

# CANADIAN WORKERS' COMPENSATION DIGEST

Volume 2 Issue 3



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# INTRODUCTION/ABOUT

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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 seventh 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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## Workplace Vaccines: Four Key Things To Consider

As vaccines continue to be distributed across the country, employers have so many questions: Can employers make vaccines mandatory? What to do about employees who won't or can't receive a vaccine? How to be compliant and also respect employees' privacy? Legal experts analyze four key issues around workplace vaccines, including the thorny subjects of mandatory shots and human rights.

<https://www.thesafetymag.com/ca/topics/safety-and-ppe/workplace-vaccines-four-key-things-to-consider/253581>

## Raising Awareness to Prevent Pains and Strains

Canadian Centre for Occupational Health and Safety (CCOHS) is encouraging workplaces across Canada to help spread awareness on preventing repetitive strain injuries in the workplace.

Also known as musculoskeletal disorders, repetitive strain injuries are an umbrella term used to describe a family of painful disorders affecting tendons, muscles, nerves and joints in the neck, upper and lower back, chest, shoulders, arms, and hands. These injuries can happen to workers from all types of industries. What does make them hazardous in work situations though, is the continual repetition of the movements. Other contributing work factors may include awkward postures and fixed body positions, excessive force concentrated on small parts of the body such as the hand or wrist, a fast pace of work with insufficient breaks or recovery time, and psychosocial factors such as stress.

[https://www.ccohs.ca/newsroom/news\\_releases/RSIDay\\_23February2021.html](https://www.ccohs.ca/newsroom/news_releases/RSIDay_23February2021.html)

## Employee Mental Health Top Well-Being Issue For 72% of Canadian Employers: Survey

Employee mental health is the top well-being issue in Canada, according to 72 per cent of employers, surveyed for Aon's 2021 global well-being survey.

Work-life balance followed closely behind at 69 per cent, followed by burnout, virtual work environment and working environment, as the top well-being issues Canadian employers said they're facing. The global survey garnered responses from 1,648 companies in 41 countries, including 140 firms in Canada.

<https://www.benefitscanada.com/benefits/health-wellness/employee-mental-health-top-well-being-issue-for-72-of-canadian-employers-survey/>



# BRITISH COLUMBIA

## **WorkSafeBC's Hearing Test System The First Of Its Kind**

According to WorkSafeBC, roughly one in seven people who work around noise have noise-induced hearing loss — in workplaces such as construction sites, restaurants, and even fitness classes.

Annual hearing tests for high-risk workers help with early detection, and a new hearing test submission system created by WorkSafeBC — the first of its kind in Canada, and possibly the world — will support occupational health and safety professionals, employers, and audiometric testers in preventing long-term hearing loss.

<https://www.ohscanada.com/worksafebcs-hearing-test-system-first-kind/>

## **WorkSafeBC Releases Three-Year Safety Strategies For High-Risk Industries**

WorkSafeBC has published its high-risk strategies (HRS) and industry initiatives for 2021–2023, targeting industries and employers where the risks of serious injuries and fatalities are the highest.

The strategies and initiatives support the effective management of risks by examining and promoting occupational health and safety basics that affect all workplaces. These also identify specific areas of high risk for their respective industries. The new strategies will focus on the construction, forestry, health care and social services, and manufacturing industries.

<https://www.worksafebc.com/en/about-us/news-events/news-releases/2021/April/worksafebc-releases-high-risk-strategies-industry-initiatives-2021-2023>

## **B.C. To Give Workers 3 Paid Days Off For Absences Related To COVID-19**

British Columbia has announced that is going to start giving all workers in the province up to three days of paid sick leave if they have to miss work due to COVID-19. The new program includes part- and full-time workers who have been diagnosed with COVID-19, who need time off to self-isolate or who are waiting for a test result.

A statement said employers will be required to pay workers their full wages. For employers without an existing sick-leave program, the government has promised to reimburse up to \$200 per day for each absent worker.

<https://www.cbc.ca/news/canada/british-columbia/paid-sick-days-bc-covid-19-1.6022178>



## Alberta Launches OHS Code Review

The Ministry of Labour and Immigration in Alberta has launched an OHS Code review to improve the health and safety of workers in the province. Between 2020 and 2023, the Occupational Health and Safety Code will be reviewed to improve OHS but also to hopefully streamline requirements and reduce administrative burden.

Alberta's OHS Code has not been extensively updated since 2009. The OHS Act requires that the government publish a plan to review the OHS code every three years.

The province says that updates may include new best practices to reflect ever-changing workplaces, notably focusing on tech advances. The review will be conducted in three phases between 2020 and 2023. During each stage, the Ministry will look to Albertans to provide feedback on code updates.

<https://www.thesafetymag.com/ca/topics/leadership-and-culture/alberta-launches-ohs-code-review/251895>

## WCB Announces New 2021 Legislative Changes

The Government of Alberta passed legislative changes for the workers' compensation system. Some of these changes came into effect January 2021, while others became effective in April 2021. In addition to the above legislative changes, the Government of Alberta introduced the Heroes Compensation Act, to be administered by WCB.

Legislation that began as of April 2021:

1. Establish workers' and employees' duty to cooperate
2. Establish the role of WCB's new fairness review officer
3. For new claims, employers are no longer required to contribute to group health benefit plans for injured workers who are off work due to a workplace injury
4. Change the timeline for reconsideration of appeal decisions to one year



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





# SASKATCHEWAN

## **Saskatchewan's Workplace Injury Rate Decreases in 2020: Report**

Saskatchewan workplaces appear to be becoming safer for employees. In 2020, the workplace total injury rate in the province was 4.46 per 100 workers, a 10 per cent decrease from 2019.

From 2008 to 2020, the workplace total injury rate dropped by more than 56 per cent, according to WCB.

Time loss injury rate decreased to 1.78 per 100 workers in 2020, the lowest rate in more than a decade. Claims have also decreased.

<https://www.thesafetymag.com/ca/topics/injuries-and-fatalities/saskatchewans-workplace-injury-rate-decreases-in-2020-report/253158>

## **WorkSafe Saskatchewan Launches Online Psychological Resource Centre for Saskatchewan Employers and Workers**

Psychological health claims have been on the rise across Saskatchewan. To address these issues in the province, WorkSafe Saskatchewan has launched a comprehensive online psychological health and safety resource centre. The centre provides employers and workers with resources to help develop psychologically healthy and safe workplaces.

The resource centre offers a variety of tools and resources to help Saskatchewan employers and workers develop psychological health and safety programs in their workplaces or enhance their existing efforts. In addition to tools for leaders and workers, the resource centre has a comprehensive list of provincial mental health resources, as well as webinars and workshops.

<https://www.wcbsask.com/news/worksafe-saskatchewan-launches-online-psychological-resource-centre-saskatchewan-employers-and>

## **WCB Releases 2020 Operating Results**

The Saskatchewan Workers' Compensation Board (WCB) remained fully funded in 2020 with the ability to cover the future costs of all claims in the system. The WCB's 2020 annual report was tabled at a provincial legislature.

Some results highlights include:

- The workplace Total injury rate in 2020 decreased to 4.46 injuries per 100 workers.
- The 2020 Time Loss injury rate decreased to 1.78 injuries per 100 workers, down from the 2019 rate of 1.86 injuries per 100 workers.
- Claim costs were \$319.6 million in 2020 (up from \$281.0 million in 2019).

<https://www.wcbsask.com/news/wcb-releases-2020-operating-results>



# MANITOBA

## WCB Distributes \$71 Million in Surplus Funds to Manitoba Employers

The Workers Compensation Board of Manitoba (WCB) is distributing surplus funds to employers, whose premiums fund the workers compensation system. By continuing to invest in injury prevention and return to work programs, the WCB is pleased to once again provide financial relief to employers after a challenging year for all Manitobans.

Eligible employers will receive a credit based on 40 per cent of their 2020 premium.

The WCB maintains a reserve fund to ensure the long-term sustainability of the workers compensation system, reduce any rate variability and protect Manitoba's workforce. Determined annually by the Board of Directors, the distribution of surplus funds allows the WCB to distribute funds that have accumulated beyond the necessary reserve level and work towards maintaining the WCB's funding target.

<https://www.wcb.mb.ca/WCB-distributes-surplus-funds-to-employers>

## Manitoba Announces New Policies For Personal Care Home Staff

Manitoba is allowing personal care home staff who have received COVID-19 vaccine to provide care at multiple locations in the province.

The province's new public health order also covers agency staff who provide service to personal care homes.

Staff who have received at least one dose of COVID-19 vaccine can work at more than one site as early as two weeks after their first dose. The second dose must be received within 16 weeks.



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





## **Education Campaign Launched to Help Ontario Workplaces Reopen Safely**

The Ontario government launched a new health and safety education campaigns, with a particular focus on helping small businesses across the province reopen safely.

The on-the-ground assistance includes a comprehensive suite of resources business owners can access at no cost to ensure they are helping prevent the spread of COVID-19 in the workplace.

To help businesses understand how to use health and safety guidance to develop a safety plan for their unique situation, the government has developed a toolkit that includes a guide, template and checklist.

<https://www.ohscanada.com/education-campaign-launched-to-help-ontario-workplaces-reopen-safely/>

## **Ontario Introduces Paid COVID-19 Leave**

Monte McNaughton, Minister of Labour, Training and Skills Development, introduces legislation that would, if passed, require employers to provide employees with up to \$200 of pay for up to three days if they are missing work because of COVID-19. This program is effective until September 25, 2021, the date the CRSB will expire.

By providing time-limited access to three paid leave days, the province is ensuring employees can pay their bills as they help stop the spread of the virus, including by getting tested, waiting for their results in isolation or going to get their vaccine. The province will partner with the WSIB to deliver the program and reimburse employers up to \$200 per day for each employee.

<https://news.ontario.ca/en/release/1000024/ontario-to-introduce-paid-covid-19-leave>

## **WSIB Offers Relief, Rebates To Help Make Ontario Workplaces Safer**

COVID-19 has changed how many of us work, and has shone a brighter spotlight on effective health and safety practices in the workplace.

At the forefront of every decision that the WSIB makes is the need to ensure they are available to help people no matter what, and be nimble and responsive to changing circumstances caused by the pandemic. For these reasons, the WSIB has improved their customer service in response to COVID-19 and adjusted their Health and Safety Excellence program.

<https://www.ohscanada.com/opinions/wsib-offering-relief-rebates-to-help-make-ontario-workplaces-safer/>



## Quebec Clears Path For Farmers With Parkinson's To Get Workers' Compensation

For people working in the agriculture industry who have developed Parkinson's as a result of long-term exposure to pesticides, claiming benefits from Quebec's workplace health and safety board (CNESST) has been made easier.

With Parkinson's added to the list of accepted occupational illnesses, people working on farms will no longer have to prove the disease is related to their work.

But, similar to the law in France, Quebecers who seek compensation will have to prove they have had direct exposure to pesticides through contact or inhalation over a period of at least 10 years.

<https://www.cbc.ca/news/canada/montreal/quebec-parkinson-compensation-1.5970017>

## A Reminder From The CNESST That Labor Standards Apply Even During A Pandemic

During the COVID-19 pandemic, employers have had to review their organizational structure or reorganize the organization of work by modifying the tasks or schedules of their staff. With that in mind, the Commission for Standards, Equity, Health and Safety at Work (CNESST) unveil its new publicity campaign on labor standards.

A need for a reminder of the basics of the Act Respecting Labor Standards (LNT) emerges from this exceptional situation. The campaign, which will circulate for three weeks, therefore aims to inform and alert employers and workers with regard to their rights and obligations, and to confirm that their situation still complies with the minimum standards established in the LNT.

<https://www.cnesst.gouv.qc.ca/fr/salle-presse/communiqués/normes-travail-pandemie>



# NEW BRUNSWICK

## New Chiropractic Reporting Process

WorkSafeNB has updated its chiropractic reporting process. The new form aligns with legislative changes and best practices affecting workplace injury recovery and return to work.

Developed in consultation with New Brunswick chiropractors, the form focuses on a worker's abilities after an injury or illness. This helps workers stay at work or return to work as soon as safely possible. Early and safe return to work contributes to positive recovery, with benefits to both physical and psychological wellbeing.



<https://www.worksafenb.ca/about-us/news-and-events/news/2021/new-chiropractic-reporting-process/>

## Respiratory Protection in the Workplace

WorkSafe NB created a guide to help employers and employees navigate and understand respiratory protection in the workplace. Many workplaces have operations and processes that generate airborne concentrations of dusts, mists, fumes, aerosols, gases or vapours that necessitate the use of control measures such as engineering and/or administrative controls.



When these measures fail or are impractical, the use of respiratory protective equipment may be necessary to protect employees from the effects of harmful substances. The guide provides helpful instructions and legislation for both employers and employees.

<https://ohsguide.worksafenb.ca/topic/respiratory.html>



# NOVA SCOTIA

## Despite Overall Progress, Workplace Fatalities Increased In 2020

Acute workplace fatalities hit a tragic high in 2020, according to information released today from WCB Nova Scotia and the Department of Labour and Advanced Education (LAE).

Eighteen Nova Scotians died from acute traumatic injuries on the job, the highest our province has seen since 2008. There were also 14 fatalities classified as chronic – 7 related to occupational diseases and 7 caused by health-related issues, such as heart attacks.

Although Nova Scotia has been seeing reductions in overall workplace injury over the years, one fatality is too many.

<https://www.wcb.ns.ca/About-Us/News-Room/News/Despite-overall-progress-workplace-fatalities-increased-in-2020-March-4-21.aspx>

## New Resources Support Safe and Timely Return To Work

Nova Scotia has been losing too much time to workplace injury. Although there have been fewer injuries in 2021, it's taking longer than ever for employees to return to work when they are hurt on the job.

WCB Nova Scotia's Working to Well program provides tools and resources to help reduce the human and economic toll of workplace injury in our province. It's a digital-first hub to support WCB teams, employees, employers and health services providers as they navigate the return-to-work journey.

<https://www.wcb.ns.ca/About-Us/News-Room/News/New-resources-support-safe-and-timely-return-to-work-March-4-21.aspx>



# PRINCE EDWARD ISLAND

## Satisfaction Survey Continues to Provide Valuable Information

The Workers Compensation Board (WCB) released the results of the 2020 WCB Injured Worker Survey, which continues to show positive results in WCB's service satisfaction index. The index is a composite measure of injured workers' overall experience with the WCB, as well as workers' satisfaction with a variety of service dimensions including fairness, decision making and service delivery.

In 2020, the WCB achieved a performance rating of 76.2. This rating is on par with 2018 results and up almost 8 points since the first survey was conducted. Levels of satisfaction with service interaction remained consistent through the COVID-19 pandemic period.

The main drivers of satisfaction for injured workers are: the extent of satisfaction with the claim outcome, satisfaction with the extent workers participated in the decision-making process concerning their claim, and receiving WCB service in a timely manner.

<http://www.wcb.pe.ca/Information/NewsItem/522>

## Amendments to PEI's Occupational Health and Safety General Regulations and Fall Protection Regulations

Sections of the Occupational Health and Safety (OHS) General Regulations and Fall Protection Regulations have been amended to ensure they meet the requirements established in the National Occupational Health and Safety Reconciliation Agreement and to ensure that standards that are referenced in regulations are current.

The changes include:

- References to the CSA standards for PPE have been updated to reflect newer versions, and updated standards include eye and face protection, head protection, foot protection, hearing and fall protection
- Updates to the first aid kit classifications
- Updates to the responsibilities of employers and operators of powered mobile equipment, and the applicable CSA Standards



<http://wcb.pe.ca/Workplace/AmendmentstoRegs>

# NEWFOUNDLAND & LABRADOR

## WorkplaceNL Safety Training Certificates Extended

WorkplaceNL extended expiry dates of safety training certificates as training courses may not be widely available while the province is under COVID-19 Alert Level 5.

Employers and supervisors must continue to assess their worker's competency to ensure safe work. If competency is not satisfactory, action should be taken accordingly.

Extensions have been granted for the following certificates:

- Confined Space Entry
- Fall Protection
- Mine Rescue
- Power Line Hazards
- Traffic Control Person
- First Aid
- Occupational Health and Safety Committee Member/Representative/Designate
- Musculoskeletal Injury Prevention
- Supervisor Health and Safety



Virtual training options are available for the following certification courses.

- Traffic Control Person I
- Power Line Hazards
- Occupational Health and Safety Committee Member/Representative/Designate
- Supervisor Health and Safety
- First Aid (Blended learning)

Workers are encouraged to renew training certificates as training becomes available.

<https://workplacenl.ca/article/advisory-workplacenl-safety-training-certificates-extended-to-april-30/>



# NORTHWEST TERRITORIES

## Workers' Safety and Compensation Commission Announces New e-Service for Workplace Incident Reporting

Employers in the Northwest Territories can now report workplace incidents and injuries online through the e-Business service, WSCC Connect.

WSCC Connect guides employers through an electronic reporting process that is easier, faster and more secure. Reporting requirements under the Workers' Compensation Acts, Safety Acts and Regulations and Mine Health and Safety Acts and Regulations have not changed.

<https://www.wsc.nt.ca/news/media-release-workers%E2%80%99-safety-and-compensation-commission-announces-new-e-service-workplace>

## Manual and Power Tool Safety Instructor Guide

The WSCC released a helpful instructor guide for woodworkers. The tools of the trade for woodworkers, from hand tools to power screwdrivers, sanders, and saws, all have the potential to cause serious injury. This guide provides overviews, demonstrations and discussion topics to prevent injuries while on the job.

<https://www.wsc.nt.ca/sites/default/files/INSTRUCTOR%20GUIDE%3A%20YW%20Woodworking%20Power%20Tools%20I%20%28EN%29%20Final.pdf>





## YWCHSB Offers Outreach To Help Workplaces Prepare For Violence and Harassment Prevention Regulation

The Yukon Workers' Compensation Health and Safety Board (YWCHSB) is launching an outreach campaign to inform Yukon workplaces about the requirements in the Violence and Harassment Prevention Regulation.



The outreach campaign includes educational sessions and a variety of written support materials, available free of charge. Employers, supervisors and workers participating in the educational sessions will learn about the Regulation, what workplace violence and harassment means, as well as the roles and responsibilities described in the Regulation.

<https://www.wcb.yk.ca/web-0074/web-0077/news-0107>

## Yukon Looking to Revise Workers' Compensation Legislation

Yukon is looking to revise its rules around workers' safety and compensation.

Bill No. 22, the Workers' Safety and Compensation Act, would replace the Workers' Compensation Act and the Occupational Health and Safety Act. The new legislation is an important step towards modernizing Yukon's workplace safety and compensation systems, according to stakeholders.

According to Jeanie McLean, minister responsible for the Yukon Workers' Compensation Health and Safety Board, she says that a "more clear and effective Workers' Safety and Compensation Act will ensure that worker safety is always kept at the forefront."

<https://www.hrreporter.com/employment-law/news/yukon-looking-to-revise-workers-comp-legislation/353885>

# 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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