



Critical Worker Benefit

Application guidelines for the social services sector
operating in First Nation Communities

Critical Worker Benefit - Application guidelines for the social services sector operating in First Nation Communities

Ministry of Labour and Immigration

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About the Critical Worker Benefit

The Critical Worker Benefit is intended to recognize the service of select workers identified as critical for the delivery of basic services to Albertans in response to the COVID-19 pandemic. The Critical Worker Benefit provides a one-time lump-sum payment to eligible workers.

As this is funding provided from government to workers, this benefit is not intended to affect any employment agreement, including a collective agreement or alter any terms and conditions of workers' employment. In administering the benefit, employers are required to comply with the Critical Worker Benefit program guidelines and the applicable grant agreement, and employers do not have discretion with respect to the amount of the benefit or a worker's eligibility for the benefit. Employers are administering funds on behalf of government.

Applications will be assessed on a first completed application, first approved basis. Exhaustion of program funding may result in an employer's application not being approved

Before you apply, please ensure that you have read and understand the Critical Worker Benefit Application Guidelines.

Grant Payment, Delivery and Employer Responsibilities

Grant Payment

Each eligible worker will receive a one-time lump-sum payment of \$1,200 for a minimum of 300 paid hours during the defined eligibility period. The benefit is taxable income. The payment does not impact eligibility for Employment Insurance (EI). The Critical Worker Benefit lump-sum payment:

- is not part of an employee's base salary;
- has no impact on benefits paid by employers;
- is non-pensionable earnings; and
- is subject to the following payroll deductions - Income Tax, Canada Pension Plan (CPP) and Employment Insurance (EI).

An eligible worker is subject to the same tax rules as other Canadian residents unless the worker's income is eligible for the tax exemption under the *Indian Act*.

Employers will also receive 7.66 per cent of the total funds approved for the eligible workers as additional funding, over and above the \$1,200 per approved worker as it is recognized the employer's responsibility for applying and distributing these funds may result in administrative and related costs.

Delivery of Payment

Individual workers do not apply directly for the benefit. Applications must be submitted by employers on behalf of their eligible workers. The Government of Alberta will provide workers' payments to their employers. Employers are responsible for distributing the payments to their workers. If an eligible worker meets all the criteria, the employer is expected to apply to the program. There is no limit on the number of eligible workers an eligible employer can apply for under the Critical Worker Benefit, however an employer can receive funding for each worker one-time only.

All applications will be assessed according to the eligibility criteria. Applications will be carefully audited by the Government of Alberta, or their authorized representatives, to ensure accuracy of the information provided and integrity of the program.

Employers will be notified through the online application portal when they have been approved. Names of employers receiving funding from the program will be published on the Government of Alberta website. Sharing this information publically will ensure that all eligible workers are aware of their employers receiving funding for the Critical Worker Benefit.

Eligible employers will receive direct payments from the Government of Alberta. Employers will then distribute funding to their eligible workers. Eligible workers will receive the payment through their employer's existing payroll systems, with appropriate accountability requirements to the government in place to ensure the employer provides the payment to workers.

Employers that receive the Critical Worker Benefit must commit to:

- Ensure the funds are accurately and reliably distributed to their eligible workers as soon as they receive them from the provincial government. It is required that workers receive the entire \$1,200 (less CPP, EI and Income Tax deductions) as a one-time lump-sum payment on a regular pay cheque. The benefit is considered income.
- Confirm with the Government of Alberta that the workers they applied for received the benefit no later than four weeks, subject to any extension granted by the Minister, from the employer receiving their funding by submitting a Certificate of Grant Recipient. Refer to the Certificate of Grant Recipient section below.

- Make best efforts to provide the pay to eligible workers who worked during the eligibility period and are no longer employed with the organization. Employers should ensure they have the ability distribute the funds to these eligible workers.
- Provide T4 slips to all workers that receive the benefit which identifies that the worker has received this payment as income.
- Make sure funds are not used to reimburse the employer for any regular paid wages, top-up pay that they independently committed to their workers prior to the announcement of the Critical Worker Benefit, or any other forms of COVID-19 related payments to workers, or provide payment to ineligible workers. The Critical Worker Benefit is not a wage subsidy for employers.

Employers will be responsible for resolving any worker issues, such as eligible hours worked to count towards program eligibility. The Critical Worker Benefit does not provide dispute resolution services, including in relation to eligibility disputes, an employer's failure to apply on behalf of a particular worker, or the employer's administration of the Grant. The Critical Worker Benefit does accept complaints, and may audit employers, to ensure that the Grant is provided in accordance with the Grant agreement, which includes these Guidelines.

Eligibility Criteria

Eligibility Period

Within a 16 week period from October 12, 2020 to January 31, 2021.

Employer Eligibility

An employer must meet all of the following criteria:

- Be located and operating in a First Nation community in Alberta.
- Be operating in one of the following workplace settings:
 - Overnight staffed residences for Persons with Developmental Disabilities
 - Out of home placement facilities for Family Support for Children with Disabilities
 - Homeless shelter operators
 - Women's shelter operators
 - Short-term transitional and supportive housing operators

Ineligible Employers

- Operators not in one of the above listed workplace settings.
- Municipal and federal governments are not eligible. The Provincial government is generally not eligible with limited exceptions.
- Political parties.
- Provincial or federal Crown agencies, boards and commissions or corporations.

Worker Eligibility

From October 12, 2020 to January 31, 2021:

- Worked in Alberta and legally authorized to work in Canada.
- Worked for an eligible employer in one of the eligible occupations.
- Accumulated 300 paid hours with an eligible employer.
- Hours accumulated before October 12, 2020 or after January 31, 2021 cannot be counted towards the 300 hours.
- The 300 hours must be accumulated from a single employer (the same employer applying for the grant on behalf of the worker).
- The 300 hours may include overtime and paid leaves during the eligibility period. Overtime and hours worked during statutory holidays should be treated as straight-time.

Workers that are no longer employed with the employer (e.g. retired or resigned) are eligible for the program should they meet program eligibility requirements.

An eligible worker can receive this funding one-time only and cannot be on more than one employer's application.

Ineligible Workers

- Management staff ineligible even if they temporarily worked on the front line during the period of eligibility.
- Business owners, contractors, self-employed persons and sole proprietors cannot receive the Critical Worker Benefit for themselves.
- Workers who do not meet the eligibility criteria.

Eligible Occupations

To be eligible a worker must have worked for an eligible employer in one of the following occupations.

Preventive Community Services:

- Aboriginal outreach worker
- Addictions worker
- Case aide - social services
- Child and youth worker
- Child-care worker (except day care)
- Community and social services worker
- Community counsellor - social services
- Community liaison worker
- Community worker
- Crisis intervention worker
- Drop-in centre worker
- Family service worker
- Hostel outreach worker
- Mental health support worker
- Street outreach worker
- Substance abuse worker
- Women's shelter workers
- Youth services worker
- Intensive Case Managers
- Rapid Housing Workers

- Housing Locators
- Shelter workers
- Cooks
- Janitorial
- Security
- Custodial

Family and Community Support Services and Family Violence:

- Home Support Workers/Aides
- Client Support Worker
- Outreach Counsellor

Disability Services:

- Community disability services worker for our 24/7 staffed residences
- Child care worker for our out-of-home placement environments

Children's Services:

- Child intervention front-line staff providing direct client care and employed by third-party agencies contracted to deliver congregate and shelter services
 - Note: workers who have already received a Phase 1 wage top-up are still eligible to receive the \$1,200 Critical Worker Benefit
- Child intervention front-line staff at child and youth shelters
- Support staff who work in congregate care and child and youth shelters
- Support staff who work in congregate care and child and youth shelters, where services were not provided remotely, and earn less than \$25 per hour, including:
 - Transport workers supporting clients
 - Food services, including cooks, attendants, and kitchen helpers
 - Housekeeping, cleaners, janitors and caretakers

- Security staff
- Early childhood educators (all levels) at the following types of licensed child care programs:
 - Daycare programs
 - Out-of-school care programs
 - Group family child care programs
 - Contracted family day home agencies
 - Preschools
 - Innovative child cares

Seniors and housing – lodge and unique home operators:

- Building maintenance staff
- Housekeeping staff
- Food services staff
- Other on-site, front line personnel
- Health staff for which there is a master services agreement (health staff employed by the housing management body) in place.
 - Note: health staff who are under an access agreement will receive the benefit through Alberta Health Services.
- Staffing agency workers, including Comfort Care Aides' eligibility will be determined by their employment agency and are reported separately from operator employees

Certificate of Grant Recipient

Once the employer receives the grant for which their workers were approved, the employer must certify that each worker received the Grant within four weeks from the date the grant was received by submitting a Certificate of Grant Recipient to the Critical Worker Benefit Program. The employer will receive a notification on when this certificate must be submitted, which attests the grant was used for the purposes established by the application's guideline, overview, declaration and agreement.

How to Apply

All applications must be submitted through the online application portal. Employers can access the online application portal through the program webpage at www.alberta.ca/workerbenefit.

If you have questions about the online application portal or online application process, call 310-4455 from 8:15am to 4:30pm, Monday to Friday.

1. Create a user account

In order to access the online application portal, Employers must have a My Alberta Digital ID for Business (MADI-B) user account with a secure login name and password. If you already have a MADI-B, please log in with your existing credentials.

Employers who do not have a MADI-B, please visit the MADI-B webpage at <https://business.account.alberta.ca/#/> to set up an account prior to accessing the program's online application portal.

Once the account has been created, Employers can use their new credentials to log in to the online application portal.

2. Fill out and submit an application through the online application portal

Applications must be submitted through the online application portal before the application intake closure deadline.

The online application will include:

- A completed Application Form with information to establish eligibility, including a declaration that the information provided to assess eligibility is true, complete and correct and any false or misleading information may result, at a minimum, in government action to collect reimbursement if funds were distributed to ineligible workers.
- Accurate banking information to facilitate direct deposit of funds to employer's account (for employer to distribute to eligible workers)
- A Grant Agreement to comply with the program's terms and conditions, including audit and compliance controls.

Information regarding each worker who may be eligible for payment must be provided:

- Full name
- Date of birth

- Social Insurance Number
- Occupation title (NOC code)
- Start date
- Two or more pay stubs from the eligibility period

Application and Grant Agreement

Employers are required to submit documentation to validate their business, the occupation, employment status, wage and hours paid of each worker they apply for during the eligibility period of the program by providing:

- Alberta Corporate Access Number (ACAN), or other validation that verifies them as an employer.
- Legal business/organization name and address.
- Paystubs or payroll records illustrating each worker was a paid worker and showing hours paid for the eligibility period.
- A Workers' Compensation Board (WCB-Alberta) clearance letter may be needed for sole proprietors with coverage under the *Workers' Compensation Act* who do not have an ACAN.
- Sole proprietors in a WCB-Alberta exempt industry under the *Workers' Compensation Act* may need to submit the following:
 - A WCB-Alberta exempt industry letter; and
 - A copy of their federal payroll deductions or GST Registration.

Grant Agreement

- This is a legally binding agreement, which outlines the obligations of the Government of Alberta and the employer, and must be digitally signed by an authorized signing official for the employer.
- The agreement is not in force until it has been approved and signed by the Minister or the Minister's delegate, which will not occur unless the application has been approved.

Reconsideration of Applications

If an employer disagrees with Labour and Immigration's decision to decline the application, the employer may request a review of the application in the online application portal. The request for a review must include all supporting documents, and be submitted within 10 days of the date of the original decision. Reconsideration is only available if an employer's application has been declined or partially declined.

Audit and Compliance

Applications and corresponding grants will be carefully audited by the Government of Alberta, or their authorized representatives, upon reasonable notice to the recipient to ensure accuracy of the information provided and integrity of the program. If the Minister or Minister's delegate is of the opinion that any false or misleading information has been provided or the funds are not paid to the workers, the Minister or Minister's delegate may decline the employer's application or may require the employer to repay any grant funds received. The employer may also be ineligible from applying for future grants.

Information Collection and Program Evaluation

The Government of Alberta requires the collection of certain information from employers and workers to administer this program and audit its outcomes. By participating in this program, employers and workers agree to provide relevant personal information for the purpose of the program. Employers must comply with relevant privacy legislation and also inform workers of the disclosure of their personal information.

Freedom of Information and Protection of Privacy Statement

The personal information collected through the Critical Worker Benefit is collected for the purpose of administering the Critical Worker Benefit by Alberta Labour and Immigration. Part of this administration includes conducting an audit, which may be conducted by an external party, after the Critical Worker Benefit has concluded, to ensure applicants met their obligations and the Critical Worker Benefit met its objectives. The personal information collection is authorized by section 33(c) of the Freedom of Information and Protection of Privacy Act. If you have any questions about the collection of personal information, you may contact the Director, Employment Programs at 780-427-6496 or by email at cwb@gov.ab.ca.

Federal reporting requirements

The Critical Worker Benefit is partly funded by the Government of Canada. The province is required to report to the federal government on the cost of the program.

Provincial reporting requirements

The Government of Alberta is committed to maintaining an accountable, open and transparent environment to the public. In accordance with this commitment, information on awarded grants may be publicly disclosed online.

For more information please contact cwb@gov.ab.ca

Appendix: Definitions for the Critical Worker Benefit

Basic Services: Services critical to Albertans while responding to COVID-19 pandemic.

Contractor: A person that operates a separate business and who enters into a contract for service. The relationship is temporary and the length of the relationship is often defined in the terms of the contract.

Critical Workers: Workers who were essential to the supply of food and medicines, or education services, health services or social services and who had potential high exposure to COVID-19 through work environments with high contact to the general public and surfaces and/or worked in close physical contact to others.

Regular Paid Wage: Includes base salary/wage, paid by an employer for a payroll period either at an hourly rate or in a predetermined fixed amount. Commission, tips, bonuses or other wage top-ups for the purpose of this program are not included in an employee's regular wage.

Self-employed: An individual that operates their own business and generates revenue through selling products or services instead of working for an employer that pays a salary or a wage. A self-employed individual earns income through conducting profitable operations from a trade or business they operate directly.

Sole Proprietor: Sole proprietorship exists when an individual is the sole owner of a business and assumes all debts and obligations incurred by the enterprise. A sole proprietorship is an unincorporated business and has unlimited liability.

Worker: An employed person who works at a job or business and who is paid to work in the context of an employer-employee relationship. Under the Critical Worker Benefit, the worker is the paid employee. A worker does not include being a volunteer.