



## HIGHLIGHTS OF TRAINING SUPPORT PROGRAM POLICIES

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The following information is an abbreviated version of the Training Support Program policies. This is intended to enable applicants to self assess their likelihood for approval, but does not encompass all aspects of the contract between Amber Education Services Ltd. and the Government of British Columbia. If you require additional information please attend one of our information sessions or call us directly for assistance.

In the delivery of the Training Support Program all recommendations, decisions and appeals are to be guided by the following.

### **SECTION 1**

Decisions based on the policies within this section would be open to the Training Support Program appeal process.

1. Approval of an application is founded on the notion that an applicant is faced with a **barrier** to sustainable employment with their current skills that can be resolved by training, that the training is unaffordable and financial assistance is required from the Training Support Program.
2. An application must include Labour Market Information that clearly identifies demand for persons with this training and that this training has a strong chance of resulting in sustainable full-time, year-round employment.
3. Applicants need to have exhausted their job search efforts with current technical and transferable skills.
4. An application must lead to sustainable employment based on the expected starting wage in the field of training.
5. Applicants who engage in employment counselling in preparation for the Training Support Program will be given priority.
6. The training has been identified as the most direct route to sustainable employment.
7. Amber Education Services Ltd. requires 3 business days to assess complete Training Application Packages. Packages received within 3 days of the start date of the program may be declined based upon insufficient time to process the package. If you are on an active EI claim, approval to continue receiving your EI benefits while attending training may require an additional 3-5 days. Typically, training should start no later than 90 days from the date of submission.
  - Note: For applicants who have been identified as Long Tenured Workers by Service Canada, the requirement that the training must start within 90 days is waived. Approvals for training that starts after 90 days will be subject to a review of continued program eligibility on or about 30 days prior to the start of training. A review of continued eligibility is largely described as an applicant who has maintained an active job search and is working less than 20 hours per week.

8. The training MUST not have started nor significant costs be incurred, prior to an unconditional verbal approval of the Training Application Package by Amber Education Services Ltd. All requirements must be met prior to the first scheduled day of training.
  - For those individuals that are on a waitlist and cannot obtain unconditional acceptance into the training, an applicant is to follow the same application procedures as previously described. That is, submit a Return to Work Action Plan, TSP application and supporting documentation prior to the start date of the Training Program. The application will be decisioned. In the case of approvals, all conditions of approval such as criminal record checks, health clearances and similar must be met prior to the official first day of the training program except for requirements relating to an Employment Insurance claim such as establishing a new E.I. claim (presuming applicant is eligible by way of Reachback status at time of application), and/or approval of a Section 25 (managed by Amber Education). Importantly, the applicant must not attend any of the training. Once the applicant has received full acceptance into the program and is no longer waitlisted for any of the training, the Employment Insurance related conditions of approval will be undertaken by Amber Education. During this time and until approval is gained from the Ministry the applicant can attend training at their own risk. It must be understood that if the Employment Insurance related conditions are not successfully achieved, then the decision will be to find the application declined or ineligible and no funds will be forthcoming.
  - Applicants may be required to supply proof of waitlist status at the time of application.
  - An applicant must typically be granted acceptance into the program within two weeks of the training start date or the application will be closed as withdrawn.
  - The Training Support Program will not provide funds for expenses that are attributed to the time period between the official start date of the training and the actual client start date.
  - Refer to Section 2 number 4
9. Participation in the Training Support Program is contingent upon support from the Government of British Columbia. In the event that an applicant's EI claim is denied or that a Section 25 is not approved or an authorized quit is not approved, it would be rare that Amber Education Services Ltd. would provide financial support via the Training Support Program. Rare circumstances would be described as a short intervention (days) combined with a very strong application that likely included a job offer.
10. An applicant that identifies an overpayment/penalty/fine has been levied by the Government of Canada in either the past or present will need to provide a copy of the letter identifying the overpayment/penalty/fine.
  - a. Applicants that have been assessed a penalty or fine, due to fraud may be declined.
11. Applications for training support that pose a risk to Training Support Program funds may be declined. Unresolved credit issues may include a level of risk unacceptable to the Training Support Program.
12. The Training Support Program may not provide funds for re-certification of existing or previously held certification. (e.g. Occupational First Aid)

13. The Training Support Program may pay for tests and exams that are part of the training. The program will not pay for licenses that are required by a governing body in order to be employed (e.g. Real estate licenses, Insurance licenses, etc.).
14. Training Support Program funds cannot be used to reduce debt to the Government of Canada.
15. If a Criminal Record Check, a Driver's License, a Medical Check Up or other similar prerequisite is required by the training institution and/or the employer, Amber Education Services Ltd. requires a current copy of these documents, as well as confirmation that the results meet industry requirements. This information is required prior to an unconditional application approval.
- If a RTWAP identifies training that in turn requires a medical check up, criminal record check or similar, either by the training institution or for industry certification, this expense may be reimbursable via the Training Support Program. Applicants must incur this expense at their own cost and if for any reason, a Training Support Program contract does not follow within 30 days of incurring the expense, the cost may not be reimbursed. If such costs are "generally required by employers", then such expenses would not be training expenses and therefore would not be reimbursable.

#### 16. Job Offers

- a) Applications that identify a full-time job offer upon completion of the training would need to have the following included in a letter from the employer:
- A job description and proposed start date of employment;
  - The wage rate and work hours per week;
  - A contact name and phone number
- ❖ The Training Support Program will verify each job offer with the potential employer.
- b) Job offers from institutions providing the applicant with training or "non-arms length" job offers will not be considered.

#### 17. Amendment Requests

- a) Living allowance is based upon budget at time of application. Upward amendments for living allowance may not be permitted for expenses incurred after original approval except in cases of hardship. Hardship is defined as being deprived of the necessities of life such as food, clothing, medical attention, shelter and utilities.
- b) Amendments may not be considered for less than \$200.00. A cumulative sum of expenses totalling more than \$200.00 will be considered. (contact your Representative to review)
- c) An amendment that increases the total amount of the contract between Amber Education Services Ltd. and the participant, will require signatures from the participant and an Amber Education Services Representative on the Schedule A.
- d) An amendment that decreases or does not increase the total amount of the contract between Amber Education Services Ltd., will only require a signature of an Amber Education Services Representative on the Schedule A. The Schedule A will be mailed to the participant along with a letter outlining the overall change.

## 18. Special EI Benefits

- a) If an applicant is in receipt of EI sickness benefits they are ineligible for the Training Support Program. If an applicant is reaching back to an EI sickness benefit claim and the applicant was employed at the time of requesting EI sickness benefits, they are ineligible for the Training Support Program unless it can be shown that the applicant cannot return to the same employer. Further, a letter from the employer is required or proof that the business is no longer in existence.
  - ❖ An applicant will need to be on a regular EI claim prior to submitting an application; an applicant must meet with Service Canada to review the impact of participating in the Training Support Program on their EI claim(s).
  - ❖ A doctor's letter stating the applicant is job ready and is able to participate fully in the training and in the intended employment must be submitted with the application package.
    - Doctor's letters provided to the Training Support Program must be on the doctor's office stationary.
- b) If an applicant is in receipt of maternity/parental EI benefits, they are ineligible for the Training Support Program. If an applicant is reaching back to a maternity/parental EI benefit claim, they are ineligible for Training Support Program unless it can be shown that the applicant cannot return to the same employer. In all cases prior to submitting an application, an applicant must meet with Service Canada to review the impact of participating in the Training Support Program on their EI claim(s).
- c) If an applicant is in receipt of a Compassionate Care Benefit they must meet with Service Canada to review the impact of participating in the Training Support Program on their EI claim(s). It is unlikely that such an application would be approved except under rare circumstances.

19. For individuals that have received a notice of imminent lay off, Amber Education Services Ltd. will require:

- a copy of the lay off notice;
- proof of an exhaustive job search based on current skills;
- proof of EI eligibility, Note: if Applicant is not on an Active claim nor classified as a Reachback, then documentation proving basic EI eligibility is required (i.e. pay stub showing hours or earnings Year-To-Date, a letter from employer stating same).

20. For applicants requesting an authorized quit to be granted by the BC Employment and Labour Market Services Division (ELMSD), please see a Training Support Program Representative for the required form to be completed by the applicant. Amber Education Services Ltd. will forward this form to ELMSD along with its own supporting rationale.

21. Costs for tutors and similar expenses may be eligible if they have been approved prior to incurring the expense and upon proof of the expense via a copy of the relevant invoice.

- Definition of a tutor is a person who provides a service in this industry.
- Letter will be required from Institute identifying a need and a likelihood of success.

22. Living allowance, transportation and other variable costs will be paid to participants in arrears. Participants are to submit the first month's attendance verification covering the period of the first of the month to the 20<sup>th</sup> of the same month and in subsequent months the 21<sup>st</sup> of the preceding month to the 20<sup>th</sup> of the current month. Submission of this verification is mandatory prior to the issuance of further funds.

- Transportation support will be negotiated.
- Negotiated Living Allowance typically is a maximum of \$1,300 to \$1,800/month (not exceeding)

23. For programs of less than one month, whenever possible and/or for risk management purposes, variable costs such as living allowance will be paid after submission of an attendance verification and evidence of course completion.

24. Training outside the applicant's local area can be supported if:

- a. the training provided outside the applicant's local area is recognized as a requirement for employment in the identified region of intended employment or,
- b. the training is not available within the applicant's local area or,
- c. the training is more cost-effective than if taken in the applicant's local area or,
- d. the training will result in the most direct route to sustainable employment.

25. Each application is assessed on its own merits unless otherwise stipulated by Amber Education Services Ltd.

The two fields listed below are considered apprenticeships and are not eligible for Training Support Program support.

- **Welding**
- **Professional Cook training**

The following field has specific requirements to be considered for Training Support Program support.

### **Fixed Wing or Rotary Wing Pilot Training**

If an applicant is considering training as a pilot they should be aware that the labour market information appears to indicate that 1500 hours of flight time is necessary in order to gain sustainable work without periods of unemployment. Therefore, in order to be successful an applicant must indicate either that they have 1500 hours or have a job offer identifying ongoing employment with the number of flight hours held upon the completion of training. Further, job offers from schools training potential instructors for its own needs will not be sufficient to gain an approval.

*These are subject to change. Check with Amber Education Services Ltd. for updates.*

26. If dependant care support is requested, the Training Support Program will show preference for licensed providers of dependant care and will require the name of such an agency. If this is not possible or it is less costly to make alternate arrangements (by example a family member) then this requires the name, address and contact number of

said person. In all cases, receipts for dependant care will need to be provided at the request of Amber Education Services Ltd.

a. Full names and birth dates of individuals requiring care must be provided.

27. Amber Education Services Ltd. will seek permission to review the budget submission from a previous applicant/participant for budget consistencies if the current applicant is identified as being the married/common-law spouse or partner of the previous applicant/participant.

28. If participants obtain work during their contract with Amber, a letter from the employer will be required stating that they are employed less than 20 hours per week. If participants gain employment of an average of 20 hours or more per week during training, their contract with Amber Education Services Ltd. may be in default which could result in the cancelation of Training Support Program support.

## **SECTION 2**

The requirements within this section refer to conditions within the contract between Amber Education Services Ltd. and the Government of British Columbia and are not open to appeal. Decisions based on these items would be considered final.

1. The applicant must meet the criteria for "unemployed" and "EI eligible."

- Eligible applicants are individuals who are considered unemployed if they meet the definition of an insured participant, and:
  1. are working less than an average of 20 hours per week; and
  2. are actively seeking full-time employment, or in the case of persons with disabilities who are unable to work full-time, are actively seeking increased employment.

Note: For applicants who are working less than 20 hours per week at the time of application, Amber will require a letter from their employer stating that their average work hours per week for the past six months has been less than 20 hours and that their expected hours for the next six months are also less than 20 hours per week.

2. Applicants must be either an active EI claimant or classified as a "Reachback" on the date their full training application is submitted to an Amber Education Services Ltd. office. If the request has multiple steps or time periods, the approval will be for the entire request (within Amber/Government of British Columbia contract parameters) subject to updates to determine intermediate success and appropriate levels of support. However, if the participant substantially changes his/her request, a new application will be required and the date it is submitted will be the new date of eligibility. Substantial change is not defined as a different school or minor change in dates of enrolment but rather a change in program or significant change in timeline.

3. In order to be eligible an application must:
  - include a mutually agreed upon Return to Work Action Plan, which lists the Training Support Program.
  - be signed and dated by the Applicant and be accompanied by any release of information documentation as outlined in the Amber Education Services Ltd. Privacy Policy.
  - indicate that the school chosen by the applicant is either a recognized Public institution or if Private, meet the territorial/provincial legislation. To be eligible for TSP support Private training institutions in BC that offer:
    - any of their programs in duration of 40 hours or longer but not more than 12 weeks and where tuition is \$1000 or more must be registered with the Private Career Training Institutions Agency (PCTIA).
    - any programs that are longer than 12 weeks in duration, the institution must be PCTIA accredited.
    - Exceptions to **PCTIA Registration** will be considered for Training Institutions that have a recognized history of programming and that offer specific certification such as first aid and insurance fundamentals.
      - These same institutions must demonstrate in writing that they do not offer ANY course 40 hours or longer and are not charging ANY tuition of \$1,000 or more. Successful applicants will be required to sign a statement declaring the school meets these conditions.
      - Institutions/Organizations offering only English as a second language programs are not required to be registered as per PCTIA guidelines.
    - Include a firm unconditional offer of acceptance into the training program/course.
4. Applicants, who have already started training on their own, are not eligible to receive financial assistance from the Training Support Program, except in exceptional circumstances. An example of an exceptional circumstance would be where an individual started training on their own but due to extreme and unforeseen circumstances, such as the death of a spouse, separation or divorce, no longer has the financial resources to continue with their training.
5. Applicants meeting the definition of a 'full-time student' will not be eligible for financial assistance. A full-time student is defined as a person who, at the time of requesting assistance from Amber Education Services Ltd. is/was registered full-time at an educational institution during the present/last academic year (full-time as defined by the educational institution in question), who is intending to return to school in the upcoming academic year and who has not made the transition from school to work.
6. University training can be supported if it is occupationally specific and leading to a degree, certificate or diploma. When the University training is multi-year, the Training Support Program will only support the final year of the program. College training, including University Colleges, which is multi-year and leads to a certificate or diploma, may be fully supported as long as the intent of the participant is to seek employment upon obtaining the diploma rather than using the credits to obtain a degree.

7. The main premise is that clients will access training at Canadian institutions. Training outside of Canada can be supported if the training is recognized in Canada and applicable to the Canadian labour market and one of the following conditions is evident:
  - a. training program is not available in Canada
  - b. training is more cost-effective than if taken in Canada
  - c. if you are thinking of training outside of Canada please contact our office.
8. Apprenticeships do not qualify for support under the Training Support Program however, pre-apprenticeship programs may qualify.
9. Any training that includes a practicum, a preceptorship or a clinical placement must meet the definition of a practicum, a preceptorship or a clinical placement. Please consult with a Training Support Program Representative for more information.
10. The financial assistance participants receive from the Training Support Program is considered taxable income in the year they receive it. Participants are issued T4e's for their income tax return.
  - Amber Education Services Ltd. will deduct a percentage from the money provided for training but **no** deduction will be taken from **tuition, dependant care** and **tax deductible disability support** amounts because tax credits may be claimed to offset any income tax payable on these amounts.
11. The training costs are to be shared between the applicant and the Training Support Program. Since the maximum tuition support that can be provided by the program is \$4,000. The minimum contribution will incorporate any amounts for tuition over \$4,000 and/or the costs incurred due to taxation and the maximum will be negotiated based on the applicant's ability. Cost sharing is judged on cash flow and liquid assets (e.g. cash savings) that can reasonably be accessed without undue impact on the applicant's financial stability.
12. All cheques are made payable to the participant and whenever possible tuition cheques are to be delivered in care of the institution.
13. Requests for Training Support Program support and requests for contract amendments may be deemed ineligible due to Training Support Program budget constraints.
14. The maximum support for tuition is \$4,000 per intervention or Return to Work Action Plan.
  - a. The tuition amount provided by the Training Support Program will be the last tuition monies paid in the intervention. An application that has a tuition amount greater than \$4,000 may be conditionally approved subject to the applicant providing acceptable confirmation that their portion of tuition has been secured. (e.g. receipt showing payment of their portion or confirmation of Student Loan approval)
  - b. Applicants not able to meet approval subjects for tuition shortfall amounts will have their applications identified as ineligible.
15. Financial assistance for living expenses will not be provided to participants serving the traditional two-week waiting period for EI benefits even if the waiting period falls in the middle of a course, except in cases of hardship. Hardship is defined as being deprived of the necessities of life such as food, clothing, medical attention (necessary medical care not covered by a provincial health care plan), shelter and utilities (water, heat and hydro).

16. Purchases of assets of more than \$250 are considered capital purchases and cannot be funded via the Training Support Program unless they are specifically for those living with a disability and are required to enable the participant to participate in the required training.

The following are specifics to capital costs:

- a. **Software** specific to the program of study and could be viewed as equivalent to a textbook or manual is an eligible expense to be allocated to "tuition". This would not be considered a capital cost item. General software programs such as Word, Excel, and Windows or similar would not typically be an eligible expense.
- b. **Hardware** is not an eligible cost.
- c. **Equipment other than computers** – in order to be an eligible cost such items must be required as mandatory by the training institution. It is expected that schools offering programs that require equipment would supply the necessary items. If this is a separate charge and the item is to be used as a "tool of the trade" after course completion by the applicant, then this is not an eligible cost under the Training Support Program. If the item would not have a life beyond the length of the training, it can be considered on a case by case basis.
- d. **For persons living with a disability** – on a case by case basis, any special device required by the participant to enable them to take the program is an eligible cost subject to Training Support Program Management concurrence.

Note: **Receipts** – are required in all cases of substantial purchase (more than \$250 including taxes) and will be paid in arrears upon presentation of a receipt.

### **SECTION 3**

#### **APPEAL PROCESS**

Amber Education Services Ltd. offers a two step appeal process. Each level of the appeal process is initiated by the applicant/participant providing a letter to Amber Education Services Ltd. requesting an appeal of the decision.

Additional information may be submitted to Amber Education Services Ltd. with the letter requesting the appeal.

Note: Additional information must be submitted directly to Amber Education Services Ltd. to be considered in the appeal decision.

The second level of appeal will require the completion of a third-party consent form which is available from an Amber Education Services Ltd. office.

Note: Appeal letters will be accepted up to 30 days from the date of decline. The training program should not have started prior to an approval via the Appeal process.

#### **Application Appeal Process**

- If an application is declined, or approved for a lesser amount than requested, the first step is to have the application re-adjudicated by an alternate Amber office (Nanaimo, Duncan or Victoria). If the application is again declined, the second step is to have the law firm, Robert J. Whittome Law Corporation review both decisions and the

applied processes to ensure that all procedures were implemented according to policy and methodology. A recommendation to approve or decline will be reached by the firm and shall be considered by Training Support Program management when making the final decision. Appeals are not possible for applications deemed "ineligible."

#### Amendment Appeal Process

- If a request for amendment is declined, the first step is to have the amendment request re-adjudicated by an alternate Amber office (Nanaimo, Duncan or Victoria). If the amendment request is again declined, the second step is to have the law firm, Robert J. Whittome Law Corporation review both decisions and the applied processes to ensure that all procedures were implemented according to policy and methodology. A recommendation to approve or decline will be reached by the firm and shall be considered by Training Support Program management when making the final decision. Appeals are not possible for amendments deemed "ineligible."

#### Contract Termination Appeal Process

- If a contract is terminated, the first step is to request that an alternate Amber office (Nanaimo, Duncan or Victoria) re-adjudicate the termination. If this results again in a decision to terminate the contract, the second step is to have the law firm, Robert J. Whittome Law Corporation review both decisions and the applied processes to ensure that all procedures were implemented according to policy and methodology. A recommendation to approve or decline will be reached by the firm and shall be considered by Training Support Program management when making the final decision.

## **SECTION 4**

### **CONFLICT OF INTEREST**

Applicants must identify any relation to any agencies listed on their Return to Work Action Plan.

- If a conflict of interest exists, the application will be forwarded by the Training Support Program to the North Island Employment Foundations Society (NIEFS) who shall provide adjudication services and render a decision.