

# CANADIAN WORKERS' COMPENSATION DIGEST

Volume 1 Issue 2



## TeksMed

*Seeing the **ability** in disability*



### WORKSAFEBC ANNOUNCES 2020 RATES

WorkSafeBC announces that the average base rate for 2020 is maintained at the same level as 2019 and 2018, at 1.55% of employers' assessable payroll. | 6

### ONTARIO GOVERNMENT UNVEILS PROGRAM REWARDING SAFE EMPLOYERS

Ontario will reward its safest employers with an estimated \$140 million. | 12

### WORKSAFENB ANNOUNCE 2020 PROVISIONAL AVERAGE ASSESSMENT RATE

WorkSafeNB has announced a 9.4% reduction in the 2020 provisional average assessment rate. | 15



# TABLE OF CONTENTS



<b>3</b>	<b>Introduction/About</b>
<b>4</b>	<b>National</b>
<b>6</b>	<b>British Columbia</b>
<b>8</b>	<b>Alberta</b>
<b>9</b>	<b>Saskatchewan</b>
<b>10</b>	<b>Manitoba</b>
<b>11</b>	<b>Ontario</b>
<b>13</b>	<b>Quebec</b>
<b>14</b>	<b>New Brunswick</b>
<b>16</b>	<b>Nova Scotia</b>
<b>18</b>	<b>Prince Edward Island</b>
<b>19</b>	<b>Newfoundland &amp; Labrador</b>
<b>20</b>	<b>Northwest Territories /Nunavut</b>
<b>21</b>	<b>Yukon</b>



# INTRODUCTION/ABOUT

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Happy New Year from the TeksMed Team!

TeksMed Services Inc. is the leader in Canadian disability management backed by over 25 years of success. We proactively manage occupational and non-occupational injuries and illnesses with personalized recover-at-work solutions helping hundreds of employers with thousands of employees.

Inspired by a never-ending quest to be the best, TeksMed continues to set the standard and raise the bar for integrity, innovation and exceptional service.

TeksMed seeing the ability in disability.

Thousands of businesses across Canada trust us with their disability management. Call us and start saving money. Our program literally pays for itself! For more information on our services and contact information see the final section of this magazine.

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## ABOUT THIS MAGAZINE

This is the second issue of our Canadian Workers' Compensation Digest. This magazine highlights prominent Canadian Workers' Compensation updates nationally and within each province/territory.

All content within this digest is sourced from third-party websites which can be accessed by following the provided links.

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## Clearing the Air on Respiratory Hazards

For many workers, their jobs can take an unexpected toll on their physical health. An occupational disease can be disruptive, disabling, and even fatal. However, workplaces can take preventive action on respiratory hazards that can lead to mesothelioma, lung cancer, silicosis, asbestosis, and other serious occupational diseases.

Workplace inspections are a proactive approach for preventing incidents, injuries and illness in the workplace. Everyone has a role to play in keeping workplaces safe and healthy under the internal responsibility system.

<https://www.ccohs.ca/newsletters/hsreport/issues/2019/11/ezine.html#hsreport-ontopic>



## Ready, Set, Snow!

Harsh temperatures, unpredictable weather conditions, and the variety of potential hazards of the holiday season can add up to a daunting list of challenges. However, planning ahead and taking some simple steps can help you to meet the demands of the season, while keeping safe and healthy.

<https://www.ccohs.ca/newsletters/hsreport/issues/2014/12/ezine.html#hsreport-ontopic>







# NATIONAL



## What Can Be Considered Impairment at Work?

We often think of impairment as a result of substance use or in terms of addiction to or dependence on alcohol or drugs (used legally or illegally). While not formally defined, the Canadian Human Rights Commission describes the appearance of impairment at work as: “e.g. odor [sic] of alcohol or drugs, glassy or red eyes, unsteady gait, slurring, poor coordination.”

However, impairment can be the result of various situations, including many that are temporary or short term.

Issues that may distract a person from focusing on their tasks include those that are related to family or relationship problems, fatigue (mental or physical), traumatic shock, or medical conditions or treatments.

<https://www.ccohs.ca/oshanswers/hsprograms/impairment.html>

## Don't Rush Into Winter Driving

Harsh winter conditions can appear out of nowhere. When they do, many drivers may get caught off-guard. No matter how many winters you've driven through, it's always a good idea to take some time to prepare before heading out into the elements while keeping in mind some safe driving advice.



<https://www.ccohs.ca/newsletters/hsreport/issues/2016/12/ezone.html#hsreport-ontopic>

# BRITISH COLUMBIA

## WorkSafeBC Announces 2020 Rates

WorkSafeBC announced that the average base rate for 2020 is maintained at the same level as 2019 and 2018, at 1.55% of employers' assessable payroll. The positive financial results and stable claims costs have enabled WorkSafeBC to keep the average rate flat for 2020.

Together with worker and employer stakeholders, WorkSafeBC is working to reduce serious injuries and enhance return-to-work opportunities. In doing this, they can collectively help to prevent injuries, improve return-to-work outcomes, and ultimately lower insurance rates.

<https://www.worksafebc.com/en/insurance/know-coverage-costs/industry-premium-rates/2020-rates>

## New Risk Advisory Warns of Potential Allergic Reaction to Organic Blasting Materials

Organic materials like walnut, corn cob, and rice hulls may be used as blasting media by workers who engage in abrasive blasting. Learn more about how to reduce the risk of workplace exposure to potential allergenic blasting materials.



<https://www.worksafebc.com/en/about-us/news-events/announcements/2019/December/new-risk-advisory-warns-of-potential-allergic-reaction-organic-blasting-materials>



# BRITISH COLUMBIA

## **New Safety Resource for Construction Workers About Noise Levels and hearing protection**

Construction workers have higher rates of hearing loss than workers in other industries. Find out why it's important for workers to wear the right hearing protection and get annual hearing tests.

<https://www.worksafebc.com/en/about-us/news-events/announcements/2019/December/new-safety-resource-construction-workers-about-noise-levels-hearing-protection>



## **Effective Date for Revisions to Workers Compensation Act**

The provincial government has passed an Order in Council that will bring changes to the language and numbering of the Workers Compensation Act into effect on April 6, 2020.

The changes are intended to make the Act easier to read and understand. They include a reorganization of the Act's components, some new wording in various sections, and deletion of provisions that have been repealed or are no longer needed.

<https://www.worksafebc.com/en/about-us/news-events/announcements/2019/October/effective-date-for-revisions-to-workers-compensation-act>



## Information for Farm Workers

The Alberta government has recently introduced the Farm Freedom and Safety Act (FFSA)\*, which impacts workplace insurance requirements for farms and ranches. These changes will take effect January 31, 2020.

Here's what's changing:



- Larger employers now have a choice in insurance providers. Employers with six or more employees are required to ensure their waged, non-family workers are covered either through WCB or private insurance.
- Workplace insurance is optional for small employers. Employers are not required to have workplace insurance if they have five or fewer employees, or hire workers for less than six consecutive months.

<https://www.wcb.ab.ca/claims/information-for-farm-workers.html>

## The WCB Alberta Procedures Manual Has Been Updated

WCB Alberta's 2019 goal was to begin posting their procedures online. To get started they have asked their partners which injured worker procedures they would like to see posted first.

With more than 400 procedures to tackle, there's a lot of ground to cover, but they are on their way. Their first release contains injured worker procedures that explain how:

- the initial entitlement decision is made,
- injured worker compensation and benefit rates are set,
- opioids are managed,
- the medical testing and examination referral process works.

<https://www.wcb.ab.ca/about-wcb/procedures/>



# SASKATCHEWAN

## Introduction of a New Strategy Looks to Reduce Fatalities and Serious Injuries in the Workplace

A new approach to preventing fatalities and serious workplace injuries that looks at high-risk industries and the tasks within those industries was introduced.

The three-year Fatalities and Serious Injuries Strategy is the product of WorkSafe Saskatchewan, which is a partnership between the Saskatchewan Workers' Compensation Board (WCB) and the Ministry of Labour Relations and Workplace Safety.

<http://www.worksafesask.ca/introduction-of-a-new-strategy-looks-to-reduce-fatalities-and-serious-injuries-in-the-workplace/>

## The Top Five Trucking Tasks that can Lead to Injury

Independence, decent pay and travel are just some of the perks of being a truck driver. On the flipside, without proper safety training, experience and abiding by safety laws and rules, the job can be downright risky.

The trucking, courier and commercial bus industry in Saskatchewan had the third highest time loss injury rate in the province compared to other industries in 2018. And in 2018, the Saskatchewan Workers' Compensation Board (WCB) accepted more than 1,000 injury claims for the industry.



<http://www.worksafesask.ca/the-top-five-trucking-tasks-that-can-lead-to-injury/>



# MANITOBA

## **When Am I Considered an Employer by the WCB?**

Workers compensation coverage is mandatory for most employers in Manitoba. When your business activities fall within a mandatory industry and you pay earnings to workers, you are required to register to cover your workers. Your workers include any family members that work in your business and are paid out of your business. The only exception to this is family farming operations in which you can choose to cover family members. If you fall within an optional industry - that is, an industry that isn't legislated to have WCB coverage - you may choose to cover all your workers by purchasing optional coverage.

[https://www.wcb.mb.ca/sites/default/files/files/Insider%20\(Web\)\(2\).pdf](https://www.wcb.mb.ca/sites/default/files/files/Insider%20(Web)(2).pdf)

## **Do You Know How Your Premium is Calculated?**

WCB insurance protects you and your employees in the event of a workplace injury or illness. Workers compensation insurance covers wages while your worker recovers, pays for extended healthcare benefits and protects you from lawsuits.

<https://www.wcb.mb.ca/do-you-know-how-your-premium-is-calculated-0>

## **Report Your Payroll the Easy Way - Report it Online!**

Each year, all registered WCB employers are required to provide their previous year's actual payroll and their current year's estimated payroll. Historically, this has involved sending a paper form. You told us that wasn't working for you, and we heard you.

<https://www.wcb.mb.ca/report-your-payroll-the-easy-way-report-it-online>





## **New Health and Safety Excellence Program for Ontario Businesses Launches**

In Nov. 2019, the new Health and Safety Excellence Program for Ontario businesses came into effect. The performance-based rewards program from the Workplace Safety and Insurance Board (WSIB) combines the strengths of its previous incentive programs: Safety Groups, Small Business, and Workwell.

<https://www.workplacesafetynorth.ca/news/news-post/new-health-and-safety-excellence-program-ontario-businesses-launches-nov-6>

## **Attracting and Retaining Millennials Key to Future of Skilled Trades**

Employers in the construction sector need to find new ways to talk to millennials if they are going to solve a looming skilled trades shortage.

Among the key findings of new research conducted by the Ministry of Labour, Training and Skills Development is the insight that young people prioritize independence and want to feel confident they have some control over their lives.



<https://news.ontario.ca/mol/en/2019/12/attracting-and-retaining-millennials-key-to-future-of-skilled-trades.html>



## Ontario Government Unveils Program Rewarding Safe Employers

Ontario will reward its safest employers with an estimated \$140 million for excellence in occupational health and safety, as part of a new program unveiled in Toronto.

The program — Supporting Ontario's Safe Employers — will formally recognize employers who successfully implement health and safety programs. The financial rewards will come in the form of Workplace Safety and Insurance Board (WSIB) rebates over a three-year period.

<https://www.ohscanada.com/ontario-government-unveils-program-rewarding-safe-employers/>

## 2020 Premium Rates

For the fourth year in a row, the WSIB has been able to offer reductions to the average premium rate for Schedule 1 businesses. The average premium rate has been reduced by 17 % for 2020. This represents a premium decrease from a Schedule 1 average rate of \$1.65 on every \$100 of insurable payroll in 2018 to an average of \$1.37 in 2020.

<https://www.wsib.ca/en/2020premiumrates>

## New Ontario Safety Training For People Accessing Forest Roads

Concerned with the safety of community members and workers accessing Ontario forests, a new health and safety training program is now available across the province.

The “Safe Driving on Forest Roads” course from Workplace Safety North (WSN) addresses the unique dangers associated with forest roads, with the goal of promoting awareness and reducing the number of incidents.

<https://www.workplacesafetynorth.ca/news/news-post/new-ontario-safety-training-people-accessing-forest-roads>



## Quebec Considering Labelling Stress, Burnout as Occupational Illnesses



Awareness of mental health in the workplace continues to grow in Canada, with possible changes in Quebec set to affect employers.

Earlier this year, the province announced upcoming changes to its occupational health and safety legislation. Among the proposed changes? Work-related mental illnesses such as anxiety, stress and burnout may become recognized occupational illnesses. The five-year plan for mental health is expected to be released in spring of 2020.

<https://www.ohscanada.com/stress-burnout-labelled-occupational-illnesses/>

## Brew Beer Safely

The number of craft breweries in Quebec has skyrocketed in recent years. In June 2019, the province had 228 brewing companies holding a permit issued by the Régie des alcools, des courses et des jeux, according to data from the Association des microbrasseries du Québec, which represents 97 more establishments than in 2015.

Although we don't always think about the manufacturing process behind the beer we drink, it can pose a serious risk to the health and safety of workers.

Full French article:

<https://www.preventionautravail.com/reportages/782-brasser-de-la-biere-en-toute-securite.html>



# NEW BRUNSWICK

## The Process to Appeal a WorkSafeNB Decision is Changing

As of January 1, WorkSafeNB's Decision Review Office (previously known as the Issues Resolutions Office) reviews every decision when requested before an appeal can be filed to the Workers' Compensation Appeals Tribunal (WCAT).

This refers to any decision made on or after January 1, and excludes decisions under the Occupational Health and Safety Act.

<https://www.worksafenb.ca/about-us/news-and-events/news/2020/the-process-to-appeal-a-worksafenb-decision-has-changed-1/>



## Return to Work (Working to Well)

Recent changes to the Workers' Compensation Act (Bill 27) further support best practices in return-to-work and more clearly outline both employer and worker accommodation obligations following a workplace injury.

Working is good for physical and mental health, and, in fact, it often helps speed healing. Employers also benefit from return-to-work (RTW) programs as they keep productivity loss to a minimum, keep a skilled and experienced worker, reduce the costs of recruiting new talent and reduce claim costs that, in turn, can reduce assessment premiums.

<https://www.worksafenb.ca/employers/claims/return-to-work-working-to-well/>



# NEW BRUNSWICK

## **WorkSafeNB Announces 2020 Provisional Average Assessment Rate**

WorkSafeNB has announced a 9.4% reduction in the 2020 provisional average assessment rate. The rate is set at \$2.40 per \$100 of payroll, down from \$2.65 in 2019.

The 2020 assessment rate is based on the 2018 year-end audited financial statement with the improvement due to a reduced number of injury claims in 2019 and the declining cost of new claims as of Q3 2019.

<https://www.worksafenb.ca/about-us/news-and-events/news/2019/worksafenb-announces-2020-provisional-average-assessment-rate/>

## **WorkSafeNB announces 2020 rates for Firefighters' Compensation Act Disability fund**

WorkSafeNB announced that the 2020 assessment rate under the Firefighters' Compensation Act (FC Act) will decrease from \$515 per firefighter to \$465.

The rate, effective January 1, is designed to cover continuing claim costs while reducing the unfunded liability. An unfunded liability means the fund does not have sufficient funds set aside to meet its debt obligations (current and future claims costs).



<https://www.worksafenb.ca/about-us/news-and-events/news/2019/worksafenb-announces-2020-rates-for-firefighters-compensation-act-disability-fund/>

# NOVA SCOTIA

## Amendments Support Volunteer Firefighters

The Department of Labour and Advanced Education amended the Workers' Compensation Act to ensure all volunteer firefighters have access to WCB coverage, including cancer and PTSD presumption.

<https://www.wcb.ns.ca/About-Us/News-Room/News/Amendments-Support-Volunteer-Firefighters-Oct-17-19.aspx>

## Five Tips to Prevent Injuries When Moving Materials at Work

In 2018, injuries caused by workers lifting, lowering, pulling and carrying materials made up 64.4 % of all workplace injuries in Nova Scotia. These injuries to the skeleton or muscles are known as musculoskeletal injuries (MSIs). Here are five tips to help keep you and your colleagues safe when performing manual tasks at work:



<http://www.worksafeforlife.ca/Home/About-Us/Safety-Matters-Blog/PostId/295/five-tips-to-prevent-injuries-when-moving-materials-at-work>

## Is Your Vehicle Ready For a Safe Winter?

According to the Canadian Centre for Occupational Health and Safety, an ordinary driver reacts to the road situations; a good driver anticipates crises and avoids them.

Winter driving can be hazardous, and in some cases, it can be scary, but there are things to keep in mind that can make driving in winter a little more manageable.

<http://www.worksafeforlife.ca/Home/About-Us/Safety-Matters-Blog/PostId/75>



# PRINCE EDWARD ISLAND

## Workers Compensation Board of PEI Announces Surplus Distribution and 2020 Average Rate Reduction

The Workers Compensation Board (WCB) has once again reduced the average assessment rate for Island employers. The average assessment rate for 2020 will be \$1.52 per \$100 of payroll which is a six cent decrease from the 2019 rate.

The required average assessment rate is \$1.60, based on budgeted costs and investment returns, but because of its strong funded position, the WCB was able to apply an eight cent downward funding policy adjustment to achieve a rate of \$1.52 for 2020.

<http://www.wcb.pe.ca/Information/NewsItem/482>

## Upcoming Changes to Workplace Harassment Regulations

The Workers Compensation Board (WCB) of Prince Edward Island has introduced changes to the Occupational Health and Safety (OHS) Act and Regulations on workplace harassment.

The amendments to the OHS Act and Regulations outline the responsibilities of employers and workers to prevent harassment in the workplace.

<http://www.wcb.pe.ca/Information/NewsItem/478>



# NEWFOUNDLAND & LABRADOR

## Discounted Assessment Rate Continues to Address Workers' Compensation Surplus

Effective January 1, 2020, WorkplaceNL will leave the temporary \$0.21 discount in place, maintaining the average assessment rate paid by employers at \$1.69 per \$100 of payroll.

The temporary discount is to reduce the surplus in the employer-funded Injury Fund over a number of years. Approximately \$16 million of the surplus will be used to pay for a portion of the cost of workplace injuries. This is consistent with WorkplaceNL's Funding Policy. The Injury Fund was 119.5 % funded at the end of 2018, above its target of 110 %.

<https://workplacenl.ca/article/discounted-assessment-rate-continues-to-address-workers-compensation-surplus/>

## Manufacturing and Process Safety Council to Help Reduce Workplace Injuries

WorkplaceNL has approved \$1.5 million, over five years, for the Canadian Manufacturers and Exporters NL Division (CME NL) to create a manufacturing and processing safety sector council in the province.

At 3.1 per 100 workers, the manufacturing sector had the highest lost-time incident rate due to workplace injury or illness of any sector in the province in 2018. At 2.2 per 100 workers, the fish processing sector was also higher than the provincial rate of 1.6. Together, these sectors had workplace injury claims that cost \$13.4 million in 2018, and \$53.7 million in the past five years.



<https://workplacenl.ca/article/manufacturing-and-process-safety-council-to-help-reduce-workplace-injuries/>

# NORTHWEST TERRITORIES

## **Workers' Safety and Compensation Commission Release Assessment Rates for 2020**

The Workers' Safety and Compensation Commission of the Northwest Territories and Nunavut (WSCC) have announced the 2020 employer assessment rates.

The workers' compensation system provides a form of group insurance. The assessments employers pay are pooled into a fund called 'the Workers' Protection Fund'. This fund protects individual employers against lawsuits related to workplace injuries and is used to pay benefits and provide services to injured workers.

<http://www.wscn.nt.ca/news/media-release-workers%E2%80%99-safety-and-compensation-commission-release-assessment-rates-2020>

## **The Workers' Safety and Compensation Commission Lay Charges under the Nunavut Mine Health & Safety Act**

On December 05, 2019, the Workers' Safety and Compensation Commission filed sixteen charges in the Nunavut Court of Justice under the Mine Health & Safety Act.

Baffinland Iron Mines Corporation are charged with multiple counts which allege various offences in violation of the Mine Health & Safety Act, including failing to supervise, instruct and train as is necessary to protect the health and safety of workers and failing to provide and maintain healthy and safe worksites.



<http://www.wscn.nt.ca/news/media-release-workers%E2%80%99-safety-and-compensation-commission-lay-charges-under-nunavut-mine-health>





## **YWCHSB Delivers Stability to Yukon Employers**

The Yukon Workers' Compensation Health and Safety Board (YWCHSB) announced that in order to continue to keep rates stable and maintain the integrity of the Compensation Fund, rebates will not be distributed to Yukon employers this year.

From 2012 through 2018, over \$65 million was distributed to Yukon employers in the form of rate subsidies and rebate cheques. The compensation system still has the funds needed to provide excellent care to every Yukon worker injured on the job.

<https://wcb.yk.ca/PG-0042/News-Releases/NEWS-0089-Rebate-2019-news-release.aspx>

## **Moderate Changes to Rates as Board Delivers on Promise to Reduce Excess Reserves**

The Yukon Workers' Compensation Health and Safety Board (YWCHSB) announced that assessment rates will change moderately in 2020 as the Compensation Fund nears its target range. YWCHSB also announced that one industry has been reclassified to a higher rate group to more accurately reflect its claims costs.

Industries are assigned to one of four sectors based on their business activity. Within each sector, there are multiple rate groups reflecting costs associated with worker injuries and illness.

<https://wcb.yk.ca/PG-0042/News-Releases/NEWS-0083-Industry-classifications-and-assessment-r.aspx>

# MORE ABOUT TEKS**MED**

Thousands of businesses across Canada trust us with their disability management. Call us and start saving money. Our program literally pays for itself! For more information on our services, contact us today:

**TeksMed.com**

**T: 1-844-835-7253 (TEKSALE)**

**E: [info@teksmed.com](mailto:info@teksmed.com)**

## WHAT OUR CLIENTS SAY ABOUT US:

“We've successfully reduced our WorkSafeBC costs by 18.25% from last year! This represents approximately \$100,000 in direct savings for the province of BC. A big thank you to the TeksMed team for their efforts and the day-to-day guidance that has helped On Side achieve such great strides.”

- On Side Restoration | Director of Human Resources

“With guidance from Teksmed on managing our claims, we were able to develop a comprehensive modified duty program that allowed our workers to remain at work doing light duty while they healed. Our company went from 26 lost time accidents in a year to zero. Thank Teksmed, for your help and support.”

- Van Kam Freightways Ltd. | Health & Safety Officer

“In less than two years, TeksMed has reduced our claim costs by 67.5%. TeksMed's team of professionals has achieved its objective of reducing our claim costs and our administration. I would highly recommend TeksMed to anyone considering professional claims management services.”

- Wendy's | Safety & Security Manager

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