

SUPPLEMENTARY
SUBMISSION
TO THE WSIB
RATE FRAMEWORK
REFORM CONSULTATION

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Introduction

The confidence, as a stakeholder, in participating in a public review comes not only being heard but being included. Being included means more than the invitation to participate. Inclusion requires that our submissions have been weighed and considered.

Our October 2015 submissions included the following, “The WSIB needs to restore its credibility with all stakeholders. In doing so, it should find its path to redemption through its legislative mandate: reduction of injuries.” The update did nothing to suggest that the call to restore credibility with worker-side stakeholders was a priority. Worker-side submissions appeared in the update as little more than an afterthought, calling into question the need to participate so as to avoid wrongly legitimizing this review by giving feedback.

Nonetheless, these submissions are offered in good faith hoping that they will reviewed and considered before the next phase. Without the need to reiterate prior submissions, there are two issues that require additional comment.

Restoration of Second Injury and Enhancement Fund (“SIEF”)

With the greatest respect, continuing this program is a mistake. The SIEF program has strayed from its original intentions.

It is worth reminding this Review of the findings in the Morneau Sobeco Report from 2008. Therein it was noted that SIEF “is one of the major factors driving experience rating.” SIEF was

not a method of saving money but to encourage employers to help injured workers return to work.

It is therefore surprising that the WSIB would continue a program based on the need to give employers “cost relief”. This was not the purpose of SIEF.

The role of SIEF was to get injured workers sustained employment. It would be wrong to maintain such an inherently flawed program. Immediately ending SIEF will spur the need to craft a new program that restores the original intent of the program: find injured worker sustained employment by giving employers who hire these workers the potential for relief.

Risk Banding

Experience rating is supposed to improve health and safety and encourage safe return to work. Risk banding will maintain and continue to encourage the same flaws found in the current system.

The fault in both the old and the new systems is the lack of connection to statutory objective.

The appropriate course of action would be to refocus experience rating on leading indicators of good health and safety practices. That in and of itself will have an effect on accident rates. Remaining committed to claim costs will not create a system where employers turn their focus to health and safety practices. The system is committed to financial incentives which means the danger of claims suppression will continue to exist. Employers should be guided on health and

safety practices not on having a representative ready to offer modified work no matter the injury combined with a form letter to the WSIB asking for SIEF relief.

Employers must recognise that cost relief comes not from focusing on the consequences of an accident but on prevention to reduce accident rates.

ALL OF WHICH IS RESPECTFULLY SUBMITTED

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