

# **Workplace Safety & Insurance System**

**~Stakeholder Consultation Session~**

**January 10, 2007**

***Agreement Points***

***&***

***Presentations***

**Compiled January 19, 2007**

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**Workplace Safety & Insurance System  
Stakeholder Consultation Session  
January 10, 2007**

**Summary of Points of Agreement Reached at Session**

- Universal coverage
- Tailoring “solutions” to reflect industry variance
- Increased focus on prevention and health & safety education
- Increased health & safety education in the school system (younger)
- Prevention must be a WSIS priority
- More information for and increased participation by stakeholders in the system (ensuring information is provided on a timely basis)
- Look at the Occupational Health and Safety Advisory Council
- Appeal and case management process is too litigious → not contributing to system effectiveness and needs to be examined
- Support for industry based safety associations
- Need for improved communications and accountability from the Workers’ Compensation Board
- Stakeholders should be involved prior to the final product launch/announcement
- System needs to increase and use client knowledge during the development of regulations, policies and programs
- Explore mediation as an option to reducing litigiousness of the system

# **Presentations**

The Workers Safety and Insurance System  
“ Our Perspective”  
Presented  
By



The Cape Breton Injured Workers' Association  
The Mainland Injured Workers' Association  
The Pictou County Injured Workers' Association

# Purpose of the Legislation

Employers  
Workers  
The Board

INCLUDES:

The Act  
Regulations  
Policies

**10 (1)** Where, in an industry to which this Part applies, personal injury by accident arising out of and in the course of employment is caused to a worker, the Board shall pay compensation to the worker as provided by this Part.



**10 (4)** Where the accident arose out of employment, unless the contrary is shown, it shall be presumed that it occurred in the course of employment, and where the accident occurred in the course of employment, unless the contrary is shown, it shall be presumed that it arose out of the employment.

## **Jurisdiction and powers of Board**

**185 (1)** Subject to the rights of appeal provided in this Act, the Board has exclusive jurisdiction to inquire into, hear and determine all questions of fact and law arising pursuant to this Part, and any decision, order or ruling of the Board on the question is final and conclusive and is not subject to appeal, review or challenge in any court.

**(2)** Notwithstanding subsection (1) but subject to Sections 71 to 73, the Board may

(a) reconsider any decision, order or ruling made by it; and

(b) confirm, vary or reverse the decision, order or ruling. 1994-95, c. 10, s. 185.

## **Basis for decisions of Board**

**186** The decisions, orders and rulings of the Board shall always be based upon the real merits and justice of the case and in accordance with this Act, the regulations and the policies of the Board. 1994-95, c. 10, s. 186.

## **Applicant entitled to benefit of doubt**

**187** Notwithstanding anything contained in this Act, on any application for compensation an applicant is entitled to the benefit of the doubt which means that, where there is doubt on an issue respecting the application and the disputed possibilities are evenly balanced, the issue shall be resolved in the workers favour. 1994-95, c. 10, s. 187.

Any proposed policy or legislative change must:

1. Promote WCB accuracy and accountability in decision making and in financial responsibility.
2. Adhere to the historical scheme of the WCB system and the Meredith Principles

# SCORECARD

Injured Workers will not support “2007 Policy Agenda” issues that:

- reduce or have potential to reduce benefits
- are not consistent with the historical scheme of the WCB system
- do not adhere to the Meredith Principles
- do not reflect the recommendations of the Dorsey Review Committee Report

## Scheme of Workers Compensation System

- no-fault workplace insurance
- workers give up more than right to sue – give up the right to significant personal injury damages in exchange for quick access to uninterrupted wage loss
- rebuttable presumption that injury was caused as result of employment. (Sections 10(4) and 187)

Injured Workers do not support the following policy changes proposed by the WCB at the Nov 29/06 meeting:

1. Apportionment of Benefits - Policy 3.9.11R
2. Establishing a causal link between chronic pain and workplace injury
3. Opioid medications for compensable injuries



## Apportionment of Benefits – Policy 3.9.11R

- Policy, as written, is consistent with the scheme of the legislation
- Concerned that “tinkering” with this policy will result in litigation and appeals
- the problem lies not with the policy but with the WCB’s interpretation and application
- Apportionment of benefits should be rare, it was the workplace accident that took the worker out of the workforce, not pre existing conditions.

## Establishing a causal link - chronic pain and workplace injury

- the causal link is established in section 10(4) – the presumption is the injury occurred in the workplace, unless the contrary is shown
- any attempt to deviate from this legislatively enacted causal link will destroy the foundation upon which the workers compensation system is built.

# Opiod Medications for Compensable Injuries

- WCB has no authority to regulate treating physicians - concerns should be addressed to College of Physicians and Surgeons
- Will WCB accept responsibility for the potential liability for failing to allow the prescription for a necessary drug
- WCB has positioned itself into the role of directing medical treatment by entering into contractual relationships with Doctors NS, physiotherapists and Tiered service providers.
- Are the WCB, it's staff and Board of Directors willing to accept the potential personal, civil liability associated with such relationships?

## Low Priority (issues identified at Nov 29/06 Meeting)

1. Hearing Loss – Policy 1.2.5R1, 1.2.5AR,
2. Medical aid for long term claims,

Any issues with respect to these policies can be reviewed following the review and overhaul of the Extended Benefits Unit.

3. Allocating claims cost between employers

OK with us if employers are in agreement

## Low Priority (continued)

4. Requiring coverage of WCB service providers as a condition of contract

This is an issue that may be moot with the implementation of universal coverage.

5. More access by employers to claim file information

Current policy is sufficient.

6. Interruption of medical benefits - Policy 1.3.2R

There is no need to alter this policy, WCB misinterpreted WCAT decision...WCAT did not state the policy was “nonsensical”.

## High Priority (issues identified at Nov 29/06 Meeting)

1. Review of EERB – Policy 3.4.2R1
2. Travel expenses for VR – Policy 4.2.4R1
3. Eligibility criteria – Supplementary Benefits – Policy 3.8.1R4
4. Annuities – Policy 3.6.3; 3.6.4; 3.6.6; 3.6.9,

## Review of EERB – Policy 3.4.2R1

- wording in policy is inconsistent with Act – the Act states the WCB “may” review the benefit in 36 months; the policy uses the phrase “will review”
- the WCB has wrongly interpreted the phrase “initial award of the benefit” to mean the date of a final determination of the benefit after all appeals have been exhausted. The intention of the legislation is to review the benefit 36 months from the date of the first EERB decision (initial award)

## Travel expenses for VR – Policy 4.2.4R1

- injured worker should be reimbursed for actual mileage expense
- worker already penalized for 2/5 waiting period and lost 15% of net wages – no need for further burden
- job search area of 100 km from residence is unrealistic (eg a worker residing in HRM would be required to seek out employment in Truro or Bridgewater – more unrealistic for rural clients)



## Eligibility criteria – Supplementary Benefits – Policy 3.8.1R4

- purpose of benefit was to provide a substitute for wage loss benefits to those eligible workers injured before March 23, 1990 (Pre-Hayden)
- for eligibility, the worker must be in receipt of monthly pension and eligible for CPP disability
- Concerns - the criteria for an EERB is not as high as that for CPP and WCB commuted many pensions to lump sums without consultation
- Why is the eligibility criteria for a Supplementary Benefit higher than that for an earnings loss.

## Annuities – Policies 3.6.3; 3.6.4; 3.6.6; 3.6.9

- The WCB is not implementing the legislation or policies - claiming no financial institution is willing to administer such small amounts
- We contacted only one financial service provider, Investors Group, and the provider expressed an interest to administer the annuity accounts
- How much effort did the WCB put forth with respect to this legislated requirement?

The WCB must be accountable for:

- making the right decision at the right time
- in accordance with the Act, Regulations and Policies

Employers and injured workers have limited recourse in the courts for negligent or bad faith decisions by WCB staff.

The workers compensation system must be held accountable for bad decision making!!!!!!!

## Proposed Policies for WCB Accountability

1. New policy to hold WCB decision makers accountable in situations of non-adherence to Act, Regulations or Policy
2. New policy to ensure consistency and accuracy in WCB decision making
3. New policy to ensure WCB accountability in administrative and financial matters

The WCB and staff must be held accountable when failing to properly interpret and consistently apply the provisions of the Act, Regulations and Policy in decisions relating to employer assessments and worker benefits.

# New Policy Proposal

To clearly identify the role and responsibilities of the Board Medical Advisor

- Increasingly, WCAT has been overturning WCB decisions where the decision maker has preferred the opinion of the Board Medical Advisor over treating physicians
- WCB Case Managers are relying upon Board Medical Advisors for claims adjudication rather than making the decision themselves
- Board Medical Advisors are notorious for not giving reasons for their opinions
- Board Medical Advisors are exceeding their role - their role should be dictated by policy
- WAP and WCAT could easily track and report on issues that are being overturned

## Additional proposals for inclusion on 2007 Policy Agenda

- legislative change to definition of “chronic pain” – no other medical condition is defined in the Act, Regulations or Policies. No other WCB jurisdiction in North America has such a restrictive requirement
- the “new evidence” policy 8.1.7R1 is too litigious. The no fault, less litigious nature of the WCB scheme is compromised by a new evidence test that is more restrictive than civil court proceedings

## Other Issues

- Administrative Costs – compared to other jurisdictions, WCB of NS has excessive administrative costs
- Prevention – In 2005, 27 people were killed on the job in Nova Scotia. This is unacceptable and prevention of workplace injury and death must be of the highest priority for the WSIS
- Why do employers and WCB staff have access to WAP legal advisors before a decision is made, while injured workers are unable to access WAP services until an appeal has been filed with Internal Appeals?

## WCB's Lack of Communication with Stakeholders

- WCB is informing stakeholders after the implementation of services such as, contracts with physiotherapists, Doctors NS, Tiered Service Providers, Enhanced Physician Service, Issue Resolution Group. Consultation with Stakeholder groups must occur in the planning stage.
- There is an inconsistency in what the WCB says and what it does.



# Issue Resolution Group?

- What is this and why?

## Return to Work Plan

- There is an implied assumption that all injured workers are able to return to work
- The severity of some injuries keep people out of the workforce
- A safe return to work must take priority over reducing claim durations
- Who should be responsible for the increased claims costs when workers are re-injured after being forced to participate in a RTW Plan when not medically able to do so? The Employer? The WCB? The Service Provider?

## WCB Civil Liability

- Does WCB have authority to contract with health care providers? Doctors NS, EPS, Columbia Health, etc
- By doing so, WCB has exceeded its role of paying for medical services to directing treatment and, thus, has created a situation of potential civil liability for WCB and personal liability for WCB staff, Board of Directors and service providers.
- This area of litigation is evolving and recent Ontario Court decisions have held a doctor providing an independent medical opinion in a no-fault insurance scheme may have a duty to avoid both psychological and economic injuries that result from decisions based upon the opinion. Cited as:  
Worthman v. Assessment Inc., 2006 CanLII 7038 (ON S.C.D.C)

## Enhanced Physician Services

- What training was provided to these physicians?
- What qualifications do the physicians possess?
- Are these physicians providing independent medical opinions? Explain
- Have these physicians been informed of the potential civil liability of becoming WCB Health Service Providers?

In order to move forward in the future  
we have to fix the mistakes of the past

Prevention must be the highest priority

Implement the ACT as it was intended/as it is  
written

Provide “appropriate” health care to injured  
workers

This will  
compensate workers for their injuries and;  
protect employers from increased costs

And  
assist in a “safe return-to-work  
For both the employee and employer”  
the ultimate goal of the system



Nova Scotia Federation of Labour, CLC  
3700 Kempt Rd, Suite 225  
Halifax, Nova Scotia  
B3K 4X8

# Workplace Safety and Insurance System Stakeholder Consultation Session

Westin Hotel, Halifax

Wednesday, January 10, 2007



- Excerpt from letter of invitation from the WSIS Co-ordinating Committee to today's session:  
“.....As was mentioned at the meeting, system planning is evolving; and we thought that by identifying the system planning priorities, you would be better able to identify for us what's working, what's not, and what your priority recommendations for change will be. “ (Our emphasis added)
- We will attempt to maintain focus to these areas in our presentation.



# But first a bit of history for perspective

- It wasn't until 1914 that Canada had its first "modern" workers' compensation law.
- Go back 125 years in Canada's labour history and you'll find a very different country – especially when it comes to workplace safety. If you were the victim of an accident on the job, chances are you'd be left to fend for yourself.
- If a worker wanted to be compensated for an injury, there was only one option: suing the employer. But that process could take a long time, causing legal fees to escalate to a point that most workers could not afford them. And – in the vast majority of cases – the employer usually won.





- Workers already had three strikes against them when they went to court. It had been established in the law of the day that:
  1. An employer was not responsible for a worker's accident if the staff member contributed to the mishap in any way.
  2. An employer was not responsible for the accident if a victim's co-worker contributed to it in any way.
  3. When a person accepted a job, he was expected to understand there were certain risks inherent in the work. The employee was expected to make financial arrangements for his own well-being in the event of an accident.
- Injured workers are often left destitute.



- It wasn't until 1914 that Canada had its first "modern" workers' compensation law. Ontario introduced legislation in the wake of a report by William Meredith, the province's chief justice at the time.
- Meredith's report changed the face of labour legislation across the country. He came up with a new model that was wholly Canadian. Under his plan, workers would be eligible for guaranteed no-fault benefits from a system that was wholly funded by employers. In exchange, employers were freed from legal liability.
- Other provinces introduced legislation of their own over the next few years, based on Meredith's proposals.



- The system has evolved since then but modern workers' compensation programs have retained many of the principles Meredith set out.
- Collective liability. Employers as a whole are responsible for payment of benefits in specified industries.
- No-fault system. The worker is paid whether the accident is his/her fault, the employer is to blame, or a co-worker is responsible.
- Security of payment. The worker is paid based on loss of earnings, regardless of the financial conditions of the employer.
- An independent administrative body operates the system.
- Exclusive jurisdiction: workers' compensation authorities make the decisions about claims.



- While the workers' compensation system provided for injured workers, it didn't put an end to injuries - or deaths - in the workplace.
- In 2004, the Canadian Centre for the Study of Living Standards investigated safety at workplaces in rich nations around the world. Canada's rate of workplace fatalities - 7 deaths per 100,000 workers - tied for top spot as the worst. Canada's record for reducing workplace fatalities over the previous 20 years stood alone as the worst.
- And we all know only too well, the continuing high levels of workplace injuries, illness and fatalities in Nova Scotia are at alarming levels; clearly indicating something is definitely not working or as often said the more things change the more things stay the same



- Today's session is in follow-up or a continuance of the consultation session of November 29, 2006; which brings us to a beginning topic – consultation.
- The consultation process is a bit of 'what's working and what's not'.
- The consultation process is moving in the right direction but as in any new venture there are growing pains and room to improve.





- During the November session many of us were discussing potential policy issues that we had seen for the first time during the session.
- In addition, the stakeholder representation invitation list showed an imbalance between Employer and Employee invitees; something currently being reviewed as we work towards a directory of contacts.
- If we truly wish to have meaningful input and feed back; all stakeholder representatives should receive the respective materials in a timely fashion.



- Whereas during the November 29th session the WCB's "Potential Policy Issues" had received a fair degree of scrutiny and rating and aside to our previous comments, we will proceed to other related matters of the WSIS. Occupational Health and Safety concerns; as the best way to reduce costs to the system is through safe, healthy workplaces.
- In doing so we wish to state that we work very closely with the Injured Workers' Groups and support the reflection they make on the rating of the policy issues including those that are not acceptable or supportive, views and positions shared on the 29<sup>th</sup>.



- As previously stated the continuing high and unacceptable levels of workplace-related illnesses, injuries and fatalities are clear indicators that something is not working with or within the WSIS.
- There are many factors that obviously contribute to this trend but if asked what resource would best help make the system work as intended, we would point to Government commitment and leadership.
- We believe if we, collectively, are to move forward, Government must provide stronger commitment and support to the process, and to Occupational Health and Safety.





- The Internal Responsible System is a good system, if given the tools and support needed to do the job envisaged.
- We have had an IRS in place since the adoption of the first Occupational Health Act had been enacted in the mid 80's and yet after two decades, we have yet to have full regulatory support in place for the Act and the IRS.
- There is a backlog of regulations awaiting Government support and approval; many have been backlogged for years.
- Without this support, one could easily say that the IRS is failing workers because Government is failing the IRS.



- Among the Regulations important to the IRS and awaiting support and enactment deal with: Joint Occupational Safety and Health Committees and training, the heart of an IRS; Indoor Air Quality; Occupational Health, Underground Mining and Violence in the Workplace.
- When faced with the list of backlogged Regulations, Government has adopted a multi-year plan to review these and other related matters, generally focusing one or two matters per year. In fact, a discussion paper is now out on Workplace Violence despite the fact the first draft regulations were in place in 1999 - we need action now, not more studies.
- We believe all regulations need to be brought forward, dusted off, spruced up if necessary and adopted.



- The Occupational Health and Safety Advisory Council is in disarray, due to lack of support.
- Attempts failed to re-schedule the December meeting to an earlier date to enable a quorum for the meeting and the scheduled January meeting has also been cancelled, due to lack of quorum.
- This failure to establish a quorum is not due to lack of interest of the members but rather to the failure to have the names put forward in a timely fashion for appointments or re-appointments. Many of the applications and/or nominations had been in the process for many months and here today we still await action.
- Rightly or wrongly this is perceived as a blatant disregard and lack of support for this very important process and to the stakeholders who work hard on our behalf and for safe, healthy workplaces.



- We believe we need to de-politicize Occupational Health and Safety.
- We must again get to the point where the Occupational Health and Safety Advisory Council to the Minister and his Government, is just that, the Advisory Council on OHS matters and not considered just another stakeholder to consult with.
- This body is legislatively mandated and is made up of workplace stakeholders who are committed to this process; and to ignore their work and recommendations because of a lobby is not only undermining the Advisory Council but also Health and Safety in Nova Scotia.



- Training and Education are the keys to a good IRS
- Although briefly mentioned in previous comments regarding the backlog of Regulations, we would like to take a moment on the need for greater commitment to workplace health and safety training.
- We clearly believe that training, especially for JOSH Committees, is essential to provide the tools to enable them to carry out their responsibilities and duties and to enhance the IRS.
- We must expand OHS education in the public schools; to help prepare our youth for the workplace. Today very little is taught in our public school system or in universities for that matter.
- We should move now on this important venture and be one of the leaders instead of playing catch-up.





- We cannot conclude without again urging the adoption of Universal Coverage for there are far too many workplaces and workers that are not protected by Workers' Compensation.
- Although we believe this is good for workers and their employers due to the coverage and protection of Workers' Compensation, we also feel it necessary for Occupational Health and Safety given that accident prevention and training comes under the role and responsibility of Workers' Compensation.



# Healthy and Safe Workplaces

- Workers should not and do not go to work expecting to become injured.
- Workers should be free from this fear.
- Families should have the comfort and right to see their loved ones return home at the end of the day.

# Occupational Health and Safety Advisory Council

## **THE STATE OF OCCUPATIONAL HEALTH AND SAFETY IN NOVA SCOTIA**

### **Report #1**

#### **The Role of Education, Training and Awareness Initiatives**

*Submitted to:*

Honourable Mark Parent

Minister, Department of Environment & Labour

November 2006



## Introduction

This report has been prepared by the Occupational Health and Safety Advisory Council's Prevention Sub-committee. The report summarizes the education, training and awareness initiatives prepared by the sub-committee in the context of what is currently being undertaken by stakeholders in Nova Scotia to promote an accident prevention culture, and how this could be enhanced.

## Background

The OH&S Advisory Council held an accident prevention planning session at the Inn-on-the-Lake in April, 2005. An outcome of the session was to submit a ***Report on Workplace Accident Prevention, September, 2005*** to the Minister of Environment and Labour. The report evolved around the following themes (in order of the frequency of ranking):

- Government Commitment and Leadership
- Education, Training and Awareness
- Community Leadership

***The State of Occupational Health and Safety in Nova Scotia, Report #1 The Role of Education, Training and Awareness Initiatives*** is the first report which represents the follow-up work by the Prevention Sub-committee, building upon most of the initiatives in the earlier report under education, training and education.

## Current Initiatives by Stakeholders

A survey of 44 of the key private and public stakeholders involved with OHS training was conducted to assess the nature and scope of occupational health and training currently being provided in Nova Scotia.

With a response rate of almost one third, the Prevention Sub-committee reviewed the survey results.

The sub-committee assessed the specific requirements for training under the NS Occupational Health and Safety Act and Regulations.

The following data (2005) was also prepared and considered by the sub-committee:

# of orders for training	571 (out of 6,000)
# of accidents per 100 employees	Approx. 2.9
WCB premiums / claims data:	
Employers' premiums	\$ 238.9 million
Total cost of claims	\$ 33.1 million
Total # of time-loss claims	9, 046
Total cost of time-loss claims	\$ 28.3 million
Avg. duration of time-loss claim	6.8 weeks
Avg. cost per time-loss claim	\$ 3,133
OHS-related Court Fines	27 fines - \$358,511
Participation at WCB / DEL public information sessions	1,600 individuals
Number of media stories covering workplace prevention issues	428
Workplace Committees:	
# of firms inspected / % with committees present	3366 / 39%
# of orders to create committees	34
# of orders for training / for train committees	571/ 17
# of orders issued to the Employee vs the Employer (based on large, multi year random sample)	4 / 339
# of Right to Refuse complaints investigated, and as % of total complaints	16 (2005) 1.8%

## Recommendations

In consideration of current education, training and promotional efforts, and having considered a range of opportunities for improvement, the Prevention Sub-committee recommends the following initiatives to build upon and enhance such prevention initiatives in the future:

1. **Strengthen Awards and Recognition programs** by system partners.  
Currently the Nova Scotia Construction Safety Association and the Canadian Society of Safety Engineers (through North American Occupational Safety and Health Week) sponsor such awards that serve as useful awareness models. There is a need to further recognize excellence, creating an additional incentive for employers to pursue best practices in Health & Safety. WCB and the OHS Division of DoEL should create high

profile awards to recognize achievement and increase stakeholders' awareness of Health and Safety. Further, the WCB and the OHS Division should create an inventory of existing programs to determine opportunities for support and partnerships. These could include programs such as St. Johns Ambulance's "White Cross Awards" for first aid training and Passport to Safety's "Threads of Life" Program which raises awareness of the impact of injury on youth and survivors of fatalities.

2. **Encourage the creation of OHS safety groups** in sectors where they do not exist, yet appear warranted (eg: the fisheries), and encourage additional safety initiatives which could be offered by other sectoral organizations (eg: NSAHQ, CFIB).

Currently, Forestry, Trucking, Construction and the Retail Gasoline sectors have safety associations. In each of these sectors, industry-led programs providing training, promotion, and audit activities have resulted in improvements in the sector's health and safety experience in turn yielding reduced assessment rates. In other jurisdictions this model is used to great success as well; for example, in Ontario all major sectors have a safety association.

Government should promote options to increase participation with existing and new safety associations. This includes supporting the establishment of industry based associations and modifying procurement guidelines to encourage utilization of existing products such as requiring a Certificate of Recognition when awarding contracts.

3. **Increase efforts to encourage the adoption of Universal Coverage** (remove 3 worker rule) so smaller firms become part of the system and may be strategically targeted. Employers with less than 3 workers are no less likely to have a workplace injury than in larger companies.

Removing the 3-person rule accomplishes the following;

- a. Protection to small employers through the statutory bar associated with WCB where they cannot be sued in the case of a workplace injury
- b. Protection for an Injured Worker in that they are provided with a guaranteed system of benefits regardless of the financial status of the employer.
- c. Ensures that costs associated with workplace injury are carried by the employer community and not transferred to the social safety net of the province.
- d. Ensures that small employers are more aware of the costs of this system. By paying premiums they will be more likely to take an active interest in health and safety. In essence, they become a stakeholders of the system.
- e. Removes litigation from the courts regarding workplace injury
- f. Levels the playing field in that all employers pay premium. Currently if a small employer opts out they enjoy lower costs at the expense of not covering their workers.

- g. Decreases the discrepancy between those covered under the Occupational Health and Safety Act and those covered and paying premiums to the WCB. Today, WCB employers (18,000 / 50,000) fund most of the OHS divisions operating costs while OHS provides service to all employers.
4. **Expand education in the public schools** (eg: Options and Opportunities Program) and encourage the adoption of core OHS curriculum in high schools.

Education prepares our young people for the workplace; since OHS is an important part of working life in Nova Scotia, it is important that our education system recognize this important part in its programs. In Nova Scotia today, under the public school system, most students get no education regarding health and safety; this is also true at the University level. To effectively change the health and safety culture and ensure that our youth are aware of their rights under the Internal Responsibility System, the education system needs to show leadership by including core curriculum relating to health and safety under the public school system. Other provinces have been making great strides in the area, and it is time that Nova Scotia took a leadership position. Nova Scotia should consider working with other Atlantic Province ministries on this initiative.

5. **Broaden and become more message-targeted in OHS Social Marketing.**

- a. DEL should increase its public profile. One strategy to achieve this is through working with the WCB on social marketing efforts.
- b. Social Marketing efforts should be focused in the messaging for a “call for action”

6. **Create a network to reach safety committees.**

There is currently an information void at most JOHS Committees. There is a need for a targeted approach in communicating and providing information with these employees.

Furthermore JOHS Committees need training to allow them to develop the competencies required to effectively do their job and enhance the internal responsibility system principle the Act is founded upon. The capacity for training, with appropriate quality control and assurances, must be established within the province. Once established, there would be a need to assess alternative delivery models as well as determine whether it becomes a mandatory requirement. This approach ties in with the DEL 2006-2007 Business Plan whereby methods of strengthening the Internal Responsibility System are to be examined, where education is key.

A communication link should be established with members of existing committees to ensure their access to Health and Safety materials/resources. Committee access to best practice prevention information on both their industry and company would ensure they have the information to align their strategies with their individual situations. DEL and WCB should reach out to JOHS committees through their respective

communication strategies.

**7. Assist Small Business in Determining Needs and Provide Resources.**

Small business often does not enjoy the same economies of scale as a larger employer. For example, large companies often have a dedicated resource dealing with Health and Safety issues. WCB and OHS should target small business to provide toolkits of information that are industry based. They could include industry specific industry injury data, best practice information, and information on practical strategies. Government should be innovative in exploring solutions for small business.

## **Submission on behalf of Canadian Manufacturers and Exporters**

-as presented by Christopher Ipe

### **DIFFICULTIES WITH THE CURRENT APPEAL SYSTEM**

- Continuing Litigation ruins relationships with employees
- Appeal stream too long and complex
- Owing to the complexity of appeals, injured workers have access to professional litigators, many of which have over 10 years experience at the provincial bar; employers have no such access and are forced to contract out expensive legal services to defend their positions
- Owing to the complexity or expense of appeal, employers cannot afford to attend them, or choose not to, as they have little chance of either understanding the issues on appeal, or competing against the litigation team of the injured worker
- Appeal system by its very nature encourages differing interpretations of WCB benefits leading to continuing uncertainty as to what constitutes an acceptable claim and any compensation thereto; the continuing existence of the Workers' Advisers Program ("WAP") exacerbates this scenario, as their mandate is to increase the benefits available to injured workers by any legal means necessary, meaning that any ambiguities or loopholes in the Act or Policies of the WCB will be exploited to the "nth degree" to often provide benefits not contemplated by the system or government
- New benefits garnered from the appeal system, have the effect of financially destabilizing the WCB system, as the WCB scheme of benefits is based on a fiscal framework which allocates benefits to what it can afford, rather than what certain workers and their counsel wish to have
- Most if not all appellate adjudicators have little industry experience, and are expert only in the sense of their legal rather than their workplace experience; this leads to decisions which may be sound in a legal sense, but are unsound in a business sense

### **SOLUTIONS**

- The use of mediation/conciliation ("m/c") to resolve claims at an earlier level of appeal
- The establishment of employer/employee agencies to encourage m/c rather than litigation
- Changes in the mandate of WAP to encourage m/c rather than litigation
- The elimination of new evidence at the appellate levels; any new evidence should be dealt with at the initial level of adjudication
- The elimination of one level of appeal, utilizing their level of expertise elsewhere (potentially in m/c) in the system
- Changes to the structure of the Appeals Tribunal to allow for permanent members and greater numbers of industry professionals to adjudicate cases
- Changes to the structure of the Appeals system to limit the number of court appeals

**2007 WSIS Priorities  
Stakeholder Consultation  
January 12, 2007**

**Presentation by Canadian Manufacturers' Association**

**Access to Information**

- Employers want to be more involved in the Workers' Compensation System
- Employers' Advisor Program must be kept maintained as high priority to educate employers on the WCB and OHS processes and issues
- Meaningful involvement requires access to information at every stage of a claim
  - During adjudication
  - Physical capacities
  - Appeal – need entire file, not redacted
- Involvement will assist in reducing appeals and the litigiousness of system

**Opiates Policy**

- Early and Safe Return to Work Policy is having success and want to continue with that success
- A policy on Medical Aid for Opiates is a priority because use of opiates can have a negative impact on safe return to work. Use of opiates can also lead to further disability if worker becomes addicted, the disability stems from the addiction, not the injury.

Bernadine  
MacAulay

# WSIS Priorities Service Sector

Stakeholder Consultation Session  
January 10, 2007



# Service Sector

- Retail/Foodservice/Accommodation/  
Business Services
- Generally small businesses with fewer than 50 employees. Most would have under 20 employees.
- Many part-time and young workers
- \$1.7 billion assessable payroll
- 27.3% of registered claims

# Service Sector Views

- Support emphasis on prevention and reducing duration
- Support Priority Employer Prevention Program and Safety Incentive Program
- Motivate employers rather than over-regulate and penalize. Employers do not want to see employees hurt.
- Safety association/group model may not work in many cases due to size, resources and sector membership
- Occupational Health and Safety Advisory Council must be overhauled

# Service Sector Priorities

- Need to see light at the end of the tunnel – prospect of lower rates
- Balance – employer gains to balance huge increases to benefit liabilities over the past decade
- Employers need to be included in the system – access to information, appeals, governance and employer advocate
- Need to set aggressive targets for duration and injury frequency. Support SGAC goal of 30% reductions
- Support universal coverage
- Experience rating doesn't work well for small businesses
- Awareness and Prevention

# Experience Rating

Experience rating doesn't work well for small businesses

- One relatively minor claim can have disproportional impact
- Cost/benefit – average restaurant is eligible for a merit/merit of \$400-\$800. Financial incentive does not correspond to required effort. How do we motivate and support small businesses?

# Awareness and Prevention

While many laws and regulations have been in place for over a decade, the reality is most small business owners are not aware of their obligations and are not compliant. It is not a case of the employers flaunting the law rather a lack of awareness or means to begin complying with the laws.

# Awareness and Prevention

Regulations by themselves do not make safe workplaces. Any new regulations must also have a plan to make all businesses aware of new regulations and how to comply. Any new regulation must have a demonstrated positive impact on prevention.

One size fits all approach regulatory approach does not work

OHS and WCB are the only organizations that have the resources and reach to communicate and provide guidance to all employers.

# Awareness and Prevention

Some social marketing resources must be diverted towards targeting businesses on their roles and responsibilities.

No direct link between current social marketing campaigns and employer role.

WCB/OHS should continue efforts to implement high school safety training initiatives

**From:** Graham Conrad <ataatlantic@eastlink.ca>  
**Date:** 2007/01/11 9:37:34 AM  
**Subject:** Presentations

I think it would be appropriate to make reference to the **effectiveness of Safety Training Associations using the Retail Gasoline Dealers presentation as an example. I believe there is a lot more potential for other Safety Associations and the rationale for a good business case needs to be better understood.**

Graham Conrad

Retail Gasoline Dealers Assoc. of NS

P.O. Box 171

Dartmouth, NS B2Y 3Y3

Ph:902-466-7516

Fax: 902-465-5734

Email ataatlantic@eastlink.ca

We have moved our Office to 20 Orion Court, Dartmouth. All other information stays the same!

<<http://www.ataatlantic.ca>>





THE  
CONSTRUCTIVE MECHANICAL  
TRADES EXCHANGE  
INCORPORATED

# Construction Association of Nova Scotia



HALIFAX – DARTMOUTH  
CONSTRUCTION ASSOCIATION





# Construction Association of Nova Scotia

Presentation to the Stakeholder Meeting on  
Priorities for the  
Workplace Safety and Insurance System  
January 2007

# Construction Industry

## In NS Economic Terms

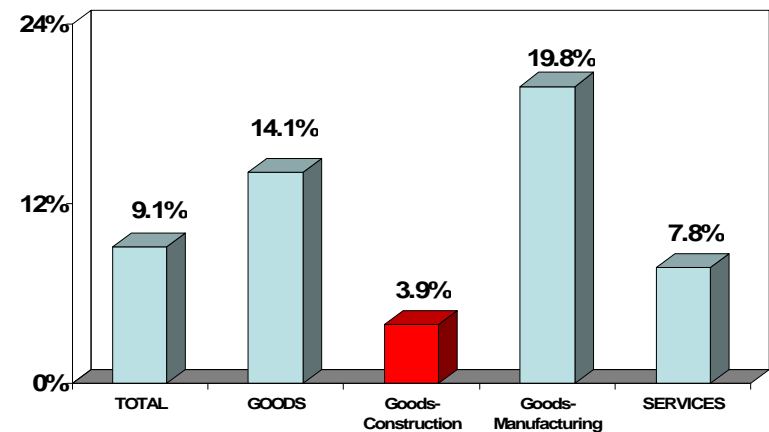
- 7 % of total wages and salaries paid
- Approximately 3,400 or 11% of total businesses

## In WCB Terms

- 10 % of total assessable payroll
- Approximately 3,800 or 20 % employer accounts

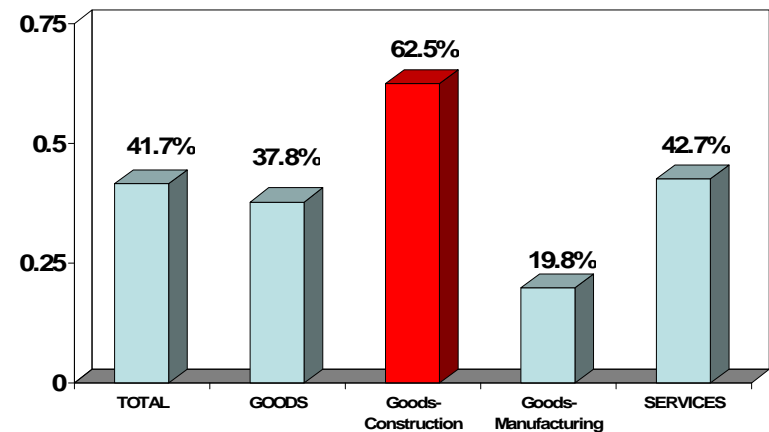
# % of NS Employees who work in Large Business (500+ emp) 2005

- Less than 4% for construction employees work for large companies



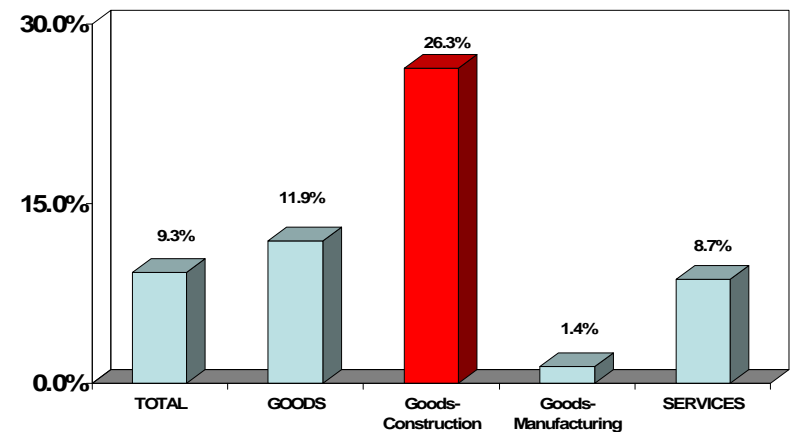
# % of NS Employees who work in Small Business (<20 emp) 2005

- 63% of construction employees work for business employing less than 20 people
- Most construction companies employ less than 5 employees



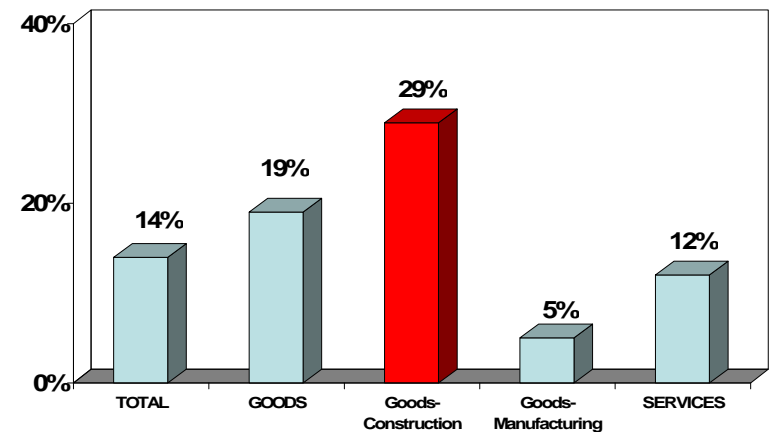
# % Change in Employees who work in small business (<20 Emp) NS 1997- 2005

- More and more new construction jobs are being created in small businesses



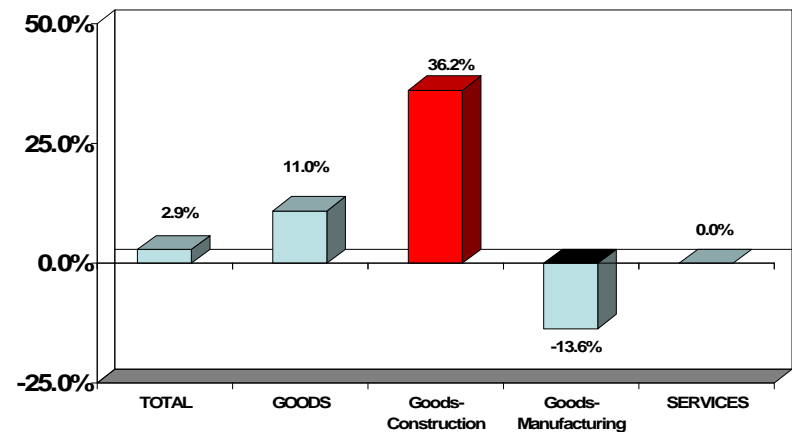
# Percent of NS Employees Who are Self Employed - 2005

- 8-10,000 people are self-employed in the construction industry each year
- The construction industry has one of the highest rates of self-employment



# % Change in Employees who are Self Employed NS 1997- 2005

- The number of people who are self-employed is growing

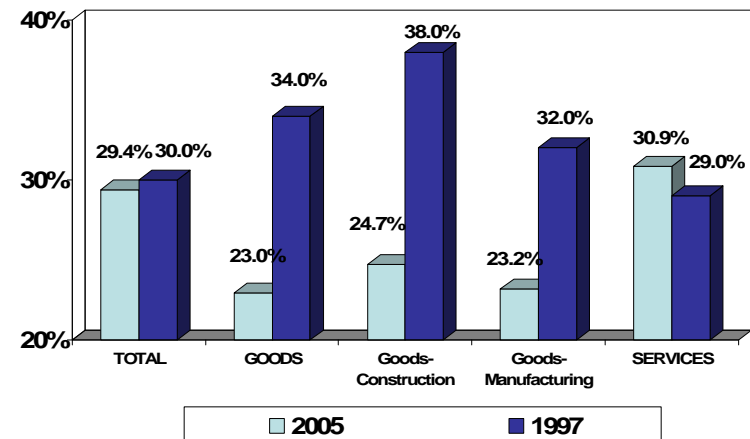




# Rates of Unionization (% of Employees Unionized)

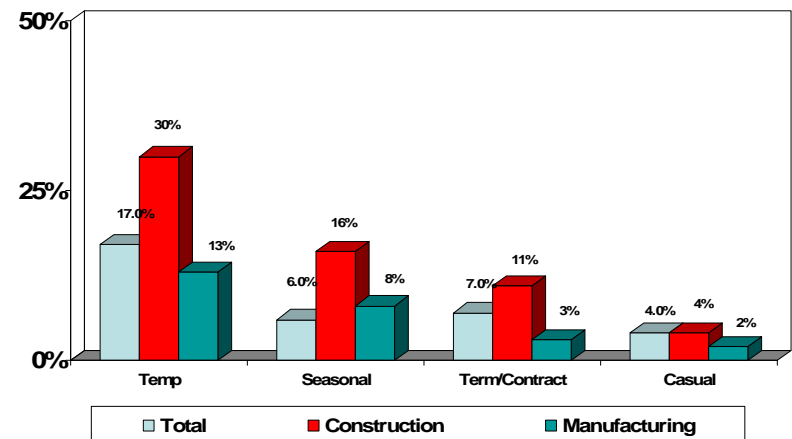
## NS - 1997 and 2005

- Approximately 4-500 people work as unionized construction employees each year
- 65 collective agreements cover about 20 different occupational groups.
- Collective agreements apply to employers working in specific geographic areas such as Cape Breton Island



# % of NS Employees who are Temporarily Employed (and breakout) 2005

- Construction employment remains cyclical and seasonal with 30% being characterized as 'temporary'



# Employers Differ

## General contractor profile

- 24 construction projects last year- 5 of which required 'project JOHS committees'
- Sites located across NS
- Projects averaged from 3-6 months or up to 18 months with between 10 to 50 trade contractors (union and non-union) on site
- Sites averaged between 5-100 employees
- Employees would be direct hire
- Full time safety officer works with several different business units
- 300 employees participated in 10 different safety training programs
- 140 internal safety inspections were conducted

## Trade contractor profile

- Service contractor
  - Employs between 150-800 depending on the projects
  - Sites located across Atlantic Canada
  - Service operations involve one or two person teams with less than a day at one site
  - Project teams work in 2-8 member crews for a few months at a time in one location
  - All hiring of trades persons is through union hiring halls with employer having little say over the individuals dispatched
  - Safety officer for Atlantic region
- Site works contractor
  - Averages 200 field employees with average crew sizes between 8-10
  - Projects last from ½ day to 3 months
  - All workers return to home base each day
  - Part time safety officer

# Factors Effecting Safety and Compliance

- The Construction industry is undergoing structural change with a shift way from large formally structured businesses/employment relationships to smaller businesses and self-employment.
  - Managing claims and return to work programs can be extremely challenging in this environment.
- The number of construction employers has the potential to more than double if coverage is expanded to eliminate the 3 worker rule:
  - covering self-employed people creates major challenges in adjudication and return to work
  - a focus on large employers will not address performance in the construction sector

# Factors Effecting Safety and Compliance

- Construction projects are multi-employer workplaces with most projects of short duration.
  - OH&S regulatory requirements are triggered in two ways by the employer and by the workplace.
  - New more specific IRS obligations need to respect these dual obligations as well as the short duration of majority of construction projects or activities

# Factors Effecting Safety and Compliance

- Competition for work is intense- compliance and fairness are major concerns
  - Very few construction employers are inspected each year, even fewer construction workplaces/sites
  - Regulations should not just be for large high profile sites/companies
  - Regulations/prosecutions should not discourage people from considering supervisory positions

# Priorities

- WCB and Appeals System- must balance evidence must including the employer view:
  - Employer must have real opportunity to contribute to the ‘evidence’, access to information, knowledge about processes and ability to effectively contribute in claims, return to work and appeals.
  - Workers should be able to provide employers with an “accident abstract” similar to the drivers abstract upon request
  - More resources are needed to following up on fraud and misrepresentation
  - WCB should be able to redistribute employer claims costs based on degree of control/influence
  - WCB must become knowledgeable of industry sectors, their employment environment and work practices

# Priorities

- OH&S and Prevention- target initiatives based on need:
  - Each activity and occupation has its own risks and hazards. Regulatory activity should not impose inappropriate priorities on workplaces parties.
- Inspections should be scheduled to reach a broader cross section of businesses/workplaces.
- Orders/summary offence tickets written or propose must apply to all workplace parties and duties not just employer duties.



# Priorities

- Regulations also need to be targeted in areas of demonstrated need.
  - Violence regulations should be focused on those sectors with the greatest risk to employees.
  - Strategies to address violence and ergonomics need to be broad based and include education and training programs to support both workplace parties not just regulations.
  - Any regulation addressing JOHS Committee and training requirements will need to distinguish between JOHSC and 'project' JOHSC as outlined in the DOEL guides.
- WCB advertising should reinforce change and the need for change in critical areas.
- Education and training programs must reach out to more employers/employees
  - Certification and professional standards need to be established for trainers and consultants.

# Priorities

- WSIS targets:
  - Injury frequency: 2.0 for 2010
  - Duration: 80 days for 2010
  - Coverage: support removal of the 3 worker rule and complex rules relating to company owners and family members.
    - Goal: should be full coverage/protection.

# **An Examination of Workplace Accidents/Injuries in the Seafood Processing Sector**



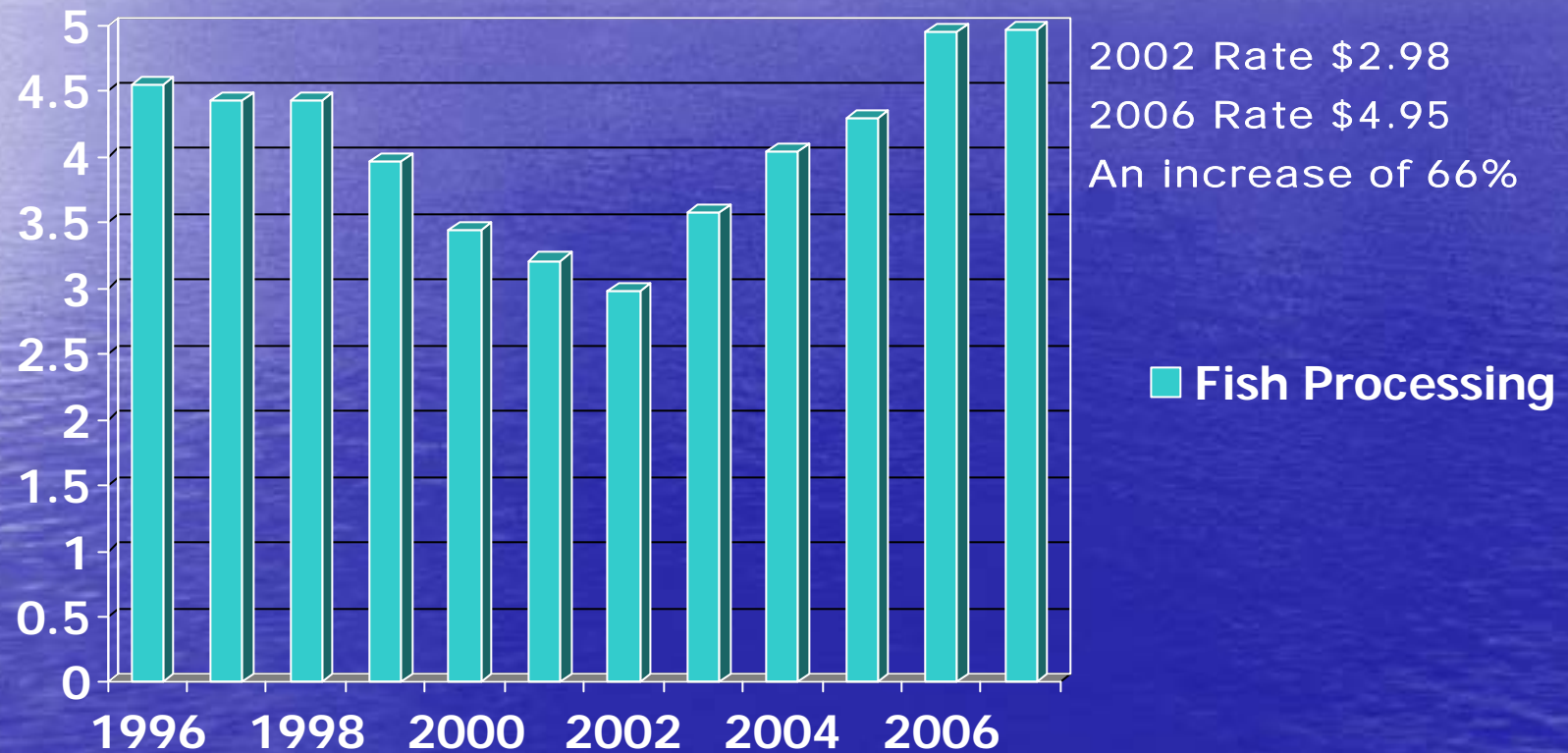
**Nova Scotia Fisheries Sector Council**

# The Issue

- Processing sector is one of the highest rated accidents/injuries sectors
- Continuous increase in WC premiums over the last number of years - 2005 - \$4.29    2007 - \$4.96
- Employers concerned about their ability to be competitive as well as finding replacement workers.
- Competitive Issues for Seafood Processors –  
Strong competition from China/Low wage,  
USA/Canada Exchange Rate Challenge,  
Escalating fuel, energy costs
- Increase rates ..... Decrease bottom line



# Fish Processing Sector Rate History



# What was done

- Formation of an advisory committee
- Representatives from NSFPA, SPANS, CAW, NSDFA, WCBNS, NSFSC
- Commissioned a study "Accidents/Injuries in the Fish Processing Sector"
- Report identified key issues around the nature and causes of work related injuries/accidents

# What was done

- Identified why the number of worker's comp. claims exceeding \$5K has increased so dramatically since the mid 90's.
- Identified suggested recommendations in order to reduce accidents/injuries



# Suggested Recommendations

- Consider establishing a “Safety Association” for the Fishing and Fish Processing industry funded by a 2 – 3% levy on workers’ compensation rates.
- Approach WCB with regards to implementing an “Accident Prevention Strategy” for those firms in a demerit situation. This should include: Conducting a safety assessment of demerit firms and training in accident investigation and safety audits for industry



# Suggested Recommendations

- Preventive injury strategy for firms in sector must start with good analysis of causes/potential cause of injuries
- Develop cost effective remedies to prevention education programs
- Approach the WCB to initiate a study to determine which physiotherapy clinics and treatment procedures are effective in returning injured workers to the workplace.

# Suggested Recommendations

- Implement an “Early Return to Work/Modified Duty Program” with all firms in the sector.
- Good accident investigation as well as hazard assessments conducted by the OHS Committees on a regular basis will identify hazards and areas of poor work habits. These items can then be addressed by the OHS Committee.



# Suggested Recommendations

- Insist on Case Management meetings for claims longer than 45 days in duration.
- Encourage WCB to start tracking wait times. This would enable us to demonstrate to both levels of government the huge cost placed on the backs of employers due to physician and surgery treatment wait times.

# Suggested Recommendations

- Educate the employers on the “Accident Cost Iceberg” theory so they understand the real value of investing in OH&S training.
- Establish a mentoring program between firms in a merit vs demerit situation.
- Recognize that older workers need special attention because they have longer healing periods and slower reactions. Effective case management is required to return these workers back to work in a safe manner or ensure they move to retirement in an expeditious manner.



# Suggested Recommendations

- Communicate with all employers who the WCB's Regional Managers are so that employers know who to contact when they have issues on claims.
- Re-establish regional meetings to update employers on issues at the WCB and to do a better job of communicating employers' rights of appeal and WCB's investigative practices.
- A small employers advocacy group should be funded by the WCB to assist small employers who wish to appeal decisions.

# What was done

- Communicated the results of the report to the processing sector and WCBNS (written response and annual meetings)
- Hosted strategic planning sessions with industry in order to find solutions to reducing workplace accidents/injuries
- Consensus that industry is ready to tackle issues related to safety and escalating WCB rates on an industry-wide basis
- Investigated the safety association model. Support for a safety association but was unable to gain consensus on a levy funded model.



# Where are we now

- Interest in continuing our advocacy work and promotion of a safety culture.
- Areas of Focus:
  - Dr's Nova Scotia Contract
  - Physiotherapy Contract
  - Prevention Strategy
  - Awareness and Education
- Will continue to work with industry and WCBNS in order to reduce workplace accidents/injuries

# WCB Priorities (Seafood Employer's Sector)

- Focus on Accident Investigation and Prevention Education with all demerit firms in the sector
- Return to Work programs and strategies need to be pursued with employers, doctors, physiotherapists and injured workers by WCB staff



# WCB Priorities (Seafood Employer's Sector)

- WCB needs to track wait times for diagnostic and treatment procedures to identify bottlenecks. Strategies to reduce “wait times” must be developed and pursued.
- Seafood industry through the NSFSC wants to meet annually with WCB staff to review our activities and efforts. We would like to WCB to report on its activities on the 3 priorities above. The emphasis should be on measurable outcomes.

Workplace Safety and Insurance System  
Stakeholder Consultation Meeting  
January 10, 2007  
10:00 am to 2:30 pm

## List of Attendees

Bill Lahey, Deputy Minister  
Ramsay Duff, Acting Chair WC Board of Directors  
Secretariat: Wendy Griffin (WCB), Lia Thibault (DEL)

Organization	Representative
Association of Municipal Administrators	
Atlantic Division Canada Post Corporation	Mr. Christopher Ipe
Automotive Trades Association of Atlantic Canada	
Bakery, Confectionary, Tobacco and General Workers Local 446	
Canadian Auto Workers Union (CAW-Canada)	Ms. Susan Burrows
Canadian Council of Grocery Distributors	Ms. Kathleen Miles
Canadian Federation of Independent Business	Mr. Luc Erjavec
Canadian Manufacturers & Exporters	Ms. Ann Janega
Canadian Restaurant and Food Service Association	Mr. Luc Erjavec
Canadian Union of Postal Workers	
Canadian Union of Public Employees	Mr. Rob Wells
Cape Breton Injured Workers Association	Ms. Sharon MacIntyre Joseph Sullivan
Chamber of Mineral Resources	
Collision Repair Association of Nova Scotia	Mr. Lindsay Gates
Communication, Energy & Paperworkers' Union	Mr. Ervan Cronk
Construction Association of Nova Scotia	Ms. Diane Lutley
Continuing Care Association of Nova Scotia	
Flynn Canada	Mr. Stu Green

<b>Organization</b>	<b>Representative</b>
Forest Products Association	
Halifax Chamber of Commerce	
Health Care Human Resource Sector Council	Ms. Janet Everest
Highligher Foods	
International Brotherhood of Electrical Workers	Brian Matheson
Irving Shipbuilding Inc.	
JD Irving	
JW Lindsay	
Kent Building Supplies	Ms. JoAnna McLouglin
Mainland Injured Workers Association	Ms. June Labrador Mr. Robert Laurence
Mainland Nova Scotia Building Trades	Mr. Steve Graves
Michelin North America (Canada) Inc.	
Nova Scotia Federation of Labour	Mr. Rick Clarke
Nova Scotia Fisheries Sector Council	Ms. Lisa Anderson
Nova Scotia Construction Safety Association	Ms. Kelly Wynands
Nova Scotia Home Builders' Association	
Nova Scotia Road Builders' Association	
Nova Scotia Fish Packers Association	
Nova Scotia Government and General Employees Union	
Nova Scotia Trucking Safety Association	Ms. Linda Corkum
Nova Scotia Safety Council	Mr. Wilson Bateman
Nova Scotia Association of Health Organizations	Ms. Carla Anglehart
Nova Scotia Automobile Dealers Association	
Nova Scotia Nurses Union	Ms. Jean Candy
Nova Scotia Forestry Human Resources Sector Council	

<b>Organization</b>	<b>Representative</b>
Pictou County Injured Workers Association	Mr. Larry Maloney Ms. Jessie-Parkinson MacNeil
Retail Council of Canada	
Retail Gasoline Dealers' Association	
RKO Steel Ltd.	Ms. Diane Lutley
Roofing Contractors Association of Canada	Mr. Stu Green (Flynn Canada)
S.E.I.U.	Ms. Cynthia Wamback
Scotia Fundy Mobile Gear Fisherman's Association	
Scotia Investments Ltd.	Ms. Bernadine MacAulay
Seafood Producers Association of Nova Scotia	
Sheet Metal Workers International Association Local Union 409	Mr. Brian Stevens
Tourism Industry of Nova Scotia	
United Food and Commercial Workers Union	
<b>WCB Board of Directors</b>	Mr. Jim Melvin
	Mr. Archie MacKeigan
	Ms. Mary Lloyd
	Ms. Janet Hazelton
	Ms. Betty-Jean Sutherland
	Mr. David Thomson
<b>WCB representatives</b>	Ms. Nancy MacCready-Williams, CEO
	Mr. Stuart MacLean
<b>DEL representatives</b>	Mr. Jim LeBlanc
	Mr. Vince Garnier
<b>WAP</b>	Ms. Anne Clark Ms. Patricia Dunn

[illegible]

# NS Employee Associations

For Nova Scotia 2007

Revised: January 25, 2007

<b>Bakery, Confectionary, Tobacco and General Workers Local 446</b> BCT Union Office 14 McQuade Lake Cres., Suite 201 Halifax, NS B3A 1B6	David Hindle, Representative	Phone: (902) 450-5160 Fax: (902) 450-5169 Email: <a href="mailto:krista@bctgm.ns.ca">krista@bctgm.ns.ca</a>
<b>Canada Union of Postal Workers</b> 7020 Mumford Rd. Halifax, NS B3L 4S9	Fred Furlong, National Director	Phone: (902) 454-5812 Fax: (902) 454-0364 Email: <a href="mailto:ffurlong@cupw-sttp.org">ffurlong@cupw-sttp.org</a>
<b>Canadian Auto Workers Union (CAW - Canada)</b> 63 Otter Lake Court Halifax, NS B3S 1M1	Carla Bryden	Phone: (902) 455-9327/ 1-800-565-1272 Fax: (902)454-9473 Email: <a href="mailto:cawns1@caw.ca">cawns1@caw.ca</a>
<b>Canadian Union of Public Employees</b> 7071 Bayers Road Halifax, NS B3L 2C2	Robert Chisholm	Phone: (902) 455-4180 Fax: (902) 455-5915 Email: <a href="mailto:rchisholm@cupe.ca">rchisholm@cupe.ca</a>
<b>Cape Breton Island Building &amp; Construction Trades Council</b> 238 Vulcan Avenue Sydney, NS B1P5X2	Cliff Murphy President	Phone: (902) 539-2661 Fax: (902) 539-4462 No email
<b>Communication Energy &amp; Paperworkers' Union</b> 1077 St. George Blvd. Suite 440 Moncton, NB E1E 4C9	Ervan Cronk VP Atlantic Region	Phone: (506)- 857-8647 Fax: (506) 858 -8313 Email: <a href="mailto:ecronk@cep.ca">ecronk@cep.ca</a>
<b>International Association of Machinists &amp; Aerospace Workers Local Lodge 2797</b> P.O. Box 61, Enfield Nova Scotia B2T 1C6	Brian Beaton	Phone: (902) 832-6621 Fax: Email: <a href="mailto:bbeaton@iamaw.org">bbeaton@iamaw.org</a>
<b>International Brotherhood of Electrical Workers</b> 58 McQuade Lake Crescent Halifax NS B3S 1G8	Brian Matheson	Phone: (902) 450-5625 Fax: (902) 450-5063 Email: <a href="mailto:brian_matheson@ibew.org">brian_matheson@ibew.org</a>
<b>NS Federation of Labour, CLC</b> 3700 Kempt Road, Suite 225 Halifax, NS B3K 4X8	Rick Clarke	Phone: (902)454-6735 Fax: (902)454-7671 Email: <a href="mailto:nsfl@ns.aliantzinc.ca">nsfl@ns.aliantzinc.ca</a>
<b>NS Government and General Employee Union</b> 100 Eileen Stubbs Ave. Dartmouth, NS B3B 1Y6	Joan Jessome	Phone: (902)424-4060 Fax: (902)424-2111 Email: <a href="mailto:lisam@nsgeu.ns.ca">lisam@nsgeu.ns.ca</a>

<b>NS Mainland Building and Construction Trades Council</b> 14 McQuade Lake Crescent Suite 205 Halifax, NS B3S 1B6	Steve Graves, President	Phone: (902) 450 - 5605 Fax: (902) 450 - 5613 Email: <a href="mailto:mnsbtc@ns.sympatico.ca">mnsbtc@ns.sympatico.ca</a>
<b>Nurses Union of Nova Scotia</b> 30 Frazee Avenue Dartmouth, NS B3B 1X4	Jean Candy Executive Director	Phone: (902) 469-1474 Fax: (902) 466-6935 Email: <a href="mailto:jean.candy@nsnu.ns.ca">jean.candy@nsnu.ns.ca</a> <a href="mailto:stephen.topshee@nsnu.ns.ca">stephen.topshee@nsnu.ns.ca</a>
<b>Service Employees International Union Local 902</b> 3700 Kempt Road, Suite 235 Halifax, NS B3K 4X8	Cynthia Wamback President	Phone: (902) 455-1095 Fax: (902) 656-3188 Email: <a href="mailto:c_t_wam@hotmail.com">c_t_wam@hotmail.com</a>
<b>Sheet Metal Workers International Association, Local 409</b> Suite 105 - 14 McQuade Lake Crescent Halifax, NS B3S 1B6	Brian S. Stevens	Phone: (902) 450-5165 Fax: (902) 450-5123 Email: <a href="mailto:smwia@ns.sympatico.ca">smwia@ns.sympatico.ca</a>
Teamsters Local Union Section 927 19 Alma Cres Halifax NS B3N 2C4	Harvey Edwards President	Phone: (902) 445-5301 Fax: (902) 445-5303 Email: <a href="mailto:teamsters927@ns.sympatico.ca">teamsters927@ns.sympatico.ca</a>
<b>United Food &amp; Commercial Workers Union</b> Suite 300 - 1550 Bedford Highway Bedford, NS B4A 1E6	Tim Hosford	Phone: (902)832-1935 Ext.25 Fax: Email: <a href="mailto:timhosford@eastlink.ca">timhosford@eastlink.ca</a>
<b>United Steelworkers Union - District 6</b> Sub-District Office 236 Rue St. George St. Suite 318 Moncton, New Brunswick E1C 1W1	Ken Dawson - Area Co-ordinator	Phone: (506) 857-0999 Fax: (506) 859-8791 Email: <a href="mailto:kdawson@uswa.ca">kdawson@uswa.ca</a>
<b>INJURED WORKERS ASSOCIATIONS</b>		
<b>Cape Breton Injured Workers Association</b> 169 Prince Street Sydney, NS B1P 5L2	Joe Sullivan Eli Poirier	Phone: (902) 539-4650 Fax: (902) 539-4171 Email: <a href="mailto:cbiwa@ns.aliantzinc.ca">cbiwa@ns.aliantzinc.ca</a>
<b>Mainland Injured Workers</b> 1657 Barrington Street Suite 310, Roy Bldg Halifax, NS B3J 2A1	June Labrador	Phone: (902) 425-2805 Fax: (902) 425-2797 Email: <a href="mailto:jlabrador@hfx.eastlink.ca">jlabrador@hfx.eastlink.ca</a> <a href="mailto:mainland@eastlink.ca">mainland@eastlink.ca</a>
<b>Pictou County Injured Workers Association</b> 142 Provost Street New Glasgow, NS B2H 2P7	Mary Lloyd  Larry Maloney	Phone: (902) 695-7249 Fax: (902) 695-3153 Email: <a href="mailto:marypciwa@eastlink.ca">marypciwa@eastlink.ca</a> Email: <a href="mailto:larrypciwa@eastlink.ca">larrypciwa@eastlink.ca</a> General Email: <a href="mailto:pciwa@eastlink.ca">pciwa@eastlink.ca</a>





# NS Employer Associations

For Nova Scotia 2006

Revised: December 18, 2006

ACCOMMODATION/ FOOD/ BEVERAGES		
<b>Canadian Restaurant and Foodservice Association</b> 5121 Sackville St., Suite 201 Halifax, NS B3J 1K1	Luc Erjavec	Phone: (902)425-0061 Fax: (902)422-1161 Email: <a href="mailto:luc@crfa.ca">luc@crfa.ca</a>
BUSINESS SERVICES		
<b>Canadian Federation of Independent Business</b> 1888 Brunswick Street, Suite 819 Halifax, NS B3J 3J8	Leanne Hachey (currently on leave until February 07) Luc Erjavec is the rep (see above contact)	Phone: Fax: Email: <a href="mailto:leanne.hachey@cfib.ca">leanne.hachey@cfib.ca</a>
<b>Atlantic Division Canada Post Corporation</b> P.O. Box 1689 1969 Upper Water St. Halifax, NS B3J 2B1	Christopher P. Ipe	Phone: (902)494-4036 Fax: (902)494-4781 Email: <a href="mailto:christopher.ipe@canadapost.ca">christopher.ipe@canadapost.ca</a>
COMMUNICATION/ UTILITIES		
CONSTRUCTION		
<b>Construction Association of NS</b> 260 Brownlow Ave., Unit 3 Dartmouth, NS B3B 1V9	Carol MacCulloch President	<a href="mailto:CmacCulloch@cans.ns.ca">CmacCulloch@cans.ns.ca</a> Phone: (902) 468-2267 Fax: (902) 468-2270
<b>Construction Association of NS</b> J.W. Lindsay Enterprises Limited 22 Fielding Avenue Dartmouth, NS B3B 1E2	Paul Midgley, Safety Officer	Phone: (902)468-5000 Ext.240 Fax: (902)468-6615 Email: <a href="mailto:paul.midgley@jwlindsay.ca">paul.midgley@jwlindsay.ca</a>
<b>NS Construction Safety Association</b> 35 MacDonald Avenue, Burnside Dartmouth, NS B3B 1C6	A. Bruce Collins	Phone: (902) 468-6696 Fax: (902) 468-8843 <a href="mailto:abcollins@nscsa.org">abcollins@nscsa.org</a>
<b>NS Home Builders' Association</b> 15A Oland Crescent, Bayers Lake Business Park Halifax, NS B3S 1C6	Paul Pettipas	Phone: (902)450-5554/ 1800-668-2001 Fax: 450-5448 Email: <a href="mailto:nshba@nshba.ns.ca">nshba@nshba.ns.ca</a>
<b>NS Road Builders' Association</b> 109 Chain Lake Drive Halifax, NS B3S 1B3	Steve Williams, Managing Director	Phone: (902)450-6027 Fax: Email: <a href="mailto:steve@maceng.ns.ca">steve@maceng.ns.ca</a>

<b>Roofing Contractors Association of Canada</b> 7 Frederick Avenue Box 141, Mount Uniacke Hants County, NS B0N 1Z0	Cameron Gracie	Phone: (902)866-0505 Fax:(902) 866-0506 Email: <a href="mailto:contact@rcans.ca">contact@rcans.ca</a>
<b>EDUCATIONAL SERVICES</b>		
<b>FISHING/ TRAPPING</b>		
<b>High Liner Foods Incorporated</b> 100 Battery Point P.O. Box 910 Lunenburg, Nova Scotia B0J 2C0 Canada	Lee Obritsch	Phone: (902) 634-8811 Fax: (902) 634-4785 Email: <a href="mailto:Lee.Obritsch@highlinerfoods.com">Lee.Obritsch@highlinerfoods.com</a>
<b>NS Fish Packers Association</b> 38 - B John Street Yarmouth, NS B5A 3H2	Denny Morrow	Phone: (902)742-6168 Fax: (902)742-1620 Email: <a href="mailto:fishpackers@klis.com">fishpackers@klis.com</a>
<b>NS Fisheries Sector Council</b> 38 B John Street Yarmouth, NS B5A 3H2	Lisa Anderson Executive Director	Phone: (902) 742-6167 Fax: (902) 742-8391 Email: <a href="mailto:ritc@klis.com">ritc@klis.com</a>
<b>Seafood Producers Association of NS</b> P.O. Box 991 Dartmouth, NS B2Y 3Z6	Janet Trider	Phone: (902) 463-7790 Fax: (902) 469-8294 Email: <a href="mailto:spans@ns.sympatico.ca">spans@ns.sympatico.ca</a>
<b>Scotia Fundy Mobile Gear Fisherman's Association</b> 33 Chestnut Street Yarmouth, NS B0N 2T0	Brian Giroux, Exec. Director	Phone: (902)742-6732 Fax: (902)742-6732 Email: <a href="mailto:sfmobile@fox.nstn.ca">sfmobile@fox.nstn.ca</a>
<b>GOVERNMENT SERVICES</b>		
<b>Association of Municipal Administrators</b> Suite 1106, 1809 Barrington Street Halifax, NS B3J 3K3	Janice Wentzell, Exec. Dir of AMA	Phone:(902)423-2215 Fax: Email: <a href="mailto:amans@eastlink.ca">amans@eastlink.ca</a>
<b>Tourism Industry Association of NS</b> 1099 Marginal Road, Suite 201 Halifax, NS B3H 4P7	Darlene Grant- Fiander, Acting President	Phone: (902)423-4480 Fax: Email: <a href="mailto:dgf@tourism.ca">dgf@tourism.ca</a>

## HEALTH/ SOCIAL SERVICES

<b>NS Association of Health Organizations</b> 2 Dartmouth Road Bedford NS B4A 2K7	Carla Angelhart Director, Organizational Development	Phone: (902) 832-8525 Fax: Email: <a href="mailto:carla@nsaho.ns.ca">carla@nsaho.ns.ca</a> ;
<b>Continuing Care Association of NS</b> 7001 Mumford Road Tower 1, Suite 215A Halifax, NS B3L 4N9	Sheila Peck	Phone: (902)453-2977 Fax: (902)453-2967 Email: <a href="mailto:Sheila_peck@hotmail.com">Sheila_peck@hotmail.com</a>
<b>Health Care Human Resource Sector Council</b> 45 Alderney Drive Suite 815, Queen Square Dartmouth, NS B2Y 2N6	Janet Everest Executive Director	Phone: (902 )461-0871 Fax: (902) 461-0372 Email: <a href="mailto:everest@hcsc.ca">everest@hcsc.ca</a>
<b>LOGGING/ FORESTRY</b>		
<b>Forest Products Association</b> P.O. Box 696 Truro, NS B2N 5E5	Steve Talbot Executive Director	Phone: (902) 895-1179 Fax:(902) 893-1197 Email: <a href="mailto:stalbot@fpans.ca">stalbot@fpans.ca</a>
<b>NS Forestry Human Resource Sector Council</b> P.O. Box 696 Truro, NS B2N 5E5	John MacLellan Manager	Phone: (902) 897-5126 Fax: (902) 893-1197 Email: <a href="mailto:leslie@frsc.ns.ca">mailto:leslie@frsc.ns.ca</a> <a href="mailto:jmaclellan@fss.ns.ca">jmaclellan@fss.ns.ca</a>
<b>MANUFACTURING</b>		
<b>Canadian Manufacturers and Exporters</b> 1869 Upper Water Street Collins Bank Building, 3 <sup>rd</sup> Floor Halifax, NS B3J 1S0	Ann Janega	Phone: (902)422-4477 Fax: Email: <a href="mailto:ann.janega@cme-mec.ca">ann.janega@cme-mec.ca</a>
<b>Irving Shipbuilding Inc.</b> P.O. Box 9110 3099 Barrington St. Halifax, NS B3K 5M7	David Thomson	Phone: (902)423-9271 Fax: (902)422-5253 Email: <a href="mailto:Thomson.david@halifaxshipyard.com">Thomson.david@halifaxshipyard.com</a>
<b>JD Irving</b> P.O. Box 577 300 Union Street Saint John, NB E2L 4M3	Garry Sudal	Phone: (506)632-7777 Fax: (506)648-2205 Email: <a href="mailto:sudal.garry@jdირving.com">sudal.garry@jdირving.com</a>

<b>Kent Building Supplies</b> 35 Mic Mac Blvd. Dartmouth, NS B3A 4Y8	Joanna McLoughlin Disability / Claims	Phone: (902) 460-6420 Fax: (902) 463-5489 Email: <a href="mailto:mcloughlin.joanna@kent.ca">mcloughlin.joanna@kent.ca</a>
<b>Michelin North America (Canada) Inc.</b> P.O. Box 399 New Glasgow, NS B2H 5E6	Catherine Anne MacKean	Phone: (902)753-1811 Fax: (902)396-2183 Email: <a href="mailto:catherine-anne.mckean@ca.michelin.com">catherine-anne.mckean@ca.michelin.com</a>
<b>RKO Steel Limited</b> 85 MacDonald Avenue Burnside Industrial Park Dartmouth, NS B3B 1T8	Diane Lutley	Phone: (902) 468-1322 Fax: (902) 468-2644 Email: <a href="mailto:info@rkosteel.com">info@rkosteel.com</a>
<b><u>MINING/ QUARRIES/ OIL WELLS</u></b>		
<b><u>Chamber of Mineral Resources</u></b> <u>P.O. Box 2171</u> <u>Windsor, NS B0N 2T0</u>	<u>Terry Daniels,</u> <u>Managing Director</u>	Phone: (902) 798-0187 <u>Fax:</u> <u>Email:</u> <a href="mailto:terry.daniels@ns.sympatio.ca">terry.daniels@ns.sympatio.ca</a>
<b><u>OTHER SERVICES</u></b>		
<b><u>Halifax Chamber of Commerce</u></b> <u>656 Windmill Rd., Ste 200</u> <u>Dartmouth, NS B3B 1B8</u>	<u>Nancy Conrod</u> <u>VP Policy</u>	Phone: (902)481-1231 <u>Fax:</u> <u>Email:</u> <a href="mailto:nancy@halifaxchamber.com">nancy@halifaxchamber.com</a>
<b><u>NS Safety Council</u></b> <u>110 Chain Lake Dr., Unit 3F</u> <u>Vantage Point 3</u> <u>Halifax, NS B3S 1A9</u>	<u>Jackie Norman</u> <u>Executive Director</u>	Phone: (902)454-9621 Fax: (902)454-6027 Email: <a href="mailto:norman@nssafety.ns.ca">norman@nssafety.ns.ca</a>
<b><u>REAL ESTATE/ INSURANCE AGENTS</u></b>		
<b><u>Scotia Investments Ltd.</u></b> <u>3 Bedford Hills Rd.</u> <u>Bedford, NS B4A 1J5</u>	<u>Robert Patzelt</u>  <u>Bernadine MacAulay</u>	Phone: (902)832-2512 Fax: (902)835-8151 <u>Email:</u> <a href="mailto:rpatzelt@scotiainvestments.ca">rpatzelt@scotiainvestments.ca</a> Phone: (902) 835-3262 <u>Email:</u>
<b><u>RETAIL TRADE</u></b>		

<b><u>Automotive Trades Association of Atlantic Canada</u></b> 4 - 327 Prince Albert Rd. Dartmouth, NS B2Y 1N7	<u>Don Burke</u>	Phone: (902) 466-7516 Fax: (902) 465-5734 Email: <a href="mailto:ataatlantic@eastlink.ca">ataatlantic@eastlink.ca</a>
<b><u>Retail Gasoline Dealers' Association</u></b> 4 - 327 Prince Albert Rd. Dartmouth, NS B2Y 1N7	<u>Graham Conrad/</u> <u>Emile Touesnard</u>	Phone: (902) 466-7516 Fax: (902) 465-5734 Email: <a href="mailto:ataatlantic@eastlink.ca">ataatlantic@eastlink.ca</a>
<b><u>Canadian Council of Grocery Distributors</u></b> 1246 Hollis Street Halifax, NS B3J 1T6	<u>Jeanne Cruikshank</u> <u>Kathleen Miles</u> (Atlantic Wholesalers)	Phone: (902) 422-7279 Fax: (902) 429-0669 Email: <a href="mailto:jcrruikshank@ccgd.ca">jcrruikshank@ccgd.ca</a> Phone: (902) 481-4254 Fax: (902) 481-4293 <a href="mailto:kathleen.miles@loblaw.ca">kathleen.miles@loblaw.ca</a>
<b><u>Flynn Canada Ltd.</u></b> 25 Neptune Crescent Dartmouth, NS B2Y 4P9	<u>Stu Green</u>	Phone: (902) 468-8313 Fax: (902) 468-5686 Email: <a href="mailto:sgreen@flynn.ca">sgreen@flynn.ca</a> Web: <a href="http://www.flynn.ca">www.flynn.ca</a>
<b><u>Collision Repair Association of Nova Scotia</u></b> 16 Wedgewood Avenue Timberlea, NS B3T 1E7	<u>Lindsay Gates</u>	Phone: (902) 876-2591 Fax: (902) 876-1789 Email: <a href="mailto:crans@ns.sympatico.ca">crans@ns.sympatico.ca</a>
<b><u>NS Automobile Dealers Association</u></b> 6009 Quinpool Road Halifax, NS B3K 5J7	<u>John Sutherland</u>	Phone: (902) 425-2445 Fax: Email: <a href="mailto:jsutherland@pathfinder-group.com">jsutherland@pathfinder-group.com</a>
<b><u>Retail Council of Canada</u></b> 1255 Bay Street, Suite 800 Toronto, ON M5R 2A9	<u>Derek Nighbor</u>	Phone: (416) 922-6678 Fax: (416) 922-8011 Email: <a href="mailto:dnighbor@retailcouncil.org">dnighbor@retailcouncil.org</a>
<b><u>TRANSPORTATION/ STORAGE</u></b>		
<b><u>NS Trucking Safety Association</u></b> P.O. Box 243 325 Main Street, Suite 703 Kentville, NS B4N 3W4	<u>Linda Corkum</u> <u>Executive Director</u>	Phone: 888-329-9660 Fax: (902) 678-4390 Email: <a href="mailto:lcorkum.nstsa@ns.sympatico.ca">lcorkum.nstsa@ns.sympatico.ca</a> <a href="mailto:Email:dbeck.nstsa@ns.sympatico.ca">mailto:Email:dbeck.nstsa@ns.sympatico.ca</a>
<b><u>WHOLESALE TRADE</u></b>		

We value your feedback.

Please take a moment to answer the following questions. Your input will assist us with future consultation sessions.

[illegible]

**Suggestions for future meetings:**

- make enough copies of presentation for all
- more notification and agenda in advance
- excellent communication and openness - more of the same - system is moving in the right direction
- opportunity for breakout groups
  - (1) to exchange dialogue with others in the room;
  - (2) to record additional thoughts and comments
- more advanced notice
- well done
- the issue of WCB Accountability - ie. Properly applying the Act, Regulations, Policy - should NOT be prioritized by the number of times the issue is mentioned at this meeting, it must be highest priority!!
- essential to have TRUE STAKEHOLDER participation
- broader participation of evenly balanced representation
- best to date - need more stakeholders input. Could see this happening for the first time.
- this meeting is essential to "Stakeholder Consultation"
- proper notice is necessary - broader participation is suggested