

The Liversidge e-Letter

An Executive Briefing on Emerging Workplace Safety and Insurance Issues

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

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WSIB Chair Mahoney showing strong leadership promoting small business fairness

Several recent initiatives are promising

Under the leadership of the Hon. Steve Mahoney, P.C., WSIB making progress for fairer playing field for small business

Progress made in programs being explored or developed

As I have reported in past issues of **The Liversidge e-Letter**, I have long been an advocate for a fairer approach towards smaller business, particularly when dealing with what I have called the “*business side of the Board’s business*”. In recent months I have addressed such issues as: the even-handedness of the Board’s employer audit functions; the registration of new employers; WSIB collection actions; and the effectiveness of experience rating.

The Board has been listening - Mahoney has been acting

The Board has been listening. *More importantly, the WSIB Chair, the Hon. Steve Mahoney, has been leading the way on many worthwhile suggestions.* Readers will recall that Mr. Mahoney made it clear right out of the gate just about a year ago, that one of his priorities (and he has been able to balance several at the same time, most notably worker safety), was that of small business. Well, actions speak louder than words. **And, he is “speaking loudly”.**

Beyond his words, Mr. Mahoney has *acted* with swift leadership to correct obvious short-comings and to actively explore solutions to developing problems. Here’s a few.

Voluntary Registration Program being implemented

As I explained in the February 28, 2007 issue of **The Liversidge e-Letter**, employers that should be reporting to the WSIB, but have not been, and wish to voluntarily come forward, are treated the same as those that wait to be found out. As I argued in front of the **Standing Committee on Government Agencies** last February, this is simply unfair. In the not so distant past, the Board had in place what was called the **Voluntary Registration Program** [“VRP”], which more fairly treated the employer voluntarily coming forward. That program was cancelled a few years ago.

In an unprecedented move in its swiftness and resolve, literally within days, Mr. Mahoney committed the Board to re-develop the VRP. I am very pleased to report that the

Board is making progress on this and I am informed that a new policy is actively being developed.

WSIB NEER Calculator on WSIB web-site

As readers of **The Liversidge e-Letter** know, while an ardent supporter of experience rating [“ER”], I have argued that its effectiveness could be boosted if the Board supplied employers with a better toolbox to “*put it to work*”. I suggested that the Board put an easy to use “**NEER Calculator**” on its website. *Well, it has.* I tip my hat to the skilled WSIB staff who put this outstanding tool together (I would mention some names but I would not want to embarrass – or leave anyone out). I have every confidence that this issue was championed by WSIB Chair Mahoney who paved the way for this important initiative to see the light of day. I must also add that the WSIB Chair is a fervent supporter of ER, and has gone on the record in the strongest possible terms, responding to ER critics. *A more powerful endorsement I have not heard.* See the March 12, 2007 issue of **The Liversidge e-Letter** for this endorsement.

WSIB examining Standing Committee recommendation to suspend collection activity while employer appealing

When I appeared before the *Standing Committee* in February, I suggested that the WSIB adopt a policy long in place at the *Canada Revenue Agency* to suspend collection activity while a tax assessment is being appealed. In its recent report, the *Standing Committee* adopted this recommendation, and now the Board is carefully reviewing the suggestion (more in later issues). **Implementing this one idea would go a very long way in establishing a higher standard of fairness for small business.** In addition to this, the Board is concurrently and independently undertaking a high level review of recent audit decisions and practices.

The bottom line: These initiatives have a common thread: Chair Mahoney’s vision championed since his arrival last year. **This is about a fairer way. A better way. A new way.** And, he is making progress, removing obstacles that stand in the way of employer fairness, one at a time. **There is more to do.** But, with this leadership and commitment, and a strong start, it hopefully is just a matter of time. *Stay tuned.* I am sure this story is just beginning.