

## **THE RIGHTS AND RESPONSIBILITIES OF PEOPLE RECEIVING HOME SUPPORT SERVICES**

As many of our members utilize home support services to varying degrees, I have decided to utilize this issue of "KRAMER'S LEGAL BRIEFS" to introduce our readers to a recent publication of The Voice of the Cerebral Palsied of Greater Vancouver, titled "The Rights and Responsibilities of People Receiving Home Support Services".

Whether you are receiving home support services through an agency or via the Choices in Supports for Independent Living (CSIL) Program, this unique resource publication should be incorporated into your reading library.

Funded through a grant from the Law Foundation of British Columbia, the authors and editors of this extensively researched guide, consulted with numerous experts and organizations throughout BC to develop what is clearly a first for people receiving or contemplating receiving home support services in our Province.

Although the guide is written from a Lower Mainland perspective, it recognizes the very real differences which exist throughout British Columbia in the way home support programs are delivered region by region.

The guide is divided into 2 parts with Part 1 devoted to a thorough evaluation of the procedures and the legal requirements associated with hiring your own home support workers. The analysis begins with an overview of the CSIL program and the hiring process and then moves into a concise review of the applicable legislation affecting the employer/employee relationship. The guide takes us on a journey through the relevant provisions of the Employment Standards Act, the Human Rights Act, the Worker Compensation Act, the Employment Insurance Act and the Income Tax Act. Finally, there is an excellent discussion on the issues of payroll requirements and financial/fiscal responsibility to the respective funders.

Part 2 of the guide is devoted to a complete discussion of the issues surrounding individuals receiving home support services from agencies. Initially, there is a brief overview of the Continuing Care Act and then a great discussion on topics such as unionization, collective agreements and agencies in general.

British Columbia has made tremendous progress over the last few in the area of Home Support, however, there continues to exist very real problems in the delivery of these services. A lack of consistency between regions, reductions in funding, services being cut and government's unwillingness to enshrine the principles of home support on a nation basis are just a few of the problems we must contend with as we enter this new decade.

Clearly, developing a high level of sophistication as it relates to the various issues affecting home support services is an important step in meeting the challenges we face today and in the future. This resource guide represents an excellent first step in meeting those challenges and thus, I applaud the dedicated individuals with The Voice of the Cerebral Palsied of Greater Vancouver who put together this well written and researched report.

For those of you who would like to receive a copy of the resource guide, please contact the office of The Voice of the Cerebral Palsied of Greater Vancouver at (604) 874-1741 or by Email: [ytanabe@istar.ca](mailto:ytanabe@istar.ca).

As a final note, I wish to advise my readers that as a follow-up to the last edition of "KRAMER'S LEGAL BRIEFS", which provided a review of the Representation Agreement Act, our government has succeeded in passing the *Adult Guardianship Statutes Amendment Act* (Bill 6) effective March 29, 2001. This Act contains amendments to ten laws related to adult guardianship. Most of the proposed amendments affect the *Representation Agreement Act* and will come into force on September 1, 2001. I will be devoting my next issue to a review of these changes and how they will affect you.

In closing, please be advised that effective March 15, 2001, my firm name has been changed to **KMK LAW CORPORATION**.

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*I caution my readers that the information expressed in this article should in no way be construed as legal advice. If you would like further information on this or any other topic please contact me at the address below.*

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