

CANADIAN WORKERS' COMPENSATION DIGEST

Volume 3 Issue 1



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INTRODUCTION/ABOUT TEKSMED

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 THE PUBLICATION

This is the ninth 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 - CANADA

"Psychological injury" claims on the rise

Mental health has been a growing problem even before the COVID-19 pandemic, according to a recent report from CBC.

"Mental disorder claims" submitted to WorkSafeBC rose by 24 per cent from 2018 to 2019, held steady in 2020 before rising again to about 20 per cent so far this year. Also, "mental disorder or syndromes" claims submitted to Ontario's Workplace Safety and Insurance Board have gone up from 512 in 2010 to 1,813 last year.

<https://www.thesafetymag.com/ca/topics/psychological-safety/psychological-injury-claims-on-the-rise/312494>

Do workers need 15 days of paid leave?

Canadian governments must act to provide mandated job-protected paid sickness and caregiving leaves that are available to all workers, according to a new report from the Institute of Research on Public Policy (IRPP).

Prior to COVID, less than half of workers had access to employer-provided paid and protected short-term sickness and caregiving leaves. The rest (roughly six out of 10 workers) depended on provincial and territorial laws for entitlements, according to the report titled Designing Paid and Protected Employment Leaves for Short-Term Sickness and Caregiving.

<https://www.hrreporter.com/focus-areas/compensation-and-benefits/do-workers-need-15-days-of-paid-leave/360685>



NATIONAL- CANADA

Spike in alcohol intake, drug use could put the spotlight on workplace testing

A significant spike in alcohol consumption and drug use during the pandemic could put the spotlight on workplace testing, recent studies have suggested.

Almost a quarter, or 23.3 per cent, of respondents on a recent survey conducted by the Canadian Institutes of Health Research (CIHR) admitted to drinking more alcohol since the pandemic began. The study, which surveyed a representative sample of 2,952 Canadians, also found that changes in alcohol intake were linked to several factors, including the person's age, income, living situation, and mental state.



<https://www.thesafetymag.com/ca/topics/safety-and-ppe/spike-in-alcohol-intake-drug-use-could-put-the-spotlight-on-workplace-testing/314154>

A look at current provincial policies on bereavement leave



The ongoing coronavirus pandemic has made legislated bereavement leave policies top of mind for both employers and employees.

As of Sept. 15, at least one in 1,376 Canadian residents have died from the coronavirus, for a total of 27,315 deaths, according to The New York Times.

Bereavement leave is available for employees across most Canadian jurisdictions and some of it's even paid. With the exception of Nunavut, all provinces and territories' employment legislation includes a bereavement leave policy. Unlike provincial emergency and sick leave policies, bereavement leave policies haven't been amended in the wake of the pandemic.

<https://www.benefitscanada.com/benefits/absence-management/a-look-at-current-provincial-policies-on-bereavement-leave/>



BRITISH COLUMBIA

B.C. finalizes vaccine mandate for workers

B.C. is providing further details about its requirement that all direct government employees be fully vaccinated by Nov. 22, 2021.

The policy applies to any employee working for the BC public service, regardless of whether the employee works on site or remotely. This also includes employees of any board, commission, agency or organization to which the Public Service Act applies or whose employees are hired in accordance with the Public Service Act, unless their organization has a comparable policy in place by Nov. 22.

<https://www.hrreporter.com/focus-areas/culture-and-engagement/bc-finalizes-vaccine-mandate-for-workers/361307>

New resource to help employers reduce risk from mobile equipment and vehicles

In the past 10 years, there were over 550 serious injuries and fatalities due to workers on foot being struck by vehicles or mobile equipment. To prevent struck-by incidents, it's important to understand the factors that contribute to the risk, and how to apply effective controls to reduce that risk.

WorkSafeBC's new information sheet, Reducing the risk of workers being struck by vehicles or mobile equipment, breaks down the risk factors, from work equipment and environment to the type of tasks, and details how employers can manage that risk by identifying, assessing, and controlling those factors.

<https://www.worksafebc.com/en/about-us/news-events/announcements/2021/October/new-resource-help-employers-reduce-risk-from-mobile-equipment-vehicles>

2022 premium rates

WorkSafeBC announces that the average base premium rate for 2022 is 1.55 percent of employers' assessable payroll, which has been maintained at the same level since 2018. WorkSafeBC's strong financial results have enabled them to keep the average rate flat for 2022.

<https://www.worksafebc.com/en/insurance/know-coverage-costs/industry-premium-rates/2022-rates>



ALBERTA

COVID-19 WCB claims make up 11.3 per cent of all claims in 2021

Health-services workers have filed more than 4,000 Workers Compensation Board claims related to COVID-19 since the pandemic began.



Data from the Workers Compensation Board (WCB) of Alberta show that since the pandemic began, there have been 4,413 COVID-19 related claims filed by health-services workers, with 2,427 filed in 2020 and another 1,986 filed in 2021.

<https://edmonton.ctvnews.ca/covid-19-wcb-claims-make-up-11-3-per-cent-of-all-claims-in-2021-1.5554492>

Changes to Alberta OHS take effect in December

Several changes to Alberta's Occupational Health and Safety (OHS) Act will be in effect starting Dec. 1.

"Hard-working Albertans go to their jobs every day expecting that they will come home safely at the end of their shifts. That's why it's important our laws and rules for workplace health and safety are easy to understand and follow, and involve everyone," says Tyler Shandro, minister of labour and immigration. "The new OHS Act helps job creators and workers focus on improving health and safety outcomes rather than grappling with confusing rules and checking boxes."



<https://www.hrreporter.com/focus-areas/legislation/changes-to-alberta-ohs-take-effect-in-december/361103>

SASKATCHEWAN

WorkSafe Saskatchewan campaign focuses on where asbestos could be hiding

Asbestos has been banned in Canada since late 2018, but it continues to pose a very real problem in Saskatchewan where it still accounts for nearly 30 per cent of all work-related fatalities in the province.

A report released recently by WorkSafe Saskatchewan found the province's total workplace injury rate dipped 10 per cent in 2020, however it also revealed that asbestos continues to be a hidden danger for construction workers, contractors and homeowners undertaking renovations or demolition work.



<https://canada.constructconnect.com/joc/news/ohs/2021/09/worksafe-saskatchewan-campaign-focuses-on-where-asbestos-could-be-hiding>

WCB announces 2022 preliminary average premium rate



The Saskatchewan Workers' Compensation Board (WCB) announced the 2022 preliminary average employer premium rate at \$1.23 per hundred dollars of payroll, compared to the 2021 rate of \$1.17. The announcement was made Oct. 13 at the WCB's annual preliminary rate information meeting with Saskatchewan employers, workers and stakeholders.

To help mitigate this increase in the 2022 preliminary average premium rate, the board will set the preliminary average premium rate at \$1.23, which is below what the rate model is requiring at \$1.25.

<https://www.wcbsask.com/news/wcb-announces-2022-preliminary-average-premium-rate>

MANITOBA

Asbestos Manitoba's top workplace killer: Safe Work

Safe Work Manitoba is launching a new campaign aimed at reducing the deaths and serious injuries caused by the province's number one workplace killer: asbestos.

Jamie Hall, Safe Work's COO, says most people would assume that accidents like falls or electrocution would cause the most deaths, but asbestos accounts for a whopping 33 per cent of workplace deaths in Manitoba.

<https://globalnews.ca/news/8328979/asbestos-manitoba-top-workplace-killer/>

SAFE Tips: Winter Driving

It's getting to be that time of year again when we will be driving for work in the winter weather.

Drivers will need to start changing their driving habits to suit the conditions of snow and ice on the roadways.

For employers, now is the time to start the discussion about potential driving hazards your workers may face in winter weather conditions, and how to help control those hazards.



https://www.safemanitoba.com/News/Pages/News_SafeTipsWinterDriving_21SWMB.aspx

Safe Work: An Important Part of Preventing Injuries

Four employers were recently prosecuted for violations of the Workplace Safety and Health Act and its associated regulations that resulted in injury and death.

A dump truck operator was tasked with removing debris during a renovation. An excavator operator signaled for the dump truck to reverse, and a pedestrian was struck and died of their injuries.

https://www.safemanitoba.com/News/Pages/SafeWorkImportantPartPreventingInjuries_Aug2021.aspx



Ontario to boost minimum wage Jan. 1

Almost three years after the Conservative government in Ontario repealed much of the previous administration's Bill 148, Fair Workplaces, Better Jobs Act, Premier Doug Ford is set to announce the province's minimum wage will rise.

As of Jan. 1, 2022, the wage will increase to \$15 per hour. It now sits at \$14.35, having gone up from \$14.25 on Oct. 1, 2021.

<https://www.hrreporter.com/focus-areas/compensation-and-benefits/ontario-to-boost-minimum-wage-jan-1/361308>



Non-compete ban, right to disconnect? Ontario's new workplace legislation revealed



<https://www.hcamag.com/ca/specialization/employment-law/non-compete-ban-right-to-disconnect-ontarios-new-workplace-legislation-revealed/314400>

Ontario will be introducing a new legislation that will help improve the lives of employees by requiring new workplace policies and prohibiting non-compete agreements. The introduction of the Working for Workers Act 2021 seeks to make Ontario a more attractive jurisdiction where employees can work and live in, according to a media release.

"COVID-19 has changed the way we work, leaving too many people behind, struggling to put food on the table and make ends meet for their families," said Labour Minister Monte McNaughton. "Our government is working for workers. To do so, we must act swiftly and decisively to put workers in the driver's seat and begin rebalancing the scales."

ONTARIO

WSIB reduces average premium rate by 5.1% in 2022

The Workplace Safety and Insurance Board (WSIB) announced during its Annual General Meeting (AGM), that the average premium rate for Ontario businesses will be reduced by 5.1% for 2022, from \$1.37 to \$1.30. The announcement comes after the WSIB held 2021 premium rates at the same level as the previous year, in an effort to support businesses through the COVID-19 pandemic.



<https://www.wsib.ca/en/news-release/wsib-reduces-average-premium-rate-51-2022>

Ontario extending paid sick leave program until end of 2021



Ontario is extending a temporary paid sick leave program for workers until the end of this year.

Labour Minister Monte McNaughton announced that the coronavirus pandemic program, which was set to expire on Sept. 25 will be extended to Dec. 31, 2021. He said the spread of the more transmissible Delta variant prompted the move to give more time for people to get vaccinated and support infected workers.

The province introduced three paid days of sick leave in April to accommodate self-isolation requirements during the pandemic, reimbursing employers up to \$200 per day for what they pay out.

<https://www.benefitscanada.com/benefits/absence-management/ontario-extending-paid-sick-leave-program-until-end-of-2021/>



Teleworking: new practical tools developed by the CNESST

The Committee on Standards, Equity, Health and Safety at Work (CNESST) is now publishing tools to support workplaces wishing to implement or supervise teleworking.

As teleworking has become a reality that is bound to endure for many workers in Quebec, the CNESST makes available various tools aimed at fostering a dialogue between the employer and their staff to ensure a common understanding of the modalities of teleworking, depending on the reality and needs of each environment.

<https://www.cnesst.gouv.qc.ca/fr/salle-presse/communiqués/teletravail-nouveaux-outils-pratiques-mis-au-point>

Processing of complaints: the CNESST provides details

The Committee on Standards, Equity, Health and Safety at Work (CNESST) would like to provide more details on the handling of claims related to industrial accidents and occupational diseases.

Contrary to the information currently circulating in the media about a decision taken in November 2020, the CNESST has not reduced its service times. It has reduced the deadline for work accidents from 50 days to 15 days.

<https://www.cnesst.gouv.qc.ca/fr/salle-presse/communiqués/traitemement-reclamations-cnesst-apporte-precisions>

Modernization of the occupational health and safety system: the CNESST is there to inform and support you

Following the assent of the Act modernizing the occupational health and safety system, on October 6, 2021, the Committee on Standards, Equity, Health and Safety at Work (CNESST), a government body responsible for the application of the occupational health and safety regime, will do everything possible to support employers and workers in the implementation of legislative changes.

<https://www.cnesst.gouv.qc.ca/fr/salle-presse/communiqués/modernisation-regime-sante-securite-travail-cnesst>

NEW BRUNSWICK

WorkSafeNB's Farming Sector Health and Safety Initiative

To continue to drive a safety-first culture in New Brunswick's agriculture sector, WorkSafeNB is preparing a farming sector health and safety initiative. WorkSafeNB has a wealth of resources to help farmers improve health and safety, including inspection checklists to help employers prepare for future visits from our health and safety officers.



<https://www.worksafenb.ca/about-us/news-and-events/news/2021/worksafenb-s-farming-sector-health-and-safety-initiative/>

COVID-19 Measures and Human Rights: Are Exemptions from Vaccination Protected Under the Human Rights Act?

This statement was issued today by Marc-Alain Mallet, director of the New Brunswick Human Rights Commission regarding mandatory vaccination and the Human Rights Act:

"Since the beginning of the pandemic, the New Brunswick Human Rights Commission has strived to help New Brunswickers understand their rights and obligations in the context of this new and evolving reality. We have developed guidelines and FAQs, hosted presentations, and answered thousands of inquiries; and this in a genuine effort to clarify ambiguities and lessen people's anguish."

https://www2.gnb.ca/content/gnb/en/departments/nbhrc/news/news_release.2021.09.0674.html

WorkSafeNB releases 2022 assessment rates

Fewer workplace accidents, better rehabilitation and return-to-work outcomes, and an improved financial position have resulted in a significantly reduced assessment rate for 2022, WorkSafeNB announced at its Annual General Meeting.

<https://www.worksafenb.ca/about-us/news-and-events/news/2021/worksafenb-releases-2022-assessment-rates/>

NOVA SCOTIA

'Safety culture' among fishermen sees fewer accidents, lower insurance

Workers' compensation rates in the saltwater fishing industry in Nova Scotia are set to fall for the seventh straight year in 2022.

Premiums have fallen 57 per cent since 2015, creating \$12 million in annual savings for the industry, but while lower rates reflect an increased focus on safety and fewer accidents, fatalities are still occurring.



<https://www.cbc.ca/news/canada/nova-scotia/fishing-industry-safety-culture-lower-premiums-1.6215479>

WCB Nova Scotia achieves financial milestone, ending 2020 in funded position

After years of working from a place of financial imbalance, Nova Scotia's workers' compensation system is approaching financial sustainability as WCB Nova Scotia ended 2020 in a long-awaited improved financial position.



After decades of being underfunded – meaning more benefits were owed to workers and their families into the future than the value of the assets available – the WCB marked the end of 2020 with a funded ratio of 102.9 per cent.

WCB Nova Scotia announced the news at the Workplace Safety and Insurance System Annual General Meeting, and released its 2020 Annual Report.

<https://www.wcb.ns.ca/About-Us/News-Room/News/WCB-Nova-Scotia-achieves-financial-milestone-ending-2020-in-funded-position.aspx>



PRINCE EDWARD ISLAND

Health PEI official vows to make health-care workers 'feel safe in the workplace'

As Health PEI works to attract and retain health-care staff, the organization's interim CEO says they need to do a better job of how they treat their staff.

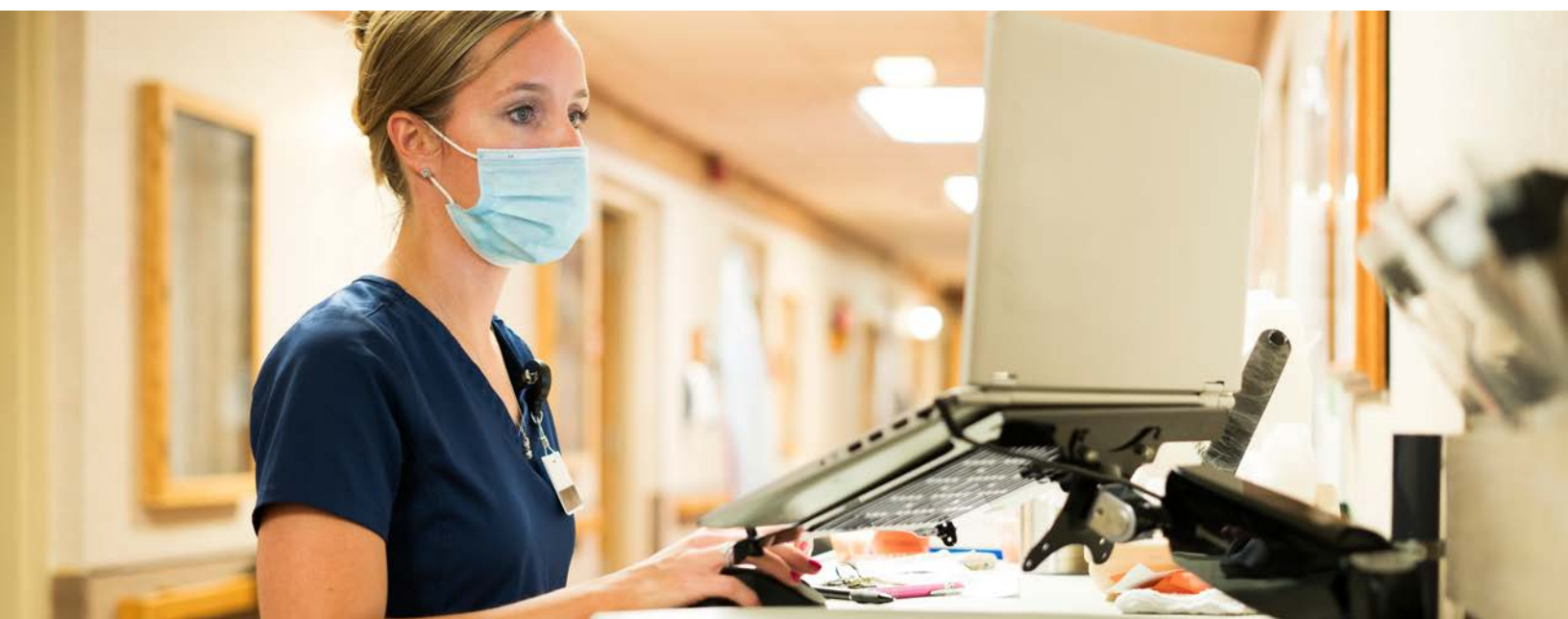
"I think we have a tradition of not truly listening to our health-care workers and I do believe our health-care workers need to be seen, heard, and respected," said interim CEO Dr. Michael Gardam.

"They need to feel safe in the workplace. They need to have psychological safety so that they can speak up when they are concerned."

The comments were made at Health PEI's quarterly board meeting. Although it was open to the public, no citizens attended.

Gardam did not provide specific examples of what would be done to improve how staff are treated.

<https://www.cbc.ca/news/canada/prince-edward-island/pei-health-board-meeting-1.6139568>



NEWFOUNDLAND & LABRADOR

Soft-Tissue Injuries Account For The Majority Of All Workplace Lost-Time Injury Claims In The Province

Over the past five years, musculoskeletal injuries (MSIs), or soft-tissue injuries, have accounted for 68 per cent of WorkplaceNL lost-time injury claims and \$96 million in annual claim cost. MSIs such as sprains, strains, and inflammation may be caused or aggravated by work, but can be prevented.

September 19-25 is Move Well – Work Well Week; an annual event aimed at raising awareness of these injuries and finding practical solutions for preventing them.

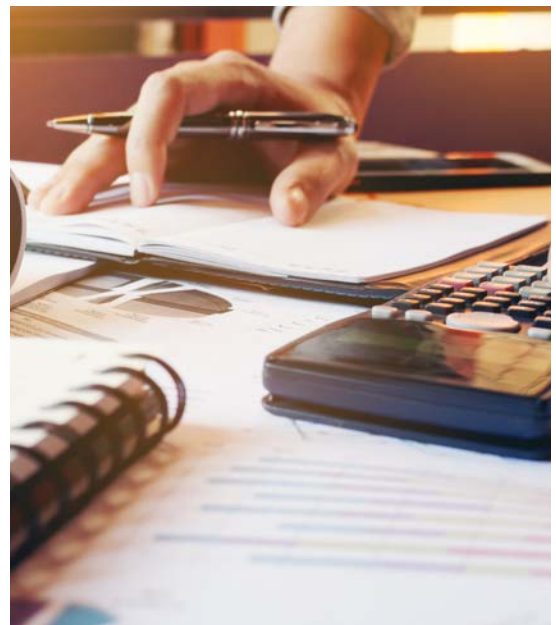
<https://workplacenl.ca/article/soft-tissue-injuries-account-for-the-majority-of-all-workplace-lost-time-injury-claims-in-the-province/>

WorkplaceNL Holds Discounted Average Assessment Rate At \$1.69 For Fourth Consecutive Year

Effective January 1, 2022, WorkplaceNL will hold the average assessment rate paid by employers at \$1.69 per \$100 of payroll, including a temporary \$0.21 average discount.

Seventy-three percent of employers will have no change or a lower annual assessment rate and 27 per cent of employers will have a higher rate in 2022. This compares to 43 per cent having no change or a lower rate and 57 per cent having a higher rate in 2021.

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

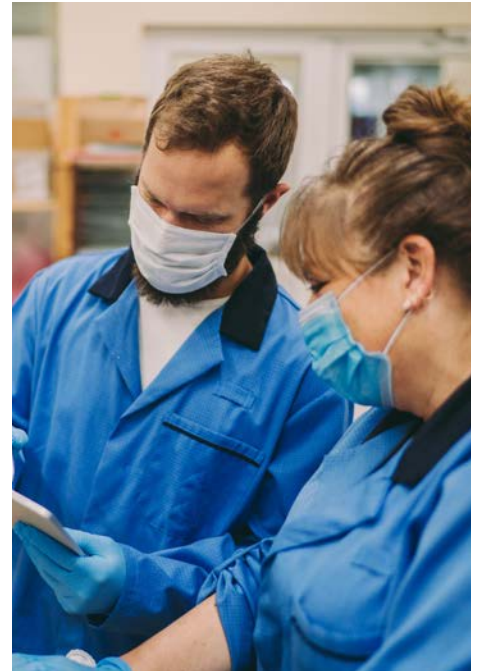


NORTHWEST TERRITORIES

Media Release: WSCC online resources for workplace safety and exposure control planning for Covid-19

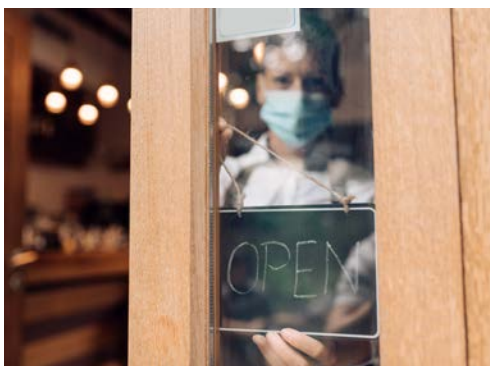
The Workers' Safety and Compensation Commission (WSCC) has updated resources and tools to assist employers with exposure control planning during the ongoing pandemic.

“Employers and workers play a key role in preventing and slowing the spread of COVID-19. All businesses and organizations need to closely monitor the most current public health requirements and be prepared to follow any orders and guidance for their community and industry. It is particularly important for businesses to review and update their safety plans when the risk of COVID-19 in their community or workplace has increased”, said Cary Ingram, Chief Mining & OHS Inspector for the Northwest Territories and Nunavut.



<https://www.wsc.nt.ca/node/4871>

Wage grant program available to Northwest Territories employers



The Northwest Territories is providing funding for employers that have been impacted by COVID-19-related restrictions.

Meant for non-essential businesses affected by rules around gathering sizes under a public health order issued after Aug. 1, 2021, the Labour Market Recovery Wage Grant offers funding of up to \$2,000 per employee. Each employer can get as much as \$10,000.

<https://www.hrreporter.com/focus-areas/legislation/wage-grant-program-available-to-northwest-territories-employers/360646>



Assessment rates announced at YWCHSB annual information meeting reflect Yukon's performance in workplace safety

Yukon Workers' Compensation Health and Safety Board (YWCHSB) held its annual information meeting on September 15th. The Board discussed operational highlights and the financial performance from the previous year, as outlined in the 2020 Annual Report. The report was released in May of this year.

The Board also announced industry classifications and assessment rates for 2022. The rates are reflective of safety and return to work efforts within Yukon's workplaces, along with the strong funded position at the end of 2020, despite the COVID-19 pandemic.

Resources & Transportation Low will see the largest decrease next year, going down 4.7 per cent, from \$2.78 to \$2.65. Services High will experience the second largest rate decrease, going down 4.6 per cent, from \$2.60 to \$2.48. The Government rate group, which includes the Government of Yukon as well as First Nations and municipal governments, will rise 6.3 per cent from \$1.76 to \$1.87.

<https://www.wcb.yk.ca/web-0074/web-0077/assessment-rates-announced-at-ywchsb-annual-inform>



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

A FEW WORDS FROM OUR HAPPY CLIENTS:

“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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