

CANADIAN WORKERS' COMPENSATION DIGEST

Volume 2 Issue 2



UNDERSTANDING CANCER IN THE WORKPLACE

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INTRODUCTION/ABOUT

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.

ABOUT THIS MAGAZINE

This is the sixth 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.



NATIONAL

Understanding Cancer in the Workplace

The purpose of workers' compensation systems is to provide fair compensation for workers who become ill or injured due to work.

While the system has worked relatively well for injuries and acute illnesses, under-recognition is a significant problem when it comes to diseases like cancer that take a long time to develop.

Over the past 10 years, an average of 400 claims were submitted annually for cancer, of which an average of 170 were compensated, primarily for asbestos-related cancer.

<https://www.ohscanada.com/features/understanding-cancer-in-the-workplace/>

Harassment and Violence Prevention Courses Available for Federally Regulated Work Places

The Canadian Centre for Occupational Health and Safety (CCOHS) developed three online courses to help employers, managers, and employees in federally regulated work places understand their specific roles and responsibilities in accordance with the Canada Labour Code, Part II, including the Work Place Harassment and Violence Prevention Regulations.

https://www.ccohs.ca/newsroom/news_releases/violencecoursestest_28January2021.html

Workplace Compensation Claims Reflect Toll COVID-19 Has Taken on Canada's Workers

CBC News reached out to provincial workers' compensation boards across the country and found that more than 26,000 claims have been filed by people who contracted COVID-19 at work. Jeffrey Freedman is one of more than 20,000 people whose claims have been approved.

Jeffrey Freedman is a COVID-19 "long-hauler" — one of many Canadians left with lingering health issues after getting sick from the virus. He says he now regrets going into work after falling ill during the early days of the pandemic.

<https://www.cbc.ca/news/canada/covid-compensation-wsib-wcb-workers-1.5810305>

BRITISH COLUMBIA

B.C. Making it Easier For Employees To Make Coronavirus Compensation Claims

A change to British Columbia employment law is making it easier for workers to claim compensation related to a coronavirus infection.

B.C. has added the coronavirus to its list of occupational illnesses, which means employees who contract the disease and make a claim don't have to prove it occurred at their workplace if they're job puts them at an increased risk for exposure. It's currently the only provincial legislation of its kind in Canada.



<https://www.benefitscanada.com/news/b-c-making-it-easier-for-employees-to-make-coronavirus-compensation-claims-156695>

WorkSafeBC Releases Guide To Preventing Slips, Trips, Falls in the Workplace

WorkSafeBC has released a new guidebook to help employers prevent slips, trips and falls in the workplace.

"Each year, 11,000 British Columbians are injured by slips, trips, and falls in their workplaces. These incidents can have a tremendous impact on the injured workers as well as their families and co-workers," said WorkSafeBC in the guidebook. "Injuries from falls can include sprains, bruises, concussions, fractures, and even burns and cuts. Pain and suffering, disability, stress, and even a loss or change of employment can result."

<https://www.thesafetymag.com/ca/topics/safety-and-ppe/worksafebc-releases-guide-to-preventing-slips-trips-falls-in-the-workplace/244125>



Legislative Changes For Alberta's Workers Compensation System

The Government of Alberta passed legislative changes for the workers' compensation system. Some of these changes rolled out at the beginning of the new year while others will become effective later on. WCB Alberta compiled the changes into a legislative review roadmap that provides an overview of the legislative changes, including effective dates.

Some of these changes include reinstating maximum cap on workers' compensable earnings, reinstating cost-of-living adjustment calculation, and modifying the presumptive coverage for traumatic psychological injuries to apply to first responders, correctional officers and emergency dispatchers only.

<https://www.wcb.ab.ca/about-wcb/whats-new/legislative-changes.html>

Alberta Introduces Revisions To Asbestos Abatement Manual

Alberta introduced a number of additions and revisions in its asbestos abatement manual that intends to clarify and ensure better safety for workers.

Included in the revisions to the 2019 manual are a new section on procedures for mechanical abatement that details circumstances where a structure has been destroyed; a new section on disposal of asbestos waste that includes recommendations for packaging, transportation and landfilling processes; and new recommendations related to the use of composite samples for bulk sampling.



<https://www.thesafetymag.com/ca/topics/occupational-hygiene/alberta-introduces-revisions-to-asbestos-abatement-manual/208755>



SASKATCHEWAN

WCB Holds 2021 Average Premium Rate at 2020 Rate

The Saskatchewan Workers' Compensation Board (WCB) announced that it will hold the 2021 average employer premium rate at the 2020 rate of \$1.17 and will cap industry level rates at 10 per cent. This board level hold is to provide a measure of economic relief to Saskatchewan businesses struggling with the effects of the COVID-19 pandemic.

Under the WCB's rate model, the 2021 average required rate should have been \$1.23 per hundred dollars of payroll without the board level hold. The increase was driven by a combination of factors, including the economic slowdown caused by COVID-19 and an increase in compensation and health-care costs.

<https://www.wcbsask.com/news/wcb-holds-2021-average-premium-rate-2020-rate>

Asbestos Kills. It's Best To Test

WorkSafe Saskatchewan has released a number of tips for homeowners and contractors to stay safe and aware of the potential for asbestos in their home before starting construction and renovation projects. Asbestos exposure is the leading cause of work-related deaths in Saskatchewan. It is dangerous to construction workers and do-it-yourself (DIY) homeowners alike.

<https://www.wcbsask.com/news/wcb-holds-2021-average-premium-rate-2020-rate>

Workplace Injuries in Prairie South Dropped By Half, Data Shows

Workplace injuries have affected Prairie South School Division regularly over the years, but the number of incidents declined by nearly half during the 2019-20 school year.

In 2018 the Workers' Compensation Board accepted 30 claims of workplace injury from the division, leading to 1,631 time-loss days and \$239,460 in compensation and medical costs.

From Jan. 1 to Nov. 30, 2020, WCB accepted 15 claims of workplace injury, leading to 898 time-loss days but a rebate of \$91,631 in compensation and medical costs.

<https://www.moosejawtoday.com/local-news/workplace-injuries-in-prairie-south-dropped-by-half-last-year-data-shows-3270190>



MANITOBA

Online Training Prepares Manitobans For Safe Return to Work During COVID-19

SAFE Work Manitoba is promoting a new, interactive online course to help ensure safety in the workplace during the COVID-19 pandemic.

The COVID-19: Best Practices for a Safe Workplace course, which complies with provincial health guidelines, helps prepare workers to return to the workplace and learn how to reduce the risk of catching or spreading COVID-19 in the workplace, keeping themselves, their co-workers and customers safe.

<https://www.ohscanada.com/online-training-prepares-manitobans-safe-return-work-covid-19/>

New Compensation Coming For Health-Care Workers On Manitoba's COVID-19 Front Line

Health-care workers at the vanguard of Manitoba's COVID-19 fight are set to get some extra pay

The province announced a new allowance that will be paid for any disruption to a normal work schedule due to redeployment to a "priority health-care setting," such as a personal care home or ICU.

"Health-care workers have been at the forefront of Manitoba's response to the pandemic, showing unrelenting dedication and commitment to patients in hospital and in the community as well as those Manitobans living in personal care homes," Health Minister Cameron Friesen said in a news release.



<https://www.cbc.ca/news/canada/manitoba/compensation-healthcare-workers-covid19-front-line-manitoba-1.5854285>



Ontario Launches COVID-19 Workplace Inspection Blitz

The Government of Ontario has commenced a workplace education and enforcement campaign across the province to ensure businesses takes precautions necessary to prevent the spread of COVID-19.

Approximately 200 provincial offence and by-law officers are visiting businesses in targeted regions of the province, without notice, to ensure compliance with public health and safety requirements set out in Ontario Regulation 364/20 and Ontario Regulation 263/20 under the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020.

<https://www.ohscanada.com/ontario-launches-covid-19-workplace-inspection-blitz/>

Ontario Increasing Services to Workers and Small Businesses

Ontario is providing more than \$600,000 to the Office of the Worker Adviser (OWA) and Office of the Employer Adviser (OEA) to help make it easier for workers and small businesses to navigate the Workplace Safety and Insurance Board's (WSIB) compensation system.

Through these two adviser offices non-unionized workers and small businesses will be able to access advice, education, and representation at the WSIB and the Workplace Safety and Insurance Appeals Tribunal (WSIAT). These services are offered at no cost.

<https://news.ontario.ca/en/release/59085/ontario-increasing-services-to-workers-and-small-businesses>

Proposed Legislation Will Protect Ontario Employers From Unexpected WSIB Increases

The Ontario government has introduced the Workplace Safety and Insurance Amendment Act, that, if passed, will protect employers from an unexpected increase in Workplace Safety and Insurance Board (WSIB) premiums, while maintaining an increase to the maximum earnings cap for worker benefits.

<https://www.ohscanada.com/proposed-legislation-will-protect-ontario-employers-unexpected-wsib-increases/>





Employers Resist Teleworking Despite The Directive In Force – CNESST Can Intervene

Teleworking has been mandatory for office workers in Quebec, with some exceptions, since December 17. However, some employers refuse to adhere to this directive, placing their employees in a difficult situation. Injured workers initially had difficulty finding help, but the message is now clear: the CNESST can intervene to enforce this government measure.

Quebec's Minister of Labour, Jean Boulet, says that in a non-unionized context, the CNESST can and must intervene when dealing with stubborn employers on the issue of teleworking,

<https://ici.radio-canada.ca/nouvelle/1762488/employeur-resistance-teletravail-pandemie-quebec-covid>

The CNESST Adapts Its Health Standards Guides Relating to COVID-19

Following the announcement by the Government of Quebec concerning the relaxation of the sanitary measures in effect as of February 8, the Commission des normes, de l'énergie, de la santé et de la sécurité du travail (CNESST) makes certain adjustments to its COVID-19 Toolkit, including the generic guide to workplace health standards and seven guides specific to certain sectors.

Their purpose is to support employers as well as workers in their management of health and safety.

<https://www.cnesst.gouv.qc.ca/fr/salle-presse/communiqués/cnesst-adapte-ses-guides-normes-sanitaires>



NEW BRUNSWICK

Improvements to Injury Reporting and Application For Benefits Process

WorkSafeNB announced a new, improved way for employers to report workplace injuries and illnesses and for workers to apply for workers' compensation benefits.

As part of their long-term plan to transform the client experience, WorkSafeNB has made the application for workers' compensation benefits process simpler and easier. Rather than a joint form, there is now a separate application process for workers and separate reporting process for employers.



<https://www.worksafenb.ca/about-us/news-and-events/news/2020/improvements-to-injury-reporting-and-application-for-benefits-process/>

WorkSafeNB Assessment Rate Dropping



WorkSafeNB is lowering its assessment rate.

The assessment rate, a premium businesses pay to WorkSafeNB for coverage of rehabilitation and compensation benefits for employees, will go from \$2.40 per \$100 of assessable payroll to \$2.17 per \$100. This means New Brunswick businesses will pay less.

<https://www.worksafenb.ca/about-us/news-and-events/news/2020/2021-assessment-rates-released/>

NOVA SCOTIA

New Approach to Address Traumatic Psychological Injuries

WCB Nova Scotia is re-imagining the way it supports people who suffer psychological injuries on the job, or who have psychological factors that make recovery from a physical injury more challenging.

<https://www.wcb.ns.ca/About-Us/News-Room/News/New-approach-to-address-Traumatic-Psychological-Injuries-Nov-18-20.aspx>



Safety is a Top Priority during Commercial Lobster Season

Fishing crews are reminded to take necessary precautions, remain diligent and follow safety rules and guidelines when the commercial lobster fishing season starts in Lobster Fishing Area 33 along the south shore of Nova Scotia.

In the past, Nova Scotia exported \$2.3 billion in seafood products to 80 countries, with lobster being the highest value export. Lobster fishing is critical to the economy and it's expected there will be approximately 1,600 boats and 6,400 crew members on the water for the start of the upcoming lobster fishing season. However, it is a hazardous profession and taking the necessary safety precautions is crucial to making sure everyone gets home safe. In addition, COVID-19 remains a health and safety concern, adding extra protocols on and off the water.

<https://www.wcb.ns.ca/About-Us/News-Room/News/Safety-is-a-Top-Priority-as-Commercial-Lobster-Season-Begins.aspx>

PRINCE EDWARD ISLAND

P.E.I. Residents May Be Eligible For Work Isolation

A recent bulletin from the Prince Edward Island provincial government indicates travelling workers may be eligible to work isolate.

Once approved by the Chief Public Health Office, workers must respect the public health measures for work isolation.

P.E.I. residents who travel outside of the Atlantic bubble and wish to return to their workplace when they arrive back in the province must apply to work isolate.

<https://www.ohscanada.com/pei-residents-may-eligible-work-isolation/>

Workers Compensation Board of PEI Holds Assessment Rates into 2021

The Workers Compensation Board of Prince Edward Island has announced that 2021 employer assessment rates will be maintained at the 2020 rate levels.

The cost associated with maintaining 2020 rates for 2021 will be funded from the Workers Compensation Board's Fund Balance.

This announcement comes following a decade of declining assessment rates, strong investment returns, a focus on injury prevention and return to work efforts and generally, an overall strong funded position and a funding policy that focuses on sustainability and minimizing volatility all the while offering service and supports to injured workers.

<http://www.wcb.pe.ca/Information/NewsItem/513>



NEWFOUNDLAND & LABRADOR

New Provincial Safety Group Launches in Newfoundland and Labrador

With a rate of 2.9 per 100 workers, the manufacturing sector in Newfoundland and Labrador had almost double the provincial lost-time incident rate due to workplace injury or illness in 2019.

The fish processing sector's rate of 2.8 per 100 workers showed a similar trend, compared to the provincial rate of 1.6.

To combat these trends, WorkplaceNL approved \$1.5 million — to be delivered over five years — for the Canadian Manufacturers and Exporters NL Division (CME NL) to create Made Safe NL, a provincial manufacturing and processing safety sector council.



<https://www.ohscanada.com/new-provincial-safety-group-launches-in-newfoundland-and-labrador/>

WorkPlaceNL Holds Discounted Average Assessment Rate at \$1.69

WorkplaceNL will hold the average assessment rate paid by employers at \$1.69 per \$100 of payroll, including a temporary \$0.21 discount.

The temporary discount is to reduce the surplus in the employer-funded Injury Fund — which was 123.4 per cent funded at December 31, 2019, over its target of 110 per cent. However, the value of the Injury Fund has fluctuated in 2020, primarily due to economic uncertainty created by the worldwide COVID-19 pandemic.



<https://workplacenl.ca/article/workplacenl-holds-discounted-average-assessment-rate-at-1-69/>

NORTHWEST TERRITORIES

New First Aid Requirements for Workplaces in the Northwest Territories

The Workers' Safety and Compensation Commission of the Northwest Territories and Nunavut (WSCC) announced the implementation of Canada wide first aid standards for workplace health and safety.

Amendments to Occupational Health and Safety (OHS) Regulations in the Northwest Territories have been made to harmonize first aid practices across all provinces and territories in Canada. The amendments include new requirements on first aid risk assessments to help employers determine the quantity and type of first aid kits needed at a work site and the level of training and number of first aid attendants needed on site.

<https://www.wscn.nt.ca/news/media-release-new-first-aid-requirements-workplaces-northwest-territories>

Workers' Safety and Compensation Commission Release Assessment Rates for 2021

The Workers' Safety and Compensation Commission of the Northwest Territories and Nunavut (WSCC) has announced that the 2021 employer assessment rates will be maintained at the 2020 rate levels.

<https://www.wscn.nt.ca/news/media-release-workers%E2%80%99-safety-and-compensation-commission-release-assessment-rates-2021>





Yukon Employers to Receive \$10-Million in Rebates from Workers' Compensation Board

The Yukon Workers' Compensation Health and Safety Board is issuing \$10 million in rebates to employers.

Employers with an account in good standing will receive rebate cheques based on the total premiums paid in 2020.

According to Heather Avery, Workers' Compensation Board spokesperson, employers with outstanding assessment rate payments will see the rebate funneled directly into their accounts. After outstanding accounts are squared up, any leftover rebate available will be issued as a cheque to those companies.

<https://www.yukon-news.com/news/yukon-employers-to-receive-10-million-in-rebates-from-workers-compensation-board/>

Yukon Workers' Compensation Board Working With Outfitters to Improve Workplace Safety

The board in charge of occupational health and safety in Yukon will be continuing its outreach efforts to outfitters this year in the wake of a case that saw one of them fined \$46,000 for safety issues that contributed to the death of an employee.

Although complaints against outfitters are rare, Kurt Dieckmann, president and CEO of the Yukon Workers' Compensation Health and Safety Board, told CBC that injury claims from outfitter employees have been on the rise since 2017.

<https://www.cbc.ca/news/canada/north/yukon-workers-compensation-board-outfitters-1.5878395>



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

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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