



2004

REPORT TO STAKEHOLDERS



our vision

*Healthy and safe workplaces
in New Brunswick.*

mission The Commission will promote a safe and healthy work environment to the workers and employers of New Brunswick, and efficiently provide quality services, just adjudication and fair administration of the legislation.

mandate Promote the creation of a workplace environment where all employers and workers view all occupational diseases and accidents as being preventable. • Provide insurance and insurance-related services to the employer community. • Provide compensation benefits, including rehabilitation, medical aid, vocational counseling and safe return-to-work services to injured workers. • Provide recommendations and advice to government with respect to legislation and publish such reports, studies and recommendations, as the Commission considers advisable.

Toll Free Numbers

Health and Safety Emergencies: 1 800 442-9776
Claims Inquiry: 1 800 222-9775
Assessment Services:
Within New Brunswick: 1 800 222-9645
From NS, PE, NL, QC and ON: 1 800 222-9775
Workers' Rehabilitation Centre: 1 800 222-9781
Physicians: 1 877 647-0777

Offices

Saint John – Head Office: 1 800 222-9775
Bathurst Office: 1 800 561-2524
Grand Falls Office: 1 800 222-9775
Moncton Office: 1 800 222-9775
Appeals Tribunal: 1 800 222-9775

E-Mail Addresses

Appeals Tribunal: appeals@whscc.nb.ca
Webmaster: webmaster@whscc.nb.ca

www.whscc.nb.ca

Printed in New Brunswick – June 2005
ISBN 0-9732731-2-7
ISSN 1710-1204

Office Addresses and Fax Numbers

Saint John – Head Office

1 Portland Street, PO Box 160
Saint John NB E2L 3X9
Tel.: 506 632-2200

Appeals Tribunal

1 Portland Street, PO Box 160
Saint John NB E2L 3X9
Tel.: 506 632-2200 Fax: 506 633-3989

Grand Bay-Westfield

Workers' Rehabilitation Centre
3700 Westfield Road
Saint John NB E2M 5Z4
Tel.: 506 738-8411 Fax: 506 738-3470
Postal Address:
PO Box 160, Saint John NB E2L 3X9

Bathurst Office

Place Bathurst Mall
1300 St. Peter Avenue, Suite 220
Bathurst NB E2A 3A6
Tel.: 506 547-7300
Fax: 506 547-7311 or 506 547-2982

Grand Falls Office

166 Broadway Blvd., Suite 300
PO Box 7244
Grand Falls NB E3Z 2J9
Tel.: 506 475-2550 Fax: 506 475-2568

Moncton Office

100 Arden Street, Suite 200
Moncton NB E1C 4B7
Tel.: 506 867-0525 Fax: 506 859-6911

contact us

contents

- Message from the Chairperson and
the President and CEO 2

- 2004 Goals and Statistics:**
- Safety Goal 8
- Safety Goal Statistics 10
- Service Goal 12
- Service Goal Statistics 13
- Return to Work Goal 15
- Return to Work Goal Statistics 17
- Efficiency Goal 19
- Efficiency Goal Statistics 20
- Staff Satisfaction Goal 23
- Staff Satisfaction Goal Statistics 25

- Appeals Tribunal 26
- Appeals Tribunal Statistics 28

Message from the Chairperson and the President and CEO

On behalf of the Workplace Health, Safety and Compensation Commission (WHSCC), its Board of Directors and employees, we are proud to present our 2004 *Report to Stakeholders*.

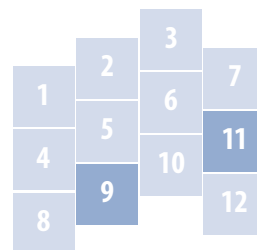
This report illustrates our commitment to achieving the vision, mission, mandate, values and goals of the WHSCC, and provides stakeholders with an understanding of the positive action taken in 2004 by the Board, management and employees to promote healthy and safe workplaces in New Brunswick.



balance

In 2004 the Board of Directors of the WHSCC continued to strike an equitable balance between the needs of our stakeholder groups, and continued to strive towards excellence in setting a course for the Commission. It is a job that requires dedication and commitment, and we thank them for their strategic guidance each year.

During the course of the year the Board of Directors said a fond farewell to Donna McNeill and Gerry Cluney, and welcomed two new members representing the workers of New Brunswick – **Chantal Lafleur** and **Morris Mendelson**.



BOARD MEMBERS: (1) Robert Scott, Chairperson Non-voting members: (2) Douglas Stanley, President and Chief Executive Officer (3) Paul LeBreton, Q.C., Chairperson of the Appeals Tribunal **Members representing employers:** (4) Gerry Cluney (5) Lin Hupman (6) Fraser MacLeod (7) John Mahar; **Members representing workers:** (8) J. Norman Bernard (9) Chantal Lafleur (10) Donna McNeill (11) Morris Mendelson; **Member representing the general public:** (12) Bernice Doiron Chiasson

For more information: www.whsc.nb.ca/cor2_e.asp

Early in 2004, the Board conducted a Strategic Planning and Risk Assessment exercise, which involved an analysis of key operational drivers, and the identification of factors that impact accident frequency, claims costs, and assessment rates.

The strategic challenges – or risks – identified by our Board of Directors were:

- Managing claims costs
- Increasing medical costs
- Emerging issues in occupational health and safety and disease
- Technological advancement
- Legal and regulatory considerations
- Changes to accounting principles
- Demographic trends in the workforce and the changing nature of work
- Return-to-work problems in the New Brunswick economy
- Meeting client expectations

The Strategic Planning and Risk Assessment exercise has allowed the Board to provide strategic direction to the Commission's executive on a number of important issues. This is a process that is already paying dividends.

Very prudent rate-setting decisions made by our Board in 2002 and 2003 have resulted in a significant improvement in the funded position of the Commission, and a return to virtually fully-funded status at the end of 2004.

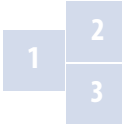
All stakeholders in New Brunswick should applaud the high level of fiscal responsibility demonstrated by our Board. If we are fully funded, we can tell injured workers in New Brunswick that their future benefits are assured; and we can maintain those benefits at levels that are higher than those offered in any of the other Atlantic Provinces. Being fully-funded means that we can tell employer stakeholders that they don't have to worry about a surcharge on rates; and we can tell new employers that they can come to New Brunswick without having to buy into an insurance system burdened with pre-existing costs.

strategy + analysis

efficiency

In 2004 the Commission's executive team continued to turn the Board's strategic direction into initiatives designed to improve service delivery, identify efficiencies, and strive towards achieving our corporate mission. This report will illustrate these successes.

During 2004 we also undertook an ambitious corporate reorganization that fulfilled the original purpose of the WHSCC: to create one organization out of two – the Occupational Health and Safety Commission and the Workers' Compensation Board. Two operational Divisions were put together under the direction of one Vice-President – David Greason – to create the WorkSafe Services Division. We are grateful for the co-operation of staff and the willingness of senior management personnel to accept the challenge that organizational change brings.



EXECUTIVE: (1) Peter Murphy, Vice-President, Corporate Services (2) Douglas Stanley, President and Chief Executive Officer (3) David Greason, Vice-President, WorkSafe Services

context

In 2004, the WHSCC's operational context was one marked by a changing workforce, slow economic growth, and challenges related to access to healthcare.

In 2004, the New Brunswick economy expanded by 2.5%. Over the last decade, however, the region has experienced a steady loss of employment in the fishery, mining and forestry sectors. As a result, a significant portion of the working-age population has left rural, resource-based areas for larger, more central communities.

The growth in the population of labour force age New Brunswickers is projected to decline during the coming decade.¹ Growing pressure for changes designed to meet the needs of older workers are anticipated.²

In the last five years, the number of New Brunswickers working in paid employment increased by 5.6 per cent, reaching a peak of 351,800 workers in 2004. However, with a 9.8 per cent rate of unemployment in 2004, New Brunswick still has the third highest unemployment rate in Canada.³

Industrial sectors showing the strongest growth from 2003 to 2004 were Agriculture (up 21%), Transportation and Warehousing (up 9%), and Educational Services (up 15%). Sectors hardest hit by employment losses were Business, Building and Other Support Services (down 6%) and Information, Culture and Recreation (down 10%).⁴

Across Canada, hourly wages have been very stable over the last 20 years, with little change in the percentage of workers holding either well-paid jobs or low-paid jobs. However, newly hired employees have seen their wages drop relative to those of other workers. As well, new employees have increasingly been offered temporary jobs and employment in non-unionized jobs.

Most businesses in New Brunswick are small: almost 75% employ fewer than five people; 93% employ fewer than 50 people; and businesses with more than 500 employees make up only 2% of New Brunswick's business population.⁵

In terms of access to healthcare in 2004, a national physician survey indicates that one-quarter of family practices in New Brunswick are completely closed to new clients – one of the highest percentages in Canada,⁶ and older physicians are retiring at a faster rate than new physicians entering the profession.

Recent research by the College of Family Physicians of Canada revealed that a tight physician supply is having a negative impact on the ability of Canadians to access care, and that wait times are growing.⁷ Although lower than in some provinces, thirty-seven per cent of physicians in New Brunswick reported having a problem gaining access to advanced diagnostic services.⁸

¹ Conference Board of Canada. Table 5. Key Economic Indicators, New Brunswick. December 2004.

² Conference Board of Canada. Inside Edge. Spring 2005.

³ Statistics Canada: 2004 Unemployment Rates – (NF 15.6%, PEI 11.3%, NB 9.8%)

⁴ Province of New Brunswick and Statistics Canada 71F0004XCB. January 2005.

⁵ Canadian Federation of Independent Business. New Brunswick Small Business Primer. July 2004.

⁶ National Physician Survey. Regional Data Release of the 2004 National Physician Survey. February 2005.

⁷ Ibid.

⁸ Ibid.

goals

In 2004, the WHSCC continued to perform well with respect to the five strategic goals.

- **Safety** (page 8) Our vigorous pursuit of safety will lead to a significant decline in the frequency of accidents.
- **Service** (page 12) We will provide prompt, effective, efficient, fair and caring services to our clientele.
- **Return to Work** (page 15) We will decrease the time by which workers return to pre-accident, modified or alternate employment.
- **Efficiency** (page 19) We will hold the assessment rates to employers at the lowest level possible, consistent with the best possible benefits to clients.
- **Staff Satisfaction** (page 23) Our employees will consider the Commission a good place to work.

We are extremely pleased with the results of our efforts in 2004, and as always, we invite our stakeholders to join us for the journey ahead.

Sincerely,



Robert M. Scott
Chairperson, Board of Directors



Douglas C. Stanley
President and CEO

Key Statistical Indicators

	2003	2004
Number of claims reported	26,410	25,409
Total claims adjudicated	26,531*	25,151*
Lost-time claims	6,191*	5,751*
No lost time claims	5,588	5,594
Claims recorded, no benefits paid	14,744	13,800
Work-related fatalities occurring	8*	8*
Average payment per claim	\$3,968	\$3,996
Average days lost per lost-time claim	73.7	74.5
Current year claims costs incurred (000s)	\$100,220	\$102,086
Claims payments made for current and prior years' injuries (000s)	\$115,253	\$115,306
Claims costs incurred for current and prior years' injuries (000s)	\$165,326	\$170,107
Total benefits liabilities – assessed employers (000s)	\$672,017	\$721,143
Total benefits liabilities – self-insured employers (000s)	\$104,623	\$110,298
Fund balance (in millions)	\$(60.2)	\$(9.8)
Percentage funded	92.3%	98.8%
Administration costs – Operations, excludes self-insured (000s)	\$17,715	\$17,892
Administration costs – Occupational health and safety (000s)	\$7,254	\$7,456
Assessment revenue (000s)	\$124,073	\$142,828
Total premium revenue (000s)	\$152,066	\$170,762
Assessable payroll (000s)	\$6,221,669	\$6,480,852*
Provisional average assessment rate	\$2.07	\$2.20
Actual average assessment rate	\$2.03	\$2.20*
Market rate of return on portfolio	12.4%	8.9%
Average calendar days from injury to first payment issued	39	40
Average calendar days from registration to first payment issued (all claims)	27.4	27.5
Average composite duration of claim (days)	76*	75*
Maximum assessable earnings	\$48,400	\$50,000
Number of assessed employers	13,481	13,407
Number of New Brunswickers working	343,800	351,800*
Number of workers covered by the <i>Workers' Compensation Act</i>	288,900	292,500*
Number of workers covered by the <i>Occupational Health and Safety Act</i> (excludes workers covered by federal legislation)	330,800	335,600*
Number of workplace health and safety inspections	5,958	5,758
Number of orders (violations of the <i>Occupational Health and Safety Act</i>) written	4,244	5,018
Number of serious accident investigations	232	129
Number of health and safety awareness/training sessions	806	698
Appeals received	609	580
• initiated by workers (or their representative)	549	547
• initiated by employers (or their representative)	60	33
Appeals resolved	522	702

* Projected, pending receipt of final figures for 2004.
Note: certain figures may have been restated to reflect new information.

Goal:

Safety

Our vigorous pursuit of safety will lead to a significant decline in the frequency of accidents.

TARGET FOR 2004:

Reducing provincial accident frequency rates – and accident reduction for specifically targeted sectors and employers.

2004 Results Summary

Province-wide, the accident frequency rate dropped by 4.7% in 2004. Focus industries also experienced a reduction in the number of accidents, resulting in a 1.2% drop in their accident frequency rate. The Commission was also active with 45 New Brunswick employers in 2004, working to reduce their accident rates, and implement effective health and safety programs. These companies experienced a 12% decline in their accident frequency rate.

The Commission recognizes that reducing accident frequency rates is one of its most important tasks.

Achieving a reduction in accident frequency rates requires:

- Focused attention on industry sectors and employer groups with high accident rates;
- Youth-targeted health and safety campaigns;
- Curriculum development in partnership with the Department of Education;
- Broad-based public awareness campaigns;
- Monitoring compliance with the *Occupational Health and Safety (OHS) Act*;
- Diligent and consistent workplace inspection and accident investigation services;
- A complete set of health and safety consulting and education services;
- An arbitration mechanism for employees and employers; and
- Easy to read, informative communications tools.

2004 Highlights

- WorkSafe Services staff conducted 5,758 workplace inspections, and wrote 4,786 orders under the *OHS Act*.
- The Division continued to work with the four focus industries identified in 2003: Logging, Sawmills, Garages, and Nursing Homes. Commission staff met with employer associations in these industries to discuss accident issues, recommend improved practices, and encourage active promotion of health and safety. These industries continued to receive increased visits and inspections by health and safety officers, and Commission staff were available to assist in the development and enhancement of health and safety programs.
- A number of other industry groups were targeted for smaller-scale initiatives. Initiatives of this sort are triggered by changes in the industry, serious accidents, or other significant issues. In 2004, the Commission continued to focus on aquaculture, potato harvesting and highway construction.
- The Commission's education consultants conducted 496 workplace health and safety workshops around the province, on topics including due diligence, worker/employer responsibilities, accident investigation, developing health and safety programs, trenching, fall protection and others.
- The WorkSafe Services Division also held a variety of public workshops throughout the year. The focus for 2004 continued to be the 3-day Joint Health and Safety Committee (JHSC) Core Training workshop. A total of 861 participants attended sessions held around the province.
- Other 2004 workshops covered topics including injury analysis and accident investigation, identification of workplace hazards and risks, and developing a health and safety plan. More than 212 people attended these workshops, which were held in Bathurst, Grand Falls, Moncton, Fredericton and Saint John.
- 611 delegates attended the WHSCC 24th Annual Health and Safety Conference. The conference offered delegates a selection of 25 different workshops as well as the opportunity to browse 33 health and safety exhibitor booths.

- The WorkSafe Services Division launched a multimedia health and safety awareness campaign focused on parents of employment-aged youth and the employers who employ them. The campaign had three components: television commercials, radio spots, and interactive CD-ROM presentations, which were provided to all NB workplaces.
- The Commission continued to actively promote safety for young workers. More than 41,000 students were exposed to important health and safety issues in the 2003-2004 school year, compared to 26,000 in the previous year. Significant WHSCC youth health and safety activities in the 2003-2004 school year included the distribution of a number of new resources (posters, videos), a HEROES tour, province-wide implementation of a new health curriculum for grades six through eight, and an aggressive communications campaign, noted above.
- In the fall of 2004, the WHSCC began sponsoring and funding access to Passport to Safety – a comprehensive youth safety website (www.passporttosafety.com) – for NB high school students. Between September and December, teachers ordered more than 4,000 Passport to Safety user accounts for their students.

“Preventing accidents before they happen is the best-case scenario for both workers and employers in New Brunswick – it’s something everyone must work towards.”

David Greason, Vice-President, WorkSafe Services Division

- Two proclamations of legislative change were issued that have a direct effect on the Commission and its stakeholders. They were: amendments to the *OHS Act* and *General Regulation 91-191*, and the introduction of the *Smoke Free Places Act* of New Brunswick. (The Commission’s officers administer the *Smoke Free Places Act* in non-public workplaces.)



Karen Mazerolle
Industrial Nurse and Safety
Coordinator for Imperial
Manufacturing Group, Richibucto, NB

Karen Mazerolle joined Imperial Manufacturing Group (IMG) in Richibucto as an industrial nurse. When health and safety coordination was added to her responsibilities, however, she says she leapt at the chance to be proactive.

With the help of the WHSCC, she began implementing the Commission’s 5*22 health and safety program at the company’s head office.

“I eat, drink and sleep this program,” Mazerolle says. “It’s an excellent framework.”

Mazerolle started by administering the 5*22 survey, to learn more about the company’s baseline health and safety understanding.

“The average score on the survey was 62%, and in the same year there were 169 accidents requiring medical treatment,” she says. “We had to do better.”

Over the next two years, Mazerolle created a health and safety program, conducted an injury

analysis, targeted high-risk activities, and developed a communications strategy for getting the word out among workers and supervisors.

“In 2004 we re-administered the 5*22 survey, and our average score improved to 86%,” Mazerolle says. “We were very pleased with those results – and even more pleased to see that the number of accidents requiring medical treatment dropped to 61 for the year.”

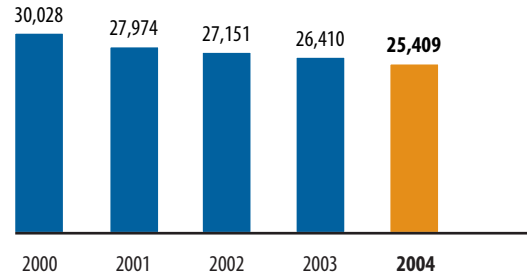
A culture shift like this doesn’t happen because one person got involved, Mazerolle explains.

“From the beginning, the leadership at IMG were dedicated to seeing the health and safety process not only survive, but thrive. And buy-in from management, supervisors and workers is having a direct impact on our positive results. Without everyone’s involvement, we wouldn’t be on the road to success.”

SAFETY GOAL STATISTICS

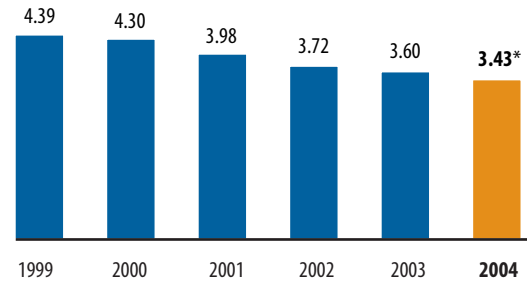
General Health and Safety	2003	2004
Workplace inspections	5,899	5,758
Orders written	4,109	4,786
Stop-work orders	99	111
Accident investigations	232	129
Fatalities investigated	2	4
Court cases	12	19
• Charges laid against an employer	8	16
• Charges laid against an employee	2	2
• Charges laid against an owner	1	–
• Charges laid against a contractor	1	1
Awareness education/training	197	117
Consultation	1,588	1,238
Occupational Hygiene		
Workplace inspections	59	143
Orders written	33	119
Stop-work orders	3	2
Awareness education/training	6	7
Consultation	75	159
Evaluation and analysis	50	63
Tests	12	10
Education		
Awareness education/training	550	496
Consultation	559	831
Ergonomics		
Awareness education/training	38	63
Consultation	254	225
Evaluation and analysis	81	95
Health and Safety Consultants		
Awareness education/training	15	15
Consultation	267	251
Evaluation and analysis	421	341

WHSCC Reported Accidents *Number of claims reported*



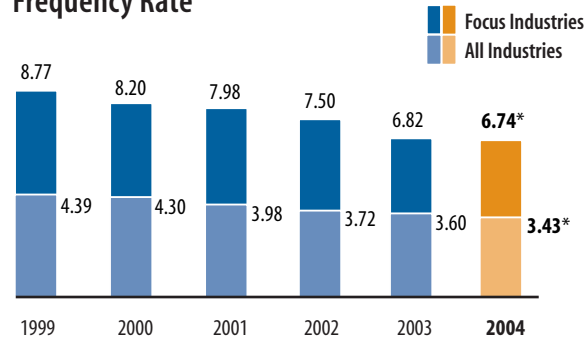
Provincial Accident Frequency Rate *Rate per 100 FTEs*

The accident frequency rate is calculated by dividing the number of claims by the number of full-time employees in a given year. A full-time employee or full-time equivalent (FTE) is defined as an employee who works the equivalent of 35 hours per week for 50 weeks of the year.



* Projected

WHSCC Focus Industries Accident Frequency Rate



Note: Certain figures have been restated to reflect more up-to-date information.

* Projected

Prosecutions *Occupational Health and Safety Act*

Number of :	2003	2004
Charges	22	19
Employers charged	8	17*
Owners charged	1	–
Workers charged	2	2
Convictions	13	5
Charges dismissed	–	2**
Charges withdrawn	11	10
Charges outstanding	14	16
Value of fines	\$54,275	\$30,225

* Including two supervisors and one contractor.

** Two charges were dismissed with a finding of "not guilty" at trial.

Complaints *Occupational Health and Safety Act*

Number of complaints:	2003	2004
Filed	31	71
Allowed	5	1
Dismissed	5	7
Resolved	18	17
Withdrawn	5	3
Outstanding	3	65



Anne Lise Albert

WHSCC Engineer and

Richard Blais

WHSCC Director of the Chief of
Compliance Office

WHSCC Health and Safety Officers are responsible for enforcing the laws set out in health and safety legislation with respect to New Brunswick businesses.

"The main function of an Officer is to ensure workplaces comply with the provisions of the *OHS Act* and its Regulations," says Richard Blais, Director of the Chief Compliance Office. "Compliance is the implementation of minimum requirements that will lead to improved worker health and safety."

The Chief Compliance Office is responsible for seeing that New Brunswick's health and safety legislation is interpreted and applied the same way every time, whether you're talking about a potato farm in the northwest, or an aquaculture operation in the southeast.

"We provide legislative interpretations for WHSCC health and safety officers and for businesses," Blais explains. "We also maintain the Health and Safety Officer's Manual, and

develop Provincial Guidelines that provide best-practices information on tasks that aren't clearly covered by legislation."

Blais also spearheads internal committees such as the Accident Review Committee and the High Risk Industry Committee, and participates in many others.

"Research, publications, and other activities flow from these committees," Blais explains. "For example, the Accident Review Committee often makes recommendations for the creation of Hazard and Risk Alerts, which we will collaborate on creating."

Twice a year, the Chief Compliance Office coordinates a health and safety officers' meeting to discuss emerging issues pertaining to occupational health and safety.

"It's a challenge," he says. "Our economy is evolving and changing, and we've got to keep on top of it, in order to keep everyone safe."

Goal:

Service

We will provide prompt, effective, efficient, just, fair and caring services to our clientele.

"All Commission staff members work towards achieving customer satisfaction in what they do each day. It is in that daily commitment that we find the keys to success."

Douglas C. Stanley, President and CEO

TARGET FOR 2004:

Our annual independent survey of public opinion will produce consistently high results. At a minimum, we will maintain a satisfaction score of 82% for injured workers and 85% for assessed employers.

2004 Results Summary

Injured workers indicated they were an average of 86% satisfied with the Commission's performance in the 12 categories surveyed – an increase of 5% from 2003.

Employers indicated they were an average of 86% satisfied with the Commission's performance in the 9 categories surveyed – remaining steady with 2003 numbers.

The yearly results gathered in reference to the Commission's service goal act as a barometer, indicating whether the WHSCC is meeting the needs of its stakeholders.

Achieving a high level of customer service and client satisfaction for injured workers requires:

- Fair adjudication of claims;
- Timely receipt of benefits;
- Hands-on case management and return-to-work services;
- An arbitration mechanism; and
- Easy to read, informative communications tools.

Achieving a high level of customer service and client satisfaction for employers requires:

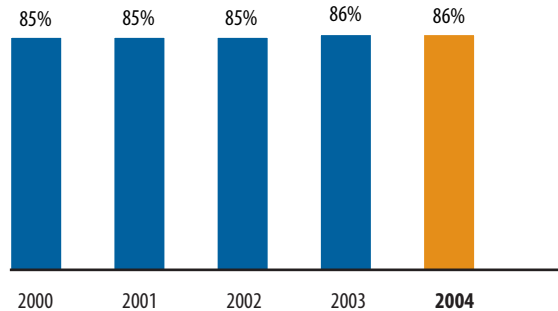
- Convenient payment options;
- Creative premium reduction options;
- An arbitration mechanism;
- A complete set of consulting services and training courses; and
- Easy to read, informative communications regarding employer/Commission interaction.

2004 Highlights:

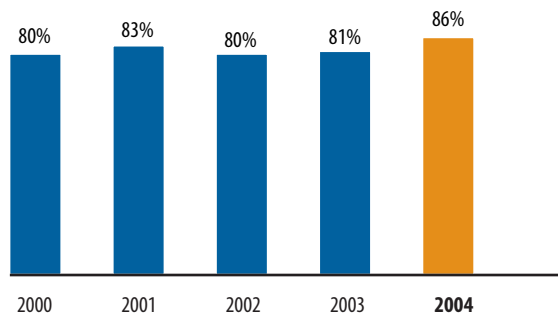
- The WHSCC recently reviewed the existing Form 67, *Report of Accident or Occupational Disease*, which has been in circulation for a number of years. As a result of the review, Form 67 was redesigned. It is now shorter and easier to use – but still gathers the necessary information – ensuring claims will be adjudicated in a timely manner. A pilot of the new form began in November 2004 with a small number of employers.
- In November, the WHSCC adopted an electronic direct-pay program for prescription drugs, available at all New Brunswick pharmacies. The goal of this program is to ensure that all claimants entitled to reimbursement for prescription drugs receive quality and timely service through a direct-pay process. The program will also help ensure claimants are receiving the appropriate drugs for their workplace injuries or illnesses.
- By year-end, 59% of assessed revenue was attributable to the Monthly Assessment on Actual Payroll (MAAP) Program. In 2004, 100 new businesses joined the program.
- The Assessment Services Department hosted 15 information sessions with employers, employer associations and groups.
- The Assessment Services Department has enhanced its services by providing the option to make payments through Service New Brunswick (SNB).

SERVICE GOAL STATISTICS

Employer Satisfaction Index

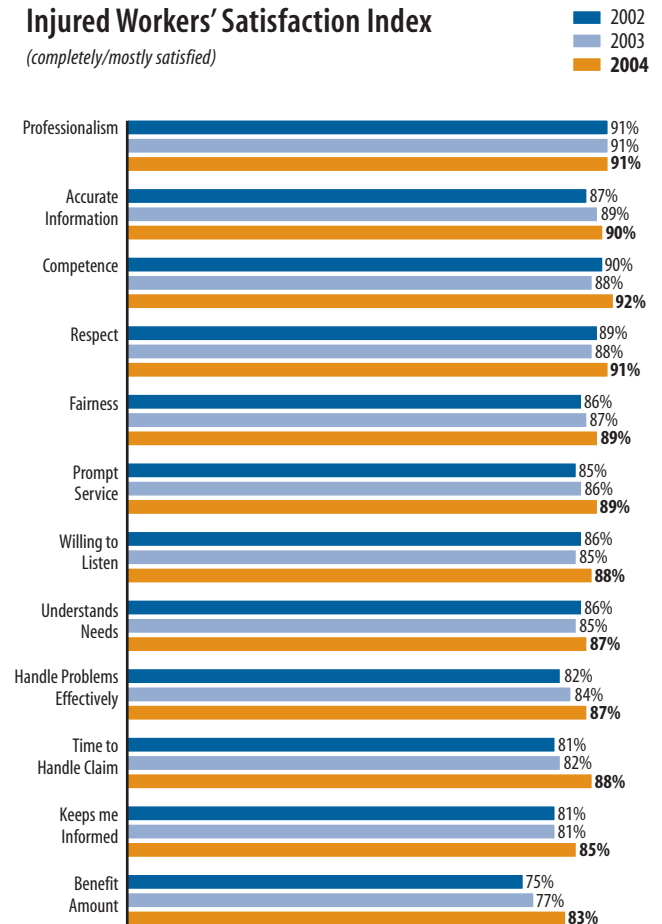


Injured Worker Satisfaction Index



Injured Workers' Satisfaction Index

(completely/mostly satisfied)



Erma Wuhr back at work at Grand Lake Timber, in Chipman, NB

Erma Wuhr had so much to say about her time at the Workers' Rehabilitation Centre (WRC) in 2004, that instead of writing it down – filling out an evaluation form – she did it on camera.

"You guys are like a family," she said, looking into the lens. "You made me feel welcome."

Wuhr was admitted to the WRC on May 10th, 2004, after she'd fallen at work, sustaining a hairline fracture to the top of one of her bones in her forearm. Her admission was triggered by a subsequent diagnosis of Reflex Sympathetic Dystrophy (RSD) – a painful nervous system disorder that can be caused by an injury. RSD requires a specific treatment protocol that is among the services offered at the WRC, and usually takes longer to improve or resolve than other injuries.

"My goal was to be able to straighten my arm, and re-establish the use of it for work and for life," Wuhr says. "My team at the WRC understood my limitations, taught me different strategies for pain management and strengthening, and helped me work through a recovery process tailored to my needs."

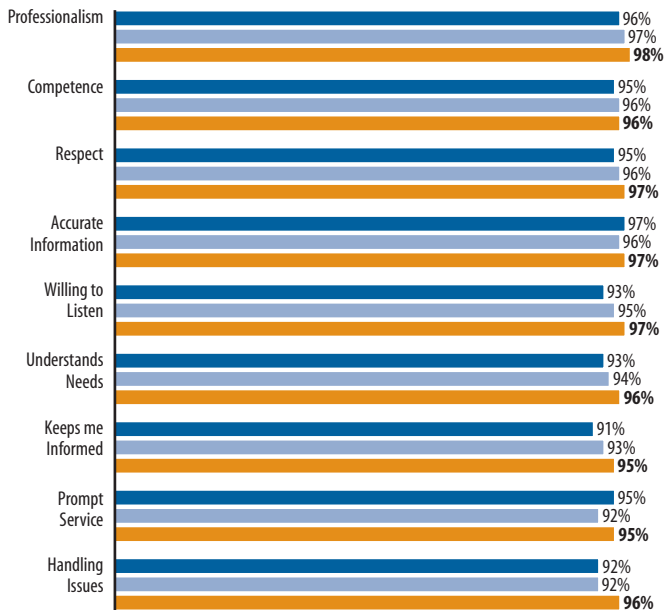
Wuhr was released from the WRC on September 2nd, 2004.

"Being here for 16 weeks allowed me to receive the care I needed for my physical injury," she says. "But because of the support and encouragement I received from my team, I was also able to rebuild my self-esteem. While I was at the WRC, I always felt like a person and not a number, and I'm a stronger person for it."

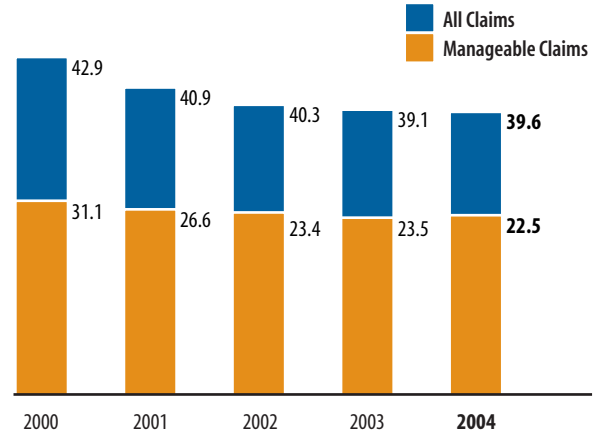
Employers' Satisfaction Index

(completely/mostly satisfied)

■ 2002
■ 2003
■ 2004



Average Number of Days from Accident to First Cheque



Gilles Moreau
WHSCC Employer Services
Representative

"To me, there's no difference between big and small employers," says Gilles Moreau, Employer Services Representative. "They pay a premium, and they're entitled to service."

Moreau's employers call him "Mr. Compensation," probably because he's taken the time to get to know them on a personal level. He's been working out of the northwest region since 1991.

"With some of my customers, I'm now dealing with the grandsons of the original owners," Moreau explains. "I've learned the best way to keep a long-term business relationship healthy is to never make promises I can't keep."

Moreau's customers – more than 3,000 employers scattered throughout the province of Quebec and several counties in the northwest corner of New Brunswick – use him as their

main point of contact for the Commission. He helps them with everything from their initial registration, to clearance certificates, account balance inquiries, and information on WHSCC services.

"It's my job to ensure that an employer gets registered using the appropriate codes for their business, and to make sure they're aware of Commission initiatives and programs," he says.

To do that, Moreau hits the road – logging a lot of miles in an effort to keep in touch with his customers.

"I'm on the road four days a week," he says. "I visit almost 400 employers every year."

Those employers not on his short-term itinerary, however, know he's only a phone call away.

"Maybe I spoil them," Moreau laughs. "But they can call me any time."

employee profile

Goal:

Return to Work

We will decrease the time by which injured workers return to pre-accident, modified or alternate employment.

TARGET FOR 2004:

To return at least 60% of lost-time claimants to work within 20 days of claim acceptance, and at least 93% within 260 days.

2004 Results Summary

Overall, for those years where full data is available, 91% of workers are back at work at some time before 520 days have elapsed since their claim began; 5% are ready for work but did not have work at the time of claim closure; and 3% are not fit for work by the 520 day mark (104 weeks, or 2 years.) A small number of this category may ultimately return to employment.

The return to work goal speaks to the Commission's core belief that returning injured workers to the workforce in a safe, timely manner is the best solution for all concerned.

Achieving a high level of return-to-work numbers requires:

- Appropriate, timely medical treatment;
- Groundbreaking research initiatives;
- Hands-on case management services;
- A complete set of occupational rehabilitation services;
- Creative and flexible vocational rehabilitation services;
- Productive employer and health care provider relations;
- Effective communications with injured workers.

2004 Highlights:

- The Commission established a contract with an orthopaedic surgeon to provide 17 physician education sessions through the NB Medical Society's Community Hospital Program. His Third-Party Medicine sessions continue to be popular because the content covers a gap in medical school training. He was also invited to give this session in November, at the World Interdisciplinary Congress on Back and Pelvic Pain. In April, he gave lectures to staff at the Workers' Compensation Board of Manitoba, and to physicians at the 46th Annual Scientific Assembly.
- In April, the Human Rights Commission, Canadian Bar Association – New Brunswick Branch, New Brunswick Medical Society, and the WHSCC hosted a multi-stakeholder conference called "Breaking Down the Barriers to Returning to Work: Patient Confidentiality and the Return to Work." Employers, labour representatives, lawyers, physicians and chiropractors attended the event. The primary objective of the conference was to provide a forum for stakeholder discussion related to the new privacy acts.
- In May, the Commission hosted five regional physician/physiotherapist/case manager meetings to discuss the management of complex cases. In past years, these meetings were limited to physiotherapists and case managers. In 2004, family physicians were invited to attend, as part of a move towards cross-profession dialogue on best practices for providing care to injured workers.

- The Commission's "Continuum of Care" model for case management is an incremental care and treatment approach to getting an injured worker safely back to employment at the earliest possible opportunity. This approach is evaluated on an ongoing basis to identify areas for improvement in process and services. In 2004, the Continuum of Care approach continued to be applied as a case management model for all injuries.
- The Commission developed a new disability management initiative called the Workplace Accommodation Process, to help workplaces develop a return-to-work process following a workplace injury or illness. This new approach is a simplified version of the former Disability Management Program and will be easier for workplaces to implement.
- The Commission's Physiotherapy Clinical Practice Issues Committee continued to meet in 2004, to discuss issues of interest to the Commission and the New Brunswick Private Practitioners of Physiotherapy. A brief newsletter containing meeting highlights was sent to all approved physiotherapy clinics in an effort to improve communication and increase involvement in the Committee.

"The WorkSafe Services Division is dedicated to helping injured workers return to pre-injury, modified or alternate employment using an approach that is a tailored combination of tried-and-true rehabilitation techniques and creative new initiatives."

David Greason, Vice-President, WorkSafe Services Division

- The Division completed the third rapid office assessment video for family physicians, covering the assessment of knee injuries. Previous videos covered shoulder and back injuries.
- The Commission established a network of six family physicians (one in Edmundston, two in Moncton, one in Saint John, and two in Fredericton) to provide continuity of care for claimants without family physicians, and assist other family physicians and the Commission to develop holistic care plans.
- In July, the Commission and the New Brunswick Medical Society distributed "Chronic Pain and Opioid Prescribing Guidelines" to New Brunswick physicians.



Mike Steeves Manager of Assistive Devices at the Workers' Rehabilitation Centre

It's not just a return to work that Mike Steeves' clients want – it's a return to work, recreation, and family activities.

"These are clients for life," explains Steeves, who is Manager of Assistive Devices at the Workers' Rehabilitation Centre. "It's my job to create devices that will allow them to get back to normal as quickly as possible, after a traumatic injury."

Once the outward damage from their injury has healed, the client joins a team at the WRC that is made up of two prosthetists, a physiotherapist, and an occupational therapist.

Part of the team's treatment process involves a work evaluation.

"We've got to keep in mind that often, the job can't be modified to fit the client," Steeves says. "An uninjured individual might be coming on the next shift – and they have to be able to

use the same equipment."

It's a situation that demands creative thinking.

Orthotics, designed for clients with foot and ankle injuries, are a big part of Steeves' work.

"Orthotics can be a challenge," he says.

"Safety standards for industrial footwear must be maintained."

Assistive devices are another area of focus for Steeves.

For a client returning to work with a partial hand amputation, Steeves created a slip-on device with a hard plastic section designed to receive a wrench. This allowed the worker to continue servicing equipment at the jobsite.

"It's rewarding to help clients get back to work," Steeves says. "They are motivated, inspirational people."

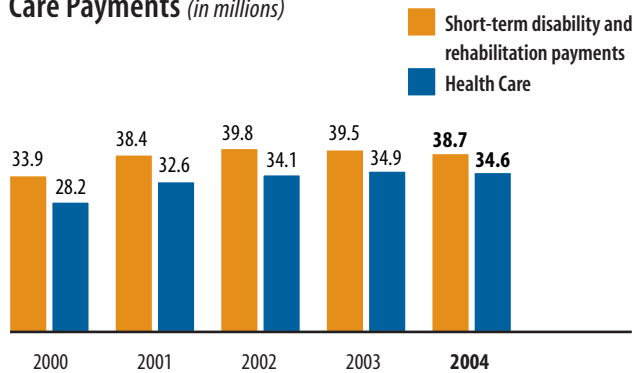
employee profile

RETURN TO WORK GOAL STATISTICS

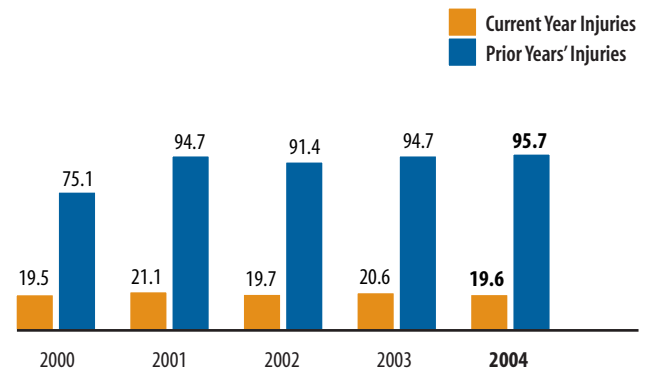
Summary of Benefits for 2004

	Maximum Annual Earnings	Maximum Weekly Earnings	Percentage Rate for Determining Benefits	Maximum Weekly Benefits	Effective Date
No Dependents	\$50,000	\$961.54	85% of net	\$579.34	01-Jan-04
Dependent Spouse	\$50,000	\$961.54	85% of net	\$607.55	01-Jan-04

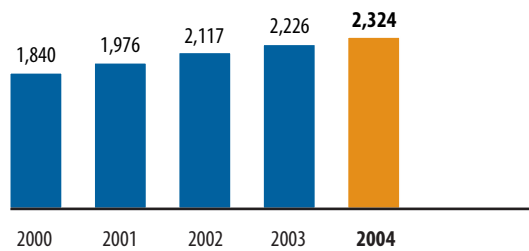
Short-term Disability and Rehabilitation, and Health Care Payments (in millions)



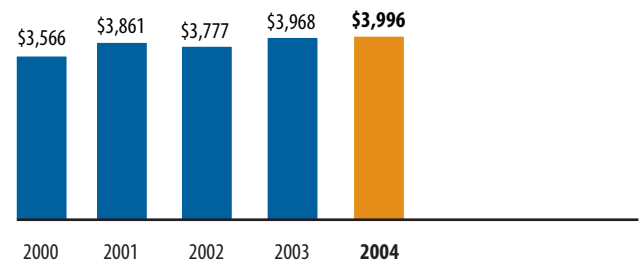
Benefits Payments (in millions)



Number of Injured Workers Receiving Long-term Disability Benefits at December 31

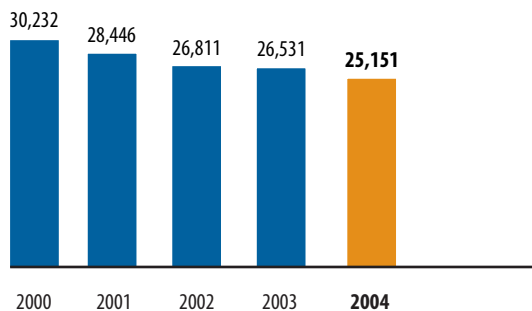


Average Payment per Claim

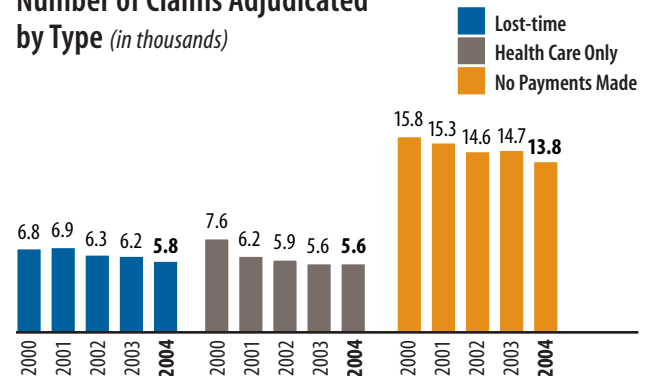


Note: Certain figures have been restated from previous publications to reflect new information.

Number of Claims Adjudicated



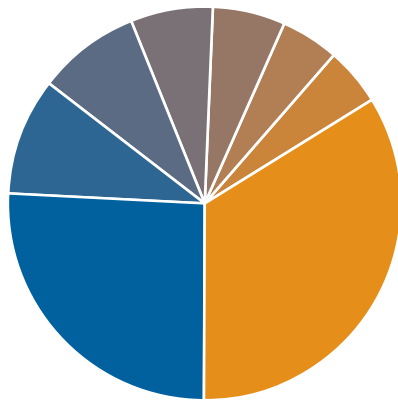
Number of Claims Adjudicated by Type (in thousands)



Injured Workers with Lost-time Claims

	2000	2001	2002	2003	2004
% returning or fit to return to work within:					
20 days	58.8%	59.9%	61.6%	59.6%	59.0%*
80 days	80.7%	79.9%	80.9%	79.4%	79.3%*
130 days	87.2%	86.6%	87.7%	88.6%	86.3%
260 days	93.2%	93.4%	94.0%	94.8%	N/A
520 days	95.6%	96.3%	96.6%	N/A	N/A
% not fit to return after more than:					
520 days	4.4%	3.7%	3.5%	N/A	N/A

* Some claims are still in treatment and rehabilitation as of December 31, 2004.
 Note: N/A indicates that sufficient time has not elapsed for claims to mature for the specified time frame.
 Note: Certain figures have been restated to reflect more up-to-date information.



Nature of Injury

- **34.1%** Sprains, strains, tears, unspecified
- **25.9%** Other
- **9.7%** Crushing injuries, traumatic injuries to muscles, tendons, ligaments, joints etc., unspecified
- **8.5%** Fractures
- **6.8%** Bruises, contusions
- **6.0%** Cuts, lacerations
- **4.8%** Back pain, hurt back
- **4.2%** Tendonitis* and traumatic tendonitis**

* Excludes traumatic tendonitis
 ** Due to repetitive motions



André Albert at his Edmundston physiotherapy clinic

André Albert sees himself as a team player.

“Physiotherapists play an important role in the return-to-work process,” he says. “We’re a part of a team that is dedicated to helping clients get back their function.”

Albert operates PhysioRehab, an Edmundston physiotherapy clinic that offers conventional physiotherapy, work conditioning services and work capacity evaluations. PhysioRehab has been one of the WHSCC’s approved providers since January 2002.

“To become an approved provider for the Commission, my clinic needed to meet a variety of criteria covering everything from building access and clinical equipment to treatment processes and practice methodologies,” Albert says.

Approximately 80% of Albert’s workload is made up of WHSCC clients, representing 30 to

40 clients per week.

“For conventional physiotherapy, referrals come mostly from physicians,” Albert explains. “The doctor provides their patient with the list of WHSCC approved providers and they make a selection.”

For work conditioning services, Albert is the only approved provider in the Northwest region. When a claimant exceeds the disability guidelines set out by the WHSCC, and is not yet ready to return to work, they are referred for work conditioning, an intensive 6-week program.

For functional capacity evaluations, Albert evaluates a client’s abilities and limitations and compares them to job demands with an eye towards getting the client back to work.

“Return to work is an important goal, and it’s rewarding to play a role in that process,” Albert says.

Goal:

Efficiency

We will hold the assessment rates to employers at the lowest level possible, consistent with the best possible benefits to clients.

TARGET FOR 2004:

At a minimum, we will maintain a fully-funded liability.

2004 Results Summary

Investments held to meet future benefit obligations for past injuries reached \$683 million at the end of 2004, representing a 98.8% funded liability.

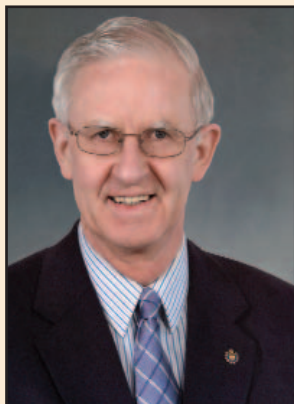
The WHSCC knows that responsible financial management – from rate setting and investment management to controlling fraud and abuse – is the key to achieving the efficiency goal.

Achieving a high level of efficiency requires:

- Best possible forecasted information for rate setting;
- Disciplined investment strategies;
- Proactive policy development;
- Effective and efficient collection of assessed premiums;
- Productive employer relations; and
- Accurate, timely corporate reporting mechanisms.

2004 Highlights:

- The Planning and Policy Department continued the production of quarterly Corporate Reports for 2004. The quarterly report was made available to the general public through the WHSCC website.
- Consistent with the Board of Directors' responsibilities for interpreting legislation, in 2004 the Planning and Policy Department worked with the Board to develop policies in key areas such as occupational health and safety, conditions for entitlement, return to work – responsibilities and re-employment obligations, communication in rehabilitation, third-party mediations, claim-related travel, payment of employer assessments, home and vehicle modifications and prostheses, orthoses and assistive devices.



Richard Tingley QC, General Counsel for the WHSCC

The WHSCC's investigators have been busy lately.

"Unfortunately, instances of fraud against the Commission continue to be a concern," reports Richard Tingley, QC, General Counsel for the WHSCC. "In 2004, 98 new applications for benefit claims were referred for investigation to determine their validity, and 44% of them were subsequently rejected. That's an increase of 18% since 2002."

There is the potential for fraud in all the Commission's business relationships, and the WHSCC's Investigative Unit is working to stem the tide. They're pursuing an aggressive defense that includes both detection and prevention initiatives.

"To help us detect fraud, we're focusing on educating our staff," says Tingley. "We have also

developed an inventory of red flags that can be used to identify suspicious activity."

The WHSCC has developed information-sharing partnerships with other information gathering groups, and retains a staff of investigators dedicated to identifying abusers of the system.

"By law, the Commission must ensure its financial resources are used appropriately in order to provide benefits and services to the workers and employers of New Brunswick," says Tingley. "Incidents of fraud put a strain on the system that impairs our ability to do business in a cost-effective way. In 2004, I'm pleased to report that fraud and abuse investigations resulted in the termination of benefits that would have totaled close to \$1 million."

employee profile

- In addition, the Board of Directors reviewed issues of merits, demerits and fines under the *Workers' Compensation Act* and the *Occupational Health and Safety Act*.
- The WHSCC implemented a new investment accounting policy for the 2004 fiscal year, as a result of new standards introduced by the Canadian Institute of Chartered Accountants. The new policy, called "Fair Value", states that all investment income and losses for the year – including dividends, interest, gains and losses – will be reported in the year they occur. Previous accounting standards allowed for those gains and losses to be reported over a five-year period, which allowed workers' compensation boards to better weather the ups and downs of volatile financial markets.
- 210 fraud and abuse investigations resulted in present and future claim cost savings of close to \$1 million.

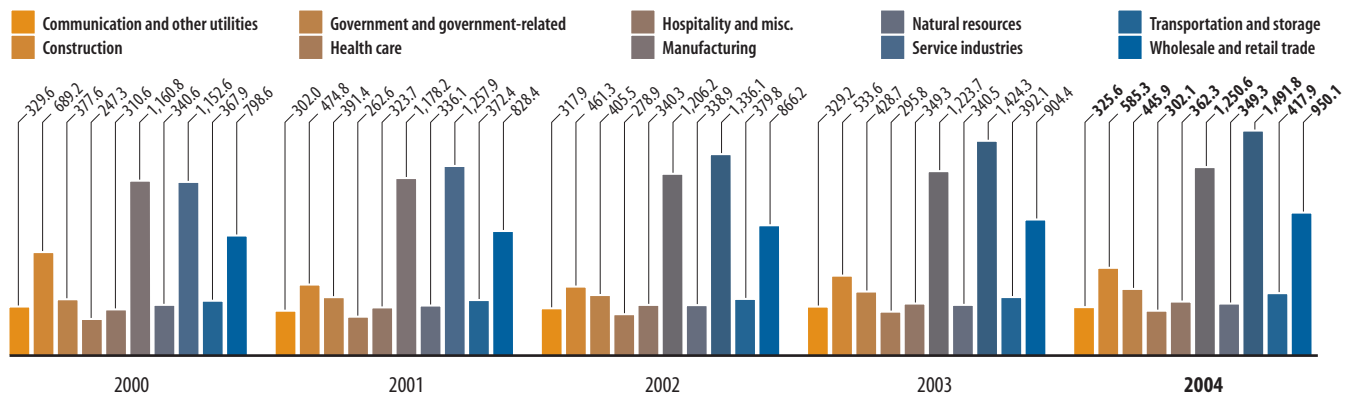
"The Corporate Services Division maintains the financial framework on which the Commission operates. Managing that framework in an efficient manner is critical to our long-term success."

Peter Murphy, Vice-President, Corporate Services Division

- Third-party action recoveries provided cost relief to employers of approximately \$1.3 million, with injured workers receiving \$342,821 in addition to compensation benefits. The cost relief provided is equivalent to the revenue generated by \$0.02 on the average assessment rate.
- The Commission laid 19 charges against employers and supervisors. Courts imposed a total of \$30,225 in fines. Approximately half of the charges laid in 2004 were unresolved as of December 31, 2004.

EFFICIENCY GOAL STATISTICS

Payrolls by Sector (in millions of dollars)



Investment Returns by Asset Class

For the Year Ended December 31, 2004

	WHSCC	Benchmark index return	Benchmark index
Canadian Bonds	7.2%	7.2%	SCM Universe Bond
Canadian Equities	16.7%	14.5%	S&P TSX Composite
U.S. Equities	5.0%	2.8%	S&P 500 (C\$)
EAFE* Equities	11.1%	11.5%	MSCI EAFE* (C\$)
Emerging Market Equities	11.5%	16.8%	MSCI EM (C\$)

* Europe, Australia and the Far East

Canada Average Assessment Rates *In 2005 Ascending Order*

	Actual 2000	Actual 2001	Actual 2002	Actual 2003	Provisional 2004	Provisional 2005
Manitoba	\$ 1.49	\$ 1.52	\$ 1.53	\$ 1.56	\$1.70	\$ 1.70
Yukon	1.29	1.30	1.28	1.41	1.54	1.74
Alberta	1.12	1.31	1.64	1.89	1.98	1.83
Northwest Territories & Nunavut	1.04	1.18	1.28	1.60	1.91	1.86
British Columbia	1.73	1.78	1.87	1.92	1.91	1.87
Saskatchewan	1.61	1.57	1.65	1.91	2.08	1.97
Ontario*	2.29	2.13	2.16	2.19	2.19	2.19
New Brunswick	1.61	1.58	1.86	2.03	2.20	2.19
Quebec	2.12	1.89	1.83	1.93	2.15	2.27
Prince Edward Island	2.08	2.29	2.34	2.39	2.39	2.33
Nova Scotia	2.55	2.49	2.50	2.54	2.57	2.65
Newfoundland and Labrador	3.23	3.22	3.50	3.24	3.24	3.19

* Ontario only publishes the provisional average assessment rate.

Note: Caution should be exercised in comparing provinces' and territories' average assessment rates. Interjurisdictional differences in extent of coverage, industry mix, benefit levels and assessable maximums can affect average assessment rates. The 2004 and 2005 figures are provisional based on rate setting projections, as actuals were not all available at the time of printing.

Source: Association of Workers' Compensation Boards of Canada

Certain figures may have been restated to reflect more up-to-date information.

Third Party Actions *For the year ended December 31, 2004**

Cases under management	Cases finalized	Legal fees on finalized cases**	Worker benefits paid	WHSCC recovery	Excess paid to workers	WHSCC % of recovery	Employer cost relief
75 - 90***	23	\$ 428,966	\$ 1,078,530	\$ 1,394,125	\$ 342,821	92.48%	\$ 1,394,125

* Statistics represent actions that were settled during the period January 1, 2004 to December 31, 2004.

** Legal fees for settled actions were paid over the life of the action and not solely in 2004.

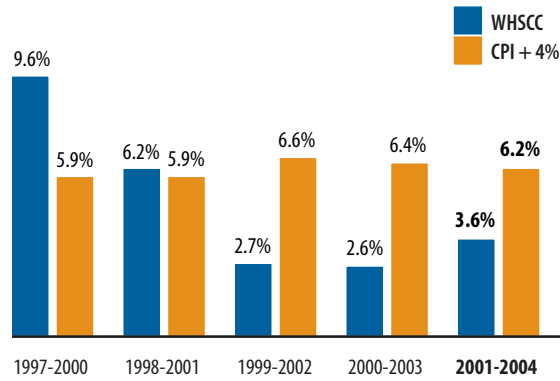
*** The Office of the General Counsel manages 75-90 Third Party Actions annually.

During the period for which the statistics are provided, the total recovered was \$1,736,946. Legal fees paid to recover this amount were \$428,966. In addition to compensation benefits, injured workers received \$342,821 from the monies recovered by the Commission from the at-fault party. **The cost relief provided to employers is equivalent to the revenue generated by \$0.02 on the average assessment rate.**

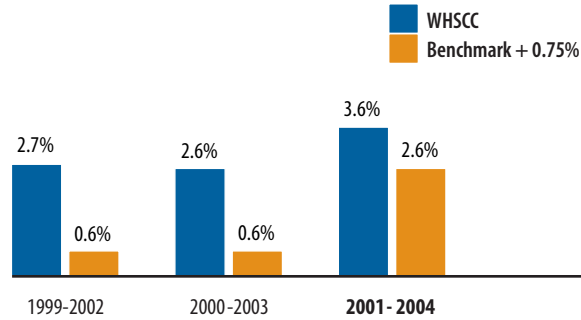
To put the legal fees in perspective using the legal professional standard contingency fee of 30%, legal fees for private actions involving similar amounts would have attracted a fee of \$521,085. The Commission paid \$92,119 less than would have been paid by the private sector, and that savings was passed on to injured workers.

Note: The WHSCC's audited financial statements are published in the WHSCC Annual Report, which is available online at www.whsc.ca/docs/2004ANNUALREPORT.pdf. A hard-copy version of the report is available by calling 506 633-5660 or 1 800 222-9775.

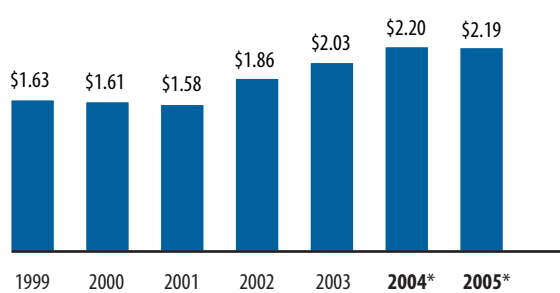
Performance Objective 1: The investment portfolio's rate of return is to exceed the increase in the Consumer Price Index (CPI)+ 4% on a four year moving average basis.



Performance Objective 2: The investment portfolio's rate of return is to exceed the return generated by the investment policy defined benchmark portfolio by 0.75%, on a four year moving average basis. Objective 2, Benchmark Portfolio plus 0.75% has only been established since the beginning of 1999. Therefore, only six years of data is available.

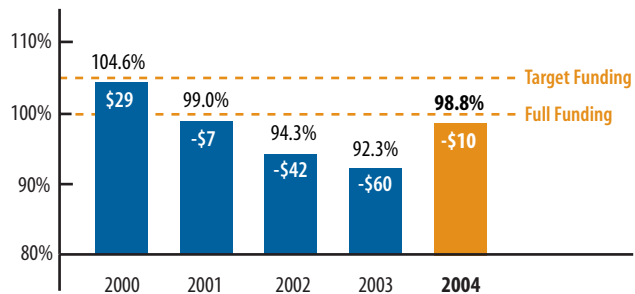


New Brunswick Actual Average Assessment Rates



* Provisional average assessment rate

Funding History Percent funded and dollar amounts (in millions)



Faith McMillan owner of Pleasant Valley Realty 2000 Ltd.

Faith McMillan has been running Pleasant Valley Realty 2000 Ltd., in Sussex for the past five years.

"We help our clients buy and sell more than 90 properties a year," says McMillan.

Like any small business owner, McMillan is dedicated to seeing her business thrive. She invests a lot of time and effort into that goal.

"I work from 8:30 in the morning to 10 or 11:00 at night, every day of the week," she says with a laugh. "How many hours is that, anyhow?"

McMillan's days are spent running the business, and her evenings and weekends are spent showing houses.

"If I'm going to do something, I put 110% into it," she says. "We provide excellent service,

and our reward is that we get a lot of repeat business. For one of our customers, I've sold four houses. That's the basis of any business – bringing the customers back for more."

She is always looking for ways to run her business more efficiently.

"I do a lot of my banking online, at night," she says. "I don't have time to do it during business hours."

When it came to finding a convenient way to pay her WHSCC assessment, McMillan called the Commission to discuss her alternatives.

"I was glad to hear there was a way to pay using a credit card," she says. "I collect reward points every time I use my card, and for a small business owner, every little bit helps."

Goal:

Staff Satisfaction

Our employees will consider the Commission a good place to work.

TARGET FOR 2004:

Employee satisfaction will remain at a high level for the organization.

2004 Results Summary

The employee satisfaction survey results indicate 94% of our employees find the WHSCC a “good place to work.” The response rate was 80%.

The WHSCC knows that employee satisfaction levels are directly linked to the Commission’s ability to achieve its goals. Providing not only a good place to work, but also a healthy and safe environment, gives WHSCC employees the tools they need to succeed.

Achieving a high level of employee satisfaction requires:

- A healthy and safe culture for staff;
- Open and transparent communication;
- Competitive salaries and benefits;
- Recruitment, retention and recognition of professional staff;
- Promotion of professional development and training

- opportunities; and
- Facilitation of internal promotions.

2004 Highlights

- A total of \$946,113 was budgeted for educational development and enhancement of our staff.
- A total of 64 courses were held, through the Training Department, with 694 participants.
- A total of 98% of staff received a Performance Review with their supervisor.
- Twenty-three staff (39%) were promoted within the organization as a result of completed competitions. This is an increase over the 36% in 2003.
- Staff turnover was 5.19%. This is lower than the 5.95% in 2003.



Heather Cossaboom
WHSCC Director of Human Resources

Heather Cossaboom, Director of Human Resources, knows that she’s soon going to have some management-level positions to fill at the Commission.

“The average age of WHSCC management is approximately 50,” she explains. “That means in the next five to ten years, many of them will retire.”

The executive committee knows that potential candidates for these positions are currently within the organization, and they want to support their development by encouraging internal promotions. That helps reinforce the WHSCC’s goal to be “a good place to work.”

“An important part of being a good place to work is being able to give staff the opportunity to achieve their potential, career-wise,” Cossaboom says.

The WHSCC’s Growing Leaders Program,

implemented in June 2004, is about doing just that. It is designed to support leaders already in management positions, and to identify up-and-comers who aren’t managers yet, but show leadership potential in their current performance.

“In 2004, 29 leaders were nominated for the program by their supervisors, and supported by the executive,” Cossaboom says. “Their participation should generate the kind of experiences and guidance they will need to have, in order to be successful in moving up the ladder.”

The Growing Leaders program includes leadership training courses; coaching through a confidential mentor relationship; job-shadowing; the opportunity to represent the Commission at networking events; and completion of special projects.

employee profile

- An audit process of compliance with Human Resources Directives and Procedures was developed to ensure consistent practices.
- The Wellness Program provided employees with the opportunity to participate in a variety of activities in support of the four global objectives of physical, nutritional, psychological and basic health.
- The Commission's Employee Assistance Program, which gives staff access to a wide array of confidential support and counseling services, assisted 70 new clients.
- A review of our current practices for positive employee attendance was completed and 11 recommendations were approved and implemented.
- Absenteeism from work was 7.74 days per employee. This remains less than the five-year average of 9.07 days, and is the lowest since 2000.
- The Disability Management Program assisted a total of seven employees to return to work, and several more are in various stages of their return-to-work program.
- A total of 9 accident claims were accepted. This is the lowest number within the last five year period. One of these claims resulted in lost time of 3 days.
- The 2004 Health and Safety Plan built upon the momentum created in 2003. A WHMIS orientation was created and implemented, all staff received a basic Health and Safety Orientation prior to the summer, and new Health and Safety related directives and procedures were developed.

“The Human Resources Department takes the Commission’s staff satisfaction goal very seriously, and we have established a comprehensive set of internal systems to help us achieve it.”

Heather Cossaboom, Director of Human Resources.

- Special action teams were created to develop recommendations for four identified common position hazards within the organization.
- The injury reduction objective was to reduce slips, trips and falls at our Grand Bay location by 50% in six months. In total, we reduced slips, trips and falls at Grand Bay by 66%.
- An annual staff meeting was held along with a recognition banquet, honouring a total of sixty-four employees and fourteen retirees.



Pat Hay
Researcher, Appeals Tribunal

“Did you know it takes 9,760 steps to get around the Irving Nature Park?” Pat Hay asks the question with a grin.

Hay, a Researcher in the Appeals Tribunal, didn't just walk around the park in 2004. In October, she walked and jogged all 42.2 kms of the 25th adidas® Dublin Marathon in Ireland.

Part of her training regimen included the WHSCC's Wellness Pedometer Challenge. The Wellness Committee launched the program in May 2004 in conjunction with Saint John's "Step Into Life" walking program. The Pedometer Challenge included a variety of organized walking events, contests, and a

subsidized pedometer purchase.

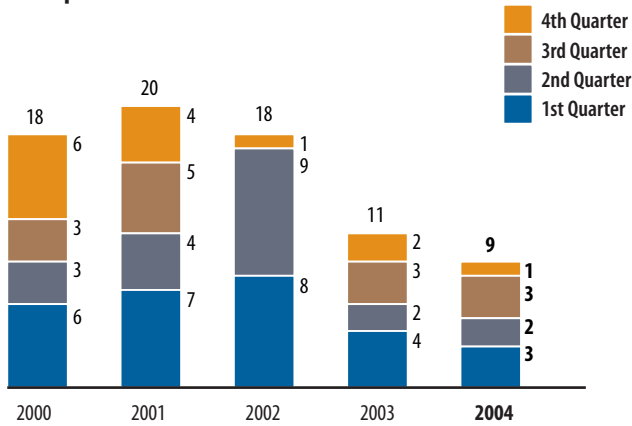
“The pedometers were terrific,” says Hay. “They made you feel like you'd accomplished something, and that gave me an incentive to go farther.”

The last formal activity of the Pedometer Challenge was a contest organized by the Wellness Committee, to see who could log the most steps in the month of August. Hay won, with approximately 8,000 steps per day.

“I found the organized activities helped me stick to my training program,” says Hay. “I really felt that the Commission supported me in my efforts to realize my goal.”

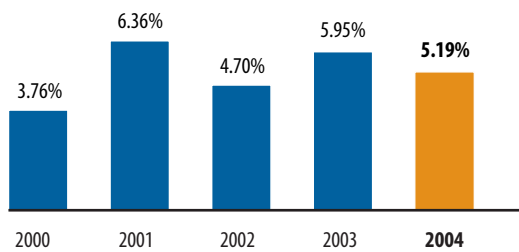
STAFF SATISFACTION GOAL STATISTICS

Accepted Claims for Commission Staff



Note: The number of accepted claims reported in any quarter can change because accidents are not always adjudicated within the quarter they occur in. Any claims accepted outside the quarter they occur in, will be noted in the next quarter report.

Staff Turnover



Employment Milestones and Retirements

In 2004, the WHSCC recognized 65 employees for their years of public service.

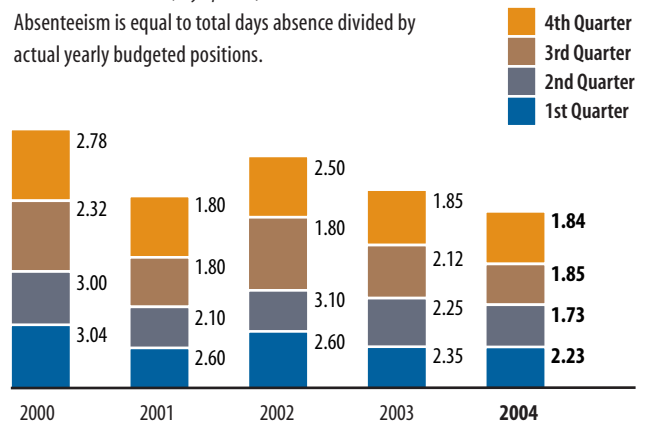
5 Years of Government Service: Louis Bourque, Denise Britt, Shelly Dauphinee, Douglas Doney, Chamila Jayasekara, Raymond Lang, Carolyn MacDonald, William MacLean, Susan Mayes, Beth McCluskey Pelletier, Derrick Murray, Raimondo Scichilone, Murray Turner and Michael Woodard.

10 Years of Government Service: Reginald Arsenault, Roger Burt, Jeffrey Curtis, Aldo Mallet, Beverly Oliver Léger, Douglas Margison, Carol Veysey and Kevin Whelton.

15 Years of Government Service: Glenda Arnold, Thérèse Beaudin, Sandra Blagden, Raymond Blanchard, Pierre Bossé, Cathy-Anne Carpenter, Monique Desjardins, José Dorado, Margaret Duchesneau, Paula Fournier, Diane Gallant, Tarie Carpenter, Cathy Love, Louise McCaie, Jeannine Morais, Peter Murphy, Edith Savoie, Jeannita Savoie, Clement Snider and Diana Soucy.

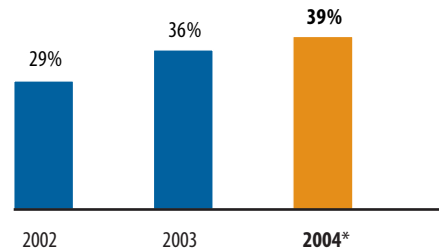
Absenteeism (days/person)

Absenteeism is equal to total days absence divided by actual yearly budgeted positions.



Internal Promotions

Percentage of internal promotions based on the annual competitions held



* 70 competitions were held in 2004.

20 Years of Government Service: Muriel Albert, Suzanne Doucet, Judy Duplisea, Rick Hicks, Frederick Hoyt, Leah Logan, Claude Pitre and Pam Wasson.

25 Years of Government Service: Dale Forbes, Lois Biddiscombe, Laurette Charron, David Conley, Wanda Cross, Barb Foran, Dale Forbes, Charlene Gordon, Armand Hébert, Alice Starkey and Wendy Pilmer.

30 Years of Government Service: Gilles Pelletier and Michael Steeves.

35 Years of Government Service: Bob Covey and Victor Morin.

Retired during 2004: Lévis Doucet, Claude Frenette, Robert Long, Eric McCartney, Marie-Louise McDonald, Elaine Moyer, Edna Peterson and Paul Roach.

Appeals Tribunal

The goal of the Appeals Tribunal is to deliver the highest quality services possible, and the fair and timely resolution of appeals.

TARGET FOR 2004:

To reduce the inventory of appeals awaiting a hearing.

2004 Results Summary

The inventory of appeals to be scheduled was reduced by 38% in 2004.

The Appeals Tribunal, operating at arm's length from the WHSCC, offers employers and workers the opportunity to appeal Commission decisions. The Appeals Tribunal's primary responsibility is to provide fair, consistent and impartial decisions in a timely manner.

The Appeals Tribunal consists of the following:

- **Chairperson:** reports to the Board of Directors on the administrative operation of the Appeals Tribunal. He also acts as a chairperson for appeal hearings.
- **Vice-chairpersons:** at the present time, we have five part-time vice-chairpersons who chair appeal hearings.
- **Appeals Panel members:** Appeals Panel members, representatives of workers or employers throughout the province, are appointed by the Board of Directors. At present, we have 20 part-time members.
- In support of the activities of the Appeals Tribunal, 12 staff members work to schedule hearings, prepare the necessary documentation and ensure decisions are sent to all parties concerned.

Achieving fair, consistent, impartial and timely completion of appeals requires:

- well-trained vice-chairpersons, panel members and staff;
- a consistent approach to deciding appeals; and
- supportive legislation and policies.

The Appeals Tribunal offers the following service:

Workers, dependants, and employers can appeal decisions of the Workplace Health, Safety and Compensation Commission. As an administrative tribunal, the Appeals Tribunal is a quasi-judicial body that follows the rules of Natural Justice in its decision-making.

Appeals Panel hearings

An Appeals Panel will consider an appeal at an Appeals Panel hearing. The Appeals Tribunal holds its hearings in regions throughout the province in the official language chosen by the person submitting the appeal. Appeals Panel decisions are final and delivered in writing. The Appeals Panel consists of a Three-Person Panel or a Single-Person Panel.

Three-Person Panel

A Three-Person Panel is made up of a chairperson and two Panel members. The chairperson is chosen from the Appeals Tribunal's list of individuals appointed for that purpose. The two remaining Panel members consist of a worker representative and an employer representative, also chosen from pre-established lists. Panel members are required to act impartially, and as such, do not represent any particular group.

Single-Person Panel

A Single-Person Panel is subject to the consent of all parties and consists of a chairperson acting alone.

2004 Highlights:

- Beginning in July, we increased the number of hearing days scheduled from 12 – 14 days per month to a high of 24 hearing days scheduled in October. The expanded hearing schedule permitted us to reduce our inventory of appeals to be scheduled, which will eventually lead to a reduction in the overall processing time for appeals.
- A “substituted appeals list” was developed and implemented. Normally, three appeals are scheduled for one hearing day. We are also obligated to provide the parties to the appeal 30 days notice of a hearing day. When an appeal is withdrawn or postponed, notification often happens less than 30 days before the scheduled hearing day, leaving the Tribunal unable to replace the vacated spot with another appeal. The “substituted appeals list” will allow us to take advantage of full hearing days. To be considered as a “substituted appeal”, the case must meet eligibility criteria and all parties to the appeal must agree to be placed on the list. Once a case is on the substituted appeals list, it is tentatively scheduled on a regular hearing day. Should a cancellation of one of the three cases occur within a specified period of time before the hearing day, the substituted appeal is then slotted into the vacated spot and the parties to the appeal are notified that the case will be heard. If there are no cancellations, the substituted appeal is moved to our regular list and scheduled the following month, provided we have hearings in that area.

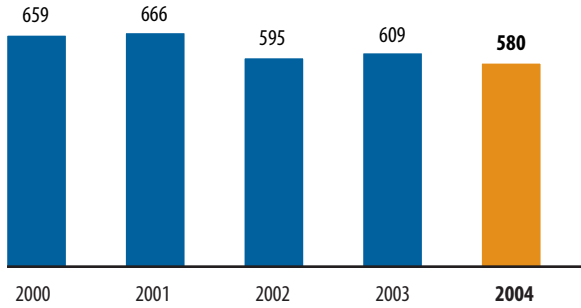
“Changes in the area of administrative law are continuing both provincially and nationally. The Appeals Tribunal must in turn pursue its efforts to deal with appeals as quickly as possible while always keeping in mind the high degree of effort and knowledge required to do this job well.”

Paul M. LeBreton, Chairperson of the Appeals Tribunal

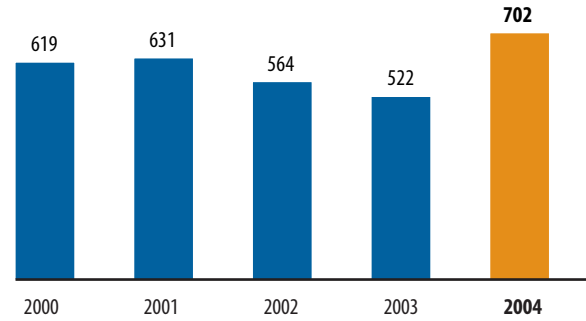
- Due to a decision from the Court of Appeal of New Brunswick, we must now obtain the signatures of all three Panel members on final decisions. This represents a significant change for us as previously, only the hearing chairperson signed the final decision. As a result, a process was initiated where the draft decision is circulated to the Panel members and an authorization of signature is obtained before the decision is finalized and sent out. Although this new procedure has added some time to our overall process, it has not created any significant difficulties even though Panel members are located throughout the province.
- To provide interested parties with access to decisions, and a mechanism to research certain topics, Appeals Tribunal decisions are now being published on the WHSCC website under the Appeals Tribunal section. The catalogue of decisions from previous years will be added as resources permit.

APPEALS TRIBUNAL STATISTICS

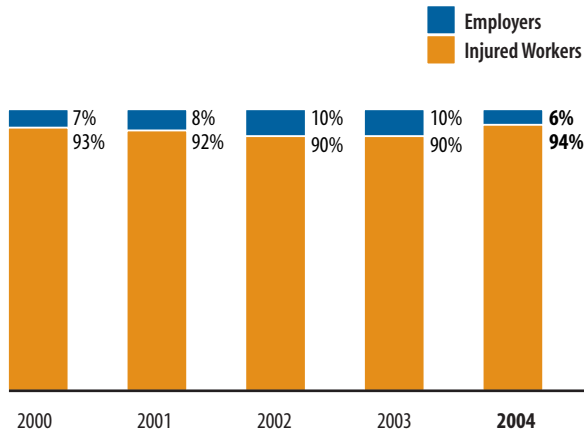
Appeals Received



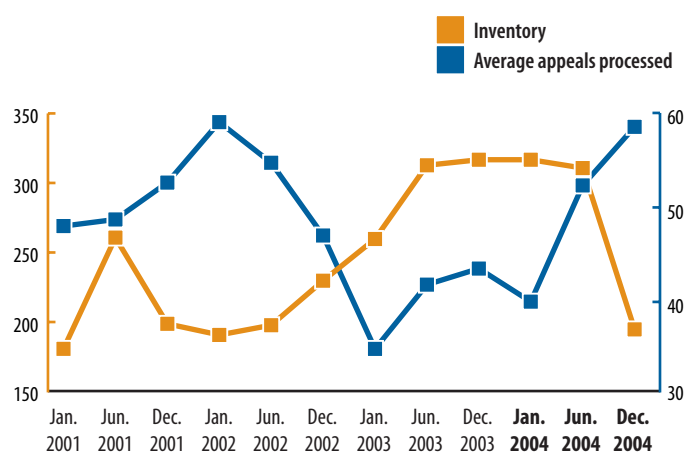
Appeals Resolved



Appeals Initiated



Overview of Inventory of Appeals



Appeals Results

	2000	2001	2002	2003	2004
Accepted	52%	49%	58%	50%	59%
Partial	16%	18%	8%	13%	6%
Denied	32%	33%	32%	34%	33%
Withdrawn	—	—	2%	3%	2%