

CANADIAN WORKERS' COMPENSATION DIGEST

Volume 5 Issue 2



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INTRODUCTION/ABOUT TEKSMED

TeksMed Services Inc. is the leader in Canadian disability management, backed by over 30 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 eighteenth 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



Mental health barriers for public safety workers

Gregory S. Anderson and Helen Dragatsi highlight the mental health challenges faced by Canadian public safety personnel (PSP), including firefighters, police officers, and paramedics, who often suffer from PTSD and other psychological impacts due to job-related trauma.

The article discusses the implementation of presumptive clauses in Canada, making it easier for PSP to access workers' compensation for mental disorders. Recommendations for improving this system include expanding eligibility, covering a wider range of psychological symptoms, reconsidering time limits for claims, and enhancing organizational support for PSP's mental health.

<https://www.thesafetymag.com/ca/topics/psychological-safety/mental-health-barriers-for-public-safety-workers/473709>

Integrated disability management programs can shorten leave duration

The 2023 Mental Health Summit emphasized that integrated disability management programs, incorporating early intervention, accommodations, and return-to-work supports, can significantly reduce the duration of mental health-related disability leaves. Olivier Pagé of Medavie Blue Cross highlighted the importance of such programs in demonstrating employer commitment to employee health and safety, especially given the rise in mental health disability claims. Effective early intervention and support for employees can prevent the escalation of mental health challenges and facilitate quicker, successful returns to work.

<https://www.benefitscanada.com/events/conference-coverage/2023-mental-health-summit-integrated-disability-management-programs-can-shorten-leave-duration/>



Olivier Pagé

NATIONAL - CANADA

Top EHS trends in 2024

In 2024, EHS trends focus on shifting from reactive to proactive safety measures, expanding the use of control of work software across industries, and incorporating AI for better risk management and compliance.

There's also an increased emphasis on addressing soft risks, like mental health and worker well-being, to improve safety outcomes and retention. These developments underscore a dynamic approach to environmental, health, and safety management, prioritizing technological integration and employee wellness.

<https://www.thesafetymag.com/ca/topics/safety-and-ppe/top-ehs-trends-in-2024/473751>



BRITISH COLUMBIA

Planned Inspectional Initiatives updated for 2024

For 2024, WorkSafeBC has updated its Planned Inspectional Initiatives to enhance focus on occupational health and safety, emphasizing the basics and specific high-risk areas across industries. These initiatives, evolving from previous strategies, involve annual reviews to adjust priorities based on risk analysis, stakeholder feedback, and advisory input, aiming to improve hazard identification and risk management practices industry-wide.

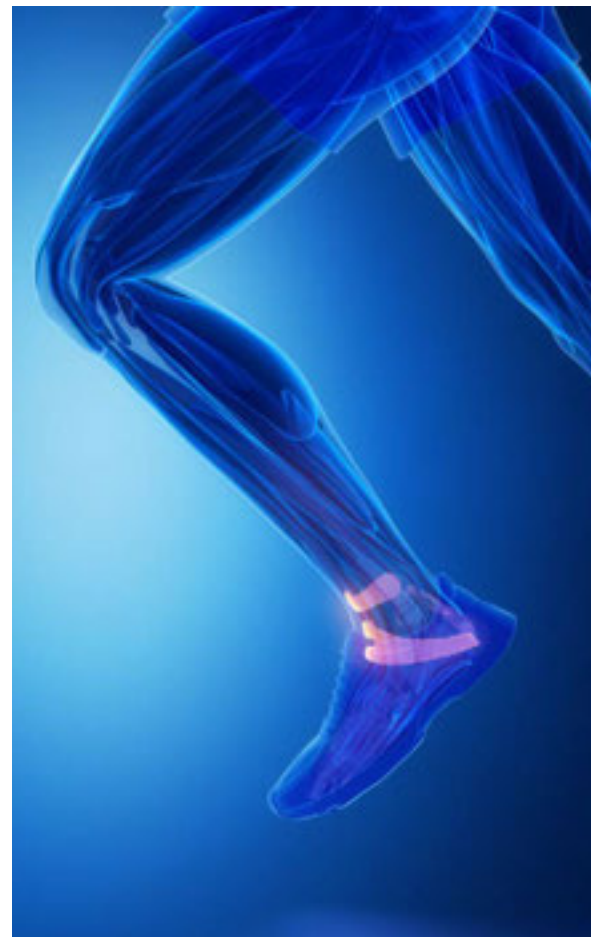
<https://www.worksafebc.com/en/about-us/news-events/announcements/2024/January/planned-inspectional-initiatives-2024>

Proposed amendments to policy on activity-related soft tissue disorders of the limbs

WorkSafeBC's Policy, Regulation and Research Department is proposing amendments to address activity-related soft tissue disorders (ASTDs) of the limbs, aiming to clarify work causation for ASTDs based on two significant projects.

These amendments draw from recommendations of external reviews and aim to refine policies on establishing employment as a cause for ASTDs. Stakeholders are invited to provide feedback on these proposed changes until April 26, 2024, with multiple channels open for submissions.

<https://www.worksafebc.com/en/law-policy/public-hearings-consultations/current-public-hearings-and-consultations/proposed-amendments-policy-activity-related-soft-tissue-disorders-limbs-2024-january>





BRITISH COLUMBIA

WorkSafeBC's new mental health strategy

WorkSafeBC has introduced a comprehensive mental health strategy, developed by Dr. Ashley Spetch and a team, aimed at enhancing psychological health and safety within the workplace. This strategy aligns with physical health and safety approaches, focusing on risk understanding, safety measures implementation, and effectiveness monitoring.

It emphasizes leadership commitment, supportive management, and worker participation, with a vision to lead in promoting psychologically safe workplaces and compassionate recovery. This strategy marks a significant step towards improving workplace mental health in British Columbia.

<https://www.worksafebc.com/en/about-us/news-events/campaigns/2024/January/introducing-our-mental-health-strategy>



Abilities-focused language for a meaningful recovery

Cara Rodrigues emphasizes using abilities-focused language in rehabilitation, enhancing injured workers' confidence and facilitating their return to pre-injury work. This approach shifts from discussing limitations to highlighting what clients can do, improving communication with employers and making work duties meaningful and relevant.

WorkSafeBC suggests that maintaining work connections and engaging in meaningful activities significantly benefits recovery, underscoring the importance of positive, ability-focused dialogue between workers and employers for a successful return to work.

<https://www.worksafebc.com/en/about-us/news-events/campaigns/2024/January/abilities-focused-language-for-meaningful-recovery>



Cost of Living Adjustment (COLA) 2024

The 2024 Cost of Living Adjustment (COLA) in Alberta updates long-term wage loss benefits to reflect actual earnings at the time of an accident, adjusting for inflation based on the Alberta Consumer Price Index minus 0.5% to correct for overestimation biases.

This ensures benefits remain fair and reflective of real wage loss, effective from January 1 each year, promoting long-range stability and fairness for workers by accurately accounting for cost-of-living changes.

https://www.wcb.ab.ca/assets/pdfs/employers/EFS_Cost_of_living_adjustment.pdf

Item	Rate for 2024
COLA	3.75%
Effective date	January 1, 2024
Maximum Assessable Earnings	\$104,600
Maximum Monthly PTD* Rate	\$5,746.47
Maximum Weekly Compensation rate	\$1,322.47
Minimum Monthly PTD* Rate	\$2,092.54
Minimum NELP*	\$2,126.45
Maximum NELP*	\$106,322.34
Maximum Home Maintenance Allowance - Level 1	\$267.15/month
Maximum Home Maintenance Allowance - Level 2	\$2,444.74/year
Minimum Personal Coverage	\$33,400/year

How claims affect your premiums

Premium adjustments are influenced by an employer's claims history, with distinct approaches for small and large businesses. Small businesses, with less than \$15,000 in industry-rated premiums over three years, see no impact from no-time-lost (NTL) claims and can receive a discount or surcharge based on lost-time claims (LTC). Large businesses, paying \$15,000 or more over three years, have their NTL claims evaluated against a yearly reviewed threshold, with all LTC costs affecting their experience rating. This system incentivizes safer workplace practices by directly linking claim costs to premium adjustments.

https://www.wcb.ab.ca/assets/pdfs/employers/EFS_How_claims_affect_your_premiums.pdf



How can you impact the premiums you pay?

Employer premium rates are set based on principles ensuring fair coverage for workplace injuries and illnesses, balancing employer support and injured worker benefits. Rates are determined through forecasting claim costs, examining historical rate group performance, and adjusting for individual employer experiences.

Premiums fund claim costs, administrative expenses, and health and safety programs, providing employers and workers protection and support for recovery and return to work. Employers can influence their premiums through health, safety, and effective return-to-work programs.

<https://www.wcb.ab.ca/insurance-and-premiums/how-premiums-are-set/rate-setting/>



SASKATCHEWAN

Saskatchewan Workers' Compensation Board Selects Sapiens to Transform its Core Workers' Compensation System

Sapiens International Corporation has been selected by the Saskatchewan Workers' Compensation Board to overhaul its core workers' compensation systems. This partnership aims to enhance operational efficiency with a modern platform integrating CoreSuite for Workers Compensation, DigitalSuite, and Intelligence, alongside cloud services. The phased implementation will begin with the employer accounts system, moving to claims and case management, to meet evolving customer needs and improve service delivery.

<https://www.wcbask.com/news/saskatchewan-workers-compensation-board-selects-sapiens-transform-its-core-workers>



**WCB's chair
Gord Dobrowolsky**

WCB approves 2024 premium rates

The Saskatchewan Workers' Compensation Board (WCB) has maintained the 2024 average employer premium rate at \$1.28 per hundred dollars of payroll, unchanged from 2023. This decision reflects efforts to balance stable rates with a fully funded compensation system amid rising claim costs and payroll totals.

With a focus on workplace safety, the WCB aims to manage and reduce serious injury costs, which constitute the majority of claims expenses. Additionally, the WCB's sufficiency policy targets a funded range of 100 to 140 percent to ensure long-term financial stability and support for workers and employers in injury prevention and management.

<https://www.wcbask.com/news/wcb-approves-2024-premium-rates>



MANITOBA

Manitoba governments invest to improve farm safety

The federal and Manitoba governments are allocating \$1.5 million to enhance farm safety through the FarmSafe Manitoba program, facilitated by Keystone Agricultural Producers (KAP). This investment, part of the Sustainable Canadian Agricultural Partnership, aims to provide Manitoba farmers with vital resources, training, and risk management tools to ensure safer and more productive farm operations.

The initiative focuses on various safety aspects including machinery, livestock, chemical handling, and emergency preparedness, striving to reduce workplace injuries and promote a culture of safety within the agricultural community.

<https://www.thesafetymag.com/ca/topics/safety-and-ppe/ottawa-manitoba-governments-invest-to-improve-farm-safety/474518>



ONTARIO

Rise in workplace injuries indicates trouble for healthcare workers in Ontario, WSIB data finds

The rise in workplace injuries among healthcare workers in Ontario is alarming, with WSIB data revealing a more than 60% increase in compensation claims between 2020 and 2022, predominantly due to COVID-19, physical assaults, and overexertion.

The healthcare system's stress, compounded by legislative limitations such as Bill 124, exacerbates staff shortages, impacting service delivery and worker safety. Efforts to address these challenges include advocating for fair compensation, improved safety policies, and enhanced support for healthcare professionals.

<https://capitalcurrent.ca/rise-in-workplace-injuries-indicates-trouble-for-healthcare-workers-in-ontario-wsib-data-finds/>



Ontario introduces 'super indexing' to boost compensation benefits

Ontario plans to introduce "super indexing" to increase WSIB benefits beyond the annual inflation rate, enhancing support for injured workers and firefighters in the province.

Additionally, legislation will soon allow for reduced employment duration requirements for firefighters seeking compensation for esophageal cancer, from 25 to 15 years.

The province is also exploring a new job-protected leave matching federal EI sickness benefits' duration to aid workers undergoing treatment for illnesses like cancer.

<https://www.thesafetymag.com/ca/topics/ohs-law-and-legislation/ontario-introduces-super-indexing-to-boost-compensation-benefits/466196>



ONTARIO

WSIB claims reveal top occupational disease risks in forestry, mining, and pulp and paper

Workplace Safety North, with the Occupational Cancer Research Centre, highlights the top occupational disease risks in the forestry, mining, and pulp and paper sectors through a new poster campaign.

Utilizing data from the Occupational Disease Surveillance System, the campaign aims to raise awareness about industry-specific health risks, such as silicosis, carpal tunnel syndrome, various cancers, COPD, and noise-induced hearing loss, to enhance workplace safety measures and training.

This initiative is part of broader efforts to address occupational diseases, including Ontario's creation of Canada's first Occupational Exposure Registry.

<https://www.sootoday.com/local-news/wsib-claims-reveal-top-occupational-disease-risks-in-forestry-mining-and-pulp-and-paper-8046942>





Training and certifications on construction sites now mandatory

Starting January 1, 2024, Quebec's CNESST mandates construction site workers to undergo specific training and obtain a training certificate. This includes members of the site committee, part-time and full-time health and safety representatives, and health and safety coordinators, with required training durations ranging from one to 240 hours. To encourage participation, CNESST reimburses certain expenses under specific conditions. Further information on mandatory training and expense reimbursement is available on CNESST's website.

<https://www.cnesst.gouv.qc.ca/fr/salle-presse/communiqués/formations-attestations-sur-chantiers-construction>



Labour standards: your project could receive financial assistance from the CNESST

The CNESST has launched a financial assistance program to promote awareness and training on labour standards, particularly focusing on the protection of young workers, temporary foreign workers, and recent immigrants. This initiative, funded with a \$1 million budget, offers grants up to \$100,000 for projects that increase understanding and enforcement of labour laws in Quebec. Application submissions will start in June 2024, with project relevance, impact, innovation, and application quality as evaluation criteria.

<https://www.cnesst.gouv.qc.ca/fr/salle-presse/communiqués/aide-financiere-pafnt>

NEW BRUNSWICK

Amendments to the First Aid Regulation under the OHS Act

New Brunswick's First Aid Regulation under the OHS Act has been updated to align with national standards, including CSA standards Z1210-17 for first aid training and Z1220-17 for workplace first aid kits.

A significant change is that workplace first aid trainers must now be approved by WorkSafeNB. Additionally, medical professionals can serve as first aid providers without needing the specified training. Employers are advised to review their first aid policies to ensure compliance with the new requirements, especially regarding the type and contents of first aid kits.

<https://www.worksafenb.ca/safety-topics/first-aid/>



WorkSafeNB launches new hub for Joint Health and Safety Committees

WorkSafeNB has launched a new online hub for Joint Health Safety Committees (JHSCs) to centralize resources and training for creating safer workplaces in New Brunswick.

This platform supports both new and experienced committee members, employers, and training providers with information on JHSC training, certification, legislative requirements, self-evaluations, and free consultation services.

<https://www.worksafenb.ca/about-us/news-and-events/news/2023/worksafenb-launches-new-hub-for-joint-health-and-safety-committees/>

Change to head protection standards coming

WorkSafeNB is transitioning to nationally harmonized Personal Protective Equipment (PPE) standards, including an important update to head protection requirements. Due to a legislative oversight, both Type 1, Class E, and the updated Type 2, Class E headwear are currently acceptable on New Brunswick project sites. However, Type 2, offering additional lateral impact protection, will become mandatory in the future.

<https://www.worksafenb.ca/about-us/news-and-events/news/2024/important-update-change-to-head-protection-standards-coming/>

NOVA SCOTIA

WCB Nova Scotia looks to the future with historically low injury rate, expanded supports

WCB Nova Scotia reports a record low workplace injury rate of 1.36 per 100 workers in Q2 2023, reflecting effective safety efforts. Financial stability is improving, with 94.5% of assets for future liabilities.

The WCB is focusing on industry-specific recovery programs, caseworker training, and early intervention claims. A new Safety Certified Program incorporating return-to-work criteria will launch next year.

<https://www.wcb.ns.ca/About-Us/News-Room/News/WCB-Nova-Scotia-looks-to-the-future-with-historically-low-injury-rate-expanded-supports-Nov-29-23>



New web section on Gradual Onset Psychological Injury now available

WCB Nova Scotia introduces a new web section focused on Gradual Onset Psychological Injury, providing insights into upcoming compensation for such injuries starting September 1, 2024.

This resource offers details on legislative changes, draft policies, and addresses common questions. It also includes links to tools and resources for fostering psychologically safer workplaces.

<https://www.wcb.ns.ca/About-Us/News-Room/News/New-web-section-on-Gradual-Onset-Psychological-Injury-now-available-Feb7-24>

PRINCE EDWARD ISLAND

Reporting work-related injuries and illnesses made easier and quicker for PEI workers

The Workers Compensation Board of PEI has enhanced its online services, allowing workers to easily report work-related injuries or illnesses from any device. This addition ensures secure, efficient claim processing and complements existing portal functions for employers and healthcare providers. Additionally, the WCB's Direct Access Program for physiotherapy and chiropractic care enables immediate treatment for work-related injuries without prior approval, streamlining recovery. For more details on claim filing and WCB resources, visit the WCB website.

<https://www.wcb.pe.ca/Information/NewsItem/860>



NEWFOUNDLAND & LABRADOR



WorkplaceNL increases average assessment rate in response to rising claims costs

WorkplaceNL announced an increase in the average assessment rate for employers to \$1.73 per \$100 of assessable earnings, starting January 1, 2024. This adjustment, which includes a temporary \$0.21 discount due to a surplus in the Injury Fund, addresses rising claims costs. Claims costs have risen 22% from 2018 to 2022 due to factors like inflation, enhanced benefits, and longer claim durations. Despite these challenges, WorkplaceNL is focused on injury prevention and effective return-to-work programs to maintain safer workplaces and manage costs.

<https://workplacenl.ca/article/workplacenl-increases-average-assessment-rate-in-response-to-rising-claims-costs/>



CANADIAN TERRITORIES

Workers' Safety and Compensation Commission Release Assessment Rates for 2024

The Workers' Safety and Compensation Commission (WSCC) maintains the average employer assessment rate at \$2.40 per \$100 of assessable payroll for 2024, consistent since 2020. With subclasses reflecting specific industry risks, 10 will see rate decreases due to improved claims costs, while 5 will experience increases.

Industries like Mining Services and Health Services may see higher rates, whereas Outdoor Recreation & Tourism and government sectors could see reductions. This approach encourages safe workplaces and aims to ensure workers' safety.

<https://wsc.nt.ca/node/5375>



The WSCC Lay Charges under the Northwest Territories Mine Health and Safety Act

The Workers' Safety and Compensation Commission has filed four charges against Diavik Diamond Mines for alleged violations of the Mine Health and Safety Act, including not implementing safe work practices and not adequately protecting employee health and safety.

These charges stem from an incident on January 26, 2023, that led to a serious worker injury. The first court appearance is scheduled for March 19, 2024. Further details cannot be provided as the case is now before the courts.

<https://wsc.nt.ca/node/5409>

CANADIAN TERRITORIES

No oversight of OHS regulations on fishing vessels in Canada's territories

The Transportation Safety Board of Canada (TSB) has highlighted a significant oversight in occupational health and safety (OHS) regulations on commercial fishing vessels in Canada's northern territories, calling for federal and territorial governments to clarify jurisdictional responsibilities.

Following an investigation into a fatal incident aboard the fishing vessel Suvak in Nunavut, the TSB discovered no effective OHS oversight exists for such vessels in Yukon, Northwest Territories, and Nunavut. This gap in regulation exposes crews to safety hazards, underscoring the need for coordinated efforts to ensure workplace safety.

<https://www.thesafetymag.com/ca/topics/safety-and-ppe/no-oversight-of-ohs-regulations-on-fishing-vessels-in-canadas-territories/469406>



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:

“Over the course of our working relationship, Fitzpatrick Electrical Contractor has found TeksMed’s disability management to be exceptional. Their knowledge of return-to-work best practices, WSIB law and policy, and overall commitment to customer service is impressive and extremely helpful to us, especially in this industry.”

- Fitzpatrick Electrical Contractor Inc. | Health & Safety Manager

“TeksMed has been helping our employees return back to work when they are fully recovered and ready to work while reducing the time away from their workplace and lost wages. This has led to a substantial amount of savings for Denny’s Canada.”

- Denny’s Canada | Human Resources Coordinator

“TeksMed has been working with us for the last 3 years and has been providing excellent workplace injury claim management services. We have reduced our WCB costs by 12% each year and have successfully brought our injured workers back to work sooner and safer. Their professionals have made me worry-free on the WCB claims, so I can work on other things of my duties. Their team has really helped our company throughout the years.”

- Van-Whole Produce | HR Generalist

EAST OFFICE

**4711 Yonge Street, 10th Floor
Toronto ON, M2N 6K8**

Toll Free: 1-844-835-7253

Toll Free Fax: 1-877-504-1777

Email: info@teksmed.com

WEST OFFICE

**44600 Skylark Road
Chilliwack BC, V2R 6H5**

Toll Free: 1-844-835-7253

Toll Free Fax: 1-877-504-1777

Email: info@teksmed.com