



Annual Report 2013/14

Community Legal Assistance Society

Contents

2 President's message

3 The end of an era

4 About us

6 Housing security

8 Human rights

10 Income security

12 Mental health

14 Workers' rights

16 Financials

Photos courtesy of Flickr Creative Commons. Cover L-R: lee, ruSSeLL hiGGs, Julie Kertesz, Brendan Riley, Karen Eliot; contents page: Dayland Shannon; page 4: Justus Hayes; page 6: Jordan Dawe; page 8: Canadian Pacific; page 10: vancouverfoodbank; page 12: Pete; page 14: Mitchelllaurence; page 17: Campbell. All photos de-saturated and cropped.

The photos in this document are provided under Creative Commons licence CC BY-NC-SA 2.0.

President's message

Dear friends and supporters,

On behalf of our Board of Directors, I am pleased to present the 43rd Annual Report of the Community Legal Assistance Society (CLAS).

Since our inception in 1971, CLAS has provided legal assistance to marginalized people throughout British Columbia. CLAS operates a number of programs in the areas of housing, income security, human rights and equality, mental health and workers' rights. Our legal services include the provision of summary advice, assistance to self-represented litigants, referrals to other agencies, full legal representation for service cases, systemic cases and *Charter* litigation, law reform initiatives, and support and training for community groups and lay advocates throughout BC. We also engage collaboratively with a large network of community groups, as we believe that it is through these co-operative relationships that legal issues can be most successfully addressed.

Our achievements would not be possible without the ongoing support of our core funders, who are the Law Foundation of BC, the Legal Services Society of BC, the Ministry of Justice of BC, and the Forensic Psychiatric Services Commission. The City of Vancouver also provides us with a significant reduction to our office space costs, and many individuals and corporate donors have supported CLAS this year. Our sincere appreciation goes to all of our funders and donors.

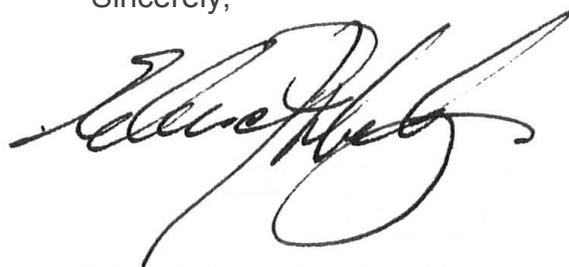
I would also like to personally thank our Board of Directors for the time and energy they volunteer to CLAS.

My appreciation also goes to the staff of CLAS who have been responsible for our many successes over the past year. Financially, it has been a difficult year, as we have had to grapple with major funding cuts and we face the possibility of further significant cuts in the future. The accomplishments of CLAS are a testament to the dedication and hard work of our staff and I thank each and every one of them.

Finally, I would like to recognize David Mossop, Q.C., who served as a staff lawyer since CLAS began in 1971 until his retirement earlier this year. For over four decades, David has worked tirelessly on behalf of marginalized people in BC. He has truly been the cornerstone of CLAS and his retirement represents the end to an amazing era. He will be missed by all of us!

It is my privilege to serve as President of CLAS and I look forward to the upcoming year as we continue in our commitment to promote social justice for all citizens in BC.

Sincerely,

A handwritten signature in black ink, appearing to read 'Edward Macaulay', written in a cursive style.

Edward Macaulay, President

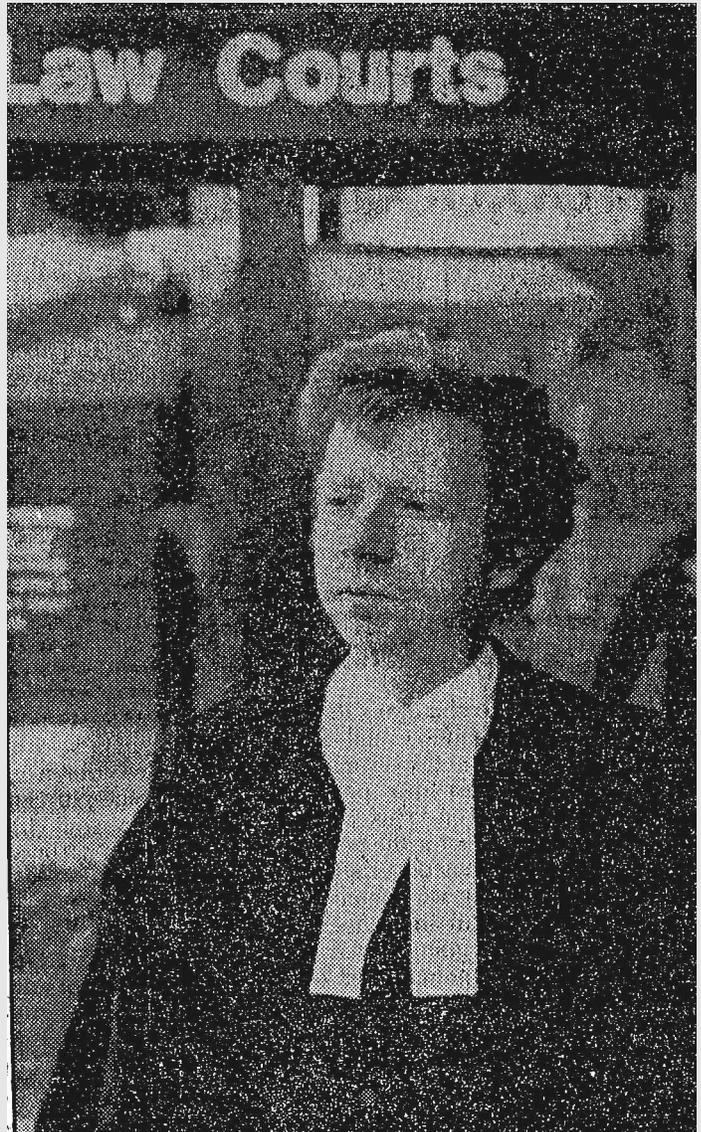
The end of an era

ON MARCH 31, 2014 AND AFTER 43 YEARS, DAVID MOSSOP, Q.C. RETIRED FROM HIS POSITION AS SENIOR COUNSEL AT CLAS.

During his more than four decades with CLAS, David was very busy: he fought for the elimination of mandatory utility company deposits, equal access to the healthcare system regardless of disability, the human rights of students with mental health issues, and in support of a broad notion of charity for organizations providing educational services. David opposed extraordinary rent increases on behalf of tenants, fought for the rights of families to bring human rights complaints on behalf of their deceased relatives, battled “renovictions”, challenged the constitutional validity of involuntary detention under the *Mental Health Act*, and opposed residency and criminal warrant barriers that prohibited people from accessing income assistance. David represented clients at all levels of court, including the Supreme Court of Canada several times, and numerous administrative tribunals. He earned designation as Queen’s Counsel and was elected for three terms as a Bencher with the Law Society of BC.

It’s a testament to David’s rich career and history of mentoring that the Law Foundation of BC has recognized his contributions to public interest law by re-naming its public interest articling fellowship the David Mossop, Q.C. Public Interest Articling Fellowship.

While David is no longer a practicing lawyer, he can still be found at the CLAS office carrying out his work as a Law Society Bencher, engaging staff in lively discussions about issues that impact the legal profession and marginalized people in BC.



About Us

WHAT WE DO: CLAS provides legal assistance and works to develop the law in five legal areas that impact marginalized people:

- **Housing security;**
- **Human rights and equality;**
- **Income security;**
- **Mental health issues; and**
- **Workers' rights.**

We focus on these five areas because they are tied to the most fundamental determinants of health. Safe and secure housing and employment, adequate levels of income, and basic public health and social services, all accessible in a manner that respects basic equality and dignity, have the potential to determine an individual's overall health and well-being.

Providing legal assistance in these key areas not only provides an obvious benefit to our individual clients and those impacted by our broader systemic advocacy, but it also reduces public costs for the services required to remedy the serious consequences that arise when these core needs are not met.

We do this work through six programs: the BC Human Rights Clinic, the Mental Health Law Program, the Community Advocate Support Line, the Community Law Program, and the Poverty Law Services Program.

We have assisted tens of thousands of British Columbians over the years through law reform, test case litigation, systemic advocacy, delivery of public legal education, summary advice, workshops and representation of clients before administrative tribunals and the courts. Our staff, including lawyers, advocates and legal support staff, work hard every day to assist the communities we serve.



OUR STAFF

Josh Apland, Aleem Bharmal (Executive Director), Debbie Breidt, Rheanne Breidt, Rose Chin, Kaity Cooper, Devyn Cousineau, Calan Craig, Julie Craig, Juliana Dalley, Carolyn Davies, Barb Elliott, Lisa Ferguson, Lisa Fredrickson, Rita Hatina, Brett Haughian, Scott Hicks, Frances Kelly, Kevin Love, Corinne Marino, Jasmine Maxwell, Mallory Mikolas, Kendra Milne, David Mossop, Q.C., Diane Nielsen, Joanne Norgaard, Sarah Peterson, Suzanne Pozer, Tomas Reyes, Dan Soiseth, Desiree Villacrusis, Lindsay Waddell, and Alison Ward.

OUR BOARD

Michelle Beda, Bill Black (Secretary/Treasurer), Barb Davies, Robin Elliot, Lisa Fong (Vice President), Carolyn Gulabsingh, Ed Macaulay (President), Sharon Mohamed, Jean Moore, Stacey Tyers, Judy Willows, and Gary Wilson.

OUR FUNDERS Our work would not be possible without the generous support of our core funders:

- The **Law Foundation of BC** funds our Community Law Program, our Poverty Law Services Program, our Public Interest Articling Fellowship, and our Community Advocate Support Line.
- The **Legal Services Society of BC** funds our Mental Health Law Program.
- The **Ministry of Justice** funds our BC Human Rights Clinic.
- The **Forensic Psychiatric Services Commission** contributes funding to the Legal Information component of our Mental Health Law Program.
- The **City of Vancouver** provides office space to us under the City's Amenities Bonus Program.

We also receive continued support, financial and otherwise, from a large number of individuals and groups. We thank each and every one of them for their generous assistance!

Housing security



OUR HOUSING WORK: Living in unsafe, unaffordable or insecure housing can result in a cascade of problems that negatively impact a person's health and well-being, ranging from direct health impacts from unsafe building maintenance to a loss of stability that can undermine mental health. Loss of housing can have catastrophic consequences in a person's life, including stress-induced health deterioration and homelessness.

Given the importance of safe and secure housing, and the potential consequences when it is lost, our legal work focuses on three key housing issues:

1. We work to ensure that housing safety and security are protected under the law.
2. When housing is threatened, we work to ensure that a fair system is in place to decide whether eviction is required and appropriate.
3. In the event that a loss of housing is inevitable, we work to minimize unnecessary consequences resulting from the loss.

Taylor's story: protecting fairness

For 10 months, Taylor rented a basement suite from his landlord who was also his employer. Taylor's relationship with his landlord broke down suddenly in October 2011 when his landlord called the police and had them remove Taylor from his suite. Locked out of his home, Taylor couldn't access his personal belongings including furniture, kitchen supplies, collectibles and personal documents, including documents related to the tenancy. Taylor filed for dispute resolution with the Residential Tenancy Branch to get his belongings back. At the hearing, Taylor's landlord alleged that he was a squatter and not a tenant. She was allowed to interrupt Taylor and his witness and make serious accusations about his character. After the landlord used an obscenity, the Arbitrator abruptly terminated the hearing, despite the fact that Taylor's witnesses hadn't spoken and he hadn't made submissions. The Arbitrator found that Taylor was a squatter and not a tenant. As a result, Taylor was not able to get his belongings back or be compensated for them. CLAS took Taylor's case to the BC Supreme Court for judicial review on the basis that Taylor had not received a fair hearing. After two years of fighting, Taylor won his judicial review and will get a new hearing and an opportunity to have his claim fairly decided.

A safe and secure home is a cornerstone for a healthy life.

Ground-breaking report on BC's tenancy system

This year, CLAS released a report entitled *On Shaky Ground: Fairness at the Residential Tenancy Branch*. The report responded to ongoing concerns about the functioning and basic fairness of the Residential Tenancy Branch, the legal body that determines all residential tenancy disputes in BC. It identifies and documents many of the problems at the Branch and makes detailed recommendations for improvement. The Branch has implemented a portion of the recommendations and we will continue to advocate for the rest. The full report can be found on CLAS's website.

Stronger legal protections for tenants

In collaboration with five other tenants' rights groups, CLAS released a joint report: *BC's Residential Tenancy System: 13 Recommendations for Change*, which calls for legislative and operational changes needed to better protect tenants. The recommendations include strengthening rent controls to bring rent increases in line with inflation; minimizing harsh and unnecessary evictions; and providing effective means to enforce BC's tenancy laws. The full report can be found on CLAS's website.

Vulnerable tenants have basic protections

30% of tenants in BC are estimated to have verbal tenancy agreements with their landlords. In 2014, CLAS won an important case in BC Supreme Court confirming that these tenants have the same rights and protections as all other tenants. The case is particularly significant for low income and marginalized tenants, who often have less power to insist their landlord provide a written tenancy agreement.

We believe in second chances

CLAS represented TRAC Tenant Resource & Advisory Centre to intervene in a precedent-setting tenancy case at the BC Court of Appeal about whether tenants who are evicted for paying their rent late should ever be able to ask the courts for a second chance. Historically, this remedy, known as "relief from forfeiture", has been a way for the courts to protect tenants from eviction in exceptional circumstances. For example, courts granted relief from forfeiture when a tenant paid rent late, but there was no hardship for the landlord.

Second chances have been particularly important in BC because our residential tenancy system allows even long-term tenants to be conclusively evicted for paying their rent as little as 7 days late, even if it is just on one occasion. In the current housing crisis, eviction can often lead to homelessness.

Sadly, the Court of Appeal held that relief from forfeiture is not available to tenants whose tenancy is governed by the *Residential Tenancy Act*. CLAS has continued to fight for second chances for tenants, and for other reforms that can minimize the harshness of BC's current tenancy system.

We achieved some success in the last year on issues such as reducing the number of tenants evicted on very short notice, and we are committed to continuing to work on these issues.

275

clients and advocates received assistance from CLAS in the areas of residential and manufactured home park tenancy, co-operative housing and foreclosure in 2013/14.

Human rights

OUR HUMAN RIGHTS WORK: Discrimination is the social exclusion of specific groups of people because of a personal characteristic that is important to their personal dignity and self-worth, such as race, gender, disability, sexual orientation, family/marital status, or political belief.

Groups that are subject to discrimination tend to have worse health outcomes than others because they may have lower incomes and less access to safe and secure employment, housing and education. Directly or indirectly excluding people from important aspects of society can create a sense of powerlessness that further marginalizes them and leads to negative effects on health.

For these reasons, we focus our human rights and equality work in three key areas:

1. We provide representation to people who have experienced discrimination so they can access legal remedies available to them.
2. We work to maintain and improve the accessibility of the legal system for people who have experienced discrimination.
3. We work to ensure that everyone, regardless of their personal characteristics, has meaningful access to public services like health care, home support, education, and transportation.

Two clients had this to say of the assistance CLAS provided in their human rights case:

“We had been in and out of court since May 2009. We had initially won, however due to an appeal the decision was overturned and we were back to square one; unsure of our next step. Community Legal Assistance Society gave us the answer by taking on our case and representing us in court. By winning the case it finally brought the worry and stress of resolving this issue to an end. It meant we could move on and justice had been done.

This resolution was important to us as it meant we could attend to the significant details and everyday occurrences of our lives. When things hang in the balance we are affected in many ways, in our health, relationships and ability to cope. By seeing that the average person is still of consequence and justice prevails, we give hope and show the importance of standing up for our rights. Having someone believe in you by taking on your cause empowers you.”

Respecting human rights benefits everyone.

338

clients and advocates received assistance with human rights issues from CLAS in 2013/14.

Equal access to hospital services for remote First Nations' communities

CLAS represents a class of First Nations people in the Hazelton area in a human rights complaint that raises critical questions about the equal provision of hospital services to remote Aboriginal communities. The complaint alleges that the Ministry of Health, the Northern Health Authority and the United Church Health Services Society have discriminated against local First Nations peoples by failing to adequately fund and deliver hospital services at a hospital that serves an overwhelmingly Aboriginal population.

Last year, the respondents asked the BC Human Rights Tribunal to dismiss the complaint before a hearing. We are happy to report that the Tribunal declined to dismiss, affirming that a hearing of the complaint on its merits was both necessary and appropriate. We look forward to fighting this very important and historic case at hearing in 2015.

Raising the bar for human rights complainants

CLAS worked with private counsel to successfully bring a human rights complaint against UBC for terminating a doctor's enrollment in a residency program because of his mental disabilities. Prior to this decision, the highest award for injury to dignity, feelings and self-respect was \$35,000. In this decision, the Tribunal awarded the complainant \$75,000. This case dramatically opened up the remedies available to victims of discrimination.

Inclusive education for *all* kids

Can you imagine sending your child to school with the worry that he might not get the lifesaving medication he needs for a chronic condition? Can you imagine having to leave your job on a moment's notice to attend school to make sure your child receives that medication? CLAS represented a family at the BC Human Rights Tribunal to ensure that, starting in September 2014, school aged children with diabetes can receive their diabetes medication from school staff while at school. *All* children deserve access to the medical supports they require to participate in learning.

Ensuring access to justice

We believe that access to justice requires that everyone be able to access legal remedies when they experience discrimination. This year, CLAS succeeded in two appeals (*BC v. Mzite* and *BC v. Sanghera*) that raised broad questions about access to justice for marginalized people attempting to assert basic rights within a complex legal system. Our clients faced significant obstacles in filing their human rights complaints because of language barriers, complexity, and lack of access to legal advice. BC asked the Human Rights Tribunal to dismiss both complaints without a hearing on the basis that they were too vague, too late, or not important. The Tribunal, in both cases, decided to allow at least parts of the complaints to proceed to hearing. However, the Province chose to appeal both of these preliminary decisions.

CLAS argued before the Court of Appeal that it is essential that the human rights system be responsive and flexible, since it is those who are most in need of the law's protection who are the most likely to face barriers in accessing it. The Court took note of these barriers and upheld the Tribunal's decisions to allow these complaints to proceed to hearing. CLAS will continue to fight to ensure that everyone is able to achieve meaningful recognition of their basic rights.

Income security

OUR INCOME SECURITY WORK: Income security is one of the most fundamental building blocks for basic health and well-being. An adequate income allows people to meet a range of other social determinants of health, including access to:

- adequate and nutritious food;
- safe and secure housing;
- reliable and safe childcare;
- post-secondary education; and
- recreational and social opportunities.

An inadequate income means these needs cannot be met, which leads to social exclusion and poor health consequences. For these reasons, we focus on three key aspects of income security:

1. We work to ensure that there is an adequate, fair and functional income assistance system for people with no other option for financial support.
2. We work to ensure that people with disabilities have access to a full range of income and supports to allow them to participate in their communities with dignity.
3. For people that are eligible for other social safety net benefits like Canada Pension Plan or Old Age Security, we work to ensure that those systems operate in a fair way.



Rosemary's story: fighting for disability benefits

Rosemary is 63. She has worked most of her life, but in the last few years she has had serious health problems, including a failed heart valve replacement, a spinal compression fracture, a hip replacement, and an unstable IT band that causes her to lose the ability to stand and walk multiple times each day. Recently she was diagnosed with chronic leukemia. Because of these impairments, Rosemary is not able to work. Rosemary applied for BC disability benefits and wrote a letter setting out all of her health problems. After reviewing it, her doctor signed and adopted her letter as his own. While her letter confirmed her disability was severe enough to qualify, Rosemary was denied approximately \$300/month because her doctor did not write the letter *in his own words*. CLAS and a community advocate assisted Rosemary and, after 13 months of fighting and surviving on \$600/month, she finally won. Rosemary will receive her disability benefits back to 2013.

** Client's name has been changed to protect confidentiality*

An adequate income is a fundamental building block for basic well-being.

Allow kids to benefit from their child support

Children have a right to financial support from both of their parents, and that support should reflect each parent's standard of living. However, if a child whose custodial parent is on income assistance receives child support from a non-custodial parent, that money is deducted from the custodial parent's income assistance cheque. The child is denied the benefit of critical additional financial support, which could help lift the child out of poverty or at least improve their standard of living. The only party that financially benefits from any child support payments received is the Ministry of Social Development and Social Innovation, through savings on income assistance payments.

CLAS has been working with First Call: BC Child and Youth Advocacy Organization and West Coast LEAF to reform the law in this area. In the coming year, we will be representing four families, including six children, to challenge the constitutionality of this policy and ensure that vulnerable, low income children can benefit from the financial support of both parents to improve their daily lives.

Sylvia's story: accessing health benefits

Sylvia worked for many years before she became disabled by several medical conditions. When she qualified for disability benefits from the provincial welfare ministry, she really appreciated that this included prescription coverage and some kinds of medical equipment and supplies that she needed. She later qualified for federal Canada Pension Plan disability benefits, which provided her about \$1000 per month. Because this was more than the provincial benefits she'd been receiving, she no longer qualified for the monthly provincial benefits.

For over a year after she stopped receiving provincial benefits, Sylvia paid for her own prescriptions despite her low income: about \$1200 of expenses over 12 months. One day a pharmacist told her the welfare ministry could still pay for her prescriptions. Sylvia spent about a year trying to get the Ministry to pay her that money back. Finally, the provincial Ministry agreed they had made a mistake, and should have kept her file open for medical benefits coverage, but said they couldn't reimburse Sylvia any money she'd spent on prescriptions herself. Sylvia then went to see an advocate, who worked with the Community Advocate Support Line lawyer at CLAS. With their help, Sylvia was reimbursed for all the money she was forced to spend on prescriptions herself as a result of the provincial ministry's mistake.

** Client's name has been changed to protect confidentiality*

280

clients and advocates received information, advice or representation on income security issues in 2013/14.

BC'S DISABILITY WHITE PAPER

CLAS took the lead with the Disability Without Poverty Network, co-authoring rights based recommendations to make BC the most progressive jurisdiction for people with disabilities.

POVERTY REDUCTION

CLAS sits on the BC Poverty Reduction Coalition, a large and diverse coalition that advocates for a comprehensive, legislated poverty reduction plan in BC to significantly reduce poverty and homelessness.

DISABILITY ASSISTANCE POLICY

CLAS participates in a table with the policy staff of the Ministry of Social Development and Social Innovation to discuss how BC's disability assistance system can better support people.

Mental health

OUR MENTAL HEALTH WORK: Mental health is fundamental to a person's overall well-being. Other social determinants like low income, social exclusion, and insecure housing or employment can negatively impact a person's mental health. People experiencing mental illness face a great deal of stigma and may:

- Experience discrimination or barriers in many areas of life, including health services, employment, and housing;
- Fall through the cracks in the health care system and end up in the criminal justice system because of their health-related needs; and
- Be involuntarily detained and given medication or medically treated without their consent.

For these reasons, we focus our work on the following key issues:

1. We work to ensure that people with mental health conditions do not experience discrimination and stigma, and that they can access legal remedies if they do.
2. For people detained or treated without consent, either through the health care or criminal justice system, we work to ensure that there is a fair and accessible process in place to review the appropriateness of that detention and treatment.
3. We work to ensure that people who are detained have access to adequate and appropriate health care treatment.

Valerie's story: support to tell her own story

Valerie feels like a stranger nobody sees. She was adopted at birth from parents with mental health and drug issues. She dropped out of school, left her Aboriginal community at an early age, and has her own addiction struggles. She has experienced domestic violence and struggled to find stable, affordable, and clean housing. She is enrolled in a methadone program; her vigilance against relapse is a daily effort. Valerie has learned that journaling and art help to dampen her anger and grief. She has received counselling in the past and is on a one year waitlist at new agency.

Valerie was certified under the *Mental Health Act*. Her medical records told a filtered version of her story: no insight into mental illness; non-compliance with medications; refuses supports; talks to self; history of unstable housing; past evictions due to fighting with boyfriends; history of angry outbursts and irritability; suicidal thoughts; significant drug use; unable to care for children.

CLAS represented Valerie to challenge her certification, helped her to tell her *whole* story to the Review Panel, and supported her desire to be heard.

* Client's name has been changed to protect confidentiality



Mental illness does not define a person.

611

people detained without their consent under the *Mental Health Act* received basic information and advice about their legal rights from CLAS in 2013/14.

696

people detained and/or treated without their consent under the *Mental Health Act* retained CLAS for a Mental Health Review Board hearing to challenge their detention in 2013/14. 309 clients were represented by CLAS.

298

people found unfit to stand trial or not criminally responsible on account of mental disorder received representation from CLAS in a *Criminal Code* Review Board hearing to review their detention in 2013/14.

Jane's story: freedom to be herself again

Jane is a young woman diagnosed with Schizoaffective Disorder, although lately she's had few symptoms, low intellectual functioning, and Post Traumatic Stress Disorder.

Jane applied for a Mental Health Review Board hearing while she was on extended leave, which means she was certified under the *Mental Health Act*, but she could live in the community as long as she met her doctor's conditions. One of Jane's conditions was to take an antipsychotic medication that causes side effects. Jane was living by herself and managing with the support of John, a family friend. Shortly before the hearing, Jane's sister passed away unexpectedly. Jane was concerned that the side effects from the medications that she was required to take were stopping her from mourning her sister's death because she was unable to cry.

CLAS represented Jane at her Review Board hearing, where it became clear that most of the information collected to support Jane's diagnosis came from her biological mother, who lost custody of Jane when she was younger and in Jane's life only sporadically. Her mother also had addiction and mental health difficulties. There was little reliable evidence that Jane required the treatment she was receiving -- in fact, it was causing her more side effects than benefits. It was also apparent that Jane's psychiatrist had very little knowledge of Jane, her history, and her challenges. John supported Jane's request for decertification, to discontinue medication, and to seek support through private counsellors. He told the Board members that Jane's medication had caused her to become a shell of her old self. The Board members found that Jane did not require certification and accepted her plan to manage with private supports and John's help.

When the Board members told her she was no longer certified, it took Jane a few moments for the news to sink in. After the hearing, she cried tears of happiness. John said that this was the first time Jane had cried since her sister's passing and he felt that Jane could now mourn the death of her sister and continue with her life free of side effects from the medication and conditions of extended leave.

APPROPRIATE CARE

CLAS sits on the BC Alliance on Mental Health/Illness and Addiction, which advocates for timely and evidence-based care.

PROTECTING PRIVACY

CLAS made submissions to the Privacy Commissioner that disclosing non-conviction information to employers in police information checks infringed the privacy of people with mental illnesses.

* Client's name has been changed to protect confidentiality

Workers' rights

OUR EMPLOYMENT WORK: Stable employment provides income, a sense of identity and self-esteem. The loss of employment can lead to loss of income and employment-related benefits like health coverage. It can also result in significant stress, anxiety and social isolation that can seriously impact a person's physical and mental health.

Low wage workers, already more vulnerable to poor health outcomes, often have insecure employment in working conditions that are more likely to lead to injury and disability. The insecurity of low wage work means that it may be difficult for workers to enforce their basic rights like payment for hours worked, payment for overtime, reasonable working hours, safe working conditions, and fair compensation for wrongful dismissal.

For these reasons, we focus on four key areas that relate to workers' rights:

1. We work to ensure safe working conditions and, if a worker is injured in the workplace, we work to ensure there is adequate compensation for those injuries.
2. If a worker is unable to work or loses employment, we work to ensure fair access to employment insurance benefits.
3. If a worker's employment is terminated, we assist workers to enforce their legal rights.
4. We work to ensure that migrant workers are provided meaningful access to basic employment protections.

Manuel's story: support when he needs it the most

Manuel began travelling to Canada from Mexico to work on farms when he was 20 years old. For six growing seasons, he performed the backbreaking work of harvesting blueberries, cranberries, cucumbers and apples – to name a few. He worked long days without protective equipment, on plants dripping with pesticides. While working for an employer near Kelowna, Manuel was housed – along with nine other men – in an unventilated garage, sleeping beside open containers of pesticide. When he was 26 years old, Manuel was diagnosed with terminal cancer as a result of his exposures to pesticides in Canada. He has now returned to Mexico to be with his wife and children. CLAS is working alongside the UFCW to get Manuel the workers' compensation benefits he is entitled to, in hopes of providing something for a family who has sacrificed so much for our food.

** Client's name has been changed to protect confidentiality*

All workers deserve safe, fair and dignified working conditions.

End exploitation of migrant workers

Canada relies heavily on the hard work of migrant workers. These include agricultural workers, live-in caregivers, temporary foreign workers and undocumented workers, who leave families and homes behind in pursuit of economic opportunity. Unfortunately, migrant workers are notoriously vulnerable to exploitation and abuse. Barriers like fear of deportation or eviction, language, ignorance of the law and limited time in Canada make it extremely difficult to enforce rights. CLAS works with front-line organizations, advocates and workers to fight the exploitation of migrant workers. This past year, we have helped migrant workers recover unpaid wages, litigate human rights complaints, secure temporary residence permits, and pursue claims for workers' compensation.

Case update: *Chein et al. v. Tim Hortons et al.*

Edxon, Ruben, Rodolfo and Eric left their families and homes in Mexico to work as temporary foreign workers at Tim Hortons in Northern BC. The workers say they endured racist slurs, discriminatory working conditions and unsanitary housing as part of their employment. CLAS, in partnership with BCPIAC, is representing the four men – now back in Mexico – in their human rights complaint against Tim Hortons and its franchisee. After Tim Hortons applied to dismiss the complaint arguing that it played no role in the workers' employment or tenancy, we successfully fought to gain access to critical documents to defend the workers' claim. The workers remain committed to having their complaint heard and decided for themselves, and for the many other foreign workers they know silently endure discrimination.

Hold employers accountable for worker safety

The tragedies in the explosions at the Babine and Lakeland sawmills have brought to the forefront the challenges of holding employers accountable for serious violations of Occupational Health and Safety laws. Lack of criminal prosecution or effective administrative penalties leave workers at risk of serious injury or death. This year, CLAS worked with the BC Federation of Labour and WorkSafeBC to review WorkSafe's policies concerning high risk health and safety violations. In addition, CLAS is representing the father of a young worker who was killed on the job after his employer committed high risk violations of occupational health and safety laws. We are pressing the Workers' Compensation Appeal Tribunal to restore a precedential penalty against the employer, as one means of pushing for effective accountability and deterrence.

182

workers or advocates were assisted with workers' compensation, employment insurance, employment standards, or other employment issues in 2013/14.

PROTECTION

CLAS works with the Agricultural Workers Advisory Committee, the BC Federation of Labour and the Employment Standards Coalition to promote the protection of workers.

INJURED WORKERS

A CLAS workers' representative sits on WorkSafeBC's Policy and Practice Consultative Committee, which consults with senior executives about regulatory priorities, policies and practices that directly affect injured workers.

TRANSITION TO THE SOCIAL SECURITY TRIBUNAL

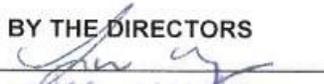
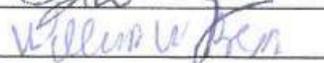
CLAS worked closely with the Workers' Commissioner to protect workers during the transition. We continue to monitor the Tribunal closely.

Financials

**COMMUNITY LEGAL ASSISTANCE SOCIETY
COMBINED STATEMENT OF FINANCIAL POSITION
MARCH 31, 2014**

	\$		<u>2014</u>	<u>2013</u>
	<u>OPERATING FUND</u>	<u>RESERVE FUND</u>		
ASSETS				
CURRENT ASSETS				
Cash and term deposits	343,677	-	343,677	191,833
Accounts and funding receivable	4,855	-	4,855	95,327
Government remittances receivable	1,707	-	1,707	4,529
Prepaid expenses	42,045	-	42,045	35,101
Funds due from operating fund	-	101,610	101,610	130,050
	<u>392,284</u>	<u>101,610</u>	<u>493,894</u>	<u>456,840</u>
LIABILITIES				
CURRENT LIABILITIES				
Accounts, payable and accrued	24,262	-	24,262	19,499
Advance funding				
Articling Student	5,980	-	5,980	5,980
Advance Funding				
JAG – HRC (one-time)	225,000	-	225,000	89,680
CLAS				
unallocated donations	32,524	-	32,524	-
CASL				
unexpensed funds	789	-	789	105
DAC Conference				
unexpensed funds	2,119	-	2,119	3,119
Res Ten Project				
unexpensed funds	-	-	-	2,382
Funds due to reserve fund	101,610	-	101,610	130,050
	<u>392,284</u>	<u>-</u>	<u>392,284</u>	<u>250,815</u>
NET ASSETS				
UNRESTRICTED NET ASSETS	<u>-</u>	<u>101,610</u>	<u>101,610</u>	<u>206,025</u>
	<u>392,284</u>	<u>101,610</u>	<u>493,894</u>	<u>456,840</u>

APPROVED BY THE DIRECTORS


 _____ Director

 _____ Director

DAVID CURLL INC.

\$

	<u>2014</u>	<u>2013</u>
REVENUE		
Grants - Forensic Psychiatric Services Commission	32,633	32,633
- Law Foundation – Res Ten Project	24,470	34,618
- Law Foundation – Special Grant	-	4,152
- Law Foundation – LSLAP Transition	-	58,620
- Law Foundation - CASL	139,211	139,895
- Law Foundation – core services	411,000	594,950
- Law Foundation – poverty law services project	395,500	395,500
- Law Foundation – articling fellowship	60,000	54,020
- Legal Services Society	920,515	934,762
- Mental Health Society	-	6,000
- JAG – HRC (gov't transfer)	808,000	897,680
- JAG – Additional (one-time)	89,680	-
	<u>2,881,009</u>	<u>3,152,830</u>
Community Group Funding – Legal Supervision	14,214	13,210
Donations and cost awards	58,576	69,032
Interest income	613	1,110
Memberships	15	19
Miscellaneous income	7,778	-
Sale of brochures and pamphlets	-	321
UBC/UVIC work placement program	-	10,800
	<u>2,962,205</u>	<u>3,247,322</u>
EXPENDITURES (Schedule)	<u>3,066,620</u>	<u>3,330,174</u>
(DEFICIENCY) OF REVENUE OVER EXPENDITURES	<u>(104,415)</u>	<u>(82,852)</u>

	<u>2014</u>	<u>2013</u>
EXPENDITURES		
Audit and accounting	31,961	31,012
Bad debts	40,437	-
Bank charges	244	442
Board expenses	5,601	6,885
Client disbursements	31,204	43,660
Equipment rental and maintenance	41,327	71,274
Equipment purchase	5,849	13,476
GST paid (net)	9,861	22,976
Insurance	3,626	3,876
Library	7,413	9,227
Office	63,471	62,841
Professional development	9,269	14,379
Professional dues and insurance	58,093	61,266
Rent	96,474	90,293
Salaries, employee benefits, and contractors	2,620,149	2,853,260
Telephone	15,598	14,887
Travel	26,043	30,420
	<u>3,066,620</u>	<u>3,330,174</u>

If you would like to support our work, please consider becoming a member or making a donation. We are a registered charity and donations can be made through our website or by mail.

Community Legal Assistance Society
#300-1140 West Pender Street, Vancouver, BC V6E 4G1
t: 604.685.3425 or 1.888.685.6222 | f: 604.685.7611

www.clasbc.net



@clasbc



Community Legal Assistance Society



Legal
Services
Society

