

Workplace Safety and Insurance System (WSIS)

Stakeholder Counselor System

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WSIS Co-ordinating Committee

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Executive Summary

During the 2005 review of Nova Scotia's Workplace Safety and Insurance System, participants identified a gap in the support available to stakeholders attempting to navigate through the complex workers' compensation system. In response to this gap, the Chair of the Workers' Compensation Board and the Deputy Minister of Environment and Labour (Coordinating Committee) proposed a service option for stakeholders to consider. A working group of stakeholders was created to further explore ways to fill the service need.

Currently there are several programs and services which offer some support to stakeholders when they are dealing with the workers' compensation system. The working group recommended that an additional program be developed that would complement the existing programs, but not duplicate efforts. The working group went on to identify common principles for the workers' compensation system and the appeals system specifically. The principles include:

1. Make the right decision early.
2. Consistency among decision-makers.
3. Best information available early in the process (including medical).
4. Less litigious.
5. Less complex.
6. Time is of the essence.

Given that these principles are for the longer term vision of the system, the working group discussed ways to move towards this vision in the short term. The group recommended the creation of a two-year pilot that would include the following factors:

- Two programs: Employer Counselors Program and Worker Counselors Program.
- The Programs should be independent, but work together. Programs should be housed separately but this may be reviewed as the program matures.
- Important that the Programs work closely together and with existing WSIS partners to ensure that the overall goals of the System are achieved.
- Pilot would be cancelled if it was not meeting expected outcomes and was not perceived as adding value by the stakeholders.
- It could be governed through a government program or department such as Environment and Labour.

In response to this recommendation, the Coordinating Committee reviewed existing programs in other jurisdictions to identify lessons learned in creating such a program. One of the biggest challenges to consider is promoting the service to the intended customers and to not create role confusion. Other jurisdictions also noted the importance of clearly identifying expected outcomes of the program especially if it is to be delivered on a pilot basis. Jurisdictions also spoke about the benefits of customers not perceiving the employer and worker service branches as being in an adversarial relationship. One jurisdiction has used physical location to attempt to

overcome this misperception.

Based on stakeholder input, and lessons learned from other jurisdictions, the Coordinating Committee is recommending the following:

- Create an Employer and Worker Counselor Program, independent, but working with existing programs in the System.
- Run the program on a two-year pilot basis to provide information, advice, assistance, navigation, coaching, and training to workers and employers, but no formal involvement in appeals.
- Provide an annual report and quarterly performance updates to the Coordinating Committee.
- Be housed in separate store-front service locations.
- Funding details to be determined, but initial funding expected to be in the \$250,000 – 500,000 range for each service, exact funding levels will be determined based on need.
- Second staff already working within the WSIS (note: WSIS includes the employer, labour, injured worker community in addition to the four agencies) to create and run the pilot. Seconding an existing staff person would assist in expediting the establishment of the programs and ensure adequate knowledge of the System and stakeholders, thereby contributing to the success of the pilot in the shorter term.
- Maintain the working group to provide advice to the pilot program and assist in defining outcome measures of success.

Introduction

Nova Scotia's Workplace Safety and Insurance System is comprised of both the workers' compensation and occupational health and safety systems. These systems are interconnected and interdependent. However, while stakeholders recognize that the occupational health and safety system has its challenges, employers and employees have said they experience difficulty in navigating the complex workers' compensation system and they find the system cumbersome and legalistic.

As part of a 2005 review of Nova Scotia's Workplace Safety and Insurance System, stakeholders developed a *Statement of Principles and Objectives – WSIS Governance and Accountability* (May 9, 2005). In that document, stakeholders stated:

It is agreed that employers and employees experience difficulty in navigating the complex workers' compensation system. It is further agreed that the system is overly litigious . . .

In response to this stakeholder feedback, the Chair of the Workers' Compensation Board and the Deputy Minister of Nova Scotia Environment and Labour examined options to address the gap in navigation services provided to injured workers and employers in Nova Scotia. A discussion paper was produced which recommended the expansion of the current Client Relations Officer role at the WCB. It was recommended that a small number of system navigators would be a point of contact for employers, workers or government officials who have any questions about the workers' compensation system whether they be claims, assessment, occupational health and safety, prevention or appeals issues.

The discussion paper was presented to stakeholders at a briefing session in November 2005. The stakeholders disagreed with the recommendation and offered to form a working group to revisit the issue.

Working Group Findings

Recognizing existing gaps in the workers' compensation system in regards to support, navigation, and advice, stakeholders placed a priority on filling these service gaps. A stakeholder nominated working group met to better define how to meet this need for both employees and employers (large and small). The following service options were discussed:

1. System Navigation

- Training
- Assistance in understanding process
- Information

2. Mediation

- For disputed claims
- BEFORE decision-making up to and including filing a formal appeal

3. Formal Appeal Support

- Preparation and assistance before appeal
- Coaching to prevent matters from entering formal appeal system

4. Formal Appeal Representation

- Formal stakeholder representation as part of the appeal system. Recognized that WAP provides some services but not all workers are able to access service as the program is currently defined.

After identifying various service options, the working group arrived at the following recommendation:

Objective

Increase stakeholder understanding and involvement with the workers' compensation system to ensure that the right decision is being made as early as possible while reducing the litigiousness of the system.

Program Principles

1. Make the right decision early.
2. Consistency among decision-makers.
3. Best information available early in the process (including medical).
4. Less litigious.
5. Less complex.
6. Time is of the essence.

Logistics

- Should be set up as a 2-year pilot project.
- Two programs: Employer Counselor Program and Worker Counselor Program.
- The Programs should be independent, but work with existing programs. Programs should be initially housed separately as this will lead to confidence in the Programs' independence, but as the Programs mature, this should be reviewed.
- Important that the Programs work closely together and with existing WSIS partners to ensure that the overall goals of the System are achieved.
- Pilot would only be cancelled if it was not meeting expected outcomes and was not perceived as adding value by the stakeholders.
- The Programs should be governed through a government program.

Factors

1. A two-year pilot program should be developed to provide services for stakeholders to help resolve issues on a claim and avoid formal appeals. Employer Counselors and Worker Counselors, who are independent from government, will be housed separately. The Working Group recognizes this type of service will fill the gap for both employers and employees

2. The focus is on system navigation, with the following attributes:
 - provide information, advice, navigation, coaching / training to clients and evolve to policy consultation
 - independent from government / WCB
 - Employer / Worker Counselors housed separately
 - store-front style of service, with toll-free number for outside HRM
 - counselors linked to each other and WCB for consistent application of policies
 - no appeal involvement
 - funding through Accident Fund.

3. Stakeholders recommend that for the development of navigation and training services, efforts should be made to ensure that the content and messages are consistent from both programs. Therefore there would be a close working relationship between the two programs in this aspect of service delivery.

Long-term Goal

Once the pilot has run for 2 years, there will be further investigation into other suggestions for making the System less litigious.

While stakeholders recognize that there are gaps in the formal appeal representation service area, there was no clear consensus on how to best meet these gaps at this time. However, the long-term goal is to ensure the right decision is made initially, thereby limiting the reliance on the appeal system.

Stakeholder Counselor System's Fit with WSIS

The WSIS strategic plan defines the system and sets out its vision, goals, strategy and initiatives. The strategic goals of the System are to;

- Improve outcomes for workers and employers
 - Reduce workplace injuries
 - Improve return to work
- Improve service delivery
 - Accessibility of information & information sharing
 - Improve issue resolution
- Ensure effective governance of the System
 - Formal accountability structure
 - Stakeholder consultation
 - System performance measures
- Ensure financial sustainability of the System

The creation of an Employer and Worker Counselor Program is an initiative that will contribute the WSIS achieving a reduction in workplace injuries, improved return-to-work outcomes, as well as improved service delivery by improving issue resolution and increasing accessibility of

information sharing. The Programs are intended to increase understanding by and support for stakeholders to interact within the system, thereby improving outcomes.

Models Examined

This research includes jurisdictions that have both an employer and a worker service available to assist with workers' compensation issues. The jurisdictions of British Columbia, Ontario, Prince Edward Island, New Brunswick and Newfoundland and Labrador have both employer and worker advisers or advocates. These offices are integral partners in the workers' compensation systems within their respective jurisdictions.

The Yukon Territory ran a two-year pilot for an Employer Consultant, which term ended in 2004. An evaluation was conducted by an independent agency, following which the Yukon Board of Directors decided to not move forward with the project. More information about the Yukon example is set out under "Challenges" below.

Of the Atlantic Provinces, Nova Scotia is the only jurisdiction without an employer adviser / advocate / consultant.

The following table summarizes research completed in several Canadian jurisdictions, for more detailed research, please see Appendix A.

Summary of Inter-jurisdictional Research

Province	Governance	Legislative Framework	Program Mandate	Funding
British Columbia	Employers' and Workers' Advisers independent from WCB	Created under workers' compensation legislation	Independent advice, assistance, representation, and training. Participates in policy consultation	Employers' Adviser program \$3.3m Workers' Advisers program \$4.9m
Ontario	Employers' and Workers' Advisers Offices are independent agencies within the Ministry	Created under workers' compensation legislation	Educate, advise and represent (workers' advisors represent non-union workers)	Both over \$10m
Prince Edward Island	Employer Advisor and Worker Advisor are independent of WCB and part of the Department of Community & Cultural Affairs	Created under workers' compensation legislation	Assists individuals and interested groups in dealings with the WCB as well as prepare appeal submissions	Each program receives approximately \$120,000
New Brunswick	Employers' and Workers' Advocates are independent of WHSCC and employed by Department of Post-secondary Education & Training	Created under workers' compensation legislation	Assist, educate, advise and represent workers and employers	Employers' Advocate \$250,000 Workers' Advocate \$450,000
Newfoundland and Labrador	Employers' Advisor and Workers' Advisor are separate from the WHSCC and are the employees of the Employers' Council and Federation of Labour	Program is not created in legislation	Assist in resolving issues, but do not represent in an appeal. Also provide information, education and assist with occupational health & safety matters. Advocate at a program and policy level	Approximately \$200,000 each (other program support for the Employer Advisors Program are funded from the Employers' Council)

Lessons Learned

Challenges

Each jurisdiction has challenges in administering their programs. The most common challenge is promoting the availability of services and then convincing clients that the program is independent of WCB. The EA program in PEI is attempting to overcome this challenge by being present at the Employers' Council Annual General Meeting and sending employer stakeholders a monthly newsletter. As well, hosting display booths at business exhibitions, providing workshops and profiling the Office on the government and WCB websites are helpful strategies. The EA has also become an Associate Member of the AWCBC with access to their research and publications.

In New Brunswick, the EA finds it difficult to gain access to WCB records. They do not have electronic access and therefore must physically attend the WCB office. They cannot respond until they've taken the time to go to WCB and locate a file. They are overcoming this challenge by working on electronic access to WCB files.

In Newfoundland and Labrador the EA program finds that employers do not understand how the compensation system works, and they do not seek education in the system until there is a problem. Another challenge is that EA's cannot represent employers at the Review Division hearings (appeals). During a recent statutory review, a recommendation was made to have both EA's and WA's represent clients at the Review Division hearings. The status of this stakeholder recommendation has not been determined.

The Yukon ran an Employers Consultant Program as a two-year pilot, based on the Newfoundland and Labrador model. The Yukon Workers' Compensation, Health, and Safety Board contracted the Yukon Chamber of Commerce to provide services to employers from the YCC office. The main services provided included education, training, information, and navigation.

After the pilot, an evaluation of the program was conducted by an independent consultant. The evaluation concluded that the rationale for having an employer consultant was sound, and that the program was beneficial. However, the Board of Directors decided not to proceed with the program for the following reasons:

- the YWCH&S had not defined what role the Employers Consultant would play in the system
- there was confusion about whether the Employers Consultant would act as an "advisor" or an "advocate"
- the reporting system was not defined, and they did not have a basis to evaluate the work that was being done i.e. could not measure the level of service the program was providing
- employers were indifferent, i.e. no real response to the program.

The Yukon *Workers' Compensation Act* is currently under review and a suggestion was to include the Employer Consultant position. There currently are no formal plans to implement this suggestion.

Successes

In New Brunswick, the EA and the WA are housed in the same building. The programs suggest this allows for quicker and freer sharing of information. They have suggested that to be housed separately would suggest that there is an adversarial relationship. The only time they may be perceived as “adversarial” is at a hearing, but in the overall program delivery, there is great benefit in ensuring open communication. Client feedback is generally good. They have had very few complaints against their services over the years. The Commission does a good job of “advertising” the EA services.

The EA’s from across the country meet on a regular basis to discuss issues, challenges, trends.

Recommendation

The following is a recommended high level framework for implementing a Stakeholder Advocate System.

Governance

- Employer Counselor Program and Worker Counselor Program, both independent of existing programs within WSIS.
- Provide an annual report and quarterly performance updates to the Chair of the Workers’ Compensation Board and the Deputy Minister of Environment and Labour as the WSIS Co-ordinating Committee.
- Stakeholder Steering Committee to champion implementation and be a resource throughout the two-year pilot.
- Housed separately initially with store-front style service.

Legislative Framework

- No anticipated changes to legislation.

Program Mandate

- Increase stakeholder understanding and involvement with the workers’ compensation system to ensure that the right decision is being made as early as possible while reducing the litigiousness of the system.
- Provide information, advice, assistance, navigation, coaching and training; but no formal involvement with appeals.
- Counselors are linked to each other and WCB to ensure consistent application and

- interpretation of policies.
- Assist in the WSIS policy consultation process as appropriate.

Funding Levels

- Program may be comparable to NB's and NL's where funding for each program is averaged at \$225,000. Based on programs that have at least 2 employer advocates and 2 worker advocates, with limited administrative support, looking at an initial funding allocation of between \$250,000 to 500,000 each, but final program funding based on need.
- Given that it is proposed to be a two year pilot program, and stakeholders have requested early establishment, it is recommended that staff currently working within the WSIS (note: WSIS includes the employer, labour, injured worker community in addition to the four agencies) be seconded to do detailed design and delivery of the services during the pilot phase. Seconding an existing staff person would assist in expediting the establishment of the programs and ensure adequate knowledge of the System and stakeholders, thereby contributing to the success of the pilot in the shorter term.

Next Steps

Stakeholders have indicated that establishing this program is a priority and should be operational by no later than January 2007. In order to meet this timeline, several next steps must be accomplished.

1. Formally create the working group to provide advice to the detailed program development including expected program outcomes, success measures and candidate selection criteria.
2. Allowing working group members an opportunity to consult with their respective constituencies on expected program outcomes, success measures and candidate selection criteria.
3. Develop detailed program implementation strategy and recruitment plan.

Appendix A

Governance

The employer and worker assistance models researched for this paper are all independent of the workers' compensation authority (board or commission) in its jurisdiction; but some are employed by a provincial Ministry. In all cases, the programs interact with the workers' compensation authority on policy consultation. Workers' compensation systems in each jurisdiction are established through workers' compensation legislation.

In British Columbia, both the Employers' Adviser and Workers' Adviser Offices are independent of Workers' Compensation Board, but are employed by the provincial Ministry. The offices work closely together on relevant issues and have an open, positive, working relationship. The offices are located in the same building to facilitate interaction. Both have full access to WCB files and information. The Employer Adviser makes recommendations to the policy department, Executive and Board of Directors. However, the Employer Adviser is not an advocate of employers' positions and is not a stakeholder.

Ontario's Employers' Adviser and Workers' Adviser Offices were established in 1985, as independent agencies of the Ministry of Labour. The Ministry of Labour and the employer and worker advisory services are integral partners in the administration of the province's workplace safety and insurance system along with the Workplace Safety and Insurance Board (WSIB).

In Prince Edward Island, both the Office of the Employer Advisor and the Worker Advisor Program are run independently of the Workers Compensation Board. Both the Employer Advisor and the Worker Advisor are employees of the Department of Community and Cultural Affairs. The Employer Advisor participates in policy and legislation consultation with WCB and officials, and advocates on behalf of the Employers' Council of PEI on such matters. Although not required by legislation, the Employer Advisor provides an annual report to the WCB.

New Brunswick's Employers' Advocate and Workers' Advocate are independent of the Workplace Health Safety and Compensation Commission, and are employed by the Department of NB Post-Secondary Education and Training. The Workers' Advocate has full access to all Board files and records relating to any claim they are reviewing. The Employer Advocate has been in place and working for 15 years. The EA participates in policy discussions with WCB. A good relationship is maintained between all employer and worker advocates by sharing of information.

In Newfoundland and Labrador, both the Employers' Advisor and the Workers' Advisor are independent of the Workplace Health, Safety and Compensation Commission, but they provide a quarterly report to the Board of Directors. Employers' Advisors are employees of the NL Employers' Council, and the role of the Employers' Advisor was outlined by both the Employers' Council and the Commission. The Workers' Advisors are employed by the Federation of Labour. Meetings on system issues or policy consultations are held between both

Advisors and the Commission. Feedback on policy consultation is fed into the Board of Directors for decision-making. .

Legislative Framework

The advisors and advocates in the provinces of BC, ON, PE and NB are appointed / created under the respective workers' compensation legislation.

In British Columbia, Section 94 of the *Workers' Compensation Act* allows for the appointment of both the Employers' Adviser and the Workers' Adviser. Ontario's *Workplace Safety and Insurance Act, 1997*, Section 176 creates the Offices of the Workers and Employers Advisers. The Prince Edward Island *Workers' Compensation Act*, Section 85 allows for appointment of both employer advisors and worker advisors. The *Workers' Compensation Act* of New Brunswick, Section 83.1, allows for the appointment of Workers Advocates and Employers Advocates. The Newfoundland and Labrador Employers' and Workers' Advisors positions are not created by legislation.

Program Mandate

The mandates of the programs vary, but the most common services provided include free and independent advice, assistance, and training, and in some cases, representation.

The Employers' Adviser (EA) of British Columbia provides independent advice, assistance, representation and training to employers, potential employers and employer associations concerning workers' compensation issues. About 90% of its time is directed at employers with less than 10 workers. In fulfilling its mandate, the Employers' Adviser heads off potential appeals. The EA provides advice concerning assessments, and advises and prepares submissions for appeal. The EA advises employers with regard to the interpretation and administration of the Act or any regulations or decisions made under it. As well, the EA assists employers with the Prevention and Review Divisions of the WCB. They conduct training seminars regarding OH&S issues, prevention, claims management, how to conduct risk assessments, and how to speed up an injured worker's return to work. The EA may communicate with or appear before the Board, and the appeal tribunal on behalf of an employer where the EA considers assistance is required.

The Workers' Adviser (WA) of British Columbia is mandated to advise and assist clients with regards to workers' compensation benefits, policies and the interpretation of the Act. Clients include injured workers who have WCB claims, their dependants, professional associations, union representatives and injured workers' associations. Advisers meet with senior WCB officials to resolve claims issues and avoid unnecessary reviews and appeals and make recommendations to the WCB on matters of policy and practice. They gather medical and other evidence to advance the inquiry system. The WA helps with Requests for Review at the Review Division or an Appeal at the Workers' Compensation Appeal Tribunal regarding a WCB decision. In some cases, the WA provides representation at a review or an appeal. Clients are provided with representation in cases involving complex legal, medical or policy issues where there is no alternate representative, and where there is merit. Advisers' activities include

telephone and personal interviews, claims file reviews, written advice, written submissions and oral presentations in reviews and appeals and provide training to public groups.

In Ontario, the Office of the Employer Adviser (OEA) is mandated to educate, advise and represent primarily those employers that have fewer than 100 employees. The central call centre is staffed by professional advisers who are experienced in all aspects of workplace safety insurance. The OEA helps resolve disputes early and ensure that employers are treated fairly at all levels in the system. It does not provide training workshops, but makes reference to Employers' Advocacy Council seminars.¹

The Office of the Worker Adviser (OWA) in Ontario is mandated to educate, advise and represent non-unionized injured workers and their survivors. The OWA provides free and confidential services such as summary advice, assistance in meeting time limits for appeals, self-help materials and instruction, and representation on appeals. Unionized workers are not eligible to receive its services and are referred to their unions for assistance. The OWA represents non-unionized injured workers at the Workplace Safety and Insurance Board (WSIB) and at the Workplace Safety and Insurance Appeals Tribunal (WSIAT), and when appropriate provides advice to workers who are handling their own cases. When possible, the OWA uses alternative dispute resolution to resolve cases as early as possible and to eliminate the need for formal hearings. The OWA establishes community partnerships with other groups that work with non-unionized injured workers. The OWA provides educational services to non-unionized injured workers and those in the community who assist these workers.

In Prince Edward Island, the Employer Adviser (EA) is mandated to assist employers in respect of classifications, assessments, and claims for compensation. The EA assists employers and employer associations with the statutory interpretation, application, and administration of the *Workers Compensation Act* and the *Occupational Health and Safety Act*, as well as the WCB's policies, procedures and practices. The office assists employers in dealings with the Employer Services, Client Services and Occupational Health and Safety Divisions of the WCB. The EA prepares submissions to the Internal Reconsideration Officer (IRO) and the Workers Compensation Appeal Tribunal (WCAT) and assists employers in cases involving complex policy, medical or legal issues. The EA conducts training workshops and public speaking engagements on topics dealing with claims management, classifications and assessments, workplace health and safety and appeals. The EA also meets with the Board Directors and officials to review and make recommendations on legislation and policy.

The Workers' Advisor (WA) of Prince Edward Island provides general information about the WCB system, policies, procedures and the appeal process. The WA advises injured workers on what actions they can take, and helps gather necessary information determine if the problem with

¹The Employers' Advocacy Council (EAC) has represented the interests of Ontario employers in the field of workplace safety and insurance and occupational health and safety for 21 years. EAC is a non-profit organization funded by employers for employers. EAC represents employers from all sectors of Ontario's economy and provides employers with a strong voice at the table with government and the Workplace Safety and Insurance Board (WSIB). Recently, EAC formed a strategic alliance with the Canadian Manufacturers and Exporters (CME) to provide members more access to training, networking and other benefits.

a claim can be resolved through an appeal. The WA also helps prepare an appeal, and may appear as the worker's, or other dependant's, representative at an appeal hearing. The WA is entitled to full access to worker's file at worker's request.

The province of New Brunswick provides an Employers' Advocate (EA) office to employers. Working under the Department of Post-Secondary Education and Training, the mission of the Employers' Advocates is to assist New Brunswick employers in matters concerning workers' compensation through communication, consultation and education and by advising and representing them on issues before the Workplace Health, Safety and Compensation Commission. The EA's provide overall liaison between employers and the Commission, and help educate employers on Workers' Compensation policy, legislation, and appeals process. They assist employers in interpreting sections and clauses within the Workers' Compensation Act and Regulations, and in preparing and presenting appeals in front of the Commission. The EA's advise employers of their rights under the Workers' Compensation legislation, and provide advice to on any other matters of concern which deal directly with Commission policy and the Workers' Compensation Act. They represent employers at appeals if the employer is a party to an appeal, or has initiated an appeal. The EA will prepare information and speak on their behalf. The EA's do not provide mediation services.

It is the mandate of the Workers' Advocate (WA) to assist any worker, or any dependent of a worker, in respect of any claim for compensation under the Workers' Compensation Act. The WA provides general information about the Workers Compensation system, policies, and procedures, and advises injured workers on what actions they can take and by helping to gather the necessary information. The WA helps determine if there is a problem with a claim that can be resolved through an appeal, and will help prepare an appeal, written or oral. They will also appear with the injured worker or their dependent as his or her representative at an appeal hearing.

In Newfoundland and Labrador, the mandate of both the Employer Advisor (EA) and Worker Advisor (WA) programs is to resolve an issue on the claim and avoid formal legal appeals. The EA's and WA's are non-lawyers. The EA deals mainly with small employers, and the WA deals mainly with non-unionized employees. In order to gain access to information at the Commission, the employer / worker must sign an authorization form so that the EA or WA can access information at the Commission.

The mandate of the EA is broad. In addition to providing information about workers' compensation issues, the EA's touch on OH&S and labour standards issues (minimum wage, vacation leave, lay-offs). They will also visit the employer's site to help with setting up an OH&S program or committee. If employer has a difficult claim, they help them negotiate the process.

Both the EA and WA provides training, workshops, presentations on compensation and OH&S issues. Both programs advocate on behalf of their clients by voicing their respective groups' views during statutory reviews. If the EA or WA believes that the Commission is not properly interpreting or applying a policy, they advise them as such. The Commission will sit down with

both EA's and WA's and consult as a group on proposed policies or amendments to policies. According to the EA, the policies are reviewed by the stakeholders and then the EA's select a group to sit at a round table with the Commission to represent the employers' interests.

Funding levels

Funding for the programs range anywhere from \$100,000 to millions of dollars.

In British Columbia, the annual cost of running the Employers' Adviser program is approximately \$3.3 million; and the Workers' Adviser program is approximately \$4.9 million. Under Section 94 of the *Workers Compensation Act*, the Ministry's Compensation Advisory Services branches (Employers' Advisers and Workers' Advisers) are funded through recoveries from the Workers' Compensation Board (WCB) Accident Fund.

In Ontario, the annual cost of running both the EA and the WA programs is over \$10 million. Pursuant to Section 176 of the *Workplace Safety and Insurance Act, 1997* funding for the offices is paid through the Workplace Safety and Insurance Board.

In Prince Edward Island, both offices are funded through WCB with budgets each of \$120,000 +/- per year. The Employer Advisor is staffed by one advisor (which includes administrative assistant position). Pursuant to Section 85 of the *Workers' Compensation Act*, the Board is required to make annual grants to the Department of Community and Cultural Affairs to cover the costs of providing the services.

In New Brunswick, the annual costs of the Employers' Advocate office is \$250,000 for three advocates; and \$450,000 for the Workers' Advocate (double the staff). Section 83 of the *Workers' Compensation Act* requires the New Brunswick Workplace Health, Safety, and Compensation Commission to make annual grants to the provincial government for program costs for the Employer and Worker Advocate offices.

In Newfoundland and Labrador, the programs receive approximately \$200,000 each. The Commission is required to fund the operating costs of the Employer and Worker Advisor positions. The EA office consists of 5 positions: the two EA's are funded \$200,000 by the Commission. The president, marketing officer, and officer manager are funded by the Employers' Council. The WA office consists of 2 advisors and part-time support.