

# Comments *on* Resolutions

44th Dominion Convention  
Halifax, Nova Scotia  
10 – 13 June 2012

OUR MISSION IS TO SERVE  
VETERANS, WHICH INCLUDES  
SERVING MILITARY AND  
RCMP MEMBERS AND THEIR  
FAMILIES, TO PROMOTE  
REMEMBRANCE AND TO  
SERVE OUR COMMUNITIES  
AND OUR COUNTRY.







**Dominion Command  
Direction Nationale**

86 place Aird Place, Ottawa, ON  
Canada K2L 0A1

1-888-556-6222  
Tel.: (613) 591-3335  
Fax: (613) 591-9335

[legion.ca](http://legion.ca)

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Comrades,

It is with great pleasure that we provide you with the resolutions resulting from the 44th Dominion Convention held in Halifax in 2012. There is detailed and meaningful feedback herein from the respondents. It is always encouraging to see that these resolutions often create wonderful dialogue within our organization. This demonstrates the care and concern we all have for Veterans, their families and the communities we serve. The Legion continues to be a powerful voice with our advocacy efforts, and where there are opportunities to continue to improve the lives of those we have committed to serve, we will advance on them.

These resolutions and their responses will now be put forward for review by the appropriate Dominion Command Committees and the Dominion Executive Council (DEC). With careful consideration, decisions will be made as to what further action is required to achieve the best results for each of the items in question.

The Legion operates as any good democratic organization must – with direct contributions from all members. Our advocacy efforts on behalf of serving CAF personnel, RCMP, their families, and all Canadians is dependent upon each Legion member voicing their opinions and taking an active role in the activities of the Legion. For those who served to protect these very rights and freedoms, we owe them our commitment to work on their behalf. When we speak with one voice, the Legion continues to be represented as the largest Veterans and community service organization in Canada. We should all be proud of our accomplishments, but never rest on our laurels.

The ability for branches to raise issues of concern and to take part in the process of determining Legion policy is of great importance to the growth and prosperity of the Legion. Any branch can initiate a resolution to bring items forward for consideration at a Dominion Convention. Resolutions may also be developed and submitted by Dominion Command committees for approval by DEC ensuring yet another level to frame and create policies in line with our mission.

With great thanks for your participation in this process, on behalf of all Legion members I thank you.

We will remember them.

Gordon Moore  
Dominion President





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# VETERANS, SERVICE *and* SENIORS

## GENERAL

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### 1. VETERANS REVIEW AND APPEAL BOARD COMPOSITION

VSS 1

**WHEREAS** the Veterans Review and Appeal Board is an independent Federal Tribunal that hears appeals regarding Veterans Affairs Canada decisions on disability applications; and

**WHEREAS** this Tribunal has a responsibility to hear appeals related to injuries attributable to the service of Canadian Forces or RCMP Veterans:

**THEREFORE BE IT RESOLVED** that the Minister of Veterans Affairs Canada be requested to review the composition of the Veterans Review and Appeal Board and consider appointing former members of the RCMP and Canadian Forces to the Board to ensure that there is sufficient representation with the understanding and knowledge of the operational experience of all Veterans.

#### RESPONSE:

Veterans and Veterans' organizations have asked for more members with military, medical, and Royal Canadian Mounted Police (RCMP) experience to be appointed to the Veterans Review and Appeal Board. In response, and in recognition of the value of having members with this experience on the Board, the Minister of Veterans Affairs made a commitment to increase the number of Board members with these backgrounds.

In October 2012, the Minister announced the appointment of four new Board members with Canadian Armed Forces (CAF) or medical experience. The two Board members appointed in 2011 were a CAF and an RCMP Veteran. With these appointments, the Board now has among the highest amount of members with military, medical, and policing experience in its history.

All of the Board's members are appointed through a transparent and merit-based selection process that ensures they have the skills and abilities to hear and decide Veterans' appeals. The Board's membership needs will continue to be filled through the appointment of qualified candidates. All Board members receive ongoing professional development to support them in making fair and well-reasoned decisions for Veterans and their families.

This professional development has always provided members with ongoing and specialized training from medical, legal, military and civilian experts. It also provides them with regular exposure to military and policing work/cultures through a variety of training activities, including visits to CAF bases. Following the review of the Board's activities by the House of Commons Standing Committee on Veterans Affairs, the Board has committed to renewing its military/policing cultural awareness training and is working to involve the CAF and RCMP more directly in it.

#### LEGION'S POSITION:

The Legion will continue to monitor the progress and activities of the Board in ensuring the timeliness, fairness and transparency of the decision making process.

### 2. OUTREACH TO RESERVISTS

VSS 2

**WHEREAS** the Canadian Forces (CF) are relying more on Reservists to help meet Canada's current international commitments: for example, one of every four CF members who have deployed to Afghanistan are Reservists and a higher proportion of Reservists are soldiers who are at greater risk of being injured;

**WHEREAS** although Reservists are eligible for New Veterans Charter services, it is often more difficult to connect them to access Department of National Defence/Canadian Forces (DND/CF) and Veterans Affairs Canada (VAC) programs because they tend to reintegrate into their civilian lives or community immediately following their deployment and may not be aware of the programs and benefits available to them;

**WHEREAS** the DND/CF Reserve Mentor Liaison Team four year pilot project proved successful in following up with over 90% of Reservists who had deployed and reaching out to most Reservists to communicate on available health benefits and services. This Project has ceased and has not been replaced; and

**WHEREAS** VAC conducted a Life After Service Study (LASS) to understand the issues related to CF members after release. This Study only included Regular Force members:

**THEREFORE BE IT RESOLVED** that VAC and the DND/CF implement an outreach program to ensure all Reservists and their families are aware of the available health programs and services; and

**BE IT FURTHER RESOLVED** that VAC conduct the LASS for Reserve Force members to better understand their unique needs and program requirements.

**RESPONSE:**

From The Honourable Peter MacKay, P.C., Q.C., B.A., LL.B., Minister of National Defence

Military Family Resource Centres (MFRCs), which are located in 32 Canadian, five US, and six European communities, provide the full suite of Military Family Service Programs (MFSPs) to families of Reserve Force personnel before, during, and for three years after deployment. Families have access to programs and services in the areas of children and youth; personal development and community integration; family separation and reunion; and prevention, support, and intervention. As part of the community integration component, MFRCs provide information on, and referrals to, local community-based health and social services. In fact, one of the service objectives within the category specifically requires MFRCs to ensure that families and Reserve Force personnel are aware of the MFSPs and the services in their local community.

In addition to services provided through MFRCs, the website [www.familyforce.ca](http://www.familyforce.ca) hosts Lifestage Care, a national inventory of personal and family care resources, which includes information on how to access child care and support services for children and

teens; personal wellness services, including mental health, physical rehabilitation, and more; and home, residential, and community care for seniors.

Furthermore, outreach to all Canadian Armed Forces (CAF) members, Regular Force and Reserve Force, is a core service of the Joint Personnel Support Unit (JPSU). Each Integrated Personnel Support Centre is tasked to ensure that each CAF unit within its area of responsibility receives some form of outreach to address the multitude of support services and programs available to injured and ill CAF members, veterans, and their families of the fallen. Whenever possible this outreach initiative operates in cooperation with key service partners, such as the Directorate of Military Family Services, Canadian Forces Health Services, and Veterans Affairs Canada (VAC). Providing information to Reserve Force members is recognized by the JPSU as one of the key challenges to a successful outreach program. Resources are available to ensure that outreach initiatives include all CAF members.

From The Honourable Steven Blaney, P.C., M.B.A., The Minister of Veterans Affairs Canada

To expand our knowledge base on Reservists, the Department of Veterans Affairs has initiated several research programs which will conclude in 2014, that will feature an emphasis on Canadian Reservists. Veterans Affairs Canada (VAC) also works closely with the Canadian Armed Forces to ensure that Reservists are informed about the programs and services for which they are eligible.

In addition to these important initiatives, Veterans Affairs has expanded and launched new online tools that provide information to both Regular and Reserve Force members on the benefits and services they might need.

**LEGION'S POSITION:**

The Legion will continue to advocate for proactive outreach programs to ensure that all Reserve Force members across Canada are aware of the programs and services available and know how to access the programs. The LASS for Reserve transition experience will

provide an essential indicator to ensure that programs and services are meeting the needs of this group as well as the feedback to better understand their unique needs and program requirements. This research should be completed as a priority.

### **3. EMPLOYER TAX CREDITS**

VSS 3

**WHEREAS** Veterans should be recognized for their service and sacrifices to their country;

**WHEREAS** it is important that Veterans have the opportunity to transition to meaningful employment following their service to their country; and

**WHEREAS** wounded Canadian Forces (CF) members or survivors have unique needs and often face significant physical and financial challenges;

**THEREFORE BE IT RESOLVED** that to encourage private employers to provide jobs to Veterans, that these private employers which hire Veterans should receive a tax credit from the Federal Government;

**BE IT FURTHER RESOLVED** that an additional tax credit should be provided to private firms that hire wounded warriors or their survivors.

#### **RESPONSE:**

Veterans Affairs Canada (VAC) launched Hire a Veteran in December 2012 to help connect corporate Canada with Veterans transitioning from military to civilian life. As well, the True Patriot Love Foundation has established a Veterans Transition Advisory Council which consists of representatives from leading national companies who are working to raise awareness of the skill sets Veterans have to offer to the private sector.

To address the issue of priority hiring for Veterans in the Public Service, VAC has widened the area of selection to include Canadian Armed Forces (CAF) personnel in all VAC advertised processes.

Medically-released CAF personnel are eligible for priority job placement in the public service.

### **LEGION'S POSITION:**

The Legion will continue to monitor the effectiveness of activities and programs to assist Veterans and their families with transitioning from military to civilian life.

### **4. VETERANS IDENTIFICATION CARD/VETERANS FAMILY IDENTIFICATION CARD**

VSS 4

**WHEREAS** the Record of Service Card – NDI 75 is issued to members leaving or who have left the Canadian Forces (CF) with 10 or more years of service;

**WHEREAS** the CF issues a voluntary Military Family Identification card (MFID) to spouses and dependants of CF members;

**WHEREAS** upon release from the CF, the MFID is no longer valid;

**WHEREAS** any Veteran who has served his/her country voluntarily and has completed Occupation Classification training successfully is highly deserving of being provided a visible recognition of his/her service to Canada in the form of a Veteran's ID card;

**WHEREAS** this recognition is also especially important for families. CF families are the backbone of the CF, and the MFID card is official recognition of both the military family as an integral part of the organization, and the pride with which CF spouses/partners and children contribute toward and support the efforts of our personnel and our country;

**WHEREAS** the creation of a Veteran's family identification card will restore this official recognition and pay tribute to the sacrifices of families made in support of Canada. When a Veteran dies, the widow/widower has no standard means of recognition that he/she is the widow/widower of a Veteran; and

**WHEREAS** growing number of commercial establishments locally, nationally and internationally have introduced appreciation programs offering significant discounts for goods and services, as well as access to community and sporting events for Veterans and their families. With formal recognition to establish their identity as the family of a Veteran, the card would greatly facilitate access to these benefits;

**THEREFORE BE IT RESOLVED** that Veterans Affairs Canada provide a Veteran's Identification card for all CF Veterans and a Veteran's Family Identification card to honour the inherent resilience of Veteran's families and pay tribute to the sacrifices of families made in support of Canada.

**RESPONSE:**

From The Honourable Peter MacKay, P.C., Q.C., B.A., LL.B., Minister of National Defence

In your letter, you recommended that VAC provide a Veterans Identification Card for all CAF veterans and their families. At this time, only those CAF members who have been honourably released with more than 10 years of service in the CAF are issued an NDI 75 card. This criterion was established to observe career differences among members and to highlight the period during which a member has volunteered to contribute to the success of the CAF operational requirements, at home or in foreign theatres of operation. The NDI 75 is administered by the Department of National Defence (DND).

Currently, a major review is being conducted collaboratively by DND and VAC to look at the eligibility requirements for and the administration, production, and issue of the NDI 75 card. Because of these ongoing efforts, I am unable to make specific comments at this time, but DND and VAC should be able to provide more information after the review is concluded and a final course of action is determined and approved. Although more detail is not yet available, please be assured that your concerns are being addressed.

From The Honourable Steven Blaney, P.C., M.B.A., The Minister of Veterans Affairs Canada

Veterans Affairs Canada (VAC) is continuing to examine with the Canadian Armed Forces (CAF), the possibility of developing, issuing, and maintaining a system of identification (ID) cards. A Veteran ID card has been discussed at the joint-steering committee where senior officials from the Department of National Defence and VAC meet to discuss issues facing CAF personnel and Veterans.

Until a comprehensive feasibility review is conducted on the merits of a national ID card, we must focus on proven means to improve the services and benefits for Canadian Veterans.

**LEGION'S POSITION:**

The Veterans Ombudsman's 2012 report, Honouring and Connecting with Canada's Veterans: a National Veterans Identification Card confirms the requirement to issue a single National Veterans Identification Card. This card will greatly improve the ability of government to identify, recognize and proactively maintain contact with all Veterans in order to advise them of eligibility or changes to benefits, while assessing their current and future needs. The recommendations proposed by the Veterans Ombudsman provide an implementation plan to make the needed changes. The Royal Canadian Legion strongly encourages the government of Canada to implement these recommendations.

## DISABILITY BENEFITS

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### 5. OFFSET OF VAC DISABILITY PENSION BY SISIP LONG TERM DISABILITY VSS 5

**WHEREAS** those deemed eligible for Veterans Affairs Canada (VAC) disability pensions are victimized by an offset from the amount paid out by the Service Income Security Insurance Plan (SISIP) Long Term Disability (LTD) as monthly income replacement benefits;

**WHEREAS** VAC disability pensions are not taxable and are not considered income but disability benefits to compensate for pain and suffering for injuries sustained in the service to one's country;

**WHEREAS** there is a further contradiction in that still-serving Canadian Forces members can receive a VAC disability pension while still receiving their full salary; and

**WHEREAS** this unfairness has been corrected in the Canadian Forces Members and Veterans

Re-establishment and Compensation Act (the New Veterans Charter):

**THEREFORE BE IT RESOLVED** that the SISIP offset of VAC disability pensions be terminated immediately; and

**BE IT FURTHER RESOLVED** that Treasury Board, who make the rules in that matter, recognize that the operational needs and the impact of the occupational environment of Canadian Forces members are very different than those of Public Servants.

**RESPONSE:**

This issue was resolved and the SISIP offset of the VAC disability pension was terminated in 2012.

**LEGION'S POSITION:**

The Legion will monitor the implementation of retroactive benefits.

**6. 10% ANNUAL REDUCTION IN PAID-UP DEATH BENEFIT UNDER SUPPLEMENTARY DEATH BENEFIT (SDB)**

VSS 6

**WHEREAS** with the passage of Bill C-78 in 1999, the annual 10% reduction in coverage of the paid-up Death Benefit for Public Servants now commences at age 66; however, the same reduction for Canadian Forces (CF) members starts at age 61; and

**WHEREAS** this disparity in benefits clearly disadvantages CF members who loyally served their country:

**THEREFORE BE IT RESOLVED** that the annual reduction in coverage of the Paid-up Death Benefits be delayed until age 66 to bring it in line with that of Public Servants.

**RESPONSE:**

Response not received from Government.

**LEGION'S POSITION:**

The Legion will continue to advocate for this important issue.

**7. AGENT ORANGE APPLICATION**

VSS 7; NB 1/C; NB 2/C

**WHEREAS** there has been much discussion and controversy concerning the spraying of Agent Orange in Base Gagetown;

**WHEREAS** Veterans Affairs Canada (VAC) announced an extension of the ex gratia compensation program of \$20,000 to 30 December 2011;

**WHEREAS** despite the deadline illnesses and diseases will continue to be diagnosed for many years and the Government has an obligation to recognize these families; and

**WHEREAS** the eligibility criteria of the Institute of Medicine (IOM) conditions related to Agent Orange exposure - Update 2004 continue to apply and do not include the conditions in the IOM Update 2010:

**THEREFORE BE IT RESOLVED** that VAC remove the artificial deadline and continue the program to ensure that all the families impacted by Agent Orange are recognized; and

**BE IT FURTHER RESOLVED** that VAC amend the Program's eligibility criteria to include the conditions related to Agent Orange exposure in the IOM Update 2010.

**RESPONSE:**

Our Government was the first to recognize the unfortunate stress and concern that was caused by questions surrounding Agent Orange. In response, in 2007 our Government established an ex-gratia payment to more than 5,000 individuals, each receiving \$20,000 one-time payments. Our Government officially extended the program and broadened the criteria in December 2010. Our Government also ensured that the criteria was broadly interpreted and applied. The program ultimately ended on December 31, 2011.

**LEGION'S POSITION:**

The Legion will continue to advocate to remove the artificial application deadline to ensure that all families impacted by Agent Orange are recognized.

## 8. ENVIRONMENTAL EXPOSURE

VSS 8

**WHEREAS** the Government announced an Ex Gratia payment for those exposed to Agent Orange based on whether or not potential beneficiaries were living, or had worked and trained in the Gagetown area during a specific time frame and within a specific area;

**WHEREAS** Veterans Affairs Canada (VAC) will award disability benefits for direct exposure to Agent Orange based on stringent and unrealistic eligibility requirements including handling, touching or being directly exposed to such chemicals but will not recognize the effects of secondary exposure such as training in a field and dispersing soils by digging, churning up the ground with various ordnances where Agent Orange, or other chemicals were dispersed; and

**WHEREAS** VAC will not generally recognize environmental exposure to radiation such as residues of Depleted Uranium (DU) ammunition as a causal link to the award of disability benefits:

**THEREFORE BE IT RESOLVED** that VAC recognize and review the Entitlement Eligibility Guidelines related to Agent Orange exposure and to DU as significant determinants of a disability.

### **RESPONSE:**

Any Canadian Armed Forces member or Veteran who has a medical diagnosis that they believe is related to military service can apply for a Veterans Affairs Canada (VAC) disability benefit.

Decisions are made using the most up-to-date science and evidence available, especially when dealing with possible issues associated with Depleted Uranium and Agent Orange.

In January 2013, the Arms-Length Scientific Advisory Committee on Veterans' Health released its report entitled Depleted Uranium and Canadian Veterans: A Review of Potential Exposure and Health Effects. In addition, the Standing Committee on Veterans Affairs also conducted a study of Depleted Uranium exposure to Canadian Veterans. VAC will await the results of this review, and continues to monitor advances in scientific research.

## LEGION'S POSITION:

The Legion remains unsatisfied with the stringent eligibility criteria to obtain disability entitlement for illness associated with exposure to Agent Orange or Depleted Uranium.

## 9. ENSURE DISABLED VETERANS RECEIVE A FAIR, EQUITABLE INCOME FOR THEIR LIFETIME

VSS 9

**WHEREAS** Veterans are eligible for the Earnings Loss Benefit (ELB) 75% of pre-release salary (taxable) to a minimum of \$40,000 while they participate in the Rehabilitation Program;

**WHEREAS** Veterans who are permanently and totally incapacitated can receive the Earnings Loss Benefit until they reach age 65;

**WHEREAS** it is particularly devastating for Veterans who are injured at a young age because they will continue to be compensated at low salary level for the remainder of their lives; and

**WHEREAS** economic hardship is created for Veterans who reach age 65 and have been unable (because of their injury) to build up their Canada Pension or save for retirement:

**THEREFORE BE IT RESOLVED** that to ensure disabled Veterans while undergoing rehabilitation and searching for a job, receive a fair, equitable income consistent with a normal military career, Veterans Affairs Canada (VAC) should set the Earning Loss Benefit at 100% of earnings for life; and

**BE IT FURTHER RESOLVED** that for life-long recipients, VAC should increase the Supplementary Retirement Benefit to 6% of ELB earnings and make it non-taxable.

### **RESPONSE:**

Although the Earnings Loss Benefit (ELB) itself ceases at age 65, at which time Old Age Security and Canada/ Quebec Pension Plan benefits begin, the New Veterans Charter (NVC) supports eligible Canadian Armed Forces Veterans after age 65 through the payment of other financial benefits such as:

- The Canadian Forces Income Support,
- The Permanent Impairment Allowance (PIA) and PIA Supplement and,
- The Supplementary Retirement Benefit (SRB). The SRB is an additional benefit Veterans Affairs Canada (VAC) provides which is not payable under any long-term disability plans in Canada (such as the Service Income Security Insurance Plan-LTD or the RCMP-LTD plans.)

The lump-sum SRB is only one element of the suite of benefits and services available under the NVC. The SRB is deemed to be income and is therefore a taxable benefit.

VAC continues to assess its programs to ensure they are relevant for the future needs of Veterans.

#### **LEGION'S POSITION:**

Despite the changes with the New Veterans Charter in 2011, the Legion is very concerned that there is a significant income hardship with the termination of ELB at age 65. The Legion will continue to advocate for improvements in income replacement post age 65.

### **10. DEATH BENEFIT UNDER THE NEW VETERANS CHARTER**

#### **VSS 10**

**WHEREAS** under present legislation single members of the Canadian Forces (CF) whose death is attributable to military service are not eligible for a death benefit;

**WHEREAS** CF members who are married or in a common-law relationship are eligible for a death benefit;

**WHEREAS** the death benefit is provided as compensation for the non-economic loss related to the life-long pain and suffering of the family;

**WHEREAS** compensation for the loss of earnings is provided in the Financial Benefits Program; and

**WHEREAS** such inequities are contrary to the basic equalities for which the members of the Canadian Forces died to secure:

**THEREFORE BE IT RESOLVED** that all CF members whose death is attributable to military service be granted a death benefit provided for under the New Veterans Charter; and

**BE IT FURTHER RESOLVED** that such benefits be retroactive to 2006.

#### **RESPONSE:**

As the New Veterans Charter is designed to help transition a Veteran from military to civilian life; the Death Benefit is one component of this suite of benefits and services that aims to ensure dependent children, survivors and common-law partners have the resources they need to continue their transition to civilian life.

In addition to the death benefit, survivor, common-law partner, and dependent children may be eligible for vocational assistance, Earnings Loss Benefit, educational assistance for children, access to health insurance and peer support.

This is all part of our Government's effort to ensure that Canadian Veterans, their spouses, common-law partners and dependent children have the tools they need to transition to civilian life.

#### **LEGION'S POSITION:**

The death benefit is provided as compensation for the non-economic loss related to the life-long pain and suffering of the family and as such the Legion remains unsatisfied with the lack of compensation to parents of single members.

### **11. DISABILITY AWARD FINANCIAL COUNSELING**

#### **VSS 11**

**WHEREAS** some Veterans and families find it difficult to manage a large lump sum of money wisely and would benefit from financial counseling and support; and

**WHEREAS** Veterans Affairs Canada (VAC) provides \$500 for financial counseling; this is not sufficient to obtain ongoing financial counseling services:

**THEREFORE BE IT RESOLVED** that VAC increase funding to \$1,500 to allow Veterans and families to engage qualified financial advisors.

**RESPONSE:**

The cost for financial advice may be covered by Veterans Affairs Canada (VAC), to a maximum of \$500, for each Disability Award received that is greater than a 5% assessment. Therefore, if a Veteran receives more than one Disability Award in his/her lifetime due to re-assessments or new conditions, he/she may receive financial counselling up to \$500 for each award. Since 2007-08, the Department has made 323 payments for disability financial counselling. Of these payments, 43 per cent were actually less than the \$500 maximum.

The Disability Award is a tax-free payment of up to \$298,587.97 (2013 rate) based on the extent of the disability. Under enhancements to the New Veterans Charter which came into effect in October 2011, Veterans and Canadian Armed Forces members have the choice of receiving the award in a lump-sum payment, an annual payment over any number of years they choose, or as a combination of a partial lump-sum payment and annual payments.

**LEGION'S POSITION:**

As \$500 for financial counseling is not sufficient to obtain ongoing financial counseling services, the Legion will continue to advocate for an increase in this rate to allow Veterans and their families to engage qualified financial advisors.

**12. EARNINGS LOSS BENEFIT DISPARITY FOR PART-TIME RESERVISTS**  
VSS 12

**WHEREAS** Earnings Loss Benefit is now set at a minimum of \$40,000 per year for Regular Force Veterans and full-time Reservists undergoing rehabilitation or who cannot return to work;

**WHEREAS** Reservists (Class A and Class B less than 180 days) are compensated with a minimum of \$24,300 per year who have been injured attributable to their military service;

**WHEREAS** Reservists have the same needs as Regular Force Veterans and full-time Reservists; and

**WHEREAS** Veterans Affairs Canada (VAC) has stated that a minimum income of \$40,000 per year is required to ensure that basic needs of food, shelter and clothing are met, yet denies this same level of support to part-time Reservists who cannot work and who have been injured attributable to their military service:

**THEREFORE BE IT RESOLVED** that VAC end the income disparity of the Earnings Loss Benefit to Reservists and provide those Canadian Armed Forces Veterans who have been injured attributable to their service the same benefits regardless of the nature of their service, and where and when they served.

**RESPONSE:**

As announced by our Government last December, Reservists who are injured as a result of service have access to the same programs and services under the New Veterans Charter as members of the Regular Force.

The Enhanced New Veterans Charter Act, which came into effect on October 3, 2011, increased the monthly salary used to calculate the Earnings Loss Benefit (ELB) payable to part-time Reservists (Class A and Class B less than 180 days) to \$2,700. The provisions of the Act also increased the minimum base salary used to calculate the ELB for both Regular Force and full-time Reserve Force Veterans (Class B more than 180 days or Class C) to that of a basic Corporal in the Standard pay group, which in 2013-14, results in an ELB of \$41,598 pre-tax per year.

Alternatively, under the Government Employees Compensation Act (GECA), part-time Reservists (Class A and Class B less than 180 days) who are injured on duty are eligible for benefits such as medical care, income replacement, a permanent impairment/disability award if applicable and home adaptations. The benefits and services vary by province as the injured Reservist receives benefits and services under the applicable provincial compensation board in addition to Federal benefits and services.

**LEGION'S POSITION:**

The Legion is unsatisfied with this response. The current practice of compensating Reservists for loss of income (Class A and Class B less than 180 days) less than full-time Regular and Reserve Force Veterans injured attributable to their military service is discriminatory. Veterans Affairs Canada (VAC) has stated that a minimum income of \$40,000 per year is required to ensure that basic needs of food, shelter and clothing are met, yet denies this same level of support to Reservists who cannot work and who have been injured attributable to their military service. The Legion will continue to advocate to end the income disparity of the Earnings Loss Benefit to Reservists (Class A and Class B less than 180 days) and to provide all CAF Veterans who have been injured attributable to their service the same benefits regardless of the nature of their service, and where and when they served.

**13. EXTEND EDUCATION ASSISTANCE PROGRAM  
VSS 13**

**WHEREAS** the Education Assistance Program provides financial assistance for post-secondary education to the children of Canadian Forces (CF) members who have lost their lives attributable to their military service; and

**WHEREAS** CF members who have suffered severe and permanent impairment attributable to their service lack the financial means to save for their children's post-secondary education and face significant lifelong challenges:

**THEREFORE BE IT RESOLVED** that Veterans Affairs Canada recognize the lifelong challenges and financial limitations of CF members who have been totally and permanently incapacitated and extend the Education Assistance Program benefits to the children of these families.

**RESPONSE:**

Veterans Affairs Canada's Educational Assistance Program provides assistance for post-secondary education for children of Canadian Armed Forces (CAF) personnel and Veterans who died as the result of military service or who, at the time of death, were receiving a disability benefit (pension, award or combination of both) of 48% or greater.

The dependent children of deceased members are entitled to other benefits from Veterans Affairs Canada as follows:

- Death Benefit,
- Disability Award,
- Earnings Loss, and
- Canadian Forces Income Support.

The survivor or common-law partner of a CAF Veteran whose death was related to service is also eligible for vocational assistance under the Rehabilitation Program and the Earnings Loss Benefit.

**LEGION'S POSITION:**

While the Legion recognizes the programs and services available to the children of deceased Veterans, the Legion is unsatisfied with this response. Veterans Affairs Canada should recognize the lifelong challenges and financial limitations of CAF members who have been deemed totally and permanently incapacitated and extend the Education Assistance Program benefits to the children of these families.

**14. ATTENDANCE ALLOWANCE IN THE  
NEW VETERANS CHARTER  
VSS 14**

**WHEREAS** Attendance Allowance is a program in the Pension Act which recognizes the care giving requirements for disabled Veterans;

**WHEREAS** the New Veterans Charter does not have a similar program and as such families of disabled Canadian Forces Veterans are left to cope with the costs of care giving themselves; and

**WHEREAS** families suffer from burnout, stress and financial difficulties with the lifelong care requirements especially post 65 when the Veterans income declines significantly:

**THEREFORE BE IT RESOLVED** that Veterans Affairs Canada recognize the care giving challenges that many disabled Veterans confront to cope with their daily living tasks and include Attendance Allowance in the New Veterans Charter.

**RESPONSE:**

Attendance Allowance is not contained in the New Veterans Charter because it is provided under the Veterans Independence Program (VIP). VIP is designed to assist eligible Veterans to remain healthy and independent in their own homes and communities and assist with their daily living tasks.

The VIP services an individual receives to assist them at home include:

- Personal care services including supervision for Veterans who cannot be left unattended, and assistance with activities of daily living including eating, dressing, washing/bathing, grooming, toileting, walking, etc.
- Access to nutrition services;
- Health and support services provided by health professionals;
- Grounds maintenance;
- Housekeeping;
- Ambulatory (out-patient) health care (e.g. adult day care, and travel costs to get to these services); and,
- Home adaptations.

Eligible Veterans may receive up to \$10,170 per year for home care services including personal care services, grounds maintenance, housekeeping, access to nutrition and health and support services.

In addition to these benefits, our Government extended the VIP program to survivors and widows in 2008, resulting in over 38,000 Canadian Veterans' widows and survivors receiving services. And to further reduce the paper burden, Veterans Affairs now provides an upfront-payment instead of asking Veterans to submit individual receipts for the services they need. We are always looking for ways to improve the services to Canadian Veterans and the VIP program is one great example of how we are doing just that.

#### **LEGION'S POSITION:**

The Legion will continue to monitor the programs and services available to all Veterans and their families.

## **VETERANS INDEPENDENCE PROGRAM (VIP) *and* HEALTH BENEFITS**

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### **15. RATIONALIZATION OF ELIGIBILITY CRITERIA FOR HEALTH CARE BENEFITS**

VSS 15

**WHEREAS** the current policies covering the delivery of Health Care Benefits are very complex and, for that reason very difficult to understand, even from the perspective of those who administer these benefits;

**WHEREAS** these policies are even more complex from the perspective of recipients who are often frail;

**WHEREAS** the cost of drugs and remedial appliances are continually rising;

**WHEREAS** the Health Benefits provided, especially Veterans Independence Program (VIP) and treatment benefits are insufficient to meet the needs of Veterans and caregivers; and

**WHEREAS** because of the complexity associated with various entry gates and eligibility criteria, Veterans are often wary to even ask for benefits, let alone understand their eligibility requirements:

**THEREFORE BE IT RESOLVED** that Veterans Affairs Canada (VAC) undertake a comprehensive rationalization of the eligibility criteria for Health Care Benefits. The entitlement criteria should be more manageable for decision makers and Veterans and their families such that it is streamlined from the current 18 categories to a maximum of four categories as recommended in "Keeping the Promise" the 2006 Report of the Gerontological Advisory Council.

#### **RESPONSE:**

The number of eligible groups in the Veterans Health Care Regulations has evolved as benefits and services have been provided to new groups of Veterans and other eligible recipients over the years.

Significant effort is underway at Veterans Affairs Canada (VAC) to reduce red tape and

improve service to Veterans. While this effort continues, many other initiatives have been launched to improve the process by which a Veteran may receive benefits.

The Benefits Browser was developed in cooperation with the Office of the Veterans Ombudsman and it provides Veterans with tailored information about the benefits and services which may be available to them. Available on the VAC Web site, the Benefits Browser gives Veterans and their families easy access to information, 24 hours a day, seven days a week.

In addition to the Benefit Browser, MyVAC Book was launched to provide Veterans with detailed information about the services and benefits available to them.

VAC remains committed to ensuring Veterans know what benefits are available, and how to apply for them.

#### **LEGION'S POSITION:**

The Legion will continue to advocate that Veterans Affairs Canada undertake a process of Health Care reform within the next year to ensure that programs and services meet the needs of all Veterans and their families. Specifically, this review should be based on need and ensuring that a continuum of care is provided. The 2006 Report of the Gerontological Advisory Council "Keeping the Promise" provides a sound roadmap to begin this essential review. The internet initiatives implemented by VAC do not address nor simplify the complex eligibility criteria.

#### **16. VIP FOR RCMP**

VSS 16

**WHEREAS** recent changes to eligibility for the Veterans Independence Program (VIP) now allow Canadian Forces (CF) members to qualify while still serving or after release when qualified as a result of their entitled condition; and

**WHEREAS** the Royal Canadian Mounted Police (RCMP) are eligible for disability pension payments while still serving or after release, with funding allocated from the Solicitor General's fiscal envelope:

**THEREFORE BE IT RESOLVED** that the VIP be made available to members of the RCMP on the same basis as for members of the Canadian Forces with required funding allocated from the Solicitor General's fiscal envelope, with full support of the RCMP Commissioner.

#### **RESPONSE:**

Over the past several years, the RCMP has focussed much effort in assessing options to provide health treatment services for disabled RCMP pensioners with benefits similar to those offered under the VIP. After much analysis, it was determined that the RCMP will not be pursuing the VIP. At present, members and their dependents may receive couple or family treatments when preauthorized under the RCMP occupational health care plan.

#### **LEGION'S POSITION:**

The Legion is disappointed that the RCMP has chosen to not pursue this important program. RCMP Veterans who have been injured attributable to their service should be provided the services and benefits that will assist them with staying in their own homes. RCMP occupational health care plan does not provide for this type of program. The analysis to determine that this program is not required should be made available to the Legion and other Veterans organizations to ensure transparency, fairness and equity. All Veterans who have been injured in service to their country should receive the same benefits and services. This is equitable and fair.

#### **17. VIP BENEFITS FOR FRAIL VETERANS**

VSS 17; SASK 4/C; NB 3/C

**WHEREAS** Veterans who apply for Veterans Independence Program (VIP) benefits are often frail and are approaching the end of their life;

**WHEREAS** the processing of applications for VIP benefits for frail Veterans is only considered when these Veterans have established eligibility for a disability or low income, resulting in long delays and often increased expenditures for Veterans Affairs Canada; and

**WHEREAS** VIP is key to keeping Veterans independent and safe in their own home:

**THEREFORE BE IT RESOLVED** that all World War II and Korean War Veterans be deemed eligible for VIP benefits based on need, irrespective of their having established disability entitlement or low income status, as was recommended by the Gerontological Advisory Council in their 2006 Report “Keeping the Promise”; and

**BE IT FURTHER RESOLVED** that all Allied World War II and Korean War Veterans be deemed eligible for VIP benefits based on need irrespective of their income as was recommended by the Gerontological Advisory Council in their 2006 Report “Keeping the Promise”.

**RESPONSE:**

Veterans of World War II and Korean War, including Allied Veterans, who have a service-related need or are considered low-income are eligible for the Veterans Independence Program.

Currently, the program is assisting over 67,000 Veterans and more than 38,000 widows and survivors by cleaning homes, maintaining yards or completing home-adaptations to help Veterans remain in their homes.

**LEGION’S POSITION:**

The current process to establish disability entitlement or low income eligibility to receive VIP benefits for World War II and Korean War Veterans, including Allied Veterans is complex, time consuming and costly. The Legion will continue to advocate that these vulnerable war-time Veterans be deemed eligible for VIP benefits irrespective of their having established disability entitlement or low income.

**18. EXTENSION VIP BENEFITS TO SURVIVORS**  
VSS 18; ONT 1/C; SASK 5/C; NB 5/C; NB 6/C; NB 9/C

**WHEREAS** eligibility criteria for Veterans Independence Program (VIP) benefits for survivors is the result of extending and expanding the benefit over many years;

**WHEREAS** VIP is not available to all survivors of World War II and Korean War Veterans and is dependent on a complex eligibility criteria grid difficult for decision makers and Veterans to understand; and

**WHEREAS** the survivors of War Veterans have supported their spouses for many years and their contribution should be recognized:

**THEREFORE BE IT RESOLVED** that Veterans Affairs Canada end the complex eligibility criteria for VIP benefits and extend the benefit to all survivors of World War II and Korean War Veterans including the survivors of Allied Veterans. This benefit should be granted to these survivors based on need as was recommended by the Gerontological Advisory Council in their 2006 Report “Keeping the Promise”.

**RESPONSE:**

Our Government expanded the Veterans Independence Program (VIP) services to low income and disabled survivors of Second World War and Korean War Veterans who were not in receipt of VIP at time of death, ensuring care for those most in need.

Widows/survivors of Veterans who were in receipt of VIP at the time of the Veteran’s death or placement in long-term care are eligible for VIP. In 2010, eligibility was provided to Allied Veterans of the Second World War and the Korean War, including their primary caregivers/survivors.

Today, over 67,000 Veterans and more than 38,000 Veterans’ widows and survivors are in receipt of these important benefits. We constantly review the eligibility of this program so that it is delivering concrete assistance to those who need it.

**LEGION’S POSITION:**

The survivors of war-time Veterans have supported their spouses for many years and their contribution should be recognized. The Legion will continue to advocate that Veterans Affairs Canada end the complex eligibility criteria for VIP benefits and extend the benefit to all survivors of World War II and Korea War Veterans including the survivors of Allied Veterans. This benefit should be granted to these survivors based on need as was recommended by the Gerontological Advisory Committee in their 2006 Report “Keeping the Promise”.

## 19. PORTABILITY OF VIP SERVICES

VSS 19

**WHEREAS** a Veteran who is on the Veterans Independence Program (VIP) and is living in a condominium/co-operative type of housing does not qualify for a reimbursement for grounds-keeping from Veterans Affairs Canada; and

**WHEREAS** a Veteran on VIP residing in condominium/co-operative type of housing pays a monthly maintenance fee to cover the costs of grass cutting and snow removal, that is to say, grounds-keeping;

**THEREFORE BE IT RESOLVED** that Veterans Affairs Canada reimburse the Veteran, who is on VIP and residing in a condominium or a co-operative type of retirement housing, the portion of the condominium/co-operative housing fee related to grounds-keeping, either monthly or yearly.

### **RESPONSE:**

Under the Veterans Independence Program (VIP), Veterans who live in a condominium or co-operative housing unit are eligible for a grant for grounds maintenance when the maintenance is their responsibility and would normally be performed by them if their health permitted.

The VIP program is designed to provide an eligible Veteran with the tools and services they need so they can remain in their homes for as long as possible. Veterans Affairs Canada provides other financial and service benefits to eligible Veterans to compensate for loss of income potential and permanent impairment.

### **LEGION'S POSITION:**

The Legion is concerned that VAC is not showing sufficient flexibility in addressing the financial needs of Veterans and their families. We will continue to monitor the delivery of programs and service to all Veterans and their families.

## 20. \$2400 – VIP EXPANSION ALLOWANCE

NB 7/C

**WHEREAS** we have been informed from some surviving spouses that the various dollar amounts allocated for housekeeping and ground maintenance individually, were at times insufficient to meet their current needs, because:

- a. severe or several snow storms consumed the allocated funds and therefore there were insufficient funds remaining for the summer months to cover any additional ground maintenance,
- b. majority of cleaning company fees may range from \$60 to \$80 dollars per hour for house cleaning, which would limit the number of visits, and
- c. registered providers or individuals are now charging more for their housekeeping services.

**WHEREAS** the above situations have created some financial difficulties for some low income or disabled surviving spouses:

**THEREFORE BE IT RESOLVED** that VAC review the \$2,400 maximum amount for VIP as this amount has been in place for several years and has not been changed or amended to reflect the current prices being charged today; and

**BE IT FURTHER RESOLVED** that when a low income or disabled surviving spouse has experienced some financial difficulty that VAC financial assistance be provided to them by VAC.

### **RESPONSE:**

The rates established for the Veterans Independence Program (VIP) are based on market data and regional variations. Ultimately the amount of the grant takes into account the actual cost for housekeeping and grounds maintenance services in the area in which the Veteran lives. In situations where the grant is insufficient, consideration may be given to increasing the grant amount.

Veterans and eligible spouses and caregivers who receive housekeeping and grounds maintenance services through the VIP now receive semi-annual, up-front payments rather than having to submit receipts and then

wait to be reimbursed by the Department. These important changes benefit over 100,000 Veterans, caregivers and survivors so they can receive the services they need to remain in their homes.

**LEGION'S POSITION:**

The Legion will monitor the implementation of the new VIP grant determination tool to ensure that the new process meet the needs of all Veterans and their families.

**21. EXTENSION OF CRITERIA FOR ASSESSMENT OF THE VETERANS INDEPENDENCE PROGRAM FRAIL VETERAN BENEFITS**  
ONT 3

**WHEREAS** Veteran Affairs Canada (VAC) introduced the Frail Veteran criteria to their Veterans Independence Program (VIP);

**WHEREAS** this new policy enables a veteran with any approved disability pension or award to make application for assessment for the Veterans Independence program (VIP) under the new Frail Veteran Criteria;

**WHEREAS** the basis for assessment was based on support for personal health needs (assistance with bathing, dressing, feeding, toileting) or mobility restrictions;

**WHEREAS** Veterans with coronary issues, are encouraged by their attending medical specialist to main a level of mobility, and have no other health needs that need supporting assistance; they are being refused the benefits of the Veterans Independence Program (VIP) under the present frail veteran criteria; and

**WHEREAS** attending medical specialist recommend the Veteran stay mobile, they emphasize that they should not participate in strenuous exercise or heavy work (snow shoveling or grass maintenance):

**THEREFORE BE IT RESOLVED** that Veteran Affairs Canada alter their Veteran Independence Program (VIP) Frail Veteran assessment criteria, to include approval, for veterans who suffer from a coronary condition where the attending medical specialist restricts strenuous exercise or heavy work activities, in their daily regimen.

**RESPONSE:**

Eligibility for the Veterans Independence Program includes services if a Veteran is suffering from a coronary condition attributed to their military service. To date, over 67,000 Veterans and more than 38,000 Veterans' widows and survivors remain healthy and independent in their own homes or communities as a result of this program.

**LEGION'S POSITION:**

The Legion is satisfied with this response.

**22. EXPANSION OF LONG TERM CARE ELIGIBILITY**  
VSS 20; SASK 3/C; QUE 2/C

**WHEREAS** the current eligibility criteria is very complex and does not provide for equal access to Long Term Care for Veterans;

**WHEREAS** access to benefits and services should not depend on when and where a Veteran served; and

**WHEREAS** Veterans who are deemed Seriously Disabled (SDV) with greater than 78% service attributable disability may not have eligibility to Long Term Care:

**THEREFORE BE IT RESOLVED** that the eligibility criteria be changed to accommodate ALL World War II and Korean War Veterans whether they have overseas service or not. It should be based on need regardless of whether or not the Long Term Care requirement is related to a pensioned condition; and

**BE IT FURTHER RESOLVED** that eligibility to Long Term Care for all modern Veterans be amended to include all Veterans deemed Seriously Disabled (SDV) with greater than 78% service attributable disability.

**RESPONSE:**

Canadians expect that a Veteran who has been injured while fighting for their country should receive the very best care available to address their unique needs. With this in mind, the New Veterans Charter and the former pension system were both designed to aid those Veterans who have a service related injury.

Any Veteran who needs long-term care because of a disability related to their military

service is eligible for support in a long-term care facility. Currently, Veterans Affairs Canada is financially supporting over 8,500 Veterans in approximately 1,750 nursing homes and other long-term care facilities across Canada.

**LEGION'S POSITION:**

The Legion will continue to advocate that Veterans Affairs Canada undertake a process of Health Care reform within the next year to ensure that programs and services meet the needs of all Veterans and their families. Specifically, this review should be based on need and ensuring that a continuum of care is provided. The Group agreed that the 2006 Report of the Gerontological Advisory Council "Keeping the Promise" provides a sound roadmap to begin this essential review.

**23. ASSISTANCE WITH THE COST OF ALTERNATE LEVEL OF CARE (ALC) FOR VETERANS**  
ONT 4

**WHEREAS** Long Term Care (LTC) assessment for placement for some Veterans may result in an extended period of waiting for admission to a Long Term Care facility;

**WHEREAS** some Veterans become hospitalized prior to being assessed and accepted for Long Term Care (LTC) placement;

**WHEREAS** hospitals attempt to discharge and return the Veteran to a home atmosphere, as soon as possible, while awaiting Long Term Care (LTC) placement;

**WHEREAS** some spouses are unable to provide the level of personal care required by the Veteran, if they were returned to the home atmosphere;

**WHEREAS** hospitals will suggest and accommodate a transfer from inpatient to Alternate Level of Care (ALC), at a cost of approximately \$70.00 per day;

**WHEREAS** placing a Veteran into the Alternate Level of Care (ALC) accommodations could create a financial burden for the spouse and family; and

**WHEREAS** Veterans Affairs Canada (VAC) will assist and share the cost of a Long Term Care (LTC) placement for Veterans who qualify:

**THEREFORE BE IT RESOLVED** that Veteran Affairs Canada (VAC) be petitioned to cover the costs, or re-imbusement, for qualified Veterans, or Veterans who may become qualified for cost sharing assistance with Long Term Care (LTC) placement, while they are in an Alternate Level of Care (ALC) accommodations, awaiting placement into a Long Term Care (LTC) facility.

**RESPONSE:**

Currently, Veterans Affairs Canada (VAC) is financially supporting over 8,500 Veterans in approximately 1,750 nursing homes and other long-term care facilities across Canada.

VAC works with the Veteran and their family to assist with the Veteran's transition from home to long-term care. Sometimes Veterans are temporarily placed in an alternative level of care (ALC) facility to await a bed in a long-term care facility. When the ALC is designated by the province to provide intermediate or chronic care, VAC can and does contribute to the cost of care for eligible Veterans.

If the ALC cannot provide the appropriate level of care, Veterans may be eligible for the Veterans Independence Program which can reimburse some of the costs for home care services.

**LEGION'S POSITION:**

The Legion is satisfied with this response.

## CANADIAN FORCES/RCMP

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**24. DETERMINATION OF CFSA SURVIVOR PENSIONS**  
VSS 21

**WHEREAS** Canadian Forces members and their families rely largely on superannuation (pension for service) to provide the main portion of their retirement income;

**WHEREAS** Canadian Forces Superannuation Act (CFSA) provides for a survivor

allowance paid at only 50% of the member's superannuation pension based on a formula conceived in different economic times; and

**WHEREAS** a survivor faces many lifestyle adjustments, particularly with regard to basic living expenses typically exceeding 50% of the expenses borne by a couple prior to the pensioner's death:

**THEREFORE BE IT RESOLVED** that CFSA survivor allowance be paid in an amount equivalent to at least 70% of the member's pension, which is closer to the norm in private sector pension plans.

**RESPONSE:**

This resolution recommends that survivor allowances payable under the Canadian Forces Superannuation Act (CFSA) be calculated in an amount of at least 70 percent of the member's pension.

In many jurisdictions, pension standards legislation provides that the pension, at the time of retirement, must be taken in the "joint and survivor" form. This means that the contributor's basic pension benefits is reduced to ensure that funds are set aside to cover the cost of a survivor benefit that would be paid should the retiree predecease his or her spouse. With this type of plan, the survivor is entitled to 60 percent of the member's reduced pension benefit. By contrast, the CFSA does not require that a member reduce his or her own pension to provide a survivor benefit.

Survivor benefits under the CFSA are generally described as being 50 percent benefits; however, this is not an accurate description in all cases. The benefit formula under Part I of the CFSA, the Regular Force Pension Plan, actually provides for a surviving spouse's allowance equal to 50 percent of the member's basic or "unreduced" pension. In instances where a member is in receipt of a reduced pension, such as where the member has chosen to retire early or Canada Pension Plan (CPP) benefits have become payable, the calculation of the survivor's allowance does not take the reduction into account and may result in a survivor's benefit that is more than 50 percent of the amount the member was receiving at the time of death. Under the

Reserve Force Pension Plan, the survivor's pension is calculated as one percent of the greater of the member's total pensionable earnings and his or her total updated pensionable earnings.

When evaluating the benefits payable under the CFSA, the total benefits available to survivors must be considered. In addition to the basic allowance payable to the survivor, qualifying children are entitled to benefits as prescribed in the Act. In addition, allowances provided under the CFSA are adjusted annually to reflect increases in the cost of living.

The pension benefits payable to members of the CAF are comparable to those paid to public servants under the Public Service Superannuation Act (PSSA) and members of the Royal Canadian Mounted Police. In many respects these three branches of the federal government have similar terms and conditions of employment. The formula used to calculate survivor benefits under the PSSA, the Royal Canadian Mounted Police Superannuation Act (RCMPSA), and Part I of the CFSA is not different. In other words, the survivors of military members are not disadvantaged when their benefits are compared with benefits payable under the other two major federal public sector pension plans.

When considering the level of benefits provided to plan members and their survivors, it is important to keep in mind that benefits are directly related to contributions. Therefore, any increase in the benefits would require an increase in the contributions by present contributors, the federal government (the employer), or both. Furthermore, any increase in the employer's share would have to come from taxpayers, many of whom participate in a less generous pension plan or do not have one. Therefore, there are no current intentions to enrich the existing survivor allowance.

**LEGION'S POSITION:**

The Legion believes strongly that CFSA survivor pensions should be increased from 50% to at least 70% of the member's pension. We will continue our advocacy of this important issue.

## 25. ELIMINATION OF THE CANADA PENSION PLAN (CPP) OFFSET AT AGE 65

VSS 22

**WHEREAS** Canadian Forces (CF) members who retire with Canadian Forces Superannuation Act (CFSA) pension benefits are subjected to an abatement in these benefits when they reach age 65 and are eligible to receive Canada Pension Plan (CPP) benefits;

**WHEREAS** this in effect reduces CFSA benefits when these benefits are most needed;

**WHEREAS** CF members have in effect contributed to both the CPP and the CFSA, and that the CFSA Pension Fund has accrued a large surplus; and

**WHEREAS** CF members were never asked whether or not they wanted a “stacked approach” to CFSA and CPP benefits:

**THEREFORE BE IT RESOLVED** the CPP offset at age 65 be eliminated and that CFSA surplus funds be used to pay “stacked benefits” similar to the benefits provided to Members of Parliament.

### **RESPONSE:**

Upon retirement CAF members begin receiving a pension that is made up of two parts: a lifelong pension which remains the same before and after age 65 and a “bridge” benefit which is paid from the day of retirement until age 65, at which point members are eligible for a retirement pension from CPP. This manner of determining the amount of pension to be paid results from Parliament’s decision in 1966 not to “stack” contributions and benefits under the newly introduced CPP on top of the existing contributions and benefits under the CFSA. This decision to integrate the CPP was in line with the approach taken for the majority of Canadian pension plans, including the plans provided under the PSSA and the RCMPSA.

Had a stacked approach been adopted for the pension benefits payable to CAF members (CPP benefits paid on top of a continuous bridge benefit), the total amount of a member’s pension benefits would have been great but the cost of the CAF pension plan would have

been significantly higher, which would in turn have involved higher contributions from the Government and from members.

In effect, any proposal that would make the bridge benefit permanent, having it continue even after CPP benefits start, thereby providing benefits beyond what can be covered by the current level of contributions, would impose a very serious increase in the financial costs on the pension plan. You have suggested that surplus pension funds be used to finance this improvement. However, in 1999 Parliament enacted public sector pension reform legislation. A major focus of this legislation was the long-term financial management of the three major federal public sector pension plans for the CAF, the Public Service, and the RCMP. One of the issues the legislation dealt with was the question of “surpluses” in either the public sector Superannuation Accounts or the Pension Funds. Authority was given to debit the surplus amounts in the Superannuation Accounts, while for surpluses in the Pension Funds, the range of authorized possibilities included the withdrawal of the excess amount. The surpluses in these accounts have been debited in accordance with parliamentary directions, and the Ontario Superior Court has ruled that these directions were perfectly legal. Consequently, the change you have proposed would result in increased cost to serving members through premium increases, or the Canadian taxpayer, or both. For this reason, I do not believe that a proposal to make the bridge benefit permanent, having it continue even after CPP benefits start, would be in the best interest of the CAF and the Canadian public.

I would like to add, however, that with the Budget Implementation Act, 2006, the Government approved an amendment to the CAF, Public Service and RCMP pension arrangements. In the case of pension arrangements provided under Part I of the CFSA, this amendment, which will operate in the plan member’s favour, altered the formula used to calculate the pension adjustment for those reaching age 65 in 2008 and beyond and results in an increase in the CAF pension that an annuitant will receive after age 65, the age at which most members also receive CPP benefits.

**LEGION'S POSITION:**

The Legion is committed to ensuring that no CAF pensioner should receive a smaller annuity at age 65 because of the bridging arrangement between CFSA and CPP. CAF members were not consulted when the Government made the decision to adopt the bridge rather than the stacked approach to pension benefits. This is an important issue of fairness for which we will continue to advocate.

**26. EXTEND LEGACY OF CARE PROGRAM**

VSS 23

**WHEREAS** when the Legacy of Care Program was announced, the news release indicated that all injured Canadian Forces (CF) members would be eligible for the benefits;

**WHEREAS** when implemented the eligibility for the Canadian Forces Attendant Care Benefit, the Care Giver Benefit and the Spousal Education Upgrade Benefit was restricted to “Afghanistan only” injured CF members and their families; and

**WHEREAS** the Legacy of Care Program categorizes seriously ill and injured CF members by where they served:

**THEREFORE BE IT RESOLVED** that the Department of National Defence/Canadian Forces recognize that those who sustain illness and injury while serving their country should have access to the same benefits, regardless of the nature of their service and where and when they serve. The Legacy of Care Program benefits should be available to all those who serve their country regardless of where they were injured.

**RESPONSE:**

This recommendation suggests that the Legacy of Care initiatives be part of the Government’s commitment to support CAF personnel who suffer physical and mental impairments as a result of wounds received in high-risk operations. Right now some of the benefits, such as attendant care, and caregiver and spousal education upgrade benefits, apply to only those members who served in Afghanistan – a theatre of operations considered to expose CAF personnel to the highest levels of risk.

No matter where CAF members are serving, the CAF will do everything in its power to ensure that all of its members are looked after if an injury should occur. Although some of the benefits approved by the Treasury Board in April 2011 contain some restrictions, the majority and most important benefits, such as home modification, vehicle modification, and home assistance benefits, are provided to all CAF members no matter where their injury or illness occurred.

Further reviews are being conducted to potentially expand Legacy of Care benefits. In the interim, as gaps in service are recognized, the Directorate of Casualty Support Management will continue to advocate on behalf of CAF members in need and endeavour to find alternative means of ensuring that members are provided with needed and adequate support.

**LEGION'S POSITION:**

The Legion will continue to monitor the progress on this important issue of fairness and equity. The eligibility criteria for the Legacy of Care program is discriminatory. All Veterans and their families injured attributable to their service should receive the same benefits and services regardless of where and when the served.

**FUNERALS *and* BURIALS**

**27. IMMEDIATE INCREASE OF FUNERAL AND BURIAL BENEFITS FOR VETERANS**

VSS 24

**WHEREAS** the funeral and burial benefit for the Veterans Affairs Canada Last Post Fund has not been updated since November 2001 at which time the allowable maximum was increased from \$2,993 to \$3,600;

**WHEREAS** average costs of funeral services have steadily increased every year since 1995 while the Canadian Funeral Services Association and Veterans families are complaining that the Last Post Fund Funeral and Burial Program allowable maximum cost

benefit for funeral services has not kept pace with annual inflationary increases since 1995;

**WHEREAS** the Royal Canadian Mounted Police (RCMP) and the Canadian Forces (CF) have had their allowable maximum costs recently increased to \$12,700 in recognition of the prevailing higher funeral services; and

**WHEREAS** many Veterans lack sufficient funds and are being denied a dignified funeral and burial because of the increased cost of funeral services:

**THEREFORE BE IT RESOLVED** that the Minister of Veterans Affairs Canada immediately increase the Last Post Fund Funeral and Burial Program allowable maximum rate.

**RESPONSE:**

Our Government's Funeral and Burial Program is one of the most comprehensive among Allied countries. Economic Action Plan 2013 proposes to double the financial benefit available to a Veterans' family from \$3,600 to \$7,376. Furthermore, efforts are underway to simplify the program resulting in less paperwork and a seamless process, as Canadian Veterans expect.

All Veterans who die of a service-related illness or injury, whether they served in times of war, armed conflict or peace, are entitled to funeral and burial assistance. Assistance may also be provided in cases where death is not attributed to service, if the Veteran's estate meets the criteria. More than 18,000 Veterans' families have benefited from the Funeral and Burial Program over the last 10 years.

**LEGION'S POSITION:**

The Legion's over 10 years of advocacy and directed letter writing campaign earlier this year achieved this significant milestone on behalf of all Veterans and their families.

**28. VAC FUNERAL AND BURIAL BENEFITS**

VSS 25

**WHEREAS** funeral and burial benefits may only apply to Canadian Forces (CF) Veterans who qualify for Earnings Loss Benefits or the Income Support Program;

**WHEREAS** the eligibility criteria for these benefits are likely to be very restrictive since eligibility for these programs require the successful completion of the Rehabilitation Program; and

**WHEREAS** there is the potential that some Regular and Reserve Force Veterans do not have enough money in their estate to pay for funeral and burial costs but will not qualify for funeral and burial benefits because they have not qualified for Earnings Loss and Income Support Benefits:

**THEREFORE BE IT RESOLVED** that Last Post Fund funeral and burial benefits be made available to all those CF Veterans who have insufficient financial means and eliminate the complex eligibility requirements which is contrary to the "need principles" enshrined in the Canadian Forces Members and Veterans Re-establishment and Compensation Act (CFMVRCA).

**RESPONSE:**

Our Government's Funeral and Burial Program is one of the most comprehensive among Allied countries. Economic Action Plan 2013 proposes to double the financial benefit available to a Veterans' family from \$3,600 to \$7,376. Furthermore, efforts are underway to simplify the program resulting in less paperwork and a seamless process, as Canadian Veterans expect.

The Funeral and Burial Program provides funeral and burial assistance to Canadian Armed Forces Veterans who die of a service-related injury or illness, and has done so 18,000 times over the past ten years.

Some modern-day Veterans are also eligible if they are in financial need and are in receipt of a Veterans Affairs Canada disability benefit, Earnings Loss Benefit or Canadian Forces Income Support benefit.

The Government will continue to work with the Royal Canadian Legion to ensure that Veterans continue to receive the support they need for funeral and burial costs. More details will be announced as the changes are formally introduced.

**LEGION'S POSITION:**

As stated in the 2013 federal budget the Legion will continue to advocate for increased eligibility to the Funeral and Burial Benefits to ensure that all low income Veterans receive a dignified funeral and burial.

**29. INCREASE OF SURVIVOR/DEPENDANT ESTATE EXEMPTION**

VSS 26

**WHEREAS** the Survivor/Dependant Estate Exemption is the key parameter for approval or denial of funeral and burial benefits for Veterans;

**WHEREAS** in February 1995 the Federal Government reduced the estate exemption from \$24,030 to \$12,015 as part of budget reduction of all departments;

**WHEREAS** the reduced exemption is considerably less than the poverty level and it has not been adjusted since 1995;

**WHEREAS** the end result is that hundreds of the poorest of our Veterans have been denied funeral and burial benefits during the past 13 years;

**WHEREAS** the current situation is causing much grief and burden on families of Veterans when they discovered that they cannot obtain financial support for funeral and burial benefits although the estate is valued at less than the poverty level;

**WHEREAS** prior to 1995 the estate exemption was subject to an indexing formula based to annual changes to the Consumer Price Index (CPI); and

**WHEREAS** the estate exemption has not been increased, the number of Veterans applying for funeral and burial benefits has increased, particularly by World War II Veterans who in many cases have limited financial resources but are above the estate exemption reduced in 1995:

**THEREFORE BE IT RESOLVED** that the Minister of Veterans Affairs take the necessary action to restore and increase the Survivor / Dependent Estate Exemption to a level not

less than the poverty level as determined by Statistics Canada; and

**BE IT FURTHER RESOLVED** that each year thereafter, introduce a Cost of Living Allowance (COLA) equal to Statistics Canada's annual adjusted CPI for this exemption.

**RESPONSE:**

When determining the assets of the Veteran's estate as part of the means testing to establish financial need, the survivor's primary home, car and \$12,015 are all excluded. With these two key assets excluded from the calculation; our Government then proposed, in Economic Action Plan 2013, to double the financial benefit and to cut red tape plaguing the program. The Government will continue to work with the Royal Canadian Legion to ensure that Veterans continue to receive the support they need for funeral and burial costs. More details will be announced as the changes are formally introduced.

**LEGION'S POSITION:**

As stated in the 2013 federal budget the Legion will continue to advocate for a greater estate exemption for Funeral and Burial Benefits.

**PHYSICAL/MENTAL HEALTH**

**30. FUNDING FOR VETERAN TRANSITION PROGRAM TREATMENT**

VSS 27

**WHEREAS** the mandate of The Royal Canadian Legion is the welfare of our Veterans;

**WHEREAS** many Veterans suffer from operational stress injuries;

**WHEREAS** it is imperative that these Veterans maintain receive the best treatment options to meet their needs; and

**WHEREAS** the Veteran Transition Program has been delivering a mental health treatment program since 1998:

**THEREFORE BE IT RESOLVED** that Department of National Defence/Canadian Forces and Veterans Affairs Canada consider this program as a treatment program for Veterans suffering from operational stress injuries and provide the funding as a treatment option.

**RESPONSE:**

From The Honourable Peter MacKay, P.C., Q.C., B.A., LL.B., Minister of National Defence

This resolution recommends “that the Department of National Defence/Canadian Forces and Veterans Affairs Canada consider this program as a treatment program for Veterans suffering from operational stress injuries and provide the funding as a treatment option.”

The CAF has developed a very robust and widely praised Mental Health Program over the past years. All therapies applied by our mental health practitioners follow clinical practice guidelines and evidence-based best practices in mental health in accordance with the standards of the clinical scientific community. DND/CAF are always interested in new approaches relevant to the treatment of Operational Stress Injuries (OSIs). CAF mental health experts would welcome the opportunity to review the literature and research related to the effectiveness of the Veterans Transition Program in the treatment of OSIs and whether the inclusion of this approach would enhance the existing suite of services provided by Canadian Forces Health Services.

From The Honourable Steven Blaney, P.C., M.B.A., The Minister of Veterans Affairs Canada

Veterans Affairs Canada (VAC) agrees that the Veteran Transition Program (VTP) is a valuable option for Veterans to promote a successful transition to civilian life. On October 31, 2012, Minister Blaney announced support of up to \$600,000 for Veterans to participate in the VTP, based on a VAC-approved rehabilitation or treatment plan. In addition to this partnership, our Government recently announced a new pilot project with dog and horse therapy for Canadian Veterans suffering from PTSD.

Over the years, VAC and the Department of National Defence (DND) have greatly expanded their mental health services network to help ensure Veterans and men and women in uniform get the help they need. Today, VAC and DND have a joint network of 17 Operational Stress Injury Clinics/Operational Trauma Stress and Support Centres across Canada.

Veterans with operational stress injuries may also be eligible for a wide range of services and benefits including case management, rehabilitation and financial benefits.

**LEGION’S POSITION:**

The Legion will continue to strongly advocate for recognition and funding of the Veterans Transition Program by the DND/CAF for serving CAF members.

**31. SUPPORT FOR FAMILIES OF INJURED OR DECEASED CANADIAN FORCES AND RCMP MEMBERS**

VSS 28

**WHEREAS** despite the number of Canadian Forces (CF) and RCMP members who are injured or who have died attributable to military service, the Department of National Defence/Canadian Forces (DND/CF) and Veterans Affairs Canada (VAC) do not provide funding for bereavement or mental health counseling for families;

**WHEREAS** there is no formal, funded bereavement or mental health policy or program for families; and

**WHEREAS** some families are paying for these counseling services themselves which is causing both emotional and economic hardship:

**THEREFORE BE IT RESOLVED** that the DND/CF and VAC should fund bereavement and mental health counseling programs for families of injured or deceased CF and RCMP Members.

**RESPONSE:**

From The Honourable Peter MacKay, P.C., Q.C., B.A., LL.B., Minister of National Defence

It is recommended “that the DND/CF and VAC should fund bereavement and mental health counseling programs for families of injured or deceased CF and RCMP Members.”

Recognition of the importance of families in supporting CAF members has led to the development of several family-focused CAF service initiatives. In 2011, with the launch of Shoulder to Shoulder, bereavement services for families were expanded. Funded through the CAF, families and loved ones of fallen CAF personnel have free-of-charge access to the following support programs which complement counselling programs:

- Short-term and long-term complex grief counselling by professional counsellors is available through the CAF Member Assistance Program by calling 1-800-268-7708;
- Family Liaison Officers are available to connect families with community resources available through the nearest Military Family Resource Centre;
- Casualty Support Child Care services are available for the family during the repatriation and funeral and during the family's time of bereavement;
- Confidential, bilingual information, referrals, and supportive counselling are available through the Family Information Line at 1-800-866-4546 (toll-free in North America);
- HOPE (Helping Others by Providing Empathy) is a network of volunteers who provide confidential peer support to the families of deceased CAF personnel; HOPE peer support groups are moderated by trained peers who draw on their own experiences to assist in re-establishing hope for others;
- Self-help groups for families of the fallen are facilitated by Military Family Resource Centres; these groups must be conducted in conjunction with, or at a minimum with the knowledge of, the local HOPE volunteer; and
- Pastoral support, counselling, and crisis intervention are available from CAF chaplains.

For injured personnel there are three similar peer-based support groups which provide support through peer coordinators. The Operational Stress Injury Social Support (OSISS) program includes two of those groups. The OSISS primary peer support program is for CAF members and veterans suffering from an operational stress injury. All OSISS peers are former CAF members who have been diagnosed with a mental health condition related to their service and have since completed their recovery

and peer training in order to assist others. The second group in the OSISS support network is for family members of CAF personnel who have suffered a stress-related injury. The family members of injured CAF members are offered peer support by trained peers who have experienced similar circumstances. The third peer-based group for injured members is the Injured Soldier Network (ISN), which provides peer support for CAF members suffering from a physical injury or illness. As is the case in the OSISS and HOPE programs, ISN peers are CAF members who have recovered from a physical injury and have been trained to assist others as peers.

Moreover, the CAF Member Assistance Program is a voluntary and confidential counselling service available to all CAF personnel and family members with concerns about their personal well-being and/or work performance. This service is external to the CAF, it is free, and it is available 24 hours a day, seven days a week. In 2008 the eligibility criteria for this program were expanded to allow the parents and siblings of CAF members who are injured or die while in service to obtain assistance and support. Although, Canadian Forces Health Services is not responsible for clinical services to families (except in very isolated locations), it also supports families through psycho-education and grief counselling at all CAF mental health clinics to help them deal with the CAF member's condition.

From The Honourable Vic Toews, P.C., Q.C.,  
M.P., Minister of Public Safety

Serving and retired RCMP members have various services and benefits available to them which are administered by Veterans Affairs Canada. Pursuant to the Royal Canadian Mounted Police Superannuation Act, current and former regular and civilian members who have suffered a duty-related injury or illness are eligible for a disability pension awarded in accordance with the Pension Act.

From The Honourable Steven Blaney, P.C.,  
M.B.A., The Minister of Veterans Affairs Canada

Veterans Affairs Canada (VAC) offers considerable support to families of injured or deceased Canadian Armed Forces (CAF) personnel.

Assessment and treatment services are available for spouses of injured Veterans if the services support the Veteran's treatment plan. This includes services offered by the network of more than 4,000 VAC registered mental health providers and/or treatment at the network of Operational Stress Injury Clinics (OSIC) which have recently adopted a "family friendly" clinic model. This model provides couple and family screenings/assessments; short-term individual therapy; short-term play, couple and/or family therapy; and outreach with Veteran families within the OSIC Network. As well, each clinic is encouraged to identify an OSIC clinician who can act as a clinic "family champion" and thereby provide ongoing support to the clinical team on the subject of families.

The Operational Stress Injury Social Support (OSISS) program is an innovative peer support VAC/Department of National Defence (DND) program for CAF personnel, Veterans and their families impacted by an operational stress injury (OSI). The program has 20 Family Peer Support Coordinators who, together with volunteer family peer workers, provide assistance to families living with an OSI. Since the program's implementation in 2001, OSISS has provided assistance to over 7,000 peers and family members.

VAC Assistance Service is a voluntary and confidential counselling service, available to Veterans and their families, delivered through a nation-wide team of professional counselors. Staff providing telephone support are trained and experienced counselors who conduct an initial assessment and make appropriate referrals to a professional located near the Veteran or other family member, as required. Referrals are made within seven days and within 24 hours in an emergency situation.

The Pastoral Outreach Network has helped CAF personnel and their families with difficult situations such as "end of life" issues, death, funerals and bereavement. CAF Veterans and their families have access to approximately 200 clergy from across the country. They represent many faith traditions and are carefully selected and specifically mandated to meet the needs of those requiring urgent pastoral care.

HOPE (Helping Our Peer by Providing Empathy) is an additional peer support program, managed by DND, which provides trained, confidential peer support by volunteers to military families, who have lost a loved one in the CAF. The HOPE program was created in 2006 with the input of bereaved families who had the desire to support others who were suffering due to the loss of their loved one. The volunteers understand the military family's experience of grief. Although this is not a VAC program, families in bereavement due to the loss of a Veteran are welcome to access HOPE.

The spouse/common-law partner or survivor of an injured/ill or deceased CAF Veteran may also be eligible for vocational assistance under the Rehabilitation Program and the Earnings Loss Benefit.

**LEGION'S POSITION:**

The Legion will continue to monitor the delivery and accessibility of programs and services for family members.

## SENIORS

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### 32. LEGISLATION FOR PENSION PROTECTION

VSS 29

**WHEREAS** many large corporations are in financial trouble and individual pensions are at risk; and

**WHEREAS** the Federal Government is able to pass legislation to modify pension, corporation and bankruptcy laws:

**THEREFORE BE IT RESOLVED** that the Federal Government enact legislation to better protect individual pensions.

**RESPONSE:**

Response not received from Government.

**LEGION'S POSITION:**

The Legion will continue to advocate for this important issue.

# POPPY *and* REMEMBRANCE

## 34. POPPY & REMEMBRANCE WASHROOM FACILITIES FOR PERSONS WITH DISABILITIES

ATLA-NWT 2/C; NB 8/C

**WHEREAS** the Poppy Manual allows the use of Poppy Trust Funds, subject to prior approval by Provincial Command, to provide access to the branch itself by Veterans, their dependents and other persons with disabilities; and

**WHEREAS** upon entering the branch, there is no provision to ensure that washroom facilities in the branch meet the requirements of persons with disabilities;

**THEREFORE BE IT RESOLVED** that Section 402.m. of the Poppy Manual be changed to include:

“A Command, or subject to the prior approval of the Provincial Command, a district, zone, branch or group of branches may make an allotment not exceeding 50 percent of the balance in the Poppy Trust Fund on the thirtieth day (30th) of September in the Poppy Year preceding the expenditure, to cover the cost of installation, of a washroom door, toilet and sink for the purpose of assisting Veterans, their dependants and other person with disabilities”.

### **RESPONSE:**

This resolution has been implemented.

### **LEGION’S POSITION:**

This has been incorporated with Sub-Section 402.m. of the Poppy Manual.

## 35. TAXES CHARGED ON WAR MEMORIALS

SASK 8

**WHEREAS** during past World Wars and other conflicts many Canadian Servicemen paid the ultimate sacrifice; and

**WHEREAS** many families and Legion Branches are erecting memorial walls and other remembrances:

**THEREFORE BE IT RESOLVED** that Provincial and Dominion Commands petition the Provincial and Federal Governments to exempt all memorial items, eg. pictures, plaques, from all Federal and Provincial Taxes and that these Servicemen have totally paid all debts to our Country and their families should not be taxed further.

### **RESPONSE:**

No response was received from the government in time for printing.

### **LEGION’S POSITION:**

The Federal Minister of Finance was written to in support of the resolution. The Legion will continue to monitor this resolution.

## 36. USE OF POPPY FUNDS FOR DAY TRIPS

MAN&NWO 4/C

**WHEREAS** many of our veterans reside in care homes have very limited access to the community and countryside; and

**WHEREAS** organized day excursions via a suitable vehicle (handivan) would allow our veterans to enjoy the sights and sounds of life In Canada that they fought so hard to secure for future generations:

**THEREFORE BE IT RESOLVED** that “Poppy Fund” by-laws be amended to allow for monies from this fund be used to cover the cost of occasional day trips thereby improving the quality of life for our surviving veterans.

### **RESPONSE:**

This resolution has been implemented.

### **LEGION’S POSITION:**

This has been incorporated with Sub-Section 402.i. of the Poppy Manual.

## 37. USE OF POPPY TRUST FUNDS FOR BRANCH WASHROOM FACILITIES

NB 8/C

**WHEREAS** the Poppy Trust Funds have been amended to allow monies to be used for expenditures to cover the cost of installation, maintenance, and repair to personal lifting devices installed in branches for the

purpose of assisting Ex-service personnel, their dependants and other persons with disabilities. Furthermore, subject to prior approval by Provincial Command, branches are authorized to use Poppy Trust Funds to provide accessibility to the branch itself by Ex-service personnel, their dependants and other persons with disabilities through the installation of an access ramp to the branch entrance and by installing or retrofitting the branch's main address with a handicap door operator:

**THEREFORE BE IT RESOLVED** that Poppy Trust Funds, with special approval from Provincial Command, be extended to be used for the upgrading of small, outdated bathroom facilities to allow the Veterans that now can access the branch the ability to access the washroom facilities when they attend function held at the branch.

**RESPONSE:**

This resolution has been implemented.

**LEGION'S POSITION:**

This has been incorporated with Sub-Section 402.m. of the Poppy Manual.

**38. SUPPORT TO CADETS**

**NFLD/LAB 3/C**

**WHEREAS** the training given our young people in the service cadet movement imparts valuable lessons in good citizenship, leadership and physical fitness;

**WHEREAS** there is an increasing lack of interest on cadet training by our youth; and

**WHEREAS** some cadet corps are down to only a third or even a quarter of their usual strength:

**THEREFORE BE IT RESOLVED** that The Royal Canadian Legion at all levels give every possible encouragement to the Cadet movement by financial support but more importantly by morale support by attending cadet meetings, including cadet corps in Legion ceremonies and parades and by attending cadet parades especially their ACRs.

**RESPONSE:**

This resolution has been implemented.

**LEGION'S POSITION:**

This has been incorporated with Sub-Section 402.k. of the Poppy Manual.

**207. POPPY FUND – INCLUSION OF VETERAN TRANSITION PROGRAMS**

**BC/YUKON 10/C**

**WHEREAS** the General By-laws of The Royal Canadian Legion allow for the use of Poppy Funds to support many activities and programs for veterans, it does not allow funding to support programs to transition from the regular or reserve forces back into civilian life through education and training;

**WHEREAS** under the Purposes and Objects of the Legion it is stated under section k., to support suitable undertakings for the training, employment and settlement of ex-service personnel, and the education of their children;

**WHEREAS** under the Purposes and Objects of the Legion it is stated under section m., to assist comrades now serving, especially in connection with their return to civilian life and to safeguard the interest of their dependants whilst they are in service;

**WHEREAS** under the Purposes and Objects of the Legion it is stated under section n., to assist ex-service personnel to secure not less than the recognized standard rate of wages;

**WHEREAS** under the General By-laws section 1104.b.iv, we allow for bursaries to the children, grandchildren and great-grandchildren;

**WHEREAS** under the General By-laws section 1106 we allow for care and comforts through many programs for veterans it does not cover the needs of the new veterans; and

**WHEREAS** our new mission statement reads "Our mission is to serve Veterans, including currently serving Military and RCMP Members, and their families, to promote Remembrance and to serve our communities and our country." We need to revise our current Poppy manual to reflect this change:

**THEREFORE BE IT RESOLVED** that Article XI Poppy Fund of the General By-Laws be amended to include a new section for

funding of Veteran Transition Programs which are approved by the Provincial Commands and are partnered with registered institutions in providing the services to meet the veterans needs that are directly related to the training, educating and support needs, of veterans of the regular or reserve forces in need.

**BE IT FURTHER RESOLVED** that the amount eligible to fund this section is up to 50% of the balance remaining in the Poppy Fund at September 30th of the previous year.

**RESPONSE:**

This resolution has been implemented.

**LEGION'S POSITION:**

This has been incorporated as Sub-Section 402.r. of the Poppy Manual.

## DEFENCE *and* SECURITY

### 218. VOLUNTARY SERVICE MEDAL

MAN&NWO 5/C

**WHEREAS** there are a substantial number of military veterans who were not in the Canadian Military Forces long enough (twelve years) to qualify for the Canadian Forces Decoration;

**WHEREAS** there is a lack of a Voluntary Service Medal following World War Two; and

**WHEREAS** these veterans would be proud to wear a medal of recognition for their service:

**THEREFORE BE IT RESOLVED** that the Minister of Veterans Affairs be approached to consider having the government produce a Voluntary Service Medal for three years of military service in the Canadian Armed Forces after September 2nd, 1945 and said medal be awarded retroactively to all those who qualify along with those who qualify in the future.

**RESPONSE:**

With respect to the recommendation for producing a Voluntary Service Medal, over the last decade numerous similar proposals

have been discussed by both the military and government interdepartmental honours policy committees.

Time after time these proposals have been rejected. Where the service of CAF members is concerned, medals have not been created for voluntarily joining the Canadian military in modern times, for taking part in domestic operations, or for the defence of our country itself, because the entire modern CAF is a volunteer force and the provision of aid to the civil power in Canada is an integral part of its mission and responsibility.

The resolution suggests eligibility criteria for recognizing three years of service in the CAF; however, peacetime service by members of the CAF is already recognized by the award of the Canadian Forces Decoration (CD). The CD is a National Honour created in 1949 and is awarded for 12 years of qualifying service and a record of good conduct in the Regular Force and/or Primary Reserve components of the CAF. Canadian Honours policy prohibits duplicate recognition.

The resolution also suggests a start date of 2 September 1945, which poses a significant challenge with regard to the five-year retroactivity rule, another national policy underpinning the Canadian Honours System. In accordance with Canadian Honours policy, a new medal cannot be applied more than five years back from the proposed date of its creation. This five-year rule has generally been followed since the end of the Second World War and was officially entrenched in policy in 2005 to ensure that we do not reinterpret history or apply modern values to past events. However, I have taken the liberty of forwarding a copy of your letter to the Chancellery of Honours.

Please be assured that although my reply could not be more favourable, I applaud your desire to honour Canadian veterans for their service, especially those who for a variety of reasons did not qualify for a military service medal. I would like to assure you that the services they performed were and continue to be appreciated by Canada and Canadians.

**LEGION'S POSITION:**

The Legion accepts the government's position.

# CONSTITUTION *and* LAWS

## **41. REVIEW ARTICLE III OF THE GENERAL BY-LAWS**

ALTA-NWT 1/C

**WHEREAS** Article III of The General Bylaws of The Royal Canadian Legion was written at a time when all members of the Legion were former members of a military organization;

**WHEREAS** all members of a military organization are and were subject to discipline while in the service and understood the consequences of misconduct;

**WHEREAS** most members of today's Legion have never worn a uniform or served in any military organization or understand the reasons for military laws and decorum;

**WHEREAS** many complaints now launched are of a trivial nature and could in many cases be resolved through dispute resolution;

**WHEREAS** Article III allows for mediation, which is a form of dispute resolution; and

**WHEREAS** should a complaint not be resolved through dispute resolution, there shall be a cost assigned, to further the complaint to the next senior level of The Royal Canadian Legion:

**THEREFORE BE IT RESOLVED** that The Royal Canadian Legion, Dominion Command, Constitution and Laws Committee, review Article III and rewrite same to reflect a stronger utilization of dispute resolution, except for theft or misappropriation of Legion funds, Poppy funds or property.

## **RESPONSE:**

The Constitution and Laws Committee was successful in having an up-front administration fee imposed for lodging all complaints with any Branch or Command. This fee would be refundable if the complaint was dismissed by the President before it proceeded to the hearing stage or if the complainant was successful. The fee would not be refundable if the complainant refused mediation in good faith or if the complaint was dismissed for any other reason, such as finding the complaint was trivial or vexatious.

## **LEGION'S POSITION:**

This by-law has been implemented.

