



**Ministry of Training,
Colleges and Universities**

**Ministère de la Formation
et des Collèges et Universités**

ONTARIO SELF-EMPLOYMENT BENEFIT (OSEB) GUIDELINES

Effective April 1, 2014

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1.0 INTRODUCTION

1.1 Purpose

The purpose of the Ontario Self-Employment Benefit (OSEB) Guidelines is to provide the required information and policy direction needed to deliver the OSEB program.

These program guidelines are effective as of April 1, 2014 and replace the April 1, 2013 version of the OSEB guidelines.

1.2 Context

1.2.1 *Employment Ontario*

The vision of the Ministry of Training, Colleges and Universities (the Ministry) is to have the most educated people and highly skilled workforce in the world in order to build the province's competitive advantage and quality of life.

In 2007, Employment Ontario (EO) combined employment and training services from the federal and provincial governments in one comprehensive service delivery system. EO is a one-stop source of information, services and programs for students, job seekers, and employers.

The EO service promise is to:

- ensure the highest quality of service and support to help individuals meet career or hiring goals;
- provide opportunities to make it easier for individuals to improve their skills through education and training;
- ensure that no matter which EO office individuals walk into they will get the help they need; and,
- work with employers and communities to build the highly-skilled, highly-educated workforce Ontario needs to be competitive.

1.2.2 *Background*

Under the Labour Market Development Agreement (LMDA) with Human Resources and Social Development Canada (HRSDC), Ontario was given the authority to administer employment benefits and support measures under Part II of the Employment Insurance Act (EI Act), effective January 1, 2007. OSEB is one of the Ontario programs funded under the LMDA.

The OSEB program is part of a broad range of employment services and programs offered under the Employment Ontario banner. OSEB is designed to support individuals seeking to re-enter the labour force.

2.0 PROGRAM DESCRIPTION

2.1 Objective

The OSEB program gives participants the entrepreneurial skills they need to develop and implement a business plan, and become self-employed. OSEB participants receive the financial assistance, business advice, and support they need to focus on building a sustainable business.

2.2 Key Elements of the OSEB Program

To achieve this, the Ministry has agreements with OSEB Coordinators to provide entrepreneurial support to approved participants. The Ministry also provides financial assistance to participants in the OSEB program.

The key elements of OSEB are:

- information sessions for eligible individuals interested in the OSEB program;
- orientation sessions to help them assess risk, personal suitability, and opportunities for self-employment, and to develop a business concept;
- specific eligibility and suitability assessment, including the feasibility of the proposed business concept;
- independent review of the feasibility of the proposed business concept and subsequent business plans, conducted by the OSEB Coordinator, recognized individuals in the community, or other organizations that can provide an objective opinion;
- support for the development of entrepreneurial skills (through workshops, coaching, mentoring, etc.) to help participants develop and implement a business plan; and,
- financial assistance from the Ministry.

2.3 Consideration for OSEB Approval

OSEB participants move through five incremental levels of assessment:

Individual Eligibility – Determines if individuals meet the basic requirements for further assessment and consideration. See Section 2.4 (Individual Eligibility) of these guidelines.

Individual Suitability – Determines if eligible individuals meet the OSEB Suitability criteria as described in Section 2.6 (Suitability) of these guidelines.

Business Eligibility – Determines if the individual's proposed business activities meet criteria as outlined in Section 2.5 (Eligible Business Activities), Section 2.5.1 (Structure of an Eligible Business and Section 2.5.2 (Ineligible Business Activities) of these guidelines.

Suitability and Feasibility of Business Concept – Is the proposed business concept feasible? See Section 2.6.1 (Feasibility of Business Concept) for further information.

Financial Assistance – Once individuals meet the eligibility and suitability requirements, financial assistance may be provided as described in Section 2.8 (Financial Assistance) of these guidelines.

Employment Service (ES) providers complete an employment service needs assessment and Employment Service Plan (ESP). They then refer individuals to OSEB Coordinators, who assess the individual against OSEB eligibility (i.e. individual and business) and suitability criteria. This is a more comprehensive assessment, focussing on both the individual and the feasibility of the business concept.

The Ministry is responsible for confirming eligibility (i.e. individual and business), reviewing the suitability and business feasibility assessment, and approving program participation and financial assistance.

Individuals approved for the OSEB program become **OSEB participants**.

2.4 Individual Eligibility

To be eligible for the OSEB program, individuals must:

- be Canadian citizens or permanent residents, legally authorized to work in Canada;
- meet the definition of an insured participant; and,
- be a resident of Ontario.

An "insured participant" is an unemployed person for whom:

1. a EI benefit period is established, or whose benefit period has ended within the previous 36 months, or
2. an EI benefit period was established in the previous 60 months and who
 1. was paid maternity or parental benefits during the benefit period,
 2. subsequently withdrew from active participation in the labour force to care for one or more new-born children, or one or more adopted children placed with them for the purpose of adoption, and
 3. is seeking to re-enter the labour force.

For the purpose of the OSEB program, individuals working less than 20 hours per week are considered to be unemployed.

Ineligible Individuals

Individuals who are on temporary layoff or who have taken a leave of absence from their jobs are not eligible for the OSEB program because they have a return-to-work date.

Individuals who do not require the full range of entrepreneurial training and support available through the OSEB program are not eligible.

Individuals who have completed a business plan, and who do not require assistance with business plan development are not eligible for the program.

Individuals who have done significant work on their businesses are not eligible. Individuals may be considered to have done significant work on their business if they have:

- undertaken activity that is a regular part of the income-earning process or is an essential preliminary to normal operations;
- purchased supplies for the proposed business;
- incurred other business-related expenditures (e.g. office space, employee training);
- purchased materials for the purpose of resale;
- advertised business products or services (e.g. web, social media, radio, television, newspaper);
- established a significant client base; and,
- had significant sales.

Individuals who have completed, within the last 24 months, or are currently enrolled in a self-employment program are not eligible for the OSEB program.

To minimize false expectations, ES Providers must ensure that self-employment is the most appropriate path to re-employment. Individuals who are not appropriate for OSEB should be referred to other EO or community services. The ES Provider's assessment process is described in section 3.1.1 of these guidelines.

OSEB Coordinators assess individual eligibility with the OSEB Eligibility and Suitability Assessment Template for OSEB Coordinators (refer to the [Employment Ontario Partners Gateway-EOPG](#)).

Individuals not eligible for the OSEB program should be redirected to other EO or community programs and services.

2.5 Eligible Business Activities

The proposed business activity must be full-time, with participants spending a minimum of 35 hours per week to develop and implement the business plan. Alternate arrangements may be provided to accommodate persons with disabilities.

Individuals must be considering:

- a business where they will have control of the business including:
 - being both the owner and operator of the business;
 - being the major decision-maker;
 - acting independently in carrying out the business on a day-to-day basis; and,
 - benefitting from the profits and suffering the financial losses from the business.
- a new business, or an existing business in which they had no prior ownership; and,
- a business that is suitable for public funding in the opinion of the Ministry.

The proposed business may be:

- seasonal in nature;
- home-based; and,
- a hobby (i.e. a leisure activity undertaken for pleasure where the primary intention is not to generate income) converted into a business.

Registering a business with the Province of Ontario or Canada Revenue Agency (CRA), or applying for a business loan prior to applying for the OSEB program does not automatically make

individuals ineligible. In the same vein, when a potential participant has merely reviewed or contemplated business possibilities, they may still be eligible for the OSEB program.

2.5.1 Structure of an Eligible Business

Acceptable types of business structures for the OSEB program include:

- sole proprietorship;
- partnership: A partnership is an arrangement where two or more persons combine their resources in a business. To establish the terms of the business and to protect each partner in the event of disagreement or dissolution of the business, a partnership agreement is normally drawn up, with the assistance of a lawyer. While it is a good idea for partners to consider entering into a legal partnership agreement to protect them, a legal partnership agreement is not an eligibility requirement under the OSEB program. In all cases, the OSEB partners must show that they are the major decision makers and have control over the OSEB business. A partnership between two or more OSEB individuals is allowed, as long as the individuals have control over the business, apply at the same time, and can fulfill their full-time obligation to developing and implementing their business plan.
- corporation: An individual(s) must hold the majority of voting shares, and not be in insurable employment with the company.

2.5.2 Ineligible Business Activities

OSEB Coordinators assess business eligibility by using the OSEB Eligibility and Suitability Assessment Template.

The following are ineligible business activities under the OSEB program:

- any activity that involves, in the opinion of the Ministry:
 - sexual exploitation;
 - illegal activity;
 - the production of materials that promote hate, discrimination or illegal activity
 - otherwise promoting hate, discrimination or illegal activity; and,
 - proselytizing of a particular religious belief or political opinion.
- a cooperative business;
- business that is partially or entirely based on commission;
- business that is dependent on a parent company (e.g. real estate agents, insurance brokers, Mary Kay);
- franchise;
- home-based daycare;
- part-time business (less than 35 hours a week unless an alternate arrangement is made to accommodate a person with a disability);
- business the individual currently owns and operates;
- business the individual previously owned;
- business previously owned by the individual's spouse, parent or child where the individual has had significant involvement in the management/decision-making process; and,
- not-for-profit organizations.

2.6 Suitability

Individuals must meet the eligibility requirements to be assessed for OSEB suitability. OSEB Coordinators complete the suitability assessment.

Individuals must meet the following OSEB program suitability criteria.

They must:

- require business support, as shown by a lack of related self-employment experience and training, and based on documentation, a self-assessment facilitated by an OSEB Coordinator, and an OSEB Coordinator's assessment;
- not possess a professional designation, where knowledge and experience acquired through professional training and affiliation eliminate the need for the OSEB program;¹
- propose a business where there are no laws or regulations that impede them from starting it;
- possess product or service knowledge and skills related to the proposed business activity (e.g. construction experience/formal training, bookkeeping experience/training, etc.);
- possess the necessary certification or qualification to perform the proposed business activity;
- present a feasible business concept appropriate for self-employment program participation;
- provide evidence of personal financial investment, as described in section 2.6.2 of these guidelines; and,
- have access the business funds required by their business plan.

OSEB Coordinators must ensure there is evidence that individuals either meet or do not meet all the suitability criteria when providing them with the letter of support (or non-support). This evidence may vary, depending on the suitability criteria and the individual assessment.

2.6.1 Feasibility of Business Concept

The business concept should reflect an individual's preliminary efforts to explore a specific business opportunity as a feasible option to becoming self-employed. In addition to business eligibility, the business concept must be assessed for feasibility and potential sustainability.

Feasibility criteria may include a review of the concept, preliminary market research, a bank statement or appropriate documentation verifying access to start-up funds and financing, financial projections, resume, proof of ownership of non-cash assets, and other relevant information based on the business concept.

¹ Individuals must require the full extent of entrepreneurial training and support. For some professions (e.g. medical doctors, lawyers, CAs), individuals who are qualified to practice in Ontario can learn what is involved in operating a business through their professional training, support from their professional organizations, consultation with colleagues who act as mentors, and by applying information and resources available in the broader community.

The business concept must also be assessed against an individual's skills and knowledge, achievement of required training and experience, industry designations or certifications, and the individual's self-assessment. Based on business expertise and knowledge of the local labour market (including industries, opportunities, trends, etc.), the OSEB Coordinator's assessment of the feasibility of the business concept must be included in the letter of support (or non-support) as part of the individual's OSEB application package.

Elements that may be included within a business concept include:

Personal Information	(name, address, contact numbers, etc. of individual)
Business structure	(sole proprietorship, limited company, incorporation)
Product or service	(products or services)
Geographic location	(municipality, geographic region, province)
Anticipated address	(address where business may operate)
Key people identified	(roles: owners, partners, investors, employees as applicable)
Status to date	(contacts made, research completed, applications made)
Industry knowledge	(competitors, challenges, future outlook, special issues)
Business goals	(short-term and long-term goals)
Financial	(projections, options, investment)

2.6.2 Evidence of Personal Investment

Under the OSEB program, individuals must provide evidence of a personal investment. The personal investment must be a cash or in-kind contribution equivalent in value to at least 25% of the total amount of basic living allowance that would be provided to approved participants. While personal investment is part of the suitability assessment, the Ministry is responsible for ensuring proof of personal investment is obtained and kept on file. Proof could be provided by individuals and include attestation and details from an OSEB Coordinator as part of the OSEB eligibility and suitability assessment.

Example: If the Ministry agrees to provide an approved participant with \$423 per week for 42 weeks (total of \$17,766), the participant must contribute a minimum investment of \$4,442 (25% of \$17,766). The participant's investment is in cash, through an "in kind" contribution, or a combination of both.

One or more of the following items are considered as proof of personal investment:

- a current bank statement showing at least the minimum investment in a bank account belonging to the individual;
- evidence of a loan of at least the minimum investment from a bank or other financial institution or a family/friend and available only through a bank account in the individual's name or a joint account;
- an in-kind contribution including non-monetary items or resources for business use that the individual can contribute or obtain, and proof of ownership and/or a signed statement showing ownership of equipment or materials to be used in the business, and a reasonable estimate of their value from a legitimate source (e.g. car/truck, tools, computer equipment, etc.);
- evidence that an overdraft facility or line of credit of at least equal to the minimum investment has been formally arranged and is available through a bank account in the individual's name or a joint account; and

- any cost to conduct an environmental assessment.

2.7 Duration

Assistance will be provided for 42 weeks for most participants in the OSEB program, based on a minimum of 35 hours of work per week.

Alternative arrangements may be made for individuals who require accommodations under the Ontario Human Rights Code. A longer participation period may be approved for those with disabilities. This is based on the number of hours they can spend in developing and implementing their business plans. For example, if a person with a disability is only able to work 20 hours per week, the extended participation period may be 74 weeks. Accommodation needs are assessed on an individual basis. The Ministry's Regional Directors have the discretion to approve longer durations.

2.8 Financial Assistance

Financial assistance may be provided to cover basic living expenses and incremental costs for some participants in the OSEB program. Disability costs may also be provided for the entire duration of participation.

Participants can receive financial assistance for a basic living allowance (BLA), provided at a provincial flat rate of \$423 per week. Participants who have an active EI Part I claim may continue to receive EI Part I benefits. If an EI Part I claim is exhausted before completion of the OSEB program, financial assistance may be provided, at the provincial flat rate of \$423 per week. If individuals are receiving EI Part I benefits that are lower than the OSEB flat rate, the Ministry may top-up the EI Part I rate.

Incremental costs include things like dependent care and transportation. Participants can get financial assistance to cover all or part of their incremental costs for the business plan development component of the program. The Ministry must receive proof of the incremental cost before the agreement is signed. Participants must provide evidence of their incremental costs (e.g. receipts, invoices, vouchers). Submitted documents must be maintained in the Ministry's participant files as part of the audit trail.

Participants must report any changes in their financial circumstances. Changes to a participant's financial situation (e.g. part-time work income) may affect incremental supports.

The standard duration of income support is 42 weeks. A longer duration of support may be approved for persons with disabilities, based on the number of hours the individual can spend developing and implementing their business plan. Accommodation needs are assessed individually. The Ministry's Regional Directors can approve longer durations.

2.8.1 Dependent Care Costs

Financial assistance for incremental dependent care costs may be provided for the business plan development component. These are costs incurred for the care of a child under 14 years, or a person with a disability who is dependent on the participant for care while they are in the OSEB

program. A dependent must reside with the participant, or be under their care, and be wholly or partially dependent upon them for support.

The maximum rate of coverage is \$1,000 per dependent, per month, to a maximum of \$2,000 per household, per month.

The Ministry must take into account how the dependent was cared for prior to the individual participating in the OSEB program, and how the dependent will be cared for when the participant completes the program.

Financial support may be considered for dependent care provided by household members. There must be proof of an existing arrangement, and the need for care must be incremental. For example, a grandparent was caring for a child one day a week, but must now care for the child five days a week to allow the participant to attend entrepreneurial workshops. In this case, four days per week may be considered for financial assistance. An example of acceptable proof of the prior existence of this arrangement would be an income tax return, with receipts for dependent care expenses filed by the participant or their spouse or common-law partner. This includes alternative household arrangements, where roommates or live-in friends provide childcare.

2.8.2 Disability Costs

Financial assistance for disability needs may be provided. These are based on an assessment of individual needs and the voluntary disclosure of a disability.

Individuals should explore other sources of funding to accommodate their disability needs before they participate in the OSEB program. If they can't obtain assistance for their disability needs, they can contact the Ministry to discuss the possibility of financial assistance to cover or offset their disability costs. They must provide supporting documentation about their disability-related needs.

In addition to the possibility of extended OSEB program duration, persons with disabilities can get support services or equipment. This may include the costs for (but are not limited to):

- support services, such as assessments or advice on learning strategies;
- academic materials in alternative formats including digitized text, Braille, large print, voice activated software, assisted hearing devices;
- sign language interpreters or real time captioning;
- adaptive technology and training;
- in-class assistance from specialized professionals;
- in-class supports (e.g., tutors, interpreters); and,
- transportation to and from an OSEB Coordinator site.

There is no maximum contribution amount in this category. Persons with disabilities can keep the equipment approved by the Ministry for purchase. Payments issued under this cost category are not taxed at source.

The Ministry does not support business costs related to disability needs. A distinction should be made between the costs associated with OSEB program participation versus business operation expenditures.

2.8.3 Transportation Costs

Financial assistance may be provided for costs incurred for incremental daily commuting expenses (e.g. bus/subway/train pass) to the OSEB Coordinator site during the business plan development component of the program. These costs must be paid based on local rates for public transit when available, or vehicles when required (and only in excess of the distance of 24 km each way at 15 cents/km to a maximum of \$250/month or \$57.55/week) and parking.

2.9 Additional Considerations

2.9.1 Employment Insurance Act (Part I) and Section 25 Approval

To be entitled to Employment Insurance (EI) Part I benefits, individuals must be capable of working and available for work. They also must demonstrate that they are actively seeking work. In approving OSEB for active EI Part I claimants, the Section 25 approval from the Ministry eliminates their obligation to actively look for work.

2.9.2 Authorization to Quit

Authorization to Quit is a mechanism that allows the Ministry to provide financial assistance to employed individuals who would become more self-sufficient if they participated in an employment program. Authorization to Quit is only to be used in exceptional circumstances. Ministry approval for the OSEB program is granted at the same time as the Authorization to Quit. The Ministry must be very cautious when authorizing individuals to quit. It will do so only in cases where it is clear that they will establish eligibility as an insured participant.

2.9.3 In Receipt of Severance Pay

Severance pay is a lump sum payment in one or more instalments, paid to employees upon termination. For EI Part I purposes, it is allocated at normal weekly earnings.

Although individuals receiving severance pay are not eligible for benefits under EI Part I until their allocation has been completed, **they can be considered** for the OSEB program.

The basic principles are:

- Severance payments will be treated much like EI Part I benefits.
- If the allocated weekly earnings (based on former pay) are equal to or above the OSEB flat rate of \$423, Ministry financial assistance will not be provided for basic living costs during the period of EI Part I severance pay allocation.
- If the allocated weekly earnings (based on former pay) are below the OSEB flat rate, Ministry financial assistance will be provided, for the difference between the allocated weekly earnings and the flat rate during the period of EI Part I severance pay allocation. For example, if an individual's allocated weekly earnings are \$323, then the Ministry would provide \$100 weekly for BLA during the severance pay allocation period.
- Ministry funds for BLA will not be provided during the two week EI Part I waiting period.

- Required personal investment will be 25% of the total of the severance allocation period sum (based on former weekly earnings) to a maximum of the \$423 flat rate for BLA (EI Part I and/or Part II).
- Financial assistance from the Ministry may be negotiated with individuals for incremental costs such as dependent care, disability needs, and transportation.

2.9.4 *Individuals with an Existing Family Order Agreement (or Court Order)*

Individuals must disclose an existing Family Order Agreement (FOA)/Court Order as early as possible, and before approval of their OSEB application.

The Family Responsibility Office (FRO) receives every support order made by Ontario courts, and enforces the payments of the amounts owed. FRO also administers private agreements and court orders made in other jurisdictions with reciprocal arrangements. FRO has the legal authority to collect FOAs (court ordered support payments) and arrears of support, and can take enforcement actions including garnishment.

2.9.5 *Existing Overpayments*

If the ESP is deemed appropriate by Ministry staff, the existence of an overpayment, whether or not a repayment plan is in place, should not, in itself, change the referral decision to be considered for the OSEB program.

It is very important to discuss with individuals the circumstances which can lead to the establishment of any outstanding overpayments or penalties. The Ministry would not increase the amount of Part II financial assistance to help individuals repay an existing accounts receivable/penalty. Individuals approved under the OSEB program can request a deferral of overpayment recovery until after the end of their program participation.

3.0 PROGRAM DELIVERY

3.1 Roles and Responsibilities

3.1.1 *Employment Service (ES) Providers*

The OSEB program is one of many Employment Ontario (EO) options. Everyone interested in the OSEB program must meet with Employment Service (ES) Provider staff and complete a thorough employment service needs assessment. They must also explore other options available through EO and other community employment programs and services.

Referral to the OSEB program should be carefully considered. The process focuses on the individual's employment situation, and determines if self-employment in general is an appropriate employment goal.

Through the assessment process, individuals and ES provider staff will develop a mutually agreeable Employment Service Plan (ESP). If the OSEB program is identified as the best way to help them find sustainable employment, it must be specified in the ESP.

The ESP must also include confirmation that individuals have completed a thorough but unsuccessful job search before being referred to the OSEB program.

3.1.2 *Ministry of Training, Colleges and Universities*

Relating to OSEB Individuals and Participants

In the program approval process, the Ministry:

- provides general information and advice regarding the OSEB program;
- directs individuals to an ES service provider;
- confirms OSEB individuals' EI Part I claim status;
- completes the Environmental Assessment (EA) Pre-screening Decision form. When this pre-screening form indicates a need for more information, the Ministry asks individuals to complete the Applicant Questionnaire on Environmental Issues;
- approves or rejects applications for the OSEB program, based on the client application package, which includes the OSEB Coordinator's letter of support (or non-support). The Ministry also considers local priorities and the impact on the local labour market;
- advises individuals in writing that their applications for participation in the OSEB program have been denied. The letter of denial must advise individuals why the Ministry has not approved the application for the OSEB program, and where possible, offer alternate options;
- specifies the flat rate for BLA and negotiates financial assistance for incremental costs;
- signs an OSEB agreement with approved participants;
- approves Section 25 Referral for active EI Part I claimants; and
- ensures participants understand their responsibilities.

During program participation, the Ministry:

- administers the OSEB agreement, monitoring participants' continued eligibility and overall progress, as well as their need for incremental costs;

- issues financial assistance payments;
- ensures current EA policy is followed;
- obtains a copy of the OSEB Coordinator letter of support (or non-support) for the completed business plan (and a copy of the business plan) and approving continued participation for business plan implementation; and,
- monitors participants to ensure they are adhering to the terms of their OSEB agreements.

Relating to OSEB Coordinators

The Ministry:

- develops a strategy for the delivery of the program;
- negotiates, signs and administers agreements with selected OSEB Coordinators;
- develops, assesses, negotiates and approves OSEB Coordinator business plans
- monitors and evaluates agreements to determine participant success; and,
- evaluates the quality of services being provided and recommends corrective measures.

3.1.3 OSEB Coordinators

OSEB Coordinators play a key role in the program, by providing entrepreneurial support services which increase the likelihood of success for participants.

OSEB Coordinators can help individuals prepare applications for the Ministry, detail their ability to cover business and personal costs, and determine what financial assistance they will need. OSEB Coordinators cannot, however, negotiate financial assistance on behalf of the Ministry.

OSEB Coordinators provide the Ministry with a letter of support or non-support (also known as a recommendation) as part of the supporting documentation required. This must include:

- client self-assessment
- summary of eligibility and suitability assessment
- assessment of feasibility of business concept
- additional supporting information

Following the business plan development, OSEB Coordinators provide a subsequent letter of recommendation to address the feasibility of the participant's completed business plan. This includes a rationale supporting the recommendation for the participant to proceed with business plan implementation.

OSEB Coordinators must not request payment or charge a fee to participants for services provided.

A Customer Satisfaction Survey must be offered to all participants who complete the OSEB program, and its completion at exit is a program requirement. The survey can be found in the annual OSEB Business Planning materials.

Relating to the Ministry

OSEB Coordinators must:

- adhere to the agreement with the Ministry;
- consulting with the Ministry regarding the establishment of program priorities;

- notifying the Ministry when participants exceed the 10-week period for preparing a business plan. In such cases, a decision should be made in conjunction with an OSEB Coordinator as to whether it would be appropriate to continue to provide financial assistance to the participant;
- inform the Ministry of any changes to the participants' situations that could affect their participation (e.g. not meeting program or business milestones and benchmarks);
- provide the Ministry with participant monitoring updates and reports;
- enter data on program indicators, program success outcomes, participant satisfaction, and participant outcomes in the Employment Ontario Information System-Case Management System (EOIS-CaMS); and,
- support the Ministry in its monitoring of the OSEB program.

Relating to OSEB Individuals and Participants

OSEB Coordinators must:

- provide information about the OSEB program. OSEB coordinators can deliver a short information session (about 30 minutes), provide literature to local agencies for wider distribution, or participate in outreach sessions at other community employment service providers. Topics might include basic eligibility, length, program components, and program objectives;
- provide an orientation session to individuals before assessment for the OSEB program. This (usually half-day) session offers a detailed review of program activities and thoroughly discusses entrepreneurship. Individuals may complete a personal skills inventory, or work with the OSEB coordinator to complete a preliminary review of their business concept;
- facilitate each participant's self-assessment of their risks and opportunities and personal suitability for self-employment;
- determine if an individual has developed a business plan before program application;
- complete an assessment for each individual, using the OSEB Eligibility and Suitability Assessment Template for OSEB Coordinators;
- develop a mechanism for independent review of the feasibility of the proposed business concept and subsequent business plan. The review may include OSEB Coordinator staff, recognized individuals in the community, or another organization that can provide an objective opinion;
- provide a letter of support / non-support and rationale to the individual that must include:
 - client self-assessment;
 - summary of eligibility and suitability assessment;
 - a thorough assessment and comprehensive explanation of the feasibility of the business concept; and,
 - additional supporting information.
- evaluate each individual's ability to finance the proposed business;
- ensure each individual is aware of their obligations as they relate to EA, permits, licences, taxes, etc.;
- provide entrepreneurial support and technical and counselling advice to participants to help them develop and implement the business plan (including workshops, coaching, mentoring, etc.);
- provide more than the standard 42 weeks of entrepreneurial support to participants with disabilities. These additional supports must be approved by the Ministry;

- work with the applicant to develop a business plan that includes business milestones and benchmarks,
- develop an implementation support plan that includes participant responsibilities and anticipated OSEB coordinator supports. The implementation support plan will form the basis of a written agreement with each participant;
- obtain the applicant's agreement to the termination decision model, as described in section 4.3.2 of these guidelines;
- develop a mechanism to monitor each participant's progress throughout the development and implementation of the business plan;
- provide a letter of support (or non-support) recommending participants proceed with business plan implementation;
- conduct a business performance review (at minimum at participation mid-point) and assisting each participant with revising the business plan if necessary;
- visit each participant's place of business within the first three months of its operation; and,
- follow up with participants on individual participant outcomes (exit, three, six and 12 months).

3.1.4 Individuals and Participants

Applying for OSEB

To participate in the OSEB program, individuals must:

- meet eligibility and suitability requirements;
- develop an ESP with an ES provider;
- attend an orientation session (i.e. group or one-on-one) provided by an OSEB Coordinator;
- complete a self-assessment exercise on risks and opportunities of self-employment and personal suitability;
- submit a proposed business concept for review by an OSEB Coordinator;
- obtain a letter of support from an OSEB Coordinator that meets the requirements of the OSEB application;
- provide evidence of the need for financial assistance (i.e. incremental costs), if required;
- provide evidence of personal investment equal to a minimum of 25% of the total amount of financial assistance (EI Part I and/or EI Part II) as per the suitability assessment;
- continue to be capable of and available for work, and complete and submit claimant reports as required if they are active EI Part I claimants;
- complete the Applicant Questionnaire on Environmental Issues if required;
- ensure that they consult with Service Canada regarding the impact of their possible OSEB participation on their EI Part I benefits; and,
- submit the OSEB Application and required accompanying documentation (refer to EOPG website).

Approval and Participation in OSEB

Once approved by the Ministry for the OSEB program, participants must:

- sign an agreement;

- prove they are actively engaged in the development and implementation of the business plan for a minimum of 35 hours per week (or alternative arrangements to accommodate persons with disabilities);
- adhere to the business development and implementation support plan agreed upon with an OSEB Coordinator;
- develop the business concept into a comprehensive business plan with the help of the OSEB Coordinator. While there is no specific time period, 10 weeks is considered reasonable. The OSEB Coordinator, in cooperation with local Ministry staff, will determine the appropriate amount of time to devote to business development, based on local labour market needs.;
- comply with all federal and provincial laws and regulations, all municipal by-laws and any other orders, rules and by-laws related to the operation of the business;
- complete an environmental assessment, if required, before applying to the OSEB program;
- obtain a letter of support (or non-support) from an OSEB Coordinator on the feasibility of the completed business plan, before its implementation;
- implement and maintain all environmental protection measures to ensure no harm to the environment (if applicable);
- maintain a record of the number of hours worked each week on developing and implementing the business plan;
- maintain a record of the work they carried out each week in developing and implementing the business plan;
- notify the Ministry in writing of any changes to their financial situation if receiving incremental supports;
- keep copies of all receipts, vouchers or other records relating to the incremental costs (if applicable) and submitting them as requested by the Ministry;
- allow the Ministry and/or an OSEB Coordinator, upon request, access during normal business hours, to have access to the site or premises of the business and to business records and other documentation related to OSEB participation;
- provide the Ministry and/or an OSEB Coordinator upon request with any records or other documentation related to the business and OSEB participation; and,
- follow any business direction and/or advice provided by an OSEB Coordinator and/or the Ministry.

3.2 Additional Considerations

3.2.1 *Other Employment While Participating in the OSEB program*

Participants may work part-time while participating in the OSEB program as long as they notify the Ministry and fulfill the terms of their OSEB agreements. Part-time employment is defined as being less than 20 hours per week. Participants receiving EI Part I benefits must contact Service Canada regarding their reporting requirements before starting part-time employment.

3.2.2 *Activities Outside Of Canada*

The OSEB program is designed to help participants to start a business in the local area of Ontario where the provincial funds are being invested, and where an OSEB Coordinator can assist and monitor the participant's progress.

OSEB participants may still be eligible to receive OSEB financial assistance if they are engaged in business activities outside of Canada for a short period of time. To maintain continued eligibility, however, participants must obtain prior written approval from the Ministry before leaving Canada. They must clearly demonstrate that their activities outside the country are directly related to developing and implementing their business plan.

Participants may obtain special authorization to conduct business-related activities outside Canada only if they can demonstrate that the activities are crucial to the development and implementation of the business plan. These activities (including frequency and time) must be identified in the business plan before signing the agreement.

OSEB participants may establish partnerships or collaborate with people and businesses outside of Canada. They must demonstrate that they retain control of their business.

The Ministry and OSEB Coordinators must document and approve travel, and demonstrate how they will monitor the participant's progress while they are away from Canada. Participants must demonstrate that they are working full-time to develop and implement the business plan while away.

Participants receiving EI Part I benefits must contact Service Canada regarding their reporting requirements as they relate to travel outside the country.

4.0 ACCOUNTABILITY

OSEB program accountability is a joint responsibility of the Ministry and OSEB Coordinators. Accountability is achieved when all parties fulfill their specified roles and responsibilities as set out in these guidelines.

4.1 Program Indicators and Success Outcomes

The program indicators for the OSEB program are:

- number of orientation sessions conducted by the OSEB Coordinator;
- number of individuals who attended orientation sessions;
- number of individuals who applied for the OSEB program;
- number of business concepts assessed by the OSEB Coordinator;
- number of individuals recommended to the Ministry of Training, Colleges and Universities (TCU) for admission to the OSEB program;
- number of participants who completed the business plan (up to 10 weeks in length); and,
- number of participants who implemented the business plan (completed the remaining weeks of the 42 week program).

The success outcomes for the OSEB program are:

Short-term success outcomes (program exit):

- number of participants who completed program. Participants have completed the program when they have implemented the business plan *and* completed all 42 weeks of the full OSEB program;
- number of participants working full-time on their business, with the business generating sufficient revenue to be their primary source of income; and,
- participant satisfaction (100% surveyed – 80% satisfaction).

Short-term success outcomes (three months after program completion):

- number of participants working full-time on their business, with the business generating sufficient revenue to be their primary source of income.

Long-term success outcomes are (six months and one year after program completion):

- number of participants working full-time on their business, with the business generating sufficient revenue to be their primary source of income;
- number of jobs created (i.e. seasonal, permanent part-time and full-time); and,
- amount of income generated (both net and gross) by individuals through self-employment \$0 - \$15,000, \$15,001 - \$30,000, \$30,001 - \$50,000 \$50,001 - \$75,000, \$75,001 - \$100,000, \$100,000 or more.

Targets for the above program indicators and short-term success outcomes must be negotiated for each agreement with each OSEB Coordinator. OSEB program indicators and short-term success outcomes (exit and three months) must be included in the agreement.

4.2 OSEB Coordinator Agreement

All OSEB Coordinators delivering OSEB services must adhere to the agreement with the Ministry. The agreement specifies the legal terms and conditions, including accountability requirements for the delivery of OSEB.

4.2.1 OSEB Coordinator Business Plan

OSEB Coordinators must submit an annual business plan that will be used as the basis for the OSEB Coordinator agreement.

The business plan includes the following core elements:

- information about the OSEB Coordinator;
- location;
- activities;
- program indicators and success outcomes;
- continuous improvement; and,
- budget.

The OSEB Business Plan Instructions for OSEB Coordinators provides direction and information on completion of submissions to the Ministry (refer to EOPG website).

4.2.2 OSEB Coordinator Budget

Schedule “B” of the agreement with the Ministry sets out an OSEB Coordinator’s budget allocation and the total funding provided by the Ministry. There are two types of cost categories for the OSEB Coordinator agreement: Operating Costs and Supports for Individuals and Participants.

Operating Costs:

Operating Costs are administrative overhead costs required to complete the project under the OSEB program. These funds are used to provide direct or indirect services to individuals and participants, and are for day-to-day project operations. Examples of these costs include wages for project staff, materials and supplies (for both staff and clients), rent, utilities, staff travel, insurance, and fees for professional services.

Supports for Individuals and Participants:

Supports for Individuals and Participants are costs required to provide supports that will be used by a group of individuals or participants, or to serve individuals and participants. Examples may include costs for a group of participants for a specific event or activity, or a disability-related cost for a large-print screen to be used by persons with disabilities for workshop purposes.

Monthly payments will be issued based on the payment schedule in the agreement.

Note: The Ministry may provide funds directly to participants for dependent care, transportation and disability-related costs through the OSEB participant agreement.

4.3 OSEB Participant Agreement

The Ministry enters into an OSEB agreement with all approved participants. Payment is conditional on the recipient complying with the terms and conditions. The agreement sets out the legal terms and conditions for participating in the OSEB program and financial assistance.

4.3.1 Changes in Financial Circumstances

OSEB participants must inform the Ministry of any changes to their financial circumstances during program participation. Changes in financial circumstance may require the re-assessment of the amount of financial assistance that was originally determined for incremental costs.

4.3.2 Leave and Termination of OSEB Participant Agreement

There are no provisions in the OSEB agreement for leave (or suspension). There may be exceptional and unforeseeable situations, however, which warrant special consideration on a case by case basis (e.g. death of a family member or short-term illness or injury).

An OSEB agreement can be terminated and an overpayment established (where applicable) if a participant does not adhere to the agreement terms and conditions.

The participant agreement may be terminated if participants:

- do not work a minimum of 35 hours per week developing and implementing the business plan. Alternative hours may be necessary to accommodate persons with disabilities;
- do not follow any directions given by the Ministry or an OSEB Coordinator;
- do not have an acceptable business plan;
- are not meeting or showing progress towards meeting agreed upon performance milestones or benchmarks as set out by an OSEB Coordinator (e.g. sales, net profit, business plan revisions, etc.);
- do not submit regular and timely OSEB activity reports (including financial) as required;
- provide materially false, inaccurate, incomplete or misleading information to the Ministry in support of their applications for OSEB;
- breach any of their agreement obligations or are later determined to be ineligible for the program.

The OSEB Coordinator can recommend the termination of a participant from the OSEB program.

To ensure recommendations are made with consistently applied criteria, OSEB Coordinator recommendations must be based on a written termination decision model, detailing:

- the participant actions that could lead to a recommendation for termination;
- the warnings the participant could expect to receive;
- the opportunity for corrective actions the participant would have before they are finally recommended for termination.

The termination decision model would be discussed with, and signed by, the participant prior to their agreeing to participate in the OSEB program.

The OSEB coordinator will also thoroughly document the sequence of events that led to their recommendation for termination. This documentation should be maintained in the participant's file and available for Ministry review, if requested.

Only the Ministry can suspend or terminate a participant agreement. When doing so, the Ministry must notify the participant in writing. The letter should clearly state how the participant failed to fulfill their obligations, including not following advice provided by the Ministry or an OSEB Coordinator, and a reference to final payments or overpayments (if applicable). Please refer to the participant agreement for details.

4.4 Monitoring and Reporting

Under Ministry programming, monitoring agreement activities is a key mechanism for ensuring accountability. This includes commitments made in the OSEB Coordinator and OSEB participant agreements.

Monitoring under the OSEB program should be a collaborative effort between the Ministry and OSEB Coordinators. Some of the activities conducted by the Ministry that may be expected during the term of an agreement include:

- monthly and/or quarterly activity and financial reporting;
- on-site compliance and evaluation visits;
- discussions via telephone; and,
- correspondence by mail or e-mail.

4.4.1 Monitoring OSEB Participant Agreement

The Ministry is responsible for monitoring OSEB participants to ensure that they are adhering to the terms of the OSEB agreement. Monitoring is carried out to ensure continued participant eligibility, including ongoing need/eligibility for incremental costs, and to evaluate progress made on the business.

4.4.1.1 OSEB Participant Reporting

At minimum, all OSEB participants will be required to respond to a questionnaire sent to them by the Ministry at the mid-point of their participation in the program. If concerns are identified, follow-up may be requested of OSEB Coordinators, and the participants may be requested to provide additional information as specified by the Ministry.

4.4.1.2 OSEB Participant Financial Accountability

Participants approved for financial assistance for incremental costs must submit records or receipts, as directed. Failure to provide requested information could result in a requirement to repay funding provided for incremental costs.

4.4.1.3 OSEB Participant Files

All Ministry participant files must include:

- a complete application package, including:
 - the OSEB Application form;
 - a copy of the ESP;
 - a copy of the OSEB Eligibility and Suitability Assessment Template for OSEB Coordinators;
 - a copy of the letter of support (or non-support) and rationale from the OSEB Coordinator that must include:
 - client self-assessment;
 - summary of eligibility and suitability assessment;
 - assessment of feasibility of business concept; and,
 - additional supporting information.
 - evidence of personal investment;
 - a copy of the proposed business concept;
 - a resume;
 - the Applicant Questionnaire on Environmental issues, where required; and,
 - documentation supporting request for incremental supports, if applicable.
- the completed Environmental Assessment Pre-screening Decision form;
- documentation of Ministry recommendation and rationale for approving an individual to participate in the OSEB program;
- a signed copy of the OSEB participant agreement;
- a copy of communication to the OSEB Coordinator indicating Ministry approval for the individual to participate in the OSEB program;
- copies of OSEB Coordinator's quarterly documentation showing the participant is actively engaged (minimum 35 hours/week or alternative arrangement to accommodate a person with a disability) in developing and implementing her/his business plan – submitted directly to or copies obtained from OSEB Coordinator;
- monthly documentation for participants not meeting program requirements;
- a copy of the approved business plan;
- a copy of communication to OSEB Coordinator that grants Ministry approval for the participant to move forward to implement the business plan;
- a copy of completed mid-point questionnaire, with evidence of Ministry review and follow-up;
- copies of receipts, vouchers or other records relating to incremental costs provided, with evidence of Ministry review and follow-up as required;
- identification of any concerns with participant adherence to the directions given by the Ministry;
- documentation (OSEB Exit and Follow Up Form) of program completion at exit and follow-up at three, six and 12 months; and,
- any other documentation related to participant agreement or monitoring that has occurred during the agreement term.

4.4.2 Monitoring OSEB Coordinator Agreement

The Ministry will monitor and evaluate OSEB Coordinators' delivery of services to ensure compliance with program policy and the terms and conditions of the OSEB Coordinator agreement.

All OSEB Coordinator agreements are subject to monitoring of expenditures, activities and results. Monitoring shall occur at pre-determined intervals, established by the Ministry at the beginning of the agreement, and include at least one on-site visit per fiscal year of the agreement.

All monitoring activities must be documented. This documentation must be kept in hard copy in the OSEB Coordinator project file.

Through a combination of the monitoring activities as shown below, the Ministry will ensure that OSEB Coordinators:

- are on track with project expenditures;
- deliver activities that are consistent with the agreement;
- fulfil their obligations in managing participants and their progress through the program;
- deliver a service in which participants see value; and
- collect required statistical data on earnings, types of businesses, and other indicators identified by the Ministry.

Ministry staff must use the OSEB Coordinator Site Evaluation Report.

4.4.2.1 OSEB Coordinator Reporting

1. Monthly Reporting - OSEB Coordinators must provide monthly reports. At a minimum, these must include:

- a brief description of OSEB activities (i.e. summary of cumulative project activities) that have taken place in the current month;
- identification of any participants who have exceeded the agreed upon timeline (e.g. 10 weeks) for business plan development;
- identification and a brief description of participants not adhering to the business plan development and implementation support plan, with details of mitigation strategies.

2. Quarterly Reporting - OSEB Coordinators must provide:

- the completed Quarterly Status and Narrative Report. This document, and instructions on its completion, is posted on the [EOPG](#).

3. EOIS-CaMS reporting - OSEB Coordinators must enter the following into EOIS-CaMS:

- individual participant outcomes (exit, three, six and 12 months).
- program indicators, including:
 - number of orientation sessions conducted by the OSEB Coordinator;
 - number of individuals who attended orientation sessions;
 - number of individuals who applied for the OSEB program;
 - number of business concepts assessed by the OSEB Coordinator;
 - number of individuals recommended to the Ministry for admission to the OSEB program;
 - number of participants who completed the business plan; and,
 - number of participants who implemented the business plan.

4.4.2.2 EOIS-CaMS

OSEB Coordinators are required to use the EOIS-CaMS to report on program indicators and participant outcomes.

4.4.2.3 OSEB Coordinator Financial Accountability

Monthly payments will be issued based on the payment schedule in the OSEB Coordinator agreement.

4.4.2.4 OSEB Coordinator – OSEB Participant Files

All OSEB Coordinator participant files must include:

- a copy of the proposed business concept;
- a copy of the completed OSEB Eligibility and Suitability Assessment Template for OSEB Coordinators;
- a copy of the letter of support (or non-support) and rationale from the OSEB Coordinator that must include:
 - client self-assessment;
 - summary of eligibility and suitability assessment;
 - assessment of feasibility of business concept; and,
 - additional supporting information.
- evidence of participant's personal investment;
- a copy of communication to OSEB Coordinator that grants Ministry approval for the individual to participate in the program;
- a copy of the business development and implementation support plan;
- a signed copy of the OSEB Coordinator agreement with the participant;
- a signed participant consent form;
- monthly documentation regarding the development of the business plan;
- quarterly documentation showing the participant is actively engaged (minimum 35 hours/week or alternative arrangement to accommodate a person with a disability) in developing and implementing her/his business plan, examples include a completed statement of hours worked, copies of meeting minutes, etc.;
- a copy of the completed business plan;
- evidence and letter of support from the OSEB Coordinator and evidence of Ministry approval for the participant to move forward to implement the business plan;
- evidence of monthly (at a minimum) review (e.g. milestones, activities and goals) of the completed business plan and any follow-up;
- monthly income statements including revenue and earnings from the business and other sources;
- documentation of any concerns raised with the participant and advice/support given;
- identification of any concerns with participant adherence to the directions given by the OSEB Coordinator;
- evidence of on-site visits, telephone contact and other monitoring activities;
- if applicable, documentation in support of travel, a copy of the participant travel-related monitoring plan, and copies of any documentation specified in the monitoring plan;
- a copy of completed Environment Assessment, if required; and,
- documentation of program completion at exit, and follow-up at three, six, and 12 months.

4.5 Audit

Audit and Accountability Requirements for OSEB Coordinators set out the formal targeting, financial reporting, and audit processes. They form part of the agreement between an OSEB Coordinator and the Ministry. They may be amended from time to time, at the sole discretion of the Ministry. Any amendments to the Audit and Accountability Requirements are effective when the Ministry provides notice to the OSEB Coordinators.

4.6 Evaluation

The Ministry reviews and evaluates the OSEB program as required to determine if OSEB participants are meeting expected outcomes.

5.0 ADMINISTRATION

5.1 Access to Information and Protection of Privacy

To comply with its obligations under the Freedom of Information and Protection of Privacy Act (FIPPA), the Ministry must obtain the consent of the affected individuals for the indirect collection of their limited personal information. The Ministry must also give these individuals notice of the uses it proposes to make of their personal information. One of these uses is sharing an individual's personal information with external third parties, such as other service providers and government departments.

Under the agreement with the Ministry, OSEB Coordinators agree to protect the personal information they collect, use, and disclose, in order to deliver and report on the OSEB program.

Article 9 of the OSEB Coordinator agreement, *Access to Information and Protection of Privacy*, addresses access and privacy. OSEB Coordinators must review their privacy policy to ensure that they comply with the obligations set out in their agreements. This includes agreeing to provide OSEB support in a manner that ensures that the Ministry is not in breach of its obligations under FIPPA. They must acknowledge that any information they provide to the Ministry can be subject to disclosure under FIPPA. For example, the Ministry may have to disclose the information if someone makes an access to information request.

5.1.1 Privacy Policy and Privacy Training

The transfer payment agreement requires OSEB Coordinators to:

- establish and implement a publicly available privacy policy that complies with the Personal Information Protection and Electronic Documents Act (PIPEDA), a federal statute that regulates how private-sector organizations collect, use and disclose personal information in the course of commercial activities, or the Canadian Standards Association's (CSA) Code for the Protection of Personal Information;
- designate an official who will be responsible for ensuring compliance with the privacy protection provisions of the transfer payment agreement; and,
- implement appropriate privacy protection training of employees and subcontractors with access to personal information of individuals and participants.

OSEB Coordinators must ensure that employees, volunteers and contractors with access to personal information of OSEB individuals and participants are aware of its privacy policy and the privacy protection provisions of the transfer payment agreement.

Not all OSEB Coordinators will be subject to PIPEDA. OSEB Coordinators may want to contact the federal Privacy Commissioner to help them to determine whether they are subject to PIPEDA. If OSEB Coordinators are not subject to PIPEDA, their privacy policy must be based on the 10 basic principles set out in the Canadian Standards Association (CSA) Code for the Protection of Personal Information.

PIPEDA is available at <http://www.priv.gc.ca> as well as a fact sheet on the application of PIPEDA to Charitable and Non-Profit Organizations.

The CSA Code for the Protection of Personal Information is available at <http://www.csa.ca>.

5.1.2 Ministry Access to Personal Information in the Custody or under the Control of the OSEB Coordinator

The Ministry does not have custody or control of an OSEB Coordinator's records however, OSEB Coordinators agree to make certain information, such as some personal information, available to the Ministry to administer and finance the OSEB program.

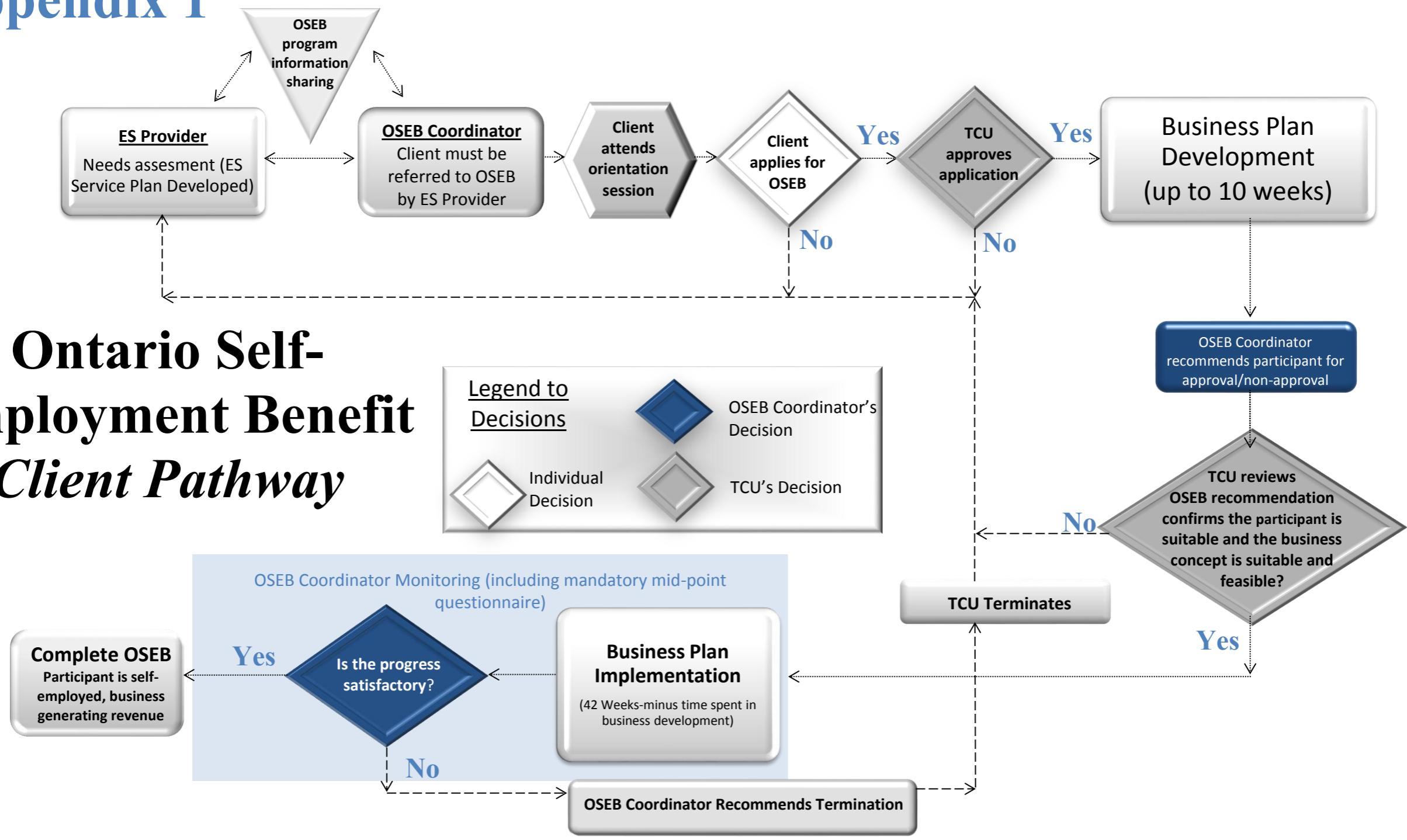
OSEB Coordinators must obtain the consent of every individual for the indirect collection of personal information by the Ministry, and notify them how the Ministry may use their personal information.

5.2 OSEB Forms

Forms for OSEB Coordinator use are posted on the Employment Ontario Partners' Gateway ([EOPG](#)) website.

Appendix 1

Ontario Self-Employment Benefit Client Pathway



Legend to Decisions

- OSEB Coordinator's Decision
- Individual Decision
- TCU's Decision

OSEB Coordinators must continue to follow up with former participants at program exit and at three, six and 12 months after program completion.