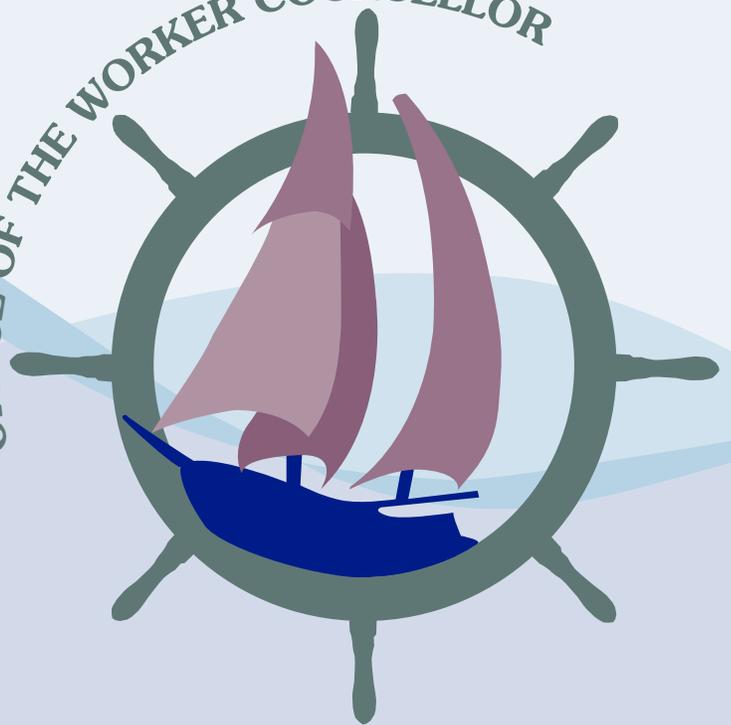


Year End Report 2014

OFFICE OF THE WORKER COUNSELLOR



Executive Summary

2014 was a transition year for us as we prepared for the departure of our 2 senior staff members.

In education, we concentrated on completing the workshops we had under construction and making sure that our other workshops were up-to-date so that they were ready for new staff in 2015. A new major workshop, *The Mental Injury Toolkit for Nova Scotia Workers*, was completed and piloted in November at our annual fall school. This workshop is part of our prevention series, providing participants with tools to assess the levels of stress in any given workplace and suggestions for measures which can be taken to address the root causes. We now have 10 complete workshops in our library.

We had 2 major initiatives in 2014: *Aftermath, Consequences of a Workplace Injury* is an exhibit comprising pictures and stories of injured workers. The work was completed and edited by April 28th, in time for the annual Day of Mourning. Since then it has been exhibited at 9 locations and plans are underway to increase this in the spring of 2015.

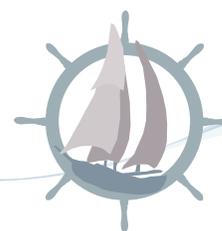
On November 8th we hosted a symposium for 104 attendees titled *StressFULLcompensation*. Compensation for stress caused by work is an important issue facing WCB's across the country. Our presenters from British Columbia, Saskatchewan, Ontario, New Brunswick, PEI, Newfoundland and Nova Scotia were unanimous in their support of this initiative by our office. The program evaluations completed by the attendees were complimentary of the quality of the presenters and the timeliness of the topic.

Our marketing in 2014 was expanded due to a significant increase (73.79%) in visits to our website over 2013. We also increased our requests for assistance by 12.74 %, in part we believe due to the increase in web presence. Our symposium resulted in 3 media articles and an interview with Global News at 6. In all cases the mission statement and mandate of the office were promoted and our staff was acknowledged as leading experts in workers' compensation in Nova Scotia.

Despite a slow start early in 2014 caused by inclement weather we held 9 workshops, including our symposium. This was in line with our target projected in our Business Plan. Our audience for *StressFULLcompensation* was not as large as we would have liked, partly due to the crisis in the health care sector which affected the ability of a significant number of projected participants from attending. Despite this we feel that the event was a success as we used the opportunity to educate on the issues facing us and looked for guidance in solving the problem to other jurisdictions- most notably B.C. and Saskatchewan.

We have continued to provide assistance to injured workers seeking CPP disability benefits. In 2014 we focused more, when appropriate, on assisting workers in obtaining new evidence to support applications which had been previously denied rather than taking the appeal route. We will represent at appeals but we limit our case load to those injured workers on extended earnings replacement benefits, as this fits into our mandate.

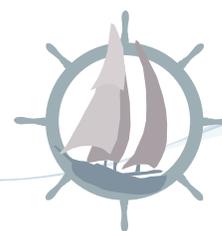
We have worked with the Canadian Injured Workers Alliance in their endeavors to reactivate a provincial chapter in Nova Scotia. In December staff presented at their forum on workers compensation in Moncton and we have been asked to continue to provide expertise to them about issues arising in Nova Scotia. We believe that involvement of the Injured Workers' Associations with CIWA is a positive step and will continue to encourage their participation with the national association.



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Mission Statement & Mandate

Mission Statement

The Office of the Worker Counsellor provides assistance and advice to injured workers and their families on matters related to Workers' Compensation and Occupational Health and Safety in Nova Scotia.

Through a series of workshops, the program provides education to workers and their representatives in the workplace on the compensation system.

The Worker Counsellor represents the interests of the workers in consultations, provides feedback on proposals for system change and advocates on behalf of workers for improvements and enhancements.

Mandate

The Office of the Worker Counsellor has a mandate to provide Advice, Assistance, Education and Advocacy to injured workers, their representatives in the workplace, and their family members on all aspects of workers' compensation.

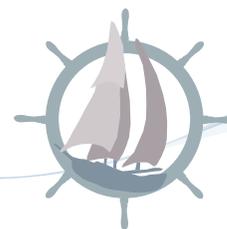
Staff

In 2014 the Office of the Worker Counsellor had 3 full-time positions: a Worker Counsellor, an Education Co-ordinator and an Administrative Assistant. The responsibilities for each of these positions has been well documented in previous reports and remained unchanged in 2014.

With the retirement of the Education Co-ordinator at the end of 2014, it was decided that this formal position would be eliminated and 2 Worker Counsellor positions created. The positions would be equal in pay scale and the position of “lead hand” referred to in the Collective Agreement would also be eliminated. The work of the 2 Counsellors would overlap in some respects, however one position would fill more of an education role than the other and the work would balance.

The positions were advertised in 2014 with a view to both being filled in early 2015.

The position of Administrative Assistant remains unchanged.



Marketing

In 2014 www.workercounsellor.ca had 29,177 visits, an increase of 73.79% over 2013. There were 55,371 page views averaging 1.9 pages per visit. The table below shows the comparative increase in visits. There is a definite relationship between visits to the website and an increase in requests for assistance; notice the sharp increase in the graph (right) in the spring of 2014. In our semi -annual report we noted a significant increase in requests for assistance. The summer months are usually slower but we then notice an increase in late September and October. Although we have not surveyed callers to see if they visited our web site, we think that the pattern is sufficiently cogent to conclude that the website continues to be an effective tool in marketing the program.



Website metrics for 2014. Traffic increased significantly following the release of our Aftermath exhibit and in the months leading up to and following the StressFULL compensation symposium.

symposium (November 8, B5 Business section and November 10, A9 News section). Both articles quoted the mandate outlined on our website:

“The office provides advice and assistance to injured workers, their representatives in the workplace and their family members on all aspects of workers’ compensation in the province...”

The Chronicle Herald Saturday November 8, 2014

We have noticed an increase in spam to the website often originating in eastern Europe, and our developer and administrative assistant are looking into ways to increase our web site security so that it cannot be a host to malware. There will be an increase in our costs for this.

Our profile was enhanced as a result of the symposium we hosted in November. Robert Devet published an article on the Halifax Media Co-op site in late October which served as both a free advertisement for the event and the office. From this, we were contacted by the Halifax Chronicle Herald newsroom and articles were published before and after the

In December the office was again featured on Global News at 6 in a story about a case currently before the Nova Scotia Court of Appeal.



The Chronicle Herald, November 8, 2014. After appearing in the Halifax Media Co-op, news of the symposium began gaining attention from larger mainstream publications.

Operations

Education

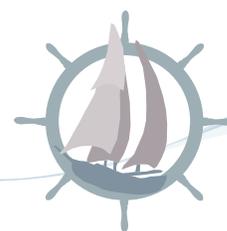
In anticipation of the retirement of our Education Co-ordinator at the end of 2014, we concentrated on completing the workshops we had under construction and cataloguing the existing workshops for her successor. We hoped to have sufficient material on the shelf that we would not have to design any new workshops for the next year or two to allow new staff time to adjust to the schedule we have built upon. For the most part we were successful in that undertaking.

Work was completed on our new major workshop, *The Mental Injury Toolkit for Nova Scotia Workers*, during the summer of 2014 and we successfully delivered it to a group of 18 participants on November 20th-21st at the new Silver Birch Conference Centre, site of the old Citadel Inn. The Conference Centre proved to be an excellent facility but we believe that a Halifax location is not sufficiently central to attract the desired number of participants. In addition, the cost of accommodation in Halifax is prohibitive to some people who would like to attend. Representatives of the Injured Workers' Association were unable to attend this year, for the first time since the inception of our program, as we were not able to offer them free accommodation for the second time in one month. We had provided them with expenses for attending our Symposium earlier in November and felt that our budget would not warrant a second expenditure. Since the Toolkit is essentially a prevention piece, the Associations felt that it did not justify the expenditure from their own already stretched resources.

The *Mental Injury Toolkit* is the second workshop we have developed which focuses on prevention, joining *Red Flags, Green Lights-A Guide to Identifying and Solving Return to Work Problems*,

a workshop we have been working with successfully since the summer of 2013. Both were generated in partnership with colleagues in Ontario and were adapted for use with our Nova Scotia legislation. We are grateful to them for sharing their research with us. *Red Flags, Green Lights* includes a desktop guide developed by the Institute for Work and Health in 2009. The guide is currently out of print because of the cost associated with reproducing it (\$25 per unit), however we received permission from the Institute to download and print it "in house" at a cost of \$8.25 per unit. In 2013-2014 we printed 500 copies, all of which have been distributed. We will print additional copies in the spring of 2015 under our new budget.

In the summer of 2014 we began work on a comprehensive workshop to provide training to members of Occupational Health and Safety Committees. We are collaborating with the NSFL's Occupational Health and Safety Workers' Compensation Committee on the project, hoping to have the training in place to align with the introduction of the Occupational Health and Safety Regulations in 2015. A course outline and curricula has been developed and work will continue on this project in the first half of 2015.



Current Workshops:

Navigating Your Way: a worker's guide to Workers' Compensation in Nova Scotia	9 hours
Mental Injury Toolkit for Nova Scotia Workers	9 hours
Safe and Timely Return to Work	6 hours
Appealing WCB Decisions	6 hours
Red Flags, Green Lights: A Guide to identifying and solving Return to Work Problems	3 hours
Navigating Your Way: A Union Leadership Overview	3 hours
Stress in the Workplace	3 hours
An Introduction to Workers' Compensation	1 hour
Returning to Work	1 hour
Stress @ Work	1 hour

In the autumn of 2014 we scheduled a series of lunch time events with limited success. We concluded that lunch time events do not work for those with less than 1 hour breaks, a reality for the vast majority of our workers. A survey of those who did attend indicated to us that weekday evening would be equally unproductive as many of our workers are shift workers. We have concluded that weekends will be the most productive times, unless we can convince employers to allow us to train in the workplace.

Workshops Delivered in 2014:

June 7th	Appealing WCB Decisions	Sydney
June 21st	Return to Work	Dartmouth
September 19th	Return to Work	Halifax
September 24th	Return to Work (1 hour)	Halifax
October 3rd	Appealing WCB Decisions	Halifax
October 9th	Introduction to Workers' Compensation	Halifax
November 21st - 22nd	Navigating Your Way	Halifax
November 21st - 22nd	Mental Injury Toolkit	Halifax

In addition we hosted the symposium *StressFULLcompensation*. We had 193 participants in our workshops in 2014. In our 2014 Business Plan we projected that 9 workshops would be scheduled for 2014. Including the symposium, we met that target.

Special Project: Aftermath

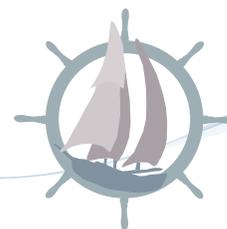
In 2014 we completed 2 special projects: *Aftermath, Consequences of a Workplace Injury*, a pictorial essay comprising 11 photographs and stories of the high price of workplace injury and *StressFULLCompensation*, a one-day symposium focusing on the emerging issue of stress in the workplace.

The *Aftermath* exhibit was unveiled at Pier 21 on April 28th as part of the activities surrounding the Day of Mourning. Since then the exhibit has been shown at the following events:

April 28th	Pier 1	Halifax
April 29th - May 6th	Mayworks Festival	Halifax
May 6th	WSIS AGM	Halifax
June 1st - 5th	CLC annual week-long school, St. F.X.	Antigonish
June 7th	Delta Hotel	Sydney
June 17th - August	WCB Office	Halifax
September 19th	SEIU Convention	Dartmouth
September 20th	IATSE Convention	Halifax
November 20th - 22nd	Silver Birch Conference Centre	Halifax

An event scheduled for December was cancelled due to weather. Because the exhibit is crated in cardboard and cumbersome, it cannot be moved safely in heavy rain or snow conditions. We will continue to exhibit in 2015 culminating in an event to celebrate 100 years of Workers Compensation in Nova Scotia in April. It is our intention to find a permanent home for the exhibit in a suitable environment in the spring of 2015. Several unions have shown an interest in housing the exhibit in their building, but no decision has been reached.

The opening of the Aftermath gallery at the CLC annual week-long school at St. FX was covered by social media and shared outside the community.



Special Project: StressFULLcompensation

A symposium, StressFULLcompensation, was held on November 8th at the Delta Halifax. We had 104 participants from across the province, representing stakeholders from varied backgrounds. We were pleased to welcome the Deputy Chair and 4 members of the Board of Directors, as well as staff from the WCB.

Our speakers and panelists came from BC, Alberta, Saskatchewan, Ontario, New Brunswick, Nova Scotia, PEI and Newfoundland and included Dr. Michael Leiter, an organizational psychologist interested in the relationships of people with their work. Dr Leiter has recently been appointed a Tier I Canada Research Chair position in Occupational Health and Well-Being. He is a member of the staff at Acadia University.

“Once again, congratulations on everything you did to make the symposium such a great success.”

John Blakely, Executive Director of Policy and Legislation, Ministry of Labour, Government of British Columbia

As noted in the Marketing portion of this report, the symposium generated interest in the local press and served as well to advertise the services we offer. The feedback we received from the evaluations were extremely positive. Although it involved a great deal of preparation and planning, we believe that we achieved our dual goal of educating the public and raising awareness of this important issue facing Workers’ Compensations Boards across the country.



Our logo, designed in-house with a minimalistic style and colour palette, provided a bold but still cost-effective solution for making the event stand out among our usual fare.



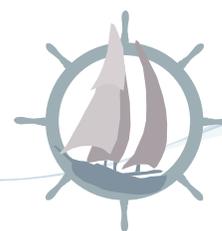
Attendance of StressFull Compensation, while below target, still drew substantial crowds thanks to good press and topicality.



Advocacy

We continue to provide assistance to injured workers on their Canada Pension Plan applications and at hearings. As discussed in our semi-annual report, there is still a significant backlog of appeals at the Social Security Tribunal. Since filing our last report we have learned that part of the delay was the hold-up in the federal government appointments of Commissioners for Atlantic Canada. We understand that that will be corrected in early 2015 and are hopeful that our appeals will be scheduled for hearing. Currently we have 4 appeals scheduled: two in January and one each in April and May 2015. The method of conducting these hearings has also changed; the latter two will be heard by way of teleconference. We will have to make some arrangements for this as we feel that it is important that we are in the same room as the appellant. Teleconferencing will hopefully speed up the process for our clients and more appeals will be heard in a timely fashion.

We are continuing to advise and assist clients with the new evidence procedure instead of filing appeals from decisions in the backlogged system which currently exists. In 2014 we assisted 18 applicants with documentation. Our process is to have the client come into the office where we review their paperwork and make sure they have the medical support they need for a successful application. Most applications are denied because the medical information is not worded correctly to support disability, and this is an area where family physicians need training. We believe that anyone who is in receipt of an EERB from the Workers' Compensation Board should automatically qualify for a CPP Disability Pension, a view which is unfortunately not shared by CPP staff. Our experience suggests that when the language is used in reports mirrors the language defining disability in the legislation, the application is likely to be successful. This is an area where we can affect outcomes with minimal cost and effort. We would like to see a practice initiated at the case management level where every worker who is identified as a recipient of an EERB is given our contact information as a resource for CPP Disability applications.



Assistance & Advice

The main focus of our day-to-day business continues to be the providing of one-to-one assistance and advice to injured workers and their families and representatives on claims related matters. We had 3946 contacts in 2014 requesting assistance, an increase of 12.74% over 2013. The main areas are:

- **Understanding WCB decisions, including advice on whether or not an appeal is appropriate.** In the vast majority of these calls we have concluded that new information may be required to change the outcome and in these instances we provide advice on where and how to acquire this information. Where appropriate we assist workers in filing notices of appeal, a necessary step before they can access the Workers' Advisers Program.
- **Communication with WCB case managers.** Many of our clients have lengthy, complicated claims often resulting in strained relations with case managers. We provide guidance and advice, attempt to clarify the constraints under which compensation is paid and in some instances contact Board staff directly to try to resolve issues.
- **Difficulty with return to work programs.** We counsel clients on the positive aspects of a timely and safe return to work program, and continue to refine our position of work as therapy. We attend case management meetings at physiotherapy clinics when necessary to provide support. We firmly believe through our own research and experience that a robust, healthy Return to Work program achieves the best result for workers in the long term. However we also believe that workers who are educated in this philosophy are more receptive to the program than those who feel "forced to participate" by being told if they do not take part their benefits will be suspended. We attempt to refocus the conversation on the benefits rather than reprisals.

We do not yet have an appropriate case management system, therefore we cannot provide an accurate breakdown of the issues on a percentage basis. We have put the case management system on hold until new staff is hired in 2015 as we feel their input is essential. Our sense is that the majority of cases involve only one contact with the client to provide information and help understanding rights and responsibilities.

We continue to have requests for assistance from union affiliates. We are pleased to note that SIEU has added a workers' compensation specialist to their staff who will be co-ordinating with our office in 2015. We have also been contacted by the UFCW National Workplace Rights Committee with a request that we provide a speaker at their national conference in Newfoundland. As noted in our Semi-Annual Report, we have seen a decrease in requests for assistance by unionized workers in 2014 which we attribute to our education program over the past 6 years targeted for the most part at unionized workers and their representatives. This tells us that our program has been successful and allows us to focus our resources on the people who most need our help. As reported previously, the majority of our requests for service come from non-unionized workers (over 85%).

Capital Expenditures

There were no capital expenditures in 2014. The acquisition of a case management system was delayed until 2015, to allow for input from new staff. The new case management system will also have a built-in cost for training, which we believe would be better spent on new staff.

Our request for a budget increase for this item has not yet been approved by the board of directors.

Advisory Support

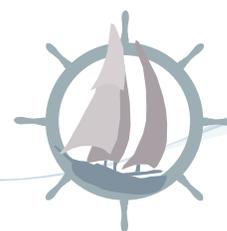
The Office of the Worker Counsellor is overseen by a steering committee comprised of: Rick Clarke, President, Nova Scotia Federation of Labour; Kyle Buott, Secretary-Treasurer, Nova Scotia Federation of Labour; Tony Tracy, National Representative, Canadian Labour Congress; and Ray Larkin, Member-at-Large representing the community. This steering committee receives and approves all reports to the Workers' Compensation Board, oversees the fiscal management of the program, and ensures that the Office of the Worker Counsellor undergoes a yearly financial audit. The staff members of the Office of the Worker Counsellor have appreciated the direction and support of the steering committee.

The Office of the Worker Counsellor has been under the direction of the Nova Scotia Federation of Labour since its inception as a pilot program in 2008. The program is housed next to the NSFL office in the Labour Temple at 3700 Kempt Road, Halifax. The location is excellent and the proximity to the NSFL offices allows for a seamless flow of information. The Federation represents all workers in the Province, both union and non-union, and strives to ensure that all workers are treated fairly and receive quality representation. Injured workers who contact us usually want to know about our oversight and are reassured by the fact that we are under the direction of the NSFL where their rights will be respected and protected. The staff at the Office of the Worker Counsellor are grateful to the officers of the Federation, President Rick Clarke, and the staff in their office for their continued support of the program.

Governance & Accountability

Staff met regularly with our steering committee providing oversight for the program. The steering committee had a busy 4th quarter as they also perform the function of hiring committee. Our office procedure manual was refined in 2014, providing for a clear and concise reporting structure for work and financial expenditures. Day to day operation of the program is under the direction of the Secretary-Treasurer who reports directly to the President of the NSFL.

In 2015 the position of "lead hand" will be eliminated in the office structure as it moves toward a more evenly-balanced method of service distribution.



Financial Management

We were able to operate within our budget in 2014, with a modest increase in our cash position from January (51,095.47) to December (68,307.69). The latter figure will need a slight adjustment downward to reflect transactions which are recognized in our accounting system but for which cheques had not been cleared as at December 31st. The actual cash on hand position for year-end will be \$64,757.82 once that has been completed.

The major difference between our budget for 2014 and actual expenditures was the salary overlap we budgeted for an additional staff member to cover the retirements. This money was not spent. We had originally planned to cover the cost of our symposium from funds on hand at the beginning of 2014 which would have resulted in approximately \$25,000 less in our account at year end. We overspent our budget for advertising in early 2014, for example, by approximately \$6000 so we limited our staff travel expenses for the balance of the year by approximately the same amount. Other than attendance at the CAWAA conference in July, there was no out of province travel for which we were not reimbursed by external agencies.

Our audit has been completed for our fiscal period, July 31st, which is aligned with the fiscal period of the NSFL. To change our accounting period to an annual one would generate a significant increase in our audit fees which we believe to be unnecessary. Our auditor's report for 2014 is attached with our 2014 Cash Flow documentation.

Our expenses for workshops reflects a significant outlay for our symposium in November. We made a decision to keep registration fees for the event as low as possible to encourage maximum participation, and were successful in that regard. We had hoped that attendance would be higher however, due to crisis in the health care sector many potential participants advised they would not be able to attend. Stress caused by work overload is a significant issue for workers in health care and their presence and contribution to the conversation was missed.

Because we were testing short workshops at lunch time we decided not to charge for the events in hopes that would make them more attractive to prospective attendees. Despite this, the workshops were not well attended and we were told that this time slot does not work for the average worker. We surveyed the group to see if any other time might work better than weekends but no clear conclusion other than that was reached. Workers who have limited time for lunch, who work shifts and who are constrained from leaving their worksites need education on weekends.

Business Planning

Planning for 2014 centered on succession planning. Our Education Coordinator will retire in December of 2014, with the Worker Counsellor having a projected exit date at the end of February 2015. Job listings were posted internally in October 2014, and externally on Career Beacon in November of 2014 and will remain open until the first week of January, 2015.

External Relations

In September we hosted a meeting between the 2 injured workers' associations and Bill Chedore, Executive Director of the Canadian Injured Workers Alliance. CIWA is an organization which supports and strengthens the work of local, provincial and territorial injured workers' associations. There has been no functioning provincial body in Nova Scotia for some time and Bill's mission was to attempt to reactivate one. After listening to Bill's measured presentation we are of the view that involvement of our associations in the national organization will assist our local groups in identifying their issues and suggesting solutions based on the experiences of others. In December Jessie Parkinson was a guest speaker before CIWA's Board of Directors at their forum on Workers Compensation in Moncton. Jessie has been asked to continue to provide her expertise to CIWA after her retirement from the Office of the Worker Counsellor.

We continue to maintain contact with the Pictou County Injured Workers Association, to explore responses to proposed policy changes with them and to provide them with access to our education. We have had little contact with Cape Breton Injured Workers since the autumn, although their support staff member attended our symposium on stress in November.

