Government
of Alberta

Emergency
Isolation
Support
Program





Own Motion Investigation

September 2021

If you have any questions about the Alberta Ombudsman, or wish to file a complaint with us, please get in touch. We are here to help.

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Ombudsman's Message

When crisis strikes, the Ombudsman plays a critical role ensuring every individual is provided with a fair opportunity to access rapid response benefits or programs.

On March 17, 2020, a state of public health emergency was declared in Alberta. Reports on the severity of the novel coronavirus (COVID-19) left most people reeling as the seriousness of the situation began to unfold. Workplaces, schools, and home lives changed drastically for citizens across all demographics and socio-economic standings as the government formulated its response and implemented public health measures.

People needed help. For many Albertans, their income was significantly disrupted or completely eliminated. The need was immediate and there was very little time to plan. Alberta's Emergency Isolation Support (EIS) Program offered temporary aid — a one-time payment benefit for those unable to work due to a requirement to isolate or to care for a dependent who was isolating as a result of COVID-19. The program went live on March 25, 2020, and the Ministry of Labour and Immigration with the assistance of the Ministry of Service Alberta delivered and administered the program. We understand from government that the program was able to provide the financial benefit to approximately 95,000 Albertans. The size and scope of the program was significant, and benefits were provided in a very short timeframe.

My office received a complaint regarding the EIS program the day after the program was launched. It was the first of numerous complaints, many of which reported problems accessing the website set up for people to apply for the benefit. We also heard from applicants who felt they met the eligibility criteria but were denied without explanation. The similarities in the complaints concerned my office as we heard from a growing number of people who hoped the program would help them make ends meet. The situation showed signs of systemic administrative problems and my office determined it was in the public's best interest to review the program more closely.

In July 2020, my office initiated an own motion investigation to look deeper into the complaints and to consider whether the application of the EIS program had been administratively fair. More specifically, the investigation focused on the application of the EIS program policy, eligibility requirements, applicant assessment criteria and related decisions. In this report, we provide the results of my office's investigation including an overview of the EIS program, how

we investigated the issues, our key findings, and subsequent recommendations. We acknowledge the unique challenges posed by the COVID-19 pandemic and we realize the best of intentions lay at the heart of this program. However, complaint processes during emergencies must continue to reflect administrative fairness principles.

My office's investigation identified several differences between what the program outlined in policy said and how it was actually implemented. The investigation also found that while decisions were being made in the public's best interest, the information and data used to make these decisions were not being tracked or retained. Based on findings made during the course of the investigation, my office is making seven recommendations and two observations that offer specific strategies to improve future emergency benefit programs.

I would like to recognize the staff members at Labour and Immigration and Service Alberta for their dedication and commitment to helping Albertans cope during so difficult a time. I would also like to express sincere gratitude to my own motion investigators for their perseverance in getting to the root of the issues and their high degree of expertise in advising me of their findings throughout this investigation.

Across the province, as Albertans continue to cope with the effects of COVID-19 and the broader consequences of a world pandemic, now is a time for hope and applying lessons learned. While this investigation is closed, we will monitor the implementation of our recommendations and by doing so ensure procedural fairness in public emergency benefit programs.

Marianne Ryan

Alberta Ombudsman

Marianne Ry



Deputy Minister 10 Floor, Labour Building 10808 – 99 Avenue NW Edmonton, Alberta T5K 0G5 Telephone: 780-643-1725 Fax 780-422-9205

AR79795

September 1, 2021

Ms. Marianne Ryan Alberta Ombudsman 700, 9925 – 109 Street NW Edmonton, AB T5K 2J8

Dear Ms. Ryan:

Thank you for the opportunity to respond to the report of your Own Motion Investigation into the Emergency Isolation Benefit program. I appreciate all the work of your staff in conducting this review. I would like to highlight this program was stood up in five days in response to the need for financial supports to allow Albertans to be able to afford to self-isolate. The Emergency Isolation Benefit program was intended to be a temporary measure bridging the gap until the federal support program became available. The program was successful in getting more than \$109 million distributed to over 95,000 Albertans to support them in doing the right thing by keeping others' safe.

Labour and Immigration has reviewed your recommendations and observations. We are committed to working on incorporating the findings into any future emergency benefit programs.

I thank you once again for the work of your office to help inform and strengthen future programs.

Sincerely,

Shawn McLeod Deputy Minister

cc: Lenore Neudorf

Assistant Deputy Minister, Strategy and Policy

Classification: Protected A

3. Executive Summary

The Emergency Isolation Support (EIS) program was delivered in March and April of 2020 by the Ministry of Labour and Immigration with the assistance of the Ministry of Service Alberta. The EIS program was developed with the intent of providing financial benefits to Albertans who were unable to work due to isolating or caring for a dependent who was isolating as a result of COVID-19. The benefits were designed to bridge the gap for Albertans as they awaited the launch of the federal government's Canada Emergency Response Benefit (CERB). Labour and Immigration advised it provided EIS benefits to approximately 95,000 Albertans.

Development and delivery of the EIS program was completed quickly to meet the growing needs of Albertans who were financially impacted by COVID-19. When programs are developed in rapid response to crisis, there may be a potential for unforeseen problems and concerns. Although the EIS program was unique, we are cognizant emergencies such as COVID-19 and its widespread consequences, are likely to occur in the future. Our findings and recommendations are aimed at ensuring future emergency programs are delivered with a high degree of administrative fairness.

We provided Labour and Immigration with five key findings, which resulted in seven recommendations along with two observations. The majority of these are related to increasing program accountability and transparency for Albertans.

Although we identified issues related to administrative fairness with respect to the development and delivery of the EIS program, we recognize the program was designed to assist Albertans in need as quickly as possible. We acknowledge the significant time and effort that both ministries put into this program and our findings and recommendations are intended to build upon the framework that has been developed.

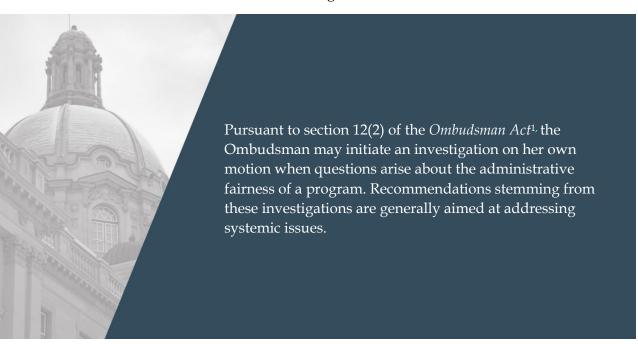
While the development of rapid response emergency programs presents challenges and are difficult to navigate, it is essential that Albertans are treated fairly, when attempting to access such programs.

3.1 Our Mandate

Every Albertan has the right to be treated fairly in the delivery of public services. Albertans have been dealing with COVID-19 and its devastating effects for over a year. Emergency benefit programs, such as the EIS program are, thankfully, not programs that are required on a regular basis. However, when the COVID-19 emergency presented itself, some Albertans relied upon the EIS program when their regular income was eliminated without warning. The Ombudsman recognizes the significance of such a large-scale program and the need for it to be delivered with a high degree of fairness.

As an Officer of the Legislative Assembly of Alberta, the Ombudsman reports directly to the Legislative Assembly and operates independently from the Alberta government, political parties, and elected officials. The Ombudsman has jurisdiction over Alberta government departments, agencies, boards, commissions, municipalities, designated professional organizations, and the Patient Concerns Resolution Process of Alberta Health Services. The Ombudsman is not an advocate for complainants nor a representative for government departments or professional organizations.

Through impartial and independent investigations, recommendations, and education, the Ombudsman ensures administrative fairness. People affected by an administrative decision, action or recommendation of an authority may present their concerns to the Ombudsman and she may investigate. The Ombudsman is an office of last resort. Complainants must try to resolve their complaint first through all other avenues of review or appeal before the Ombudsman can consider an investigation.



¹ Ombudsman Act, RSA 2000, c O-8.

3.2 Background

On March 18, 2020, the Alberta government announced the EIS program. The program was developed in rapid response to the significant financial impact of COVID-19. The situation necessitated an expedient design and execution. The EIS program provided a one-time payment of \$1,146 for Albertans who had a significant decrease in income and were required to isolate or take care of a dependent who was isolating based on public health guidelines. The application process was open from March 25 – April 5, 2020 and was meant to bridge the gap until the federal benefit program came into effect on April 6, 2020.

Our office received numerous calls and written complaints shortly after the EIS program came into effect on March 25, 2020. The first problem reported was about the MyAlberta Digital Identification (MADI) system which was responsible to verify applicants' identification. The MADI system was already being used by many Albertans to access information and participate in online government services. The MADI system became flooded with people trying to apply and the system had to be intermittently shutdown to handle the influx. There were very long wait times. Some Albertans reported not being able to apply for the benefit because they were never able to get through to the MADI system.

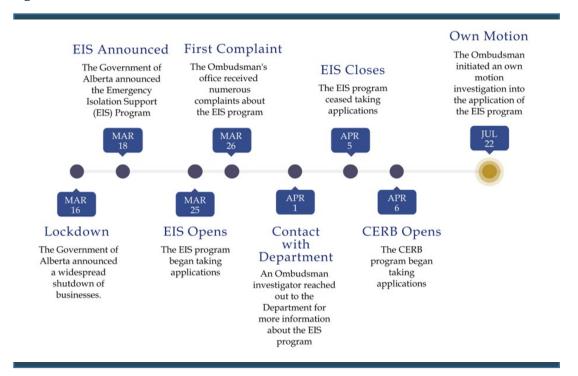
The second concern reported was from applicants who believed they qualified for the program based on the application criteria but were denied. Some of these applicants were initially denied and later approved without explanation.

As this program was developed in rapid response to an emergent situation, there was limited information readily available. Prior to opening this investigation, we made several inquiries about the program and learned the EIS program was designated as a program grant on March 23, 2020, via a Ministerial Order issued by the Minister of Labour and Immigration. The Ministerial Order provided the overall purpose and objective for the grant, which spoke to providing a relief grant for those who were unable to work as either they or a dependent had contracted COVID-19 or were isolating. In order to be eligible, applicants could not have access to other income support.

Labour and Immigration was then responsible for developing a policy for the EIS program, including eligibility criteria and application questions. A separate ministry, Service Alberta, was responsible for managing the MADI system and making a determination on (adjudicating) applications.

The numerous concerns reported to our office combined with the significant impact this program had on applicants across the province, culminated in the Ombudsman's decision to open an own motion investigation. This allowed our office the opportunity to look at the EIS program as a whole, with the goal of providing recommendations to improve the administrative fairness of future emergency benefit programs.

Figure 1 - Timeline of Events



The Ombudsman provided the Deputy Minister of Labour and Immigration with formal notification of the investigation on July 22, 2020. The issue for investigation was identified as:

Was the application of Labour and Immigration's Emergency Isolation Support program administratively fair?

Specifically, the investigation focused on the application of the EIS program policy, eligibility requirements, applicant assessment criteria and related decisions. We recognize there were issues with the MADI system and its ability to verify an applicant's identification. We raised our concerns with Service Alberta and determined the main issue was related to technological limitations. As this is outside of our scope and mandate, it was not part of this investigation.

The investigative team interviewed staff members of Service Alberta and Labour and Immigration. The purpose of the interviews was to obtain information about the full role of both ministries and how they worked together to deliver the EIS program. We were interested in understanding the adjudication process, statistical information of applications, policy decisions and documented changes to eligibility criteria made during the program. Throughout the report we have incorporated our learnings from the interviews.

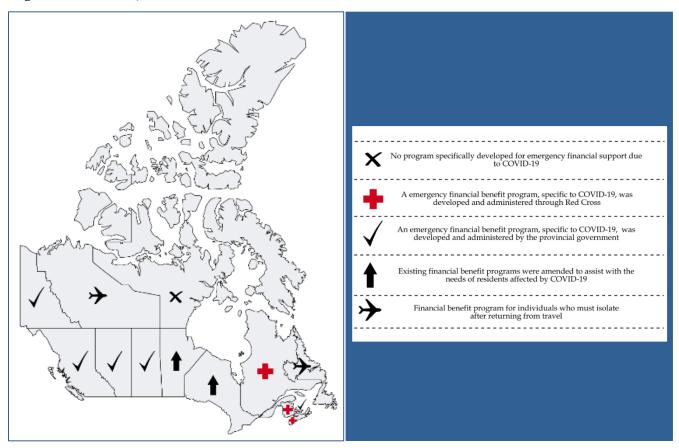
At the outset, we communicated our desire with Labour and Immigration to conduct this investigation in a timely manner; however, our investigative team was met with numerous requests for time extensions and delays from within the ministry which resulted in our investigation spanning ten months.

3.3 Our Process

Our investigative process included the following:

- Review of previous provincial disaster relief or support programs.
- Review of commissioned reports from previous disasters that provided recommendations for future provincial emergencies.
- Jurisdictional scan of other provincial and territorial pandemic emergency benefit programs throughout the country, see Figure 2 (next page).
- Review of the EIS Policy.
- Review of numerous complaints received by our office.
- Information gathering from:
 - o Labour and Immigration; and,
 - o Service Alberta.
- Analysis of 86 applications.
- Interviews with staff from:
 - o Labour and Immigration; and,
 - Service Alberta.
- Review of overall statistical information for program.
- Review of internal communications records related to program development, policy decisions and direction provided to adjudicators.

Figure 2 - Results of Jurisdictional Scan

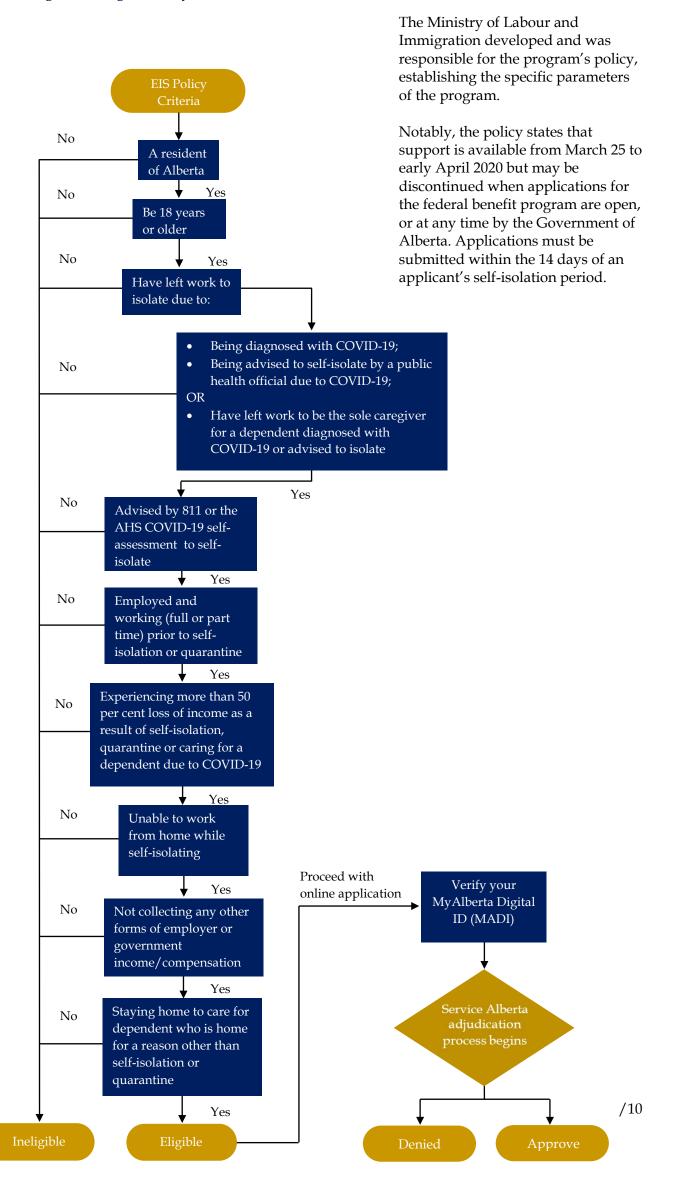


Our intention of completing the jurisdictional scan was to determine how other provinces and territories were responding to the pandemic specifically related to financial benefits. The responses across the country varied greatly based on the differing needs of citizens. Given this, our report does not draw parallels between the programs.

4. Overview of Emergency Isolation Support (EIS) Program

4.1 Review of EIS Policy

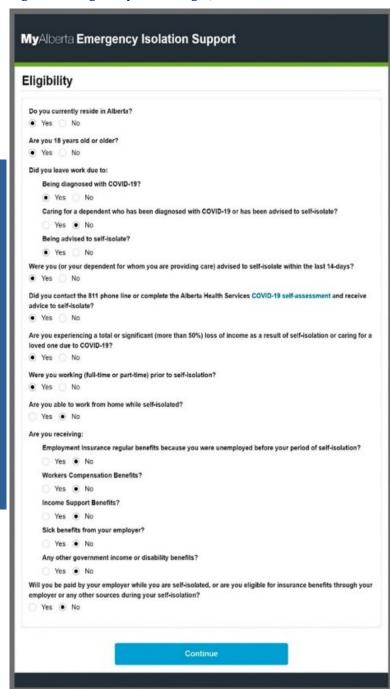
Figure 3 - Program Policy Criteria



4.2 Eligibility Screening

Prior to gaining access to the EIS application, applicants had to answer screening questions.

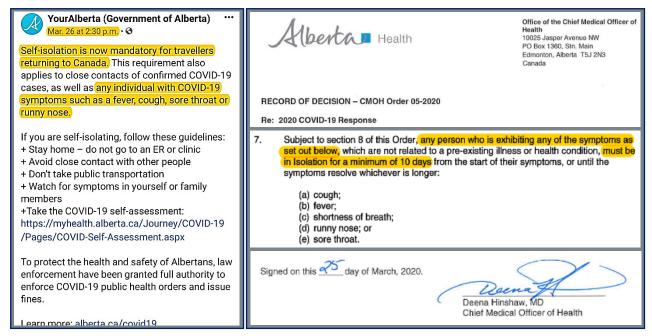
Figure 4 - Eligibility Screening Questions



The questions covered the pertinent information to ensure that only adults residing in Alberta who lost income due to COVID-19 received the benefit. As seen in Figure 4 (right), it was unclear whether each question had to be answered in a specific way.

The main concern we had with the screening questions was that in order to be eligible, an applicant had to "contact the 811 phone line or complete the Alberta Health Services COVID-19 selfassessment and receive advice to selfisolate." At the time, the news, social media sites², the government of Alberta and the Chief Medical Officer of Health (CMOH)³ were directing people to self-isolate if they had any symptoms.

Figure 5 - Examples of Government Messaging



Many people chose not to or were unable to contact 811 or AHS as the phone lines were flooded, creating long wait times. As they had symptoms, they followed the advice of the CMOH. By saying no to this question, applicants were unable to proceed to the EIS application. The Government of Alberta's social media site also noted it was mandatory for individuals to self-isolate if they were experiencing any symptoms. Additionally, when someone completed the screening questions and received notification that they did not qualify, the requirement of contacting 811 or AHS was not identified as one of the reasons why they failed to qualify. See Figure 6.



The Government of Alberta created a legitimate expectation that by following the CMOH's direction, which was widely communicated by major media outlets and social media, Albertans were not required to contact 811 to be eligible for the benefit.

² Your Alberta (Government of Alberta), Facebook, March 26, 2020

³ Alberta Health, Office of the Chief Medical Officer of Health, excerpts of *Record of Decision – CMOH Order* 05-2020, March 25, 2020. Full record of decision found on page 27.

Figure 6 - Denied Application Messaging

Unfortunately, you do not qualify. This program is NOT for you if you:

- · were not working immediately before you were advised to self-isolate; or
- are not experiencing a significant loss of income as a result of self-isolation or caring for a dependent due to COVID-19; or
- · can work from home; or
- · are currently collecting other forms of income support or employer benefits while self-isolated; or
- are staying home to care for a dependent who is home for a reason other than self-isolation as advised by the Government of Alberta: or
- · reside outside of Alberta.

Labour and Immigration initially considered a number of options, such as obtaining verification from 811 confirming that an applicant had in fact called. However, Labour and Immigration made the decision that this option did not meet the program's intent of processing benefits quickly, and keeping it simple, easy to use, and easy to adjudicate.

If the applicant answered the questions in accordance with EIS policy, they were taken to a separate website where they could apply for the EIS benefit. If the answers did not align with

the EIS policy, the applicant could repeat the eligibility screening process multiple times until they met the policy. The information from the screening questions was not tracked or stored.

Once an applicant completed the screening questions, they then had to confirm their date of birth, isolation start date, Alberta personal

Key Finding: Inadequate Information Tracking and Data Retention

health number, and Interac e-transfer information. Applicants did not have to enter information regarding income. Per the EIS policy, applicants had to be over 18 years old and apply for the benefit within their 14-day self-isolation period.

4.3 Adjudication of Applications

4.3.1 Adjudication Process

Service Alberta was responsible for adjudicating the EIS applications and releasing the funds to the applicant if they met the eligibility criteria. Our understanding of the adjudication process comes primarily from our interview with Service Alberta.

There were approximately 120 adjudicators trained by Service Alberta to use a software program created for approving the EIS applications in batches, rather than reviewing each individual application. The adjudicators would add a number of submitted applications to their digital workspace. The applications would appear in a format that allowed the adjudicator to determine whether the applicant met the two eligibility criteria:

- applicant is 18 years of age or older; and
- the start date of the applicant's self-isolation was 14 days ago or less.

Adjudicators were able to select all applications in their workspace that met the criteria and approve them all at once. Similarly, the adjudicator could select all applications in their workspace that did not meet the criteria and deny them at once. If an applicant's birth date and date of isolation matched both criteria, they received an e-transfer for \$1,146. If they were under 18 years of age or if they applied outside of their 14-day isolation period, they received an email that stated, "application start date or age does not meet eligibility criteria."

Key Finding: Absence of Reasons for Denial Once an application was approved or denied, there was no way for an adjudicator to change the outcome even if an error occurred. We were advised that there was no way to contact applicants if needed.

Any questions or concerns identified by adjudicators would be directed to their team

lead, who would reach out to Labour and Immigration for clarification. For instance, when the MADI system crashed and prevented applications from coming in, the adjudicators asked if they could approve applicants who applied 15 days from their start date of isolation (instead of 14 days or less). This request was approved. Our investigation found some decisions that were made to alter the policy were not documented in writing and despite requests from our office, Labour and Immigration did not provide the documentation.

At some point, the adjudicators noticed they were seeing multiple applications by the same people. This was not obvious at first because adjudicators were assessing applications in batches. However, if an adjudicator looked at an individual application, they could identify whether the applicant had applied and been denied previously. Service Alberta asked Labour and Immigration for guidance on this issue and were advised to deny any applicant who had applied and been denied more than two times.

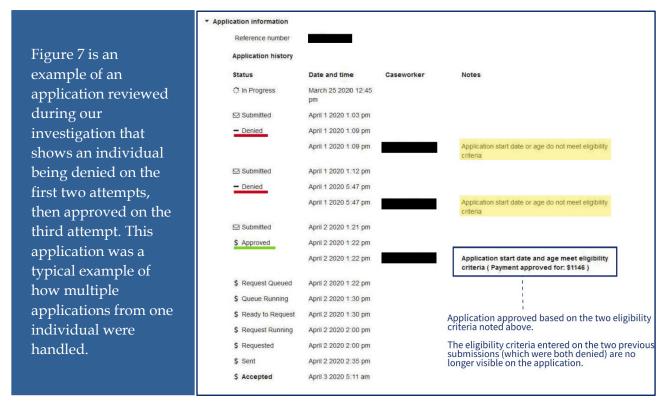
4.3.2 Review of Applications

To fully understand the application process, we obtained and reviewed a total of 86 applications⁴ from Labour and Immigration.

The information displayed on the application is not historical, which means the application may have been denied on a previous attempt. This denial could have been related to someone not applying within their 14-day isolation period. However, we were unable to confirm what information on the application changed between the applications that resulted in an approval. As historical information was not retained, our investigators were unable to determine why the applicant was first denied and why they needed to reapply only to be approved.

⁴ Our investigators were initially provided with six applications from different categories. Investigators requested a further 80 applications, ten applications from eight different categories. This resulted in a review of 86 applications.

Figure 7 - Example of Multiple Applications



There were applications that were denied, despite having met the two eligibility criteria. Service Alberta advised that this may have been an error on the adjudicator's part, but this could not be confirmed. Labour and Immigration was also unable to provide an explanation of why these applications were denied. To our knowledge, such errors were not identified by either of the departments until our investigators brought them forward.

In the sample of applications, we reviewed where applicants were mistakenly denied, our investigators were advised there was no way to correct the mistake. However, we noted applications contained names, phone numbers, mailing addresses and email addresses, which

could have facilitated communication.

Key Finding: No Mechanism to Correct Errors

Several of the sample applications we reviewed were from individuals who applied outside of the 14-day isolation period, but were approved. Most of these cases occurred on the same date, April 6, 2020.

April 6, 2020

On April 6, 2020, 14,085 applications from applicants who applied outside their 14-day isolation period were approved. Labour and Immigration confirmed the 14-day isolation criteria was changed twice throughout the adjudication period—once because of technical errors with the system that may have forced individuals to apply a day late, and a second time at the conclusion of the program. It was this second change that occurred on April 6, 2020, where the 14-day isolation requirement was entirely removed. Labour and Immigration advised this policy change required the issue to be put forth to elected officials with a recommendation on how to move forward; however, this recommendation was not documented.

This policy change resulted in an additional \$16,141,410 being issued. Despite requests from

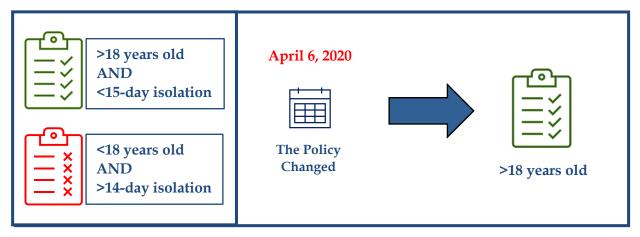
investigators, Labour and Immigration did not provide us with documentation on who authorized the policy change; therefore, we were unable to confirm if the decision-maker had the authority to make the policy change.

Figure 8 shows the criteria used to determine eligibility throughout the duration of the

Key Finding: Lack of Documentation of Significant Decisions

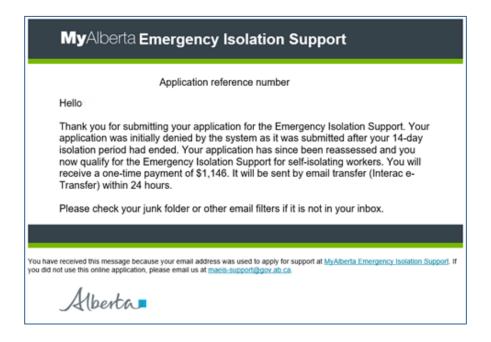
program and the criteria used to determine eligibility after the program closed.

Figure 8 - Changes in Criteria



Labour and Immigration informed Service Alberta that the applications denied due to being outside the 14-day isolation window would be recalled and approved. Staff at Service Alberta were asked to change application statuses from "denied" back to "submitted." In our interview with Service Alberta, we were advised that neither the adjudicators nor their team leaders understood why they were being asked to approve over 14,000 applications without any review. They believed the 14,085 applications were submitted directly by Albertans and were unaware that they had previously been submitted and then recalled.

Figure 9 - Message Sent to Applicants Following Reassessment



Affected applicants received a letter indicating their application was reviewed as it was submitted outside the 14-day isolation period, see Figure 9. It should be noted that applicants would have been unaware of the policy change, and it was unclear to them why these applications were reassessed and approved. This correspondence did not explain why the decision changed resulting in the application being approved.

4.3.3 Rationale for Policy Change

Labour and Immigration acknowledged there were many reasons why an applicant may have applied outside of their 14-day isolation period. The policy change was intended to provide the benefit to all applicants who needed financial support but may have applied outside of the isolation period. Despite this, there were still many examples of applications that were inappropriately denied for applying outside of the 14-day isolation period. Of the 99,288 applicants 5,053 were denied. Of the 5,053 denied applicants, we saw evidence to show that at least 25 eligible applicants were denied. It is reasonable to conclude there are other applications that were also missed in the recall. Labour and Immigration was unable to provide an explanation into these errors. Based on the information gathered, we determined that there were applicants who were unreasonably denied.

4.3.4 Statistics

As discussed in section 4.2, there was no information collected on the applicants who filled out the eligibility screening questions. This means, the statistics provided by Labour and Immigration do not reflect the true number of people who attempted to apply for the benefits.

Figure 10 - Statistics at a Glance

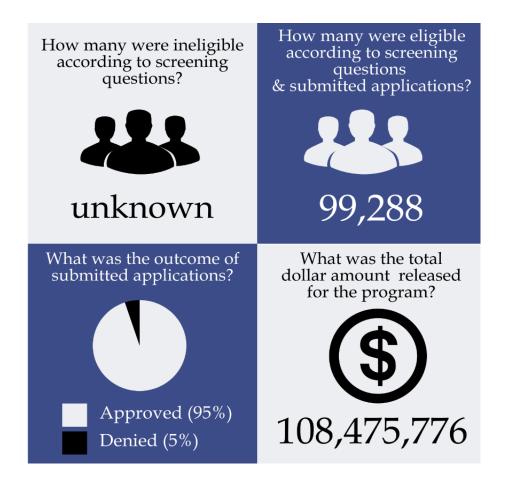


Figure 10⁵ reflects the questions we asked and the responses we received on how statistics surrounding the program were captured. The statistics from Labour and Immigration only included the number of applicants who made it through the screening process, which the Ministry reported to be 99,288. Of the 99,288 applicants, Labour and Immigration reported 95% of these applicants were approved and 5% were denied. The high approval number could be attributed to the fact that once through the screening process, applicants were only required to meet one of the criteria, that being over the age of 18. Labour and Immigration reported the program released a total of \$108,475,776.

In the final section of this report, we discuss several concerns we identified related to overall communication, eligibility criteria and processing of the applications.

⁵ The statistical information in Figure 10 was provided by Labour and Immigration.

5. Key Findings and Recommendations

5.1 Key Findings

This investigation identified several findings that impacted the administrative fairness of how program eligibility and applications were reviewed and processed. These findings and subsequent recommendations are aimed at improving future emergency benefit programs to ensure Albertans are treated fairly and equitably.



Key Finding: Lack of Documentation of Significant Decisions

Significant gaps were identified with respect to adequate documentation. The information retained lacked confirmation of who made the decisions and the authority of those decision-makers.

While the EIS program was active, amendments to policy were not consistently documented. A significant decision was made to remove one of the eligibility criteria at the conclusion of the program. This decision resulted in \$16 million being released; however, an amended policy was not released nor was there documentation to support the decision. There was no way to confirm if the amendment was applied consistently to all applications. Our review of sample applications showed there were applications that should have been approved based on the amendment, but remained denied. Due to a lack of documentation, we could not determine if the decisions made were reasonable.



Key Finding: Insufficient Communication and Transparency

Our investigation found communication with the public as well as internally within the Alberta government affected the development and application of this program. Enhanced communication with all stakeholders in an emergency situation is crucial to a successful program.

The need to contact 811 or fill out the online assessment was not clearly communicated in the application package. It would be reasonable to communicate the need to contact 811 at the beginning of the application along with the other necessary criteria; however, this particular requirement was noted at the end of the application, after residents had completed their application.

Albertans were not provided with the necessary information they needed to understand the application process and its requirements. The government issued strong messaging around the need to self-isolate if individuals were experiencing any type of symptom and they were not advised to confirm this with 811 or the online assessment tool. The eligibility criteria were inconsistent with the messages communicated by Alberta's Chief Medical Officer of Health and the messages found on the Alberta government's social media accounts.

The criteria communicated at the launch of the program stated an applicant needed to apply for benefits within 14 days of isolation and if an applicant was outside the 14 days, they would not be eligible for the benefit. However, once the program closed, the 14-day isolation criteria was entirely removed. There is a potential that Albertans chose not to apply as a result of the program's initial criteria. Many of those individuals may have been approved when the policy changed once the application period had closed. This process was procedurally unfair.

An emergency benefit program needs to ensure clear and concise information is provided by all areas of government.

Key Finding: Absence of Reasons for Denial and Appeal Process

Applicants were not given reasons to explain why they were denied the benefit. As the communication surrounding the program was not clear, many applicants would have been confused with the decision being issued. Of further concern, was the absence of an appeal process. Applicants were not provided an opportunity to participate in the process by understanding why they were deemed ineligible and having access to a review process.

Key Finding: Inadequate Information Tracking and Data Retention

Information confirming how applications were assessed and how decisions were made was not tracked. Appropriate information was not retained to confirm the information provided by applicants resulted in a reasonable decision being made.

The initial eligibility screening tool that was made up of nine exclusionary questions was not monitored or tracked. Regardless of whether an individual was deemed eligible or ineligible at this point, their attempt to apply to the program is not recorded anywhere. Given documentation was not retained, there is no way to ensure program decisions were administratively fair. By retaining information this would ensure full participation rights and allows for meaningful reviews to occur. Further, historical data was not recorded at the second stage of the application. If an applicant made it through the first eligibility screening and submitted more than one application at the second stage, there is no way to review what information changed to make them eligible nor ensure decisions were consistent.

Key Finding: No Mechanism to Correct Errors

The investigative team was advised that adjudicators had no way to contact applicants if they were accidentally denied; however, the final application forms contained names, phone numbers, mailing addresses, and email addresses. Therefore, if an error was noted, there was a way to contact applicants.

5.2 Recommendations

Key Finding: Lack of Documentation of Significant Decisions



Recommendation #1

All major decisions must be well-documented. This includes changes to policies or procedures that impact decisions as well as the rationale for the changes. Documentation should include specifics such as the date, name, and authority of individual to make the decision/amendment.

Absence of documented decisions and revisions results in a lack of program accountability and transparency.

Key Finding: Insufficient Communication and Transparency



Recommendation #2

The terms and conditions of future emergency benefit programs must be clearly identified at the beginning of the application process and any time amendments are made. This should include a transparent and easily accessible list of eligibility criteria used to make decisions.



Recommendation #3

Program developers must ensure that the criteria used to determine eligibility is consistent and aligns with government messaging.

Key Finding: Absence of Reasons for Denial and Appeal Process



Recommendation #4

Eligibility decisions must include adequate reasons why an individual did not qualify for a benefit.

Absence of adequate reasons results in the appearance of ambiguous decisions and does not allow applicants to understand why they were not eligible for the benefit.



Recommendation #5

Initial decisions must include a mechanism to have the decision reviewed by someone other than the original decision-maker. Access to the review mechanism should be clearly outlined in the original decision and include information such as an email, phone number, or access to an appeal form.

This adds a level of quality assurance regarding decisions.

Key Finding: Inadequate Information Tracking and Data Retention



Recommendation #6

Information relied upon to determine an applicant's eligibility must be retained in keeping with government record retention policies. This should include all information that was used to determine an individual's eligibility for a program. This will ensure full participation rights throughout the application and appeal process.

Keeping this information ensures fairness of the decision-making process while allowing meaningful reviews to occur during and after the program.

Key Finding: No Mechanism to Correct Errors



Recommendation #7

Program developers should acknowledge the potential of errors during adjudication and develop a process to identify and correct these errors.

Observations



Observation #1

Our investigation noted there were issues with individuals' inability to access the program. For example, Albertans who had a temporary drivers' license could not apply. Future emergency benefit programs should ensure full accessibility to the program, ensuring no citizens are excluded due to being unable to access the technical platform.



Observation #2

As Labour and Immigration was directly involved in the development and delivery of the EIS program, which is the first of its kind in Alberta, it should develop a universal template that provides guidance for future emergency programs. This template should highlight lessons learned over the entirety of the program, including the information in the above recommendations to ensure future programs are do not repeat the same errors.

6. Concluding Remarks

The Ombudsman's office recognizes the uniqueness of the EIS program. Labour and Immigration worked hard to quickly provide financial support to those who needed it. The program trusted Albertans to be honest and apply if they met the requirements. We have made several key findings in this report with the intention of improving the administrative fairness of future programs. The purpose of the EIS program was to offer financial support in the early weeks of the pandemic and was not intended to be a long-term financial solution. It was designed to encourage people to stay home if they were ill and to stop the spread of the COVID-19 virus.

The EIS program concluded on April 6, 2020. The Ombudsman does not have the authority to re-open the program. The recommendations in my report are aimed at ensuring future emergency benefit programs can be delivered in both an efficient and expedient manner while also achieving a high degree of administrative fairness.



MINISTERIAL ORDER No. 2020-20

WHEREAS, pursuant to section 9 of the *Government Organization Act* and the Employment and Immigration Grant Regulation (AR 94/2009), the Minister may make grants for any purpose related to any program, service or matter under the administration of the Minister, and establish eligibility criteria for grants;

- I, Jason Copping, Minister of Labour and Immigration, hereby:
 - 1 Designate Emergency Isolation Support as a program grant.
 - 2 Establish the eligibility criteria for the Emergency Isolation Support grant set forth in the attached Schedule A.

DATED at Edmonton, Alberta this 23 day of March, 2020.

Jason Copping

Minister of Labour and Immigration

Schedule A ELIGIBILITY CRITERIA Emergency Isolation Support

In this Schedule, the words

- (i) "COVID-19", and
- (ii) "quarantine"

have the same meaning as provided for in the Employment Standards (COVID-19 Leave) Regulation.

Purpose/Objective:

To provide a relief grant to Alberta workers in relation to a period of time the worker is unable to work and unable to access replacement income support as a result of COVID-19, a quarantine of the worker, or a quarantine of dependent(s), and to prevent and reduce the spread of COVID-19 in Alberta by lessening the financial burden of a quarantine on Alberta workers.

Eligible workers include those workers resident in Alberta subject to quarantine or whose dependent(s) are subject to quarantine, resulting in the worker suffering a total or significant reduction in personal income. Eligible workers are those that do not have access to other income support in relation to that work, including those without access to benefits, income or compensation provided by social security programs.

Eligible Alberta workers will receive a one-time payment of \$1,146.

7.2 Program Policy

Parameter	Criteria
Applicant Eligibility	Be a resident of Alberta
	Be 18 years old or older
	 Have left work to self-isolate due to: Being diagnosed with COVID-19; Being advised to self-isolate by a public health official due to COVID-19 (see below); OR Have left work to be a sole caregiver for a dependent diagnosed with COVID-19 or advised to self-isolate
	Advised by 811 or the Alberta Health Services COVI-19 self-assessment to self-isolate
	Employed and working (full or part-time) prior to self-isolation or quarantine
	Experiencing a total or significant (more than 50 per cent) loss of income as a result of self-isolation, quarantine or caring for a dependent due to COVID-19
	Unable to work from home while self-isolating
	Cannot be collecting any other forms of employer or government income/compensation, such as employer sick benefits, employment insurance, GoA Income Support Program, AISH, private insurance benefits, etc.
	Cannot be staying home to care for a dependent who is home for a reason other than self-isolation or quarantine
Duration	Support is available from March 25 to early April but may be discontinued when applications for the federal benefit program are open, or at any time by the Government of Alberta
Amount	\$1,146 one-time payment



Office of the Chief Medical Officer of Health

10025 Jasper Avenue NW PO Box 1360, Stn. Main Edmonton, Alberta T5J 2N3 Canada

RECORD OF DECISION – CMOH Order 05-2020

Re: 2020 COVID-19 Response

I, Dr. Deena Hinshaw, Chief Medical Officer of Health (CMOH) have initiated an investigation into the existence of COVID-19 within the Province of Alberta.

This investigation has confirmed that COVID-19 is present in Alberta and constitutes a public health emergency as a novel or highly infectious agent that poses a significant risk to public health.

Under section 29(2.1) of the *Public Health Act* (the Act), I have the authority by order to prohibit a person from attending a location for any period and subject to any conditions that I consider appropriate, where I have determined that the person engaging in that activity could transmit an infectious agent. I also have the authority to take whatever other steps that are, in my opinion, necessary in order to lessen the impact of the public health emergency.

Therefore, having determined that certain activities could transmit COVID-19 as an infectious agent and that certain other steps are necessary to lessen the impact of the public health emergency, I hereby make the following Order, effective immediately:

- 1. Any person who is a confirmed case of COVID-19 must be in Isolation for a minimum of 10 days from the start of their symptoms, or until symptoms resolve, whichever is longer.
- 2. For the purposes of this Order, Isolation includes the following restrictions:
 - (a) remaining at home, and 2 metres distant from others at all times;
 - (b) not attending work, school, social events or any other public gatherings; and
 - (c) not taking public transportation.
- 3. Subject to section 9, the following persons must be in Quarantine for a minimum 14 day period:
 - (a) a person returning to Alberta after having travelled internationally; and
 - (b) a close contact of a person who is confirmed as having COVID-19.
- 4. For the purposes of this Order, Quarantine includes the following restrictions and requirements:
 - (a) remaining at home;
 - (b) not attending work, school, social events or any other public gatherings;

- (c) not taking public transportation; and
- (d) watching for symptoms, as set out below, in themselves or in a family member.
- 5. For the purposes of this Order, a "close contact" is defined as a person who:
 - (a) provides care, lives with, or has close physical contact, without consistent and appropriate use of personal protective equipment, with a person who is confirmed as having COVID-19; or
 - (b) comes into direct contact with the infectious body fluids of a person who is confirmed as having COVID-19.
- 6. If a person identified in section 3 experiences symptoms, as set out below, during the 14 day period of Quarantine, they must be in Isolation for a minimum of 10 additional days from the start of their symptoms, or until symptoms resolve, whichever is longer, but at no time may a person described in section 3 be in Quarantine for less than 14 days.
- 7. Subject to section 8 of this Order, any person who is exhibiting any of the symptoms as set out below, which are not related to a pre-existing illness or health condition, must be in Isolation for a minimum of 10 days from the start of their symptoms, or until the symptoms resolve whichever is longer:
 - (a) cough;
 - (b) fever;
 - (c) shortness of breath;
 - (d) runny nose; or
 - (e) sore throat.
- 8. Persons described in section 7 of this Order, are not required to be in Isolation in accordance with section 7, if those persons test negative for COVID-19 and have no known exposure to COVID-19.
- 9. Persons described in section 3 of this Order, are not required to be in Quarantine in accordance with section 3 if they are:
 - (a) essential services workers;
 - (b) who are designated by their employer as being essential; AND
 - (c) where a medical officer is satisfied that the presence of the person in a public place would involve reasonably low risk to the public health.
- 10. Notwithstanding anything in this Order, the Chief Medical Officer of Health may exempt a person or classes of persons from the application of this Order.
- 11. For greater certainty, any person previously exempted, in writing by the Chief Medical Officer of Health from any requirement to Quarantine or Isolate, continues to be exempted and is further exempted from the application of this Order.
- 12. This Order remains in effect until rescinded by the Chief Medical Officer of Health.

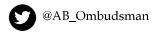
Signed on this 25 day of March, 2020.

Deena Hinshaw, MD

Chief Medical Officer of Health

Your Voice of Fairness

If you have questions about the Alberta Ombudsman or wish to file a complaint, please get in touch. We are here to help.



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