

WSIB Policy Agenda 2014

January 1, 2014

OVERVIEW

In 2012, the Workplace Safety and Insurance Board (WSIB) released its [Framework for Policy Development and Renewal](#) (“Framework”) which describes the WSIB’s commitment to ensure policies are up to date, clear, and provide appropriate guidance to staff and the public as to how they will be applied.

It is within that framework that annual Policy Agendas are developed, comprised in part of priority policies requiring substantive revision and stakeholder consultation. In parallel to the substantive changes identified in the Policy Agenda, each year a number of policies are identified for minor “housekeeping” revisions.¹ Unanticipated policy priorities may also need to be addressed as they arise throughout the year.

The 2014 policy priorities are driven by:

- the strategic direction of the WSIB
- transformational priorities aimed at modernizing client service
- legislative amendments
- input received from key stakeholders
- recommendations made by independent Chairs retained by the WSIB
- the commitment to review and renew WSIB policies

The 2014 Policy Agenda is organized into two sections:

- 1) Ongoing Policy Projects
- 2) Policies Up for Evaluation and Review

Ongoing Policy Projects in **Part 1** include those continuing policy priorities from previous Agendas. For 2014 these include the Rate Framework, Benefits Policies and Employer Reporting Obligations.

Consistent with the Framework, as each policy is substantively updated, or a new policy is created, a review date will be inserted at the end of the policy. This is to ensure policies are evaluated to determine if they are achieving the intended outcomes. Review cycles will be a maximum of five years. **Part 2** of the Policy Agenda includes any policies that are at the end of their cycle and need to be evaluated and reviewed.

Although there are no new policy projects scheduled for 2014 due to the scope of the Ongoing Policy Projects and the Policies Up for Evaluation and Review, in future years the Agenda may include a third section for such projects.

Each of the new policy projects on the Agenda will include a stakeholder engagement process. The details of the engagement will be guided by the scope and complexity of the specific policy issue. However, regardless of the scope, the WSIB is committed to open and transparent consultation processes through which stakeholders will be able to provide advice and guidance. Details of consultation processes will continually be made available on the WSIB website.

POLICY AGENDA 2014 – ONGOING POLICY PROJECTS

Topic	Description	Policy Reference
<p>Rate Framework</p>	<p><u>Rate Framework: Employer Classification, Rate Setting and Experience Rating</u></p> <p>Throughout 2012-13, the WSIB engaged in a Rate Framework Consultation led by Special Advisor to the Chair, Doug Stanley. This consultation focused on three key priority areas: Employer Classification, Rate Setting and Experience Rating. Mr. Stanley is expected to file his final report shortly (to be published in early 2014), which provides a framework for moving forward. In 2014, the WSIB will be engaging in further work to review the report and recommendations, with the goal of bringing a modernized rate framework to stakeholders.</p>	<p>Revising</p> <p>TBC</p>
<p>Benefits Policies</p>	<p>In June 2013, the WSIB posted the final report of independent Chair Jim Thomas on the Benefits Policies Review. All of the policies under review relate to the issue of compensating for the work-related impairment.</p> <p>Revised draft policies on Recurrences, Work Disruptions, Aggravation Basis and Permanent Impairments, as well as one new Permanent Impairment policy have been posted for stakeholder input.</p> <p>A new draft Pre-existing Conditions policy has been drafted and is also posted for stakeholder comment. This new policy responds to Mr. Thomas’s conclusion that the most positive impact on adjudicative certainty will come from the development of a specific policy on pre-existing conditions.</p> <p>Feedback will be reviewed and considered in 2014, after which the revised and new policies will be finalized.</p>	<p>Revising</p> <p>15-03-01, Recurrences</p> <p>15-06-01, Entitlement Following Work Disruptions: General</p> <p>15-06-02, Entitlement Following Work Disruptions: Short-term and Long-term Layoffs</p> <p>15-06-03, Entitlement Following Work Disruptions: Permanent Layoffs</p> <p>15-06-04, Entitlement Following Work Disruptions: Seasonal Layoffs</p> <p>15-06-05, Entitlement Following Work Disruptions: Strikes and Lockouts</p> <p>11-01-15, Aggravation Basis</p> <p>18-05-03, Determining the Degree of Permanent Impairment</p>

Topic	Description	Policy Reference
		<p>18-05-05, Effect of Pre-existing Impairment</p> <p>18-05-09, Redeterminations</p> <p>Deleted</p> <p>11-01-05, Determining MMR (content incorporated into new Determining Permanent Impairment policy)</p> <p>New</p> <p>11-01-XX, Determining Permanent Impairment</p> <p>11-01-XX, Pre-existing Conditions</p>
<p>Employer Reporting Obligations</p>	<p>The current employer reporting policy allows employers to notify the WSIB within 7 business days of learning of their worker’s injury by accident or disease. However, this is not in accordance with the 3 day requirement stipulated in s.21 (1) of the <i>WSIA</i>. The WSIB will look to amend this policy by clarifying existing reporting requirements, and to align it with the legislation. The policy will also be updated to align with our transformational initiatives to reduce burden and improve client service.</p>	<p>Revising</p> <p>15-01-02, Employers' Initial Accident-Reporting Obligations</p>

POLICY AGENDA 2014 – POLICIES IN REVIEW CYCLE

Topic	Description	Policy Reference
<p>Mandatory Coverage in Construction (Bill 119)</p>	<p>On January 1, 2013, four policies came into effect which put in place mandatory coverage in the construction industry.</p> <p>Two of the four policies: 12-01-06, Expanded Compulsory Coverage in Construction, and 14-02-18, Insurable Earnings –Construction, contain a requirement to review the policies within 2 years of the application date.</p> <p>One of the four policies, 22-01-10, Offenses and Penalties – For Compulsory Coverage in Construction, is a time limited policy which was rescinded on December 31, 2013 and is no longer in effect as of January 1, 2014.</p> <p>The remaining fourth policy, 14-02-19, Clearance Certificate in Construction, will also be reviewed.</p>	<p>Reviewing</p> <p>12-01-06, Expanded Compulsory Coverage in Construction</p> <p>14-02-18, Insurable Earnings – Construction</p> <p>14-02-19, Clearance Certificate in Construction</p>

ⁱ “Housekeeping” revisions are non-substantive changes which include:

- consequential revisions resulting from legislative/regulatory amendments or changes made to other policies;
- correction of outdated or inaccurate information/terminology;
- correction of typographical or grammatical errors; and/or
- updates to legislative references and others.