



THE TRH GROUP PARALEGAL PROFESSIONAL CORPORATION

LEGAL SERVICES – WORKERS' COMPENSATION - LOSS CONTROL - APPEAL REPRESENTATION

March 31, 2016

Sent via email: consultation_secretariat@wsib.on.ca

WSIB – Consultation Secretariat
Rate Framework Reform
200 Front St West 17th Floor
Toronto, On
M5V 3J1

Dear Consultation Secretariat;

Re: Consultation Submission – Ontario Concrete and Drain Contractors Association (“OCDCA”)

Thank you for providing the updated information on the rate framework reform on December 1, 2015 and more recent updates to the website.

The TRH Group Paralegal PC has been engaged by the Ontario Concrete and Drain Contractors Association (“OCDCA”) to provide comment on the most recent updates offered by the WSIB on the rate reform. The OCDCA was established 36 years ago and has over 30 active members with the goal of advancing the concrete and drain industry. The OCDCA and their members are committed to occupational health and safety and appreciate the opportunity to provide additional feedback on this initiative.

The OCDCA would like to reiterate that they support the WSIB’s effort in working towards a system that is fair for all employers in Ontario however; even with the recent updates there still remains outstanding information to provide full and fair comment. The WSIB has not offered enough information for specific calculations for each employer to learn, test and provide full comment on the proposed plan nor the transition of such a plan.

The following are our comments on the updates since the last stakeholder submissions in the fall of 2015.

Employers with Multiple Business Activities / Multiple Rates

The OCDCA is pleased to hear that the WSIB is considering some exception to include multiple rates for employers that have two unrelated and independent business activities. This is important consideration that the OCDCA would like detailed response from the WSIB once they have completed the additional exploration and considerations as described in the December 1, 2015 summary.

In addition to this, the OCDCA strongly recommends the WSIB provide some exceptions and to maintain eligibility of rate group 755 or an alternate "admin" group for executives in construction. This would better reflect the risk that is brought to the system but this group. This exception would maintain the WSIB's objective of remaining revenue neutral and rates reflective of the risk.

Second Injury and Enhancement Fund ("SIEF")

The December 1, 2015 update commented that it was unanimous by stakeholders to maintain the SIEF program. The update further outlined that it would be maintained in the interim pending further review. This program should be a permanent program.

Banding Increments and Transitioning

The banding systems hierarchical approach of class, risk level and adjustments reflective of claims cost experience on the surface makes sense however; the WSIB has yet to offer enough information on this to comment. Further, with the class and multi-rate elimination these implications could be significant and require more details and conversation. A costing tool is requested in order to use real data and provide further comment.

In addition, the OCDCA continues to recommend and support a time frame for employers to self-fund at the initial phase a claim for short duration. This provides the employer and worker the opportunity to work together on a return to work plan, maintain the workers earnings without delays and interruptions as well as providing the employer the opportunity to manage costs without negatively impacting the employers rates or risk to the system.

It is recommended that the new system be transitioned once the UFL has been satisfied. In the event a firms rates are to increase the suggestion is that that increase would be offset by the removal of the portion in the base rate of the UFL.

The OCDCA and its members are committed to occupational health and safety and would embrace a fair, transparent system however; we maintain that more information is required to provide a full and fair comment to this rate reform. The OCDCA would like to continue to participate in an open forum on this plan, its development, testing and transition plan.

Yours very truly,



Michelle Cornwell
The TRH Group Paralegal PC

c.c. Robert Celi, Executive Director