

The Liversidge e-Letter

An Executive Briefing on Emerging Workplace Safety and Insurance Issues

June 4, 2004

An *Electronic Letter* for the Clients of L.A. Liversidge, LL.B.

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EAC to Jointly Participate in June 16, 2004 Roundtable Discussion ODAP Chair's Report Key Advocacy Issue

The Employers' Advocacy Council will be participating in the June 16, 2004 ODAP Roundtable Discussion

The Employers' Advocacy Council ["EAC"], a leading employer organization focused on the development of sound and sustainable workplace safety and insurance policy, will be participating in the June 16, 2004 ODAP Roundtable Discussion.

Responsible and legally consistent arguments must be advanced to the WSIB

Mr. L.A. Liversidge will be providing an in-depth policy and legal analysis of the ODAP Report, along with an overview of the advocacy avenues open to businesses and employer trade associations, to ensure that *responsible and legally consistent arguments* are advanced to the Board. The deadline for submissions is September 30, 2004.

Labour and injured worker advocates have developed a comprehensive platform for WSI reform

Ms. Sherri Helmka, Executive Director of the EAC, will be providing an update on other pressing workplace safety and insurance ["WSI"] policy issues, notably, up-to-the-minute information on the platform of change that has been advanced by labour to the Minister of Labour. At a *Workers' Compensation Platform for Action Conference*, a policy conference widely attended by senior labour representatives and worker advocates, the following list of policy objectives were set out:

We need a Workers' Compensation Board and a new Act that is focused on compensating and supporting workers and their families or survivors. The system must:

1. Provide a decent standard of living for injured workers -
 - A. Full indexing of compensation benefits to stop the progressive impoverishment of injured workers.
 - B. Restore the benefit rate to 90% of net, as it was before 1998.
 - C. No deduction of CPP disability from WCB benefits.
 - D. Dental, drug benefits and a living retirement plan.
2. Cover all workers in Ontario, and recognize all occupational disease, including stress.
3. Provide real jobs with job security, or full benefits, put an end to "deeming" and enforce the *Human Rights Code*.
4. Strongly enforce Health and Safety laws and ensure effective prevention, rather than reward employers with experience rating.

5. Provide proper health care and support services to all injured workers.
6. Fundamentally review and reform the support provided to severely injured workers such as those who require attendant care.
7. Be accessible, supportive, prompt, not time limited, and offer free representation.

In view of the significance of the ODAP Chair's Report, the pressing issues now being advanced by the labour community, the soon to be released Minister of Labour ordered audit on the WSIB, and last but not least, consultations on 2005 employer premium rates, along with a likely review of the WSIB funding strategy, it is clear that it will be a HOT summer for WSI policy issues. And, the Government is yet to announce the selection for the new Chair of the WSIB. Invitations to the roundtable discussion were e-mailed last week. Please respond if you have not already done so.

Notice of Roundtable Discussion On WSIB ODAP Report June 16, 2004

9:30 AM – 11:30 AM

The Guild Room
Days Hotel & Conference Centre
6257 Airport Road

The WSIB ODAP Chair's Report very likely will lead to significant adjustments in WSIB occupational disease adjudication policy, with far-reaching funding implications.

L.A. Liversidge will be providing an in-depth legal overview of the ODAP Report. Ms. Helmka of the EAC, will provide an up-to-the-minute status on a WSI reform agenda proposed by the worker advocacy community.

Invitations will be e-mailed.