The licensed public accountant shall certify on the financial statement and reconciliation report required under paragraph 4 of subsection (1),

(a) that he or she has received all the information he or she required to prepare the report;

(b) that the financial statement and reconciliation report are in accordance with the books and records of the organization; and

(c) that the financial statement has been prepared in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding year.

0. Reg. 438193, s. 1, part.

30.-(1) The books of account referred to in paragraph 2 of subsection 29 (1) for a particular year shall be retained for a period of at least six years from the date of the last entry in the books for that year.

(2) The records with regard to a disabled person that are required under paragraph 3 of subsection 29 (1) shall be retained during the period the person is enrolled in the supported employment program and for six years thereafter. 0. Reg. 438193, s. 1, part.

31.-(1) Every organization that receives a grant under this part shall keep and maintain an up to date record of the inventory of all furnishings and equipment acquired by the organization with money paid by Ontario.

(2) The record of current inventory shall set forth each addition to or removal from the inventory and the reasons for each addition or removal. 0. Reg. 438193, s. 1, part.

32.--(1) In this section, Acost of operation@ includes salaries and wages of staff, necessary staff travel costs associated with providing supported employment services to clients and other reasonable costs incurred by the organization in operating an office for purposes of administering the supported employment program.

(2) An annual application by an organization for the payment of a grant for the operation of a supported employment program shall be made to the Director in a form provided by the Minister.

(3) The amount of the grant that may be paid by Ontario to an organization for the operation of a supported employment program shall be 100 per cent of the cost of operation in the fiscal year for which the funding is provided or such lesser amount as shall be determined by the Director, taking into account available funds.

(4) Ontario may make interim payments to an organization, even if application by the organization for the payment of a grant has not yet been received.

(5) The total amount of the interim payments that may be made to an organization for a fiscal year shall not exceed the amount of the grant paid to the organization for the previous fiscal year.

(6) The amount of the grant payable to an organization for a fiscal year shall be reduced by the total amount of the interim payments made to the organization for that fiscal year. O. Reg. 438193, s. 1, part.