



## REPORT TO STAKEHOLDERS



2003

# Our vision

*Healthy and safe workplaces  
in New Brunswick*

## Mission

*The Workplace Health, Safety and Compensation Commission is dedicated to the promotion of a safe and healthy work environment and the provision of services to workplaces, employers and the injured workers of New Brunswick.*

## Mandate

*Promote the creation of a workplace environment where all employers and workers view all occupational disease and accidents as being preventable.*

*Provide insurance and insurance related services to the employer community.*

*Provide compensation benefits, including rehabilitation, medical, vocational, counseling and safe return-to-work services to injured workers.*

## Our values

*We dedicate ourselves to the provision of prompt, effective, efficient and caring services to our clients.*

*We believe that a team approach ensures that all members of the Commission are working towards a shared vision, mission and goals.*

*We are committed to providing competent and energetic leadership that is focused on a clear direction for the Commission.*

*We ensure that our decisions are made with a sense of integrity, credibility, and accountability.*

*We ensure that our communications are based on trust, mutual respect, openness, and clear and reliable information.*

*We manage our human, material and financial resources effectively in responding to our mandate.*

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# Message to Stakeholders

## MESSAGE FROM THE CHAIRPERSON AND THE PRESIDENT AND CHIEF EXECUTIVE OFFICER

On behalf of the Workplace Health, Safety and Compensation Commission, its Board of Directors, and employees, we are proud to present our *2003 Report to Stakeholders*.

This report to you, our stakeholders – the employers, workers and health care professionals of New Brunswick – highlights not only our achievements over the past year, but yours as well. You can read about how one employer with a high accident frequency improved their safety to become an industry leader, and how some determined injured workers coped with their accidents and successfully re-entered the workforce. You'll also meet some of the WHSCC employees who helped them do it.

In 2003, the WHSCC concentrated on building our strength from within and improving our front-line service. Employees from prevention, compensation and rehabilitation services, and employer services representatives from assessment services were integrated under the new WorkSafe Services Division, providing a single point of contact for service delivery.

We're very pleased to report that in 2003, the Workers' Rehabilitation Centre (WRC) was awarded a three-year accreditation (the highest level possible) by the Canadian Council on Health Services Accreditation.

This report features some important statistics and industry trends. The focus industries and firms accident frequency rate is at its lowest since 1999.

While we met our objective of reducing workplace accidents and minimizing their consequences in 2003, we were faced with a number of challenges. With an \$18.5 million loss, our percentage funded fell to 92.3%. This loss is attributable to a decline in financial markets, and is not unique to the WHSCC, but has affected the insurance industry nationwide. We have sound and prudent investment strategies in place, and have increased our average assessment rate to ensure we return to fully funded status.\*

Despite this challenge, we were able to adapt and move forward, maintaining our same high standards of service. Our 2003 client satisfaction ratings, compiled by an independent research firm, improved over last year, and show that you believe we're doing a good job. We're extremely proud of your trust and support, and we will work diligently and tirelessly to continue to earn it.

Sincerely,



Robert M. Scott  
Chairperson, Board of Directors



Douglas C. Stanley  
President and CEO



Douglas C. Stanley

Robert M. Scott

\*For a detailed look at financial results, read the *2003 WHSCC Annual Report*, available online at [www.whsc.nb.ca](http://www.whsc.nb.ca).



# Board of Directors



## **Robert M. Scott, Chairperson**

Robert Scott was appointed Chairperson of the Board in November 2002. As founder of R.M. Scott Insurance, Mr. Scott has a broad knowledge of the insurance industry. In addition to his industry experience, Mr. Scott has a history of community service, and was awarded the Golden Jubilee Medal for his commitment to community.

Mr. Scott lives in Saint John, and has served on the boards of Greater Saint John United Way, Saint John Port Corporation, Imperial Theatre, Friends of Red Cross, and Life Underwriters Association.



## **Douglas C. Stanley, President and Chief Executive Officer (Non-voting member)**

Mr. Stanley is a graduate of the University of New Brunswick Law School, with experience in health, safety and compensation issues. Before joining the Commission in November 2000, Mr. Stanley worked in Ottawa in private practice, specializing in arbitration and related dispute settlement.

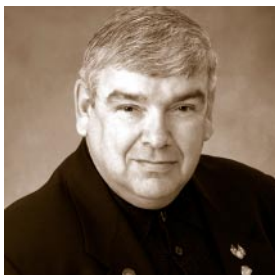
His broad experience includes positions as New Brunswick's Deputy Minister of Labour and Manpower for six years, chairman of the Industrial Relations Committee, chairman of the Public Service Labour Relations Board, and chairman of the Construction Industry Panel's Industrial Relations Board. Mr. Stanley lives in Saint John.



## **Paul M. LeBreton, Q.C., Chairperson of the Appeals Tribunal (Non-voting member)**

Mr. LeBreton was appointed chairperson of the Appeals Tribunal in 2001. Before joining the Board, Mr. LeBreton was the Deputy Minister for the Department of Health and Wellness. Prior to that, Mr. LeBreton held the post of Deputy Attorney General and Deputy Minister of Justice. He has also served as the Secretary of the Law Society of New Brunswick, Treasurer and Claims Administrator for the Professional Liability Reserve Fund, and vice-chairman of the Canadian Lawyers Insurance Association.

Mr. LeBreton is a graduate of the University of New Brunswick Law School and the Université de Moncton with a Bachelor of Arts in Chemistry, and was a partner with the firm of Landry, LeBreton & McIntyre and director for Legal Aid New Brunswick. He resides in Moncton.



## **Norman Bernard (Member representing workers)**

Norman Bernard was appointed to the Board in June 2001, as a worker representative. A business agent for the Ironworkers Local 842, Mr. Bernard has more than 20 years experience negotiating collective agreements, and administering pension, trade improvement, apprenticeship, and health and welfare plans, as well as dispute resolution.

Mr. Bernard lives in Sussex.



## **Donna McNeill (Member representing workers)**

Donna McNeill was appointed to the Board in February 2001, as a worker representative. A labour relations officer with the New Brunswick Nurses' Union, Mrs. McNeill has a background in occupational health, and has served as chairperson of the Health and Safety Committee of the New Brunswick Nurses' Union.

In addition to her dedication to health and safety, Mrs. McNeill is community-minded, having volunteered for the Girl Guides of Canada, the Saint John Select Girls Soccer team, Saint John Youth Hockey Association and the Home and School Association.

## **Robert Davidson\* (Member representing workers)**

## **John Murphy\* (Member representing workers)**

\*Resigned September 22, 2003



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### **Bernice Doiron Chiasson (Member representing general public)**

Bernice Doiron Chiasson was appointed to the Board in February 2001, to serve the public interest. Mrs. Doiron Chiasson is a laboratory technician and adult educator. Before joining the Board, she was employed with Fisheries and Oceans Canada, where her training included quality management programs, fish product inspection, facilities inspection, and application of regulations.

Mrs. Doiron Chiasson has served on a number of professional boards, such as the Centre de bénévolat de la Péninsule acadienne Inc. Her community involvement includes work with the New Brunswick Division of the Canadian Cancer Society, the Fédération des Dames d'Acadie, and the Acadian Peninsula round table on spousal and family abuse. Mrs. Doiron Chiasson lives in Shippagan.



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### **Gerry Cluney (Member representing employers)**

Mr. Cluney's appointment to the Board in September 1997, as an employer representative, was based on his 30 years of experience with Atlantic manufacturing sector associations. He has a wealth of industrial relations experience, including long involvement with workers' compensation systems and their related fields of policy development, accident prevention, finance and government liaison.

Before retiring in 1998, Mr. Cluney was executive vice-president of the Canadian Manufacturers Association for New Brunswick, and was the manager of provincial trade associations representing employers in the metal working, fish processing, mining and general manufacturing sectors. He was involved in a number of local, regional and provincial community and business organizations, including Westmorland Albert Solid Waste Corporation, New Brunswick Trade Development Board, Kiwanis Club, Rotary Club, and Golden Key Club.



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### **Lin Hupman (Member representing employers)**

Lin Hupman joined the Board in January 2003 as an employer representative. Mr. Hupman has worked for Shaw Brick for almost 40 years, currently as district sales manager for New Brunswick and New England.

As past president of the Construction Association of New Brunswick Inc. (CANB), and past chair of several CANB committees, Mr. Hupman was instrumental in establishing the New Brunswick Construction Safety Association. He is also a member of the Apprenticeship and Occupational Certification Board under the Department of Training and Employment Development, where he is recognized for his ability to bring employers and labour to a common understanding of issues. Mr. Hupman lives in Fredericton.



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### **Fraser MacLeod (Member representing employers)**

Fraser MacLeod joined the Board in February 2001, as an employer representative. Mr. MacLeod has been employed with Connors Bros. Ltd. for 27 years, in the field of industrial relations and human resources.

Mr. MacLeod has over 25 years of experience managing health, safety and workers' compensation programs in a number of jurisdictions in Canada and in the United States. He has served on the Employment Standards Tribunal and the Labour Force Development Board, among other government bodies. He was an active member of the Alliance of Manufacturers and Exporters Canada for several years.



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### **John Mahar (Member representing employers)**

John Mahar was appointed to the Board in January 2002. Although appointed as an employer representative, Mr. Mahar believes, as an entrepreneur with several years experience in small business, that he can equally represent employers and workers.

Mr. Mahar has a background in engineering, construction management and home building, and lives in the Fredericton area, where he owns Topmar Building Supplies and the Lighthouse Family Resource Centre. Mr. Mahar has served on several boards including Castle Building Centres Group Ltd., Barry Moore Ministries and Green Lake Camp Inc.

# WHSCC Corporate Overview

## REGIONAL DIRECTORS

The director and the regional team provide Workplace Health, Safety and Compensation Commission services in the southwest, southeast, northwest and northeast regions of New Brunswick. The director is accountable to the vice-president for providing consistent and focused delivery of prevention and compensation and rehabilitation services, as well as staff development and performance. Services provided through the regional offices include: health and safety compliance; insurance registration; case management and return-to-work assistance; education; and workplace safety infrastructure. Responsibilities also include monitoring the effectiveness of staff and the delivery of services according to established standards.

### **Omer Robichaud, Director, Adjudication and Benefit Services**

As director, Adjudication and Benefit Services (ABS), Omer Robichaud is responsible for all new claims for the entire province. Mr. Robichaud and his staff of 60, based in Grand Bay-Westfield, are responsible for claims enquiries, claims adjudication, document processing and records management. Under his supervision, three long-term disability co-ordinators and support staff manage all pension and long-term disability claims. His department is also responsible for the transcription of health records and statistical coding for all reported accidents.

Mr. Robichaud began his career with the WHSCC 38 years ago, working as an assistant claims officer. He was soon promoted to claims officer, and later to assistant director and then director of the Claims Department. For the past 10 years, he has served as regional director of the southwest region and was recently appointed director of the Adjudication and Benefit Services Department.

### **Rick Hancox, Director, Southwest Region**

Rick Hancox is the regional director for the southwest region. Mr. Hancox and his team of 46, based in Saint John, provide services to clients in Saint John, Charlotte, Kings, Queens, York and Sunbury counties.

Mr. Hancox joined the WHSCC in 1991. He managed the pilot project for case management, and, following that assignment, he served as director of Policy and Program Development and as director, Regional Services for the Prevention Services Division.

### **Jean Landry, Director, Southeast Region**

Jean Landry is regional director of the southeast region. Mr. Landry and his team of 35, based in Moncton, provide services to clients in Albert, Westmorland and Kent counties.

Mr. Landry is celebrating 18 years of service with the WHSCC. He joined the Commission in 1986 as corporate comptroller in the Finance Department, and then worked as manager of Assessment Services for a few years. He has served in his current position of regional director since 1995.

### **Edith Savoie, Director, Northwest Region**

Edith Savoie is the regional director of the northwest region, a position she's held since joining the Commission in 1997. Edith and her team of 23, based in Grand Falls, provide services to clients in Carleton, Victoria, Restigouche and Madawaska counties.

Prior to her employment with the Commission, Mrs. Savoie was co-ordinator of the Extra-Mural Program in Sainte-Anne-de-Kent.

### **Pauline Roy, Director, Northeast Region**

Pauline Roy is the regional director for the northeast region. Pauline and her team of 30, based in Bathurst, provide services to clients in Northumberland, Gloucester and Restigouche counties.

Ms. Roy has served in this position since joining the Commission in 1993, transferring from the provincial government, where she held several senior management positions.



# Our Current Environment

## OUR CURRENT ENVIRONMENT

### The New Brunswick Economy

Recent research by The Conference Board of Canada indicates that New Brunswick will lead the way in Atlantic Canada and will not experience a deceleration in real GDP over the next two years; instead, the province should experience growth of 2.7% and 2.8% each year, respectively. Large-scale public and private construction projects, as well as upgrades to several provincial highways, will drive the growth.

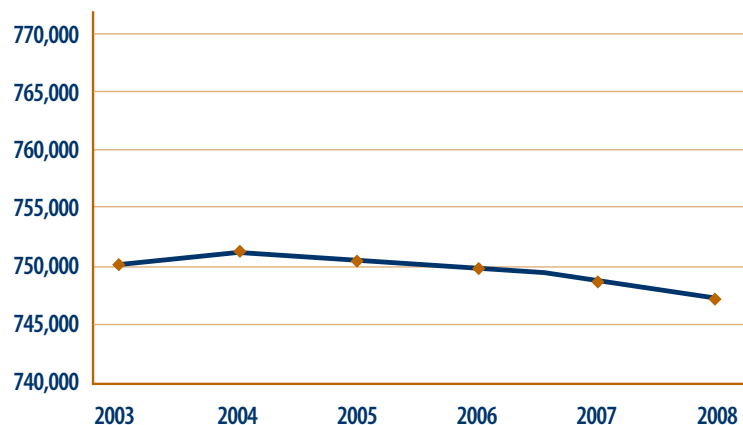
With the exception of the fishing sector, primary industries in the province are anticipated to grow slightly in the next year. The strong Canadian dollar has yet to negatively impact the manufacturing sector in New Brunswick, but the possibility exists that effects will be felt in 2004. No less than half of New Brunswick's manufacturing sector is concentrated in the wood, wood products and paper sub-sectors. Even though the province is exempt from American duties on softwood lumber and pays only an 8.4% anti-dumping duty, it will likely face reduced demand as housing construction slows across North America.<sup>1</sup> The forestry sector employs more than 17,000 New Brunswickers and has average weekly earnings that are 10% higher than the provincial average.<sup>2</sup> The softwood lumber tariffs dispute threatens many of those jobs, since more than 90% of New Brunswick's softwood exports go to the United States.

### Small and Medium-sized Enterprises Driving Economic Growth

Almost three-quarters of New Brunswick's businesses employ fewer than five people, and 93% have fewer than 50 employees. The small and medium-sized enterprise (SME) sector has experienced job growth of approximately 10% over the past 10 years – a higher level of growth than the province as a total.<sup>3</sup>

*New Brunswick's population is expected to decline over the next five years, with average annual growth rates in the range of 1% to -2%.*

Projected Population Levels in New Brunswick (2003-2008)



Source: Conference Board of Canada. Table 49 Total Population

### Population of New Brunswick

In 2003, approximately 750,600 individuals resided in New Brunswick, of whom 385,500 are included in labour force figures.<sup>4</sup> The province has continued to demonstrate one of the lowest annual growth rates in the country, increasing by fewer than 100 persons each year. New Brunswick's overall population is expected to decrease over the next five years.<sup>5</sup>

<sup>1</sup> RBC Financial Group. Provincial Outlook. February 2004.

<sup>2</sup> Atlantic Provinces Economic Council. The New Brunswick Forest Industry: The Potential Economic Impact of Proposals to Increase the Wood Supply. December 2003.

<sup>3</sup> Canadian Federation of Independent Business (CFIB). 2003 Survey of Members.

<sup>4</sup> Statistics Canada. Table 51-0001.

<sup>5</sup> Conference Board of Canada. Table 49 Total Population.

# [our current environment]

## Population by Region (WHSCC Regions)

More than 40% of New Brunswick residents live in the southwest region of the province. The remainder of the population is spread throughout the other three regions, with 23% residing in the northeast, 26% in the southeast, and 11% in the northwest. The distribution of the population between urban and rural areas is approximately 50-50.<sup>6</sup>

## Employment

In the five-year period since 1998, the number of New Brunswickers working in paid employment increased by 8.5%, reaching a peak of 345,600 jobs, or 89.6% of the active labour force, in 2002. Employment levels in New Brunswick fell by 600 jobs through 2003.<sup>7</sup> Projections indicate this decrease will reverse itself in 2004 and job growth will occur at a modest rate, resulting in a 3.8% gain over the next five years.<sup>8</sup>

The rate of unemployment in the province measured 10.4% in January 2004, representing an increase of 0.5%, compared to an unchanged level for the country as a whole.<sup>9</sup> New Brunswick's increased level of unemployment is attributed primarily to the comparatively higher rate – 0.7% – at which people entered the labour force in the last measurement period.

Industrial sectors showing the strongest growth trends were health care and social assistance, and manufacturing. Information technology, culture and recreation, and agriculture were the sectors hardest hit by employment losses.

## Type of Employment

One key indicator of any economy's strength is the relationship of full-time to part-time employment. Recently, the proportion of full-time to total employment decreased slightly, while the proportion of part-time to total employment increased. The increase in part-time positions may create some challenges for return-to-work and prevention activities.

The Canadian Federation of Independent Business (CFIB) survey of members indicates that 26% of SMEs in New Brunswick plan on increasing the number of full-time positions in their organization over the next 12 months, while 7% plan to lower it. The remaining 67% expect to retain the same staffing levels. Changes to part-time staffing are expected to be less significant, with 11% of SMEs planning increases and 7% planning decreases.<sup>10</sup> This may indicate a future stabilization of the proportion of full-time to part-time employment.

## Trends in Wage Rates

The minimum wage rate in 2003 remained steady at \$6.00/hour, with a rate increase to \$6.20/hour projected for January 2004. The January 2004 increase would mark the fourth minimum rate increase since 1999. The Province of New Brunswick has expressed its intention to further increase the rate<sup>11</sup> in 2004 to \$6.60/hour, and indicates it is committed to continuing this practice.

The Conference Board of Canada projections indicate a continuing gradual increase in the average weekly wage rate, ranging between 2% and 3% for each of the next five years. Average weekly wage rates should grow from \$600 to \$690 between 2004 and 2008.

<sup>6</sup> Province of New Brunswick. Department of Finance – Economics and Statistics Branch.

<sup>7</sup> Ibid.

<sup>8</sup> Conference Board of Canada. Table 5 – Key Economic Indicators.

<sup>9</sup> Statistics Canada. 71-201 and Labour Force Historical Review.

<sup>10</sup> Manpower Professionals Quarterly Employment Outlook cites similar figures of growth for Fredericton, Moncton and Saint John.

<sup>11</sup> Province of New Brunswick. State of Province Address. January 2004.

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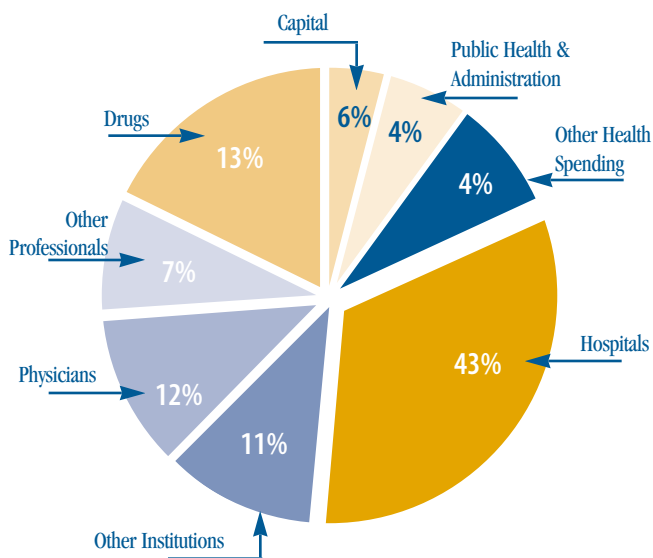
## Trends in Health Care Costs

In 2003, total health care expenditure was projected to reach \$121.4 billion nationally, reflecting a total real growth rate of 4.6% for the year.<sup>12</sup>

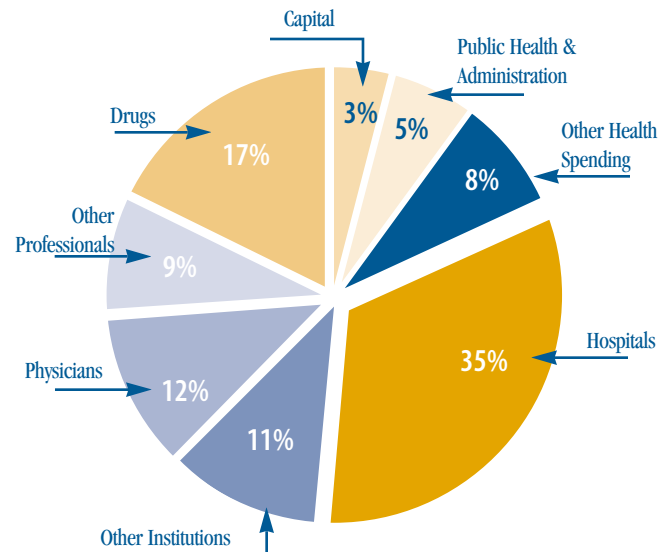
Since 1994, the number of dollars spent on health care in the province has grown at a rate exceeding the growth of the provincial GDP. In 1994, \$9.50 of every \$100 generated in the province was spent on delivery of health care services or products. In 2001, that figure reached a level of \$9.60 of every \$100 and is expected to reach \$10 of every \$100 in 2003.

The primary share of national spending is attributed to hospital care, with drugs ranking second. In the 1970s, drugs constituted 8.4% of the total health care expenditure; by 2001 this had risen to 15.7%. Until 1997, costs associated with physicians held the second place ranking behind hospitals. Since 1997, a shift has occurred and drugs have held the second place portion of spending and continue to increase their share of the pie. In 2003, drugs are projected to account for 16.2% of total health care expenditure.<sup>13</sup>

**Total Health Expenditure by Use of Funds, New Brunswick 1990 – Current Dollars**



**Total Health Expenditure by Use of Funds, New Brunswick 2001 – Current Dollars**



<sup>12</sup> Canadian Institute for Health Information. National Health Expenditure Trends, 1975 - 2003. Table Series A.

<sup>13</sup> Canadian Institute for Health Information. National Health Expenditure Trends, 1975 - 2003. Table Series D.

# Key Statistical Indicators

	2003	2002
Number of claims reported	26,410	27,151
Total claims adjudicated	26,535	26,811
<ul style="list-style-type: none"> <li>lost-time claims</li> <li>no lost time</li> <li>recorded, no benefits paid</li> <li>work-related fatalities occurring</li> </ul>	<b>6,195</b> <b>5,588</b> <b>14,744</b> <b>8*</b>	<b>6,322</b> <b>5,887</b> <b>14,589</b> <b>13*</b>
Average payment per claim	\$3,968	\$3,777
Average days lost per lost-time claim	75	77
Current year claims costs incurred (000s)	\$100,220	\$94,678
Claims payments made for current and prior years' injuries (000s)	\$115,253	\$111,097
Claims costs incurred for current and prior years' injuries (000s)	\$165,326	\$167,423
Total benefits liabilities – assessed employers (000s)	\$672,017	\$628,793
Total benefits liabilities – self-insured employers (000s)	\$104,623	\$97,774
Fund balance (in millions)	\$(60.2)	\$(41.7)
Percentage funded	92.3%	94.3%
Administration costs – Operations, excludes self-insured (000s)	\$17,715	\$16,843
Administration costs – Occupational health and safety (000s)	\$7,254	\$6,730
Assessment revenue (000s)	\$124,073	\$109,228
Total premium revenue (000s)	\$152,066	\$142,699
Assessable payroll (000s)	\$6,233,495	\$5,929,541
Provisional average assessment rate	\$2.07	\$1.90
Actual average assessment rate	\$2.03*	\$1.86*
Market rate of return on portfolio	12.4%	(5.6%)
Average calendar days from injury to first payment issued	39	40
Average calendar days from registration to first payment issued (all claims)	27	28
Average composite duration of claim (days)	77	78
Maximum assessable earnings	\$48,400	\$47,600
Number of assessed employers	13,481	13,530
Number of New Brunswickers working	345,000	345,600
Number of workers covered by the <i>Workers' Compensation Act</i>	290,000	291,000
Number of workers covered by the <i>Occupational Health and Safety Act</i> (excludes workers covered by federal legislation)	332,000	333,000
Number of workplace health and safety inspections	5,958	5,943
Number of orders (violations of the <i>Occupational Health and Safety Act</i> ) written	4,244	4,077
Number of serious accident investigations	232	159
Number of health and safety awareness/training sessions	806	702
Appeals received	609	595
<ul style="list-style-type: none"> <li>initiated by workers (or their representative)</li> <li>initiated by employers (or their representative)</li> </ul>	<b>549</b> <b>60</b>	<b>533</b> <b>62</b>
Appeals resolved	522	564

\*Projected, pending receipt of final figures for 2003.

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



# Goals Overview

*The Commission's goals were conceived with one end in mind – to provide the best service possible to our stakeholders.*

*Our goals are specific, realistic and measurable. We are challenged not only to attain them, but to exceed them. They are the principles that guide us, and define us.*

*Our goals challenge each and every one of us daily to act fairly and without prejudice, to act honestly and openly, in the best interests of you, our stakeholders – New Brunswick's employers, workers, health care professionals and public.*

*Our goals represent the itinerary of our journey, a journey with no destination, only an end – to continue to deliver the quality of service our stakeholders deserve, and earn the trust you have placed in us. Thank you for accompanying us on this journey – we look forward to the next leg.*

# Goal One

## ■ “OUR VIGOROUS PURSUIT OF SAFETY WILL LEAD TO A SIGNIFICANT DECLINE IN THE FREQUENCY OF ACCIDENTS.”

### TARGET FOR 2003:

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

### 2003 RESULTS SUMMARY:

In 2003, the number of workplace accidents dropped from 3.97 accidents per 100 full-time employees in 2002 to a projected value of 3.6 accidents. Focus firms experienced a drop of 16% for 2003, down from 19% in 2002.

### DETAILED RESULTS:

The following tables and charts displaying the detailed results of the Commission's 2003 efforts to achieve

Goal One are available in the Goal One Statistics section on pages 28-29 of this report:

- Prevention/Occupational Health and Safety Statistics
- WHSCC Reported Accidents
- Provincial Accident Frequency Rate
- WHSCC Focus Industries Accident Frequency Rate
- Complaints
- Prosecutions

### CONTRIBUTING DIVISION:

Prevention Services Division

2003 Highlights

## ■ Executive Summary

The WHSCC is in business to put ourselves out of business – once New Brunswick workplaces become entirely accident-free, our services will no longer be necessary. Until then, however, preventing accidents, and minimizing their impact when they do happen, is our most important goal. That's because fewer accidents means fewer injured workers, and fewer injured workers means reduced benefits payments, which means reduced annual premiums for New Brunswick's employers. But the most important savings are not financial – you can't put a price on saving lives.

Accidents are a major health issue for New Brunswick. In 2003, there were 11,788 injuries in workplaces alone, costing the province's employers \$100,220,000. In addition, there is the tremendous emotional and physical cost to the injured and their families. This underlines the value of the WHSCC as a “no-fault” insurance agency for New Brunswick's employers and workers.

The WHSCC's Prevention Services Division is responsible for all activities related to reducing accidents, as defined by Goal One, including the administration of the *Occupational Health and Safety (OHS) Act* and its related regulations.

*“The Prevention Services Division is focused on advancing the principle that every worker is entitled to a safe and healthy work environment.”*

David Greason, Vice-President, Prevention Services Division

“The Prevention Services Division is focused on advancing the principle that every worker is entitled to a safe and healthy work environment,” says David Greason, vice-president, Prevention Services Division. “We do this by taking a creative, aggressive, hands-on approach to prevention, implemented through effective educational programs and relevant policies and practices.”

# [goal one]

Wayne MacAllister,  
Maple Leaf Homes



Maple Leaf Homes, a producer of manufactured housing headquartered in Fredericton, once held the unfortunate distinction of leading the industry in accident frequency.

Today, within two years of adopting the 5\*22 health and safety program, the company is an industry leader in health and safety.

Wayne MacAllister, manager of Employee Services and Health and Safety at Maple Leaf Homes, has the relevant experience to help Maple Leaf Homes maintain this new status. Mr. MacAllister has certifications in contracting, carpentry and project planning, and has gone through the workers' compensation system as an injured worker. In fact, it was his workplace injury that inspired him to seek certification as a health and safety officer in Nova Scotia and New Brunswick.

## [WHSCC stakeholder profile]

"Our goal at Maple Leaf Homes is clear and simple – to maintain a healthy workforce," Mr. MacAllister says.

The 5\*22 system is an effective tool because "it helps you write a plan with an objective, and achievable goals to work toward. It helps you identify problem areas, audit and monitor end results, and forecast," he says.

Maple Leaf Homes' renewed commitment to health and safety meant a comprehensive review of all accidents since 1999. "We looked at the worst-case problems and addressed those first. We identified and implemented new programs, such as the proper use of pneumatic air tools and utility knives, manual handling, JHSC and a supervisor training program. We also introduced incentives such as employee appreciation day and a safety boot incentive, which allows employees \$100 to purchase approved safety boots. This has cost the company a great deal up front, but we consider it an investment in our future. We're already seeing the rewards of a safe workplace – a healthy workforce, positive attitude, less turnover, and increased productivity with improved attendance.

"All new employees receive general safety orientation, including WHMIS, and safety information is updated through Toolbox Talk, a weekly health and safety meeting. We hold every employee accountable for health and safety, and ensure they're aware of procedures and risks," he says.

"You can't look at production alone. Safety and productivity go hand-in-hand. That human element is the most important – people are a non-replaceable commodity."

## PREVENTION SERVICES DIVISION AND GOAL ONE

### What we do:

In our commitment to reduce accident frequency, the Prevention Services Division:

- Diligently promotes accident prevention to New Brunswick's employers, and identifies and works with focus industries and focus firms to develop customized health and safety plans, with realistic and measurable goals;
- Nurtures a health and safety culture with New Brunswick's workers, focusing on our youth;
- Administers and ensures compliance of the *OHS Act* through regular safety inspections and follow-up visits;
- Investigates the cause of accidents, recommends prevention measures, establishes if there is an *OHS Act* violation, and communicates the findings; and
- Makes available, through arbitration services, the resources for employees to exercise their rights under the *OHS Act*.

### How we do it:

#### Education Services

Our education consultants provide awareness training to New Brunswick employers, and help them evaluate their health and safety education needs, and propose improvements. Education consultants also help workplaces cultivate successful Joint Health and Safety Committees.

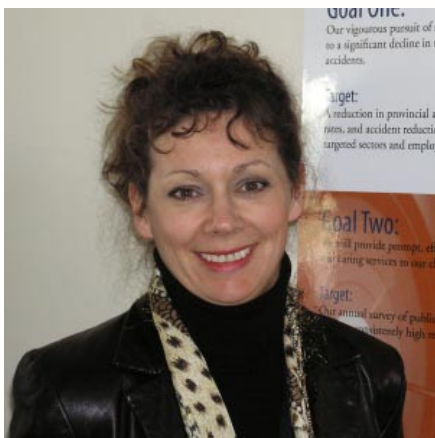
#### Consulting Services

Our health and safety and ergonomics consultants provide guidance and support to New Brunswick's workplaces on implementing and maintaining safe and healthy practices and working conditions, through comprehensive workplace evaluations and health and safety programs.

#### Inspections and Investigations

Our occupational hygienists and health and safety officers conduct more than 6,500 workplace health and safety inspections annually, including in-depth investigations of workplace fatalities and serious accidents. With the

## [goal one]



### Monique Comeau, WHSCC Health and Safety Consultant

Monique Comeau treats her clients the same way she treated her former patients – with lots of TLC.

Before joining the WHSCC in 1995, Ms. Comeau worked as an operating room nurse and

then branched into workplace health and safety and obtained a diploma in Occupational Health. “All the skills I developed as a nurse, I use here in my job as a health and safety consultant,” she says.

Ms. Comeau, WHSCC health and safety consultant for the southwest region, works with primary focus firms (firms with an accident record higher than their industry average) to reduce their accident frequency and implement a successful health and safety program. This includes cultivating trust and building relationships, and assessing her clients in a “holistic fashion.”

Ms. Comeau says her biggest challenge is getting firms to buy into health and safety. “It requires dollars being spent wisely and an investment in resource time, which ultimately requires a strong lasting commitment from both the employers and employees.”

### [WHSCC employee profile]

Ms. Comeau says it’s also difficult to keep her clients motivated, and sustain the momentum of a health and safety plan once it’s been implemented. To help do this, the WHSCC has developed a “rapid cycle” plan, which has clients experiencing success within three months. “Once they achieve success, they do become more motivated, and the responsibility for health and safety gradually shifts from us, to them. They develop confidence in themselves to promote their own health and safety.”

Despite the challenges, Ms. Comeau says she has been successful in changing negative attitudes toward health and safety. She’s proud to say that all her clients are showing success, by reducing accidents and their associated costs. One such client is Maple Leaf Homes, profiled on page 13. “I love helping companies succeed, and enjoy aligning my work with that of the Commission’s vision and goals,” she says.

“It’s a win-win situation. Everyone wins when accidents are prevented – the WHSCC meets its goal of reducing accident frequency, employees win with a safer and healthier work environment, and employers win with improved employee relations, decreased productivity losses and reduced premiums.”

legislative responsibility and authority to enforce the *OHS Act*, our health and safety officers issue more than 4,500 improvement and stop-work orders annually to correct violations.

### 2003 Highlights and Accomplishments

The following list of 2003 activities supported the Prevention Services Division’s daily efforts to achieve Goal One.

- The division identified and worked with four focus industries (logging, sawmills, auto repair garages, nursing homes) to help improve their health and safety programs. These industries received increased visits and inspections from health and safety consultants and officers. Smaller scale activities were conducted with the aquaculture, potato harvesting and highway construction industries.
- The division delivered 540 workshops in workplaces throughout New Brunswick on a wide range of topics.
- The division co-hosted, with the Communications Department, the WHSCC’s 23rd Annual Health and Safety Conference, featuring 26 different workshops. More than 670 delegates attended.
- The division brought the highly-acclaimed Heroes safety program to approximately 11,000 New Brunswick high school students.
- A spring television advertising campaign targeted the construction industry, while a fall campaign targeted the manufacturing industry. Both were extremely successful, with a recall rate of 69%.
- Several publications were authored by the division and produced through the Communications Department, to help promote health and safety to our stakeholders and the general public.
- A total of 22 prosecutions were recommended, resulting in 13 convictions and \$54,275 in fines.



# Goal Two

■ **“WE WILL PROVIDE PROMPT, EFFECTIVE, EFFICIENT, AND CARING SERVICES TO OUR CLIENTELE.”**

## **TARGET FOR 2003:**

Our annual 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.

## **2003 RESULTS SUMMARY:**

In 2003, injured workers indicated they were an average of 81% satisfied with the Commission’s performance in the 12 categories surveyed. Employers indicated they were an average of 86% satisfied.

## **DETAILED RESULTS:**

The following charts displaying the detailed results of the Commission’s 2003 efforts to achieve Goal Two are available

in the Goal Two Statistics section on page 30 of this report:

- Employer Satisfaction Index
- Injured Worker Satisfaction Index
- Average Number of Days from Accident to First Cheque
- Employers’ Satisfaction
- Injured Workers’ Satisfaction

## **CONTRIBUTING DIVISIONS/DEPARTMENTS:**

Compensation and Rehabilitation Services (CARS) Division  
Corporate Services Division  
Prevention Services Division  
General Counsel’s Office

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## ■ **Executive Summary**

Client satisfaction is an important indicator of the WHSCC’s success in achieving Goal Two. Employer funds provide much more than compensation – they also provide a whole range of integrated accident prevention services and return-to-work programs. This value is often understood only once these services are needed. The employer and injured worker satisfaction surveys are a measure of our delivery and the quality of these services, and their results tell us that we’re doing a great job.

*“Each WHSCC division is dedicated to providing prompt, effective, efficient, and caring services that accurately address our stakeholders’ needs, as defined by Goal Two.”*

Douglas C. Stanley, President and Chief Executive Officer

“Each WHSCC division is dedicated to providing prompt, effective, efficient, and caring services that accurately address our stakeholders’ needs, as defined by Goal Two,” says Douglas Stanley, president and chief executive officer. “I am proud of the commitment from each and every Commission employee to this end.”

Although the entire Commission works toward Goal Two, we have outlined the efforts of only the department and divisions that work directly with the Commission’s clients. These are: Prevention Services Division; Compensation and Rehabilitation Services (CARS) Division ; Corporate Services Division; and General Counsel’s Office.

# [goal two]

## CARS DIVISION AND GOAL TWO

### What we do:

In our commitment to client satisfaction, the CARS Division provides efficient adjudication services and prompt and equitable benefits payments.

### How we do it:

#### Claim Creation and Adjudication

The division assigns a claim number and creates a file once it receives the correct forms notifying the division of an accident, and summarizing the treatment provided. Each claim is thoroughly evaluated, and, if clarification is necessary, may require further medical consultation. A decision is made only once the adjudication process is complete.

#### Benefits Payments

Once a claim is approved, an injured worker may be eligible for wage loss replacement, medical costs, case management services, rehabilitation services, and training benefits.

#### *Case Management Services*

To provide the effective, efficient and caring services defined by Goal Two, injured workers who are off work for six weeks or more are provided with case management services. The case management system is a three-pronged approach for the safest and quickest return to work, involving the worker, the employer, and the health care providers. The case management team may include a case manager, an occupational therapist, a medical advisor and a rehabilitation specialist.

#### Arbitration Process

Workers are protected from workplace discrimination when they exercise their rights and responsibilities under the *OHS Act*. The Prevention Services Division provides neutral arbitration services to any worker facing discrimination for upholding their rights under the *OHS Act*.

## CORPORATE SERVICES DIVISION AND GOAL TWO

### What we do:

In our commitment to client satisfaction, the Corporate Services Division provides employers with a balanced and well-managed assessment system, designed to reward efforts for improving health and safety.

### How we do it:

#### Assessment Services

The WHSCC assigns an industry classification to registered employers, and calculates their annual premium based on the assessment rate associated with their classification, and their projected or actual annual assessable payroll.

#### *Experience Rating System*

Employers with an assessed premium of \$1,000 or more are assigned an experience rating, which calculates their assessment by comparing their claim history to that of their rate group as a whole. Employers with a lower accident cost average than others in their rate group will see a savings on their annual premium. This program is designed to reward employers with few and less severe accidents or injuries with lower premiums, and provide a financial incentive to those with higher ratings.

#### *Monthly Assessments on Actual Payroll (MAAP) Program*

The Monthly Assessments on Actual Payroll (MAAP) program allows employers to report their actual assessable earnings more efficiently and conveniently. They can do this monthly, and in a variety of ways, including by fax or online.

## [goal two]

### PREVENTION SERVICES DIVISION AND GOAL TWO

#### What we do:

In our commitment to client satisfaction, the Prevention Services Division offers employers comprehensive safety programs and consulting services with the aim of reducing accidents, and, consequently, their premiums. The division makes available the resources for employees to exercise their rights under the *OHS Act*.

#### How we do it:

##### Consulting Services

The Prevention Services Division's health and safety, education, and ergonomics consultants provide New Brunswick's employers with in-depth evaluations and constructive recommendations.

*Health and safety consultants* concentrate their efforts on a small number of employers identified as higher risk, to help them implement and maintain customized health and safety programs.

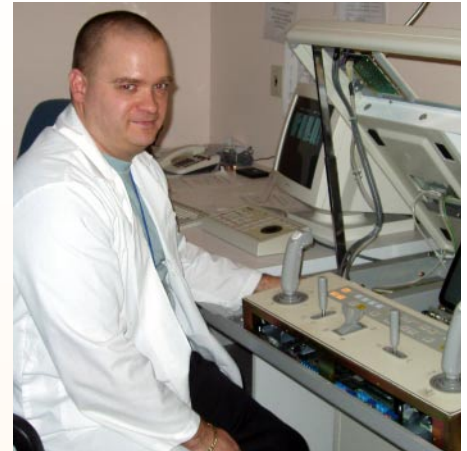
*Education consultants* provide awareness training on industry-specific topics such as WHMIS, accident investigation and JHSC roles.

*Ergonomics consultants* help workplaces reduce injuries and illnesses, such as musculoskeletal disorders (MSIs) and repetitive strain injuries (RSIs), by identifying ergonomic hazards and providing industry-specific and task-specific solutions to eliminate them.

#### Michel Beaudoin, Chaleur Regional Hospital

When Michel Beaudoin injured his back on April Fool's Day, 1989, it was no joke.

He suffered extreme pain and was unable to work or maintain the active lifestyle he once enjoyed, a lifestyle that included karate, kickboxing and skiing.



But today, Mr. Beaudoin focuses on the positive, which includes a job that he loves. Through a lot of hard work and determination, Mr. Beaudoin is now a bio-medical technician in the X-ray department at the Chaleur Regional Hospital in Bathurst.

A former health care attendant in a nursing home, Mr. Beaudoin suffered his first injury while transferring a patient in April 1989. Six years and three operations later, it was determined he could not return to his pre-accident occupation.

### [WHSCC stakeholder profile]

"I was very frustrated," he says. "But it all worked out for the better." With help from his WHSCC case manager, Aldo Mallet, Mr. Beaudoin began looking at career alternatives.

Embalming, a profession that had always intrigued him, was out of the question since it involved the same type of lifting that caused his initial injury. His second choice as a medical technician seemed just as far out of reach. "I hated computers. But I was always fascinated by X-rays, and knew after touring the hospital that that was what I wanted to do."

So it was back to school for Mr. Beaudoin. He graduated from the NBCC in Bathurst in June 2003, with certificates in Communications and Electronics and Industrial Control. He was hired by the hospital on September 15, when a position opened up in the X-ray department – exactly where he wanted to be.

Although it was his perseverance and commitment that got him to where he is today, Mr. Beaudoin credits his case manager, Aldo Mallet, with part of his success. "Aldo has always been there for me and my wife, Marguerite. We're a good team."

## [goal two]



Aldo Mallet, WHSCC  
Case Manager,  
Northeast Region

Goal Two – to “provide prompt, effective, efficient and caring services to our clientele” – perfectly describes the role of the WHSCC case manager.

Aldo Mallet, case manager in the northeast region, has

been providing these services to WHSCC clients for more than a decade. Before joining the WHSCC in 1994, Mr. Mallet spent 11 years as a social worker, experience that has served him well as a case manager.

“Injured workers often have no idea what services are available, and they are usually very emotional,” Mr. Mallet says. “One of the first things we do is inform them about existing resources, and help them establish realistic goals for rehabilitation and their return to work.

“Helping injured workers achieve these goals is the most gratifying part of my job. That, and working with employers who do everything they can to accommodate an injured worker.”

### [WHSCC employee profile]

Mr. Mallet says no day is typical for a case manager.

“You can’t count the number of hours on the job. I’m at my desk early every morning, trying to plan my day. No matter how carefully I plan, though, it’s almost always the case that priorities change by the calls, visits or correspondence I receive. Benefits to be paid to injured workers or telephone calls or messages are taken care of as quickly as possible, usually the same day.”

Although his work can be highly rewarding, Mr. Mallet says it can also be very stressful and challenging. “But I am lucky to work with a very knowledgeable and qualified team. No matter how stressful it can be, I still LOVE it,” he says. And clients, such as Michel Beaudoin (see profile page 17) can vouch for Mr. Mallet’s dedication to his job, and to his clients.

## GENERAL COUNSEL’S OFFICE AND GOAL TWO

In its commitment to client satisfaction, the General Counsel’s Office conducts research and provides information and support to the stakeholder community on a broad range of legal topics, including trends in workers’ compensation law, occupational health and safety law and administrative law. The office also conducts education seminars and awareness training in all areas of workers’ compensation law, occupational health and safety law and fraud/abuse detection and prevention.

### 2003 Highlights and Accomplishments

The following list of 2003 activities supported the divisions’ daily efforts to achieve Goal Two.

- The Planning and Policy Department of the Corporate Services Division conducted an in-depth stakeholder consultation and survey in the fall.
- The Planning and Policy Department continued to co-ordinate the Injured Workers’ Advisory Committee, which met throughout the year to discuss recommendations for improving WHSCC services and programs.
- The Assessment Services Department of the Corporate Services Division hosted 18 information sessions with employer associations and other groups.
- The Assessment Services Department expanded the MAAP program to include approximately 1,800 employers, accounting for close to 60% of total assessment revenue.



# Goal Three

**“WE WILL DECREASE THE TIME BY WHICH INJURED WORKERS RETURN TO PRE-ACCIDENT, MODIFIED OR ALTERNATE EMPLOYMENT.”**

## **TARGET FOR 2003:**

To return at least 60% of lost-time claimants to work within 20 days of claim acceptance at the WHSCC, and at least 96% within 260 days.

## **2003 RESULTS SUMMARY:**

A total of 59%\* of injured workers safely returned to work within 20 days of claim acceptance at the WHSCC; 94.8%\*\* returned to work within 260 days.

\*Data is calculated to the end of the second quarter 2003

\*\*Data is calculated to the end of the second quarter 2002

## **DETAILED RESULTS:**

The following tables and charts displaying the detailed results of the Commission's 2003 efforts to achieve Goal Three are

available in the Goal Three Statistics section on pages 31-32 of this report:

- Summary of Benefits
- Short-term Disability and Rehabilitation, and Health Care Payments
- Number of Injured Workers Receiving Long-term Disability Benefits
- Benefits Payments
- Average Payment per Claim
- Number of Claims Adjudicated
- Nature of Injury
- Number of Claims Adjudicated by Type
- Return to Work (Injured Workers with Lost-time Claims)

## **CONTRIBUTING DIVISION:**

CARS Division

## **Executive Summary**

Despite the fact that all workplace injuries are both predictable and preventable, people make mistakes and accidents still occur. Goal Three defines the WHSCC's commitment to ensuring that when they do happen, and a worker is injured, that worker is returned to the workforce as safely and quickly as possible.

*“This three-pronged approach is integral to getting workers back to work safely, and quickly.”*

Dr. Douglas Margison, Chief Medical Officer, CARS Division

The WHSCC realizes the financial and emotional stress being out of work can cause. So we work with employers, the injured worker and the appropriate health care professionals to make the return-to-work process as stress-free and painless as possible.

“This three-pronged approach is integral to getting workers back to work safely, and quickly. Since recovery and rehabilitation might involve multiple disciplines such as occupational therapy, physical therapy, education, and counseling, to name a few, it's important to identify the most effective care that will restore maximum function as quickly as possible. Developing “best practices” with a network of co-operative partners is helping us do just that,” says Dr. Douglas Margison, chief medical officer.

## [goal three]



Buffy Abric and Peter Bourque, Keystone Kelly's

Buffy Abric was a server at Keystone Kelly's in Saint John in November 2001 when she injured her back while trying to move a heavy wooden sign.

"I knew as soon as I did it that it was serious. I was

hunched over and couldn't straighten up – I could barely walk," Mrs. Abric says.

The next 18 months proved to be the biggest challenge of her life, she says. After an initial two-week stay in the hospital, she underwent various treatments, including acupuncture, and several doctors' visits. "No doctor wanted to operate. I also saw specialists in the United States, who said there was nothing that could be done."

But something was done. Mrs. Abric was ecstatic to find a surgeon in Moncton who would operate. She underwent her first surgery on November 19, 2002. Two weeks later, however, she says the disc "popped out," and she was laid up for another seven to eight months. A second surgery proved more successful, although she says she still suffers a lot of pain.

"It [the injury] did change my life. There are things I can't do – like lift my boys or ride a bike. But it's not enough to keep me down."

### [WHSCC stakeholder profile]

Today Mrs. Abric is back to work at Keystone Kelly's. During her recovery, the restaurant was sold. The previous owner highly recommended Mrs. Abric to the new owner, Peter Bourque, who trained her as a dining room manager, a position that doesn't rely on lifting.

"It was a big investment on my part," Mr. Bourque says, "but the end results have been great. Buffy has a lot to offer. It has definitely been a positive experience."

Buffy is grateful to her employer, as well as to her husband, Chris Abric, and her parents, Barb and Gerald Pye. "Things were pretty rough at times. Without them I couldn't have gotten through it."

She is also very appreciative of the WHSCC. "Without the WHSCC I wouldn't be working now. My case manager, Kathleen Evans, was phenomenal."

## CARS DIVISION AND GOAL THREE

### What we do:

In our commitment to Goal Three, the CARS Division works closely with health care professionals to provide creative, cost-effective rehabilitation programs to ensure a safe, smooth and fast return to work for injured workers.

### How we do it:

#### Health Care Community Liaison

In co-operation with the treating physicians, the division tracks the progress of each injured worker, provides access to appropriate health care service providers and prescription drugs, and establishes guidelines for disability durations and expected healing times. The division also uses the services of the Workers' Rehabilitation Centre (WRC) to help in the injured worker's recovery.

#### Benefits

Once a claim is approved, an injured worker may be eligible for wage loss replacement, medical costs, case management services, rehabilitation services, and training benefits.

#### *Case Management Services*

Any claim expected to last more than six weeks, or those related to serious injuries, are assigned to WHSCC's case management services, located at each of the four regional offices throughout the province. A case manager and the case management team's internal medical advisor work with the injured worker's physician to discuss treatment options, payment approvals and progress reports.

#### *Occupational Rehabilitation*

Accredited multidisciplinary occupational rehabilitation services are provided through the WRC.

#### *Vocational Rehabilitation Services*

The division's Vocational Rehabilitation Services provides job search assistance, on-the-job training, formal education programs, and self-

## [goal three]

employment opportunities for injured workers, once they become job-ready.

### 2003 Highlights and Accomplishments

The following list of 2003 activities supported the CARS Division's daily efforts to achieve Goal Three.

- The Work Conditioning model for case management was expanded from soft tissue injuries to include all injuries.
- The disability management initiative delivered 80 meetings/in-service sessions to over 550 employers and employees. Four workshops on "Disability Management: How to do a Job Task Analysis" were offered to 50 delegates representing 34 workplaces.
- Continuing to provide education to physicians, the Commission held 14 community hospital sessions.
- The Commission developed a series of *Rapid Assessment* videos for back and shoulder injuries, for use by physicians treating and diagnosing injuries.
- The Commission established a Joint Treatment Issues Committee with the New Brunswick Medical Society (NBMS), and revamped the Commission's *Physiotherapy Progress Report*.
- In conjunction with the Human Rights Commission, the Canadian Bar Association and the NBMS, the Commission sponsored the first conference on "Breaking Down the Barriers to Returning to Work." The conference was held with the aim of improving collaboration among employers, labour representatives, lawyers, physicians and chiropractors to explore ways to eliminate obstacles for a disabled person returning to work.
- In conjunction with Disability Awareness Week, the WRC hosted an Open House, and a physician-accredited educational program called "Occupational Rehabilitation."
- The WRC was resurveyed by the Canadian Council on Health Services Accreditation and was awarded a three-year accreditation, the highest level possible.

Kathleen Evans,  
WHSCC Case Manager,  
Southeast Region



Goal Three describes the WHSCC's commitment to returning injured workers to the workforce as safely, quickly and efficiently as possible. The case manager plays an important role in this process.

"The case manager is the liaison between the injured worker, employer, treating physician and service providers," says Kathleen Evans, case manager for the southwest region. "As a case manager, I am simply the main point of contact for developing a safe return-to-work plan. Success depends on the participation of all parties, but most importantly on the commitment and flexibility of the injured worker, employer and co-workers," she says.

"The frustration and anxiety injured workers experience caused by the upheaval in their lives following an injury, both financially and physically, sometimes outweighs the good a case manager has to offer. Many of them say they fear the 'unknown.' But my clients can rely on my honesty, guidance and 35 years of experience to help them through a safe return to work."

The case manager can wear many hats, Mrs. Evans says. "Sometimes I take on the role of a telemarketer, but that's okay. Information is what a client needs to sort out the change in their lives, and they need it right away."

### [WHSCC employee profile]

The most frustrating aspect of her job is not always being able to say yes. "But that's when my creative thinking and experience kicks in," she says. "Also, there are many resources outside the WHSCC where we can go for answers.

"Every injured worker's goal is to get their life back on track, and as case manager, I do my best to help them achieve this goal."

Injured workers such as Buffy Abric (see profile on page 20) are proof positive of Mrs. Evans' success.

# Goal Four

**“WE WILL HOLD THE ASSESSMENT RATES TO EMPLOYERS AT THE LOWEST LEVEL POSSIBLE, CONSISTENT WITH THE BEST POSSIBLE BENEFITS TO CLIENTS.”**

## TARGET FOR 2003:

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

## 2003 RESULTS SUMMARY:

The provisional 2003 average assessment rate rose by \$0.17 per \$100 of assessable payroll over last year's provisional rate. As well, the Commission's funded position dropped to represent a 92.3% funded liability.

## DETAILED RESULTS:

The following charts and tables displaying the detailed results of the Commission's 2003 efforts to achieve Goal Four are available in the Goal Four Statistics section on pages 33-35 of this report:

- Payrolls by Sector
- Performance Objectives
- Investment Returns by Asset Class
- Funding History – Dollar Amounts (in Millions) and Percentage Funded
- New Brunswick Actual Average Assessment Rates
- Canada – Average Assessment Rates
- Third-party Actions

## CONTRIBUTING DIVISION/DEPARTMENT:

Corporate Services Division  
General Counsel's Office

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## Executive Summary

Goal Four presents the significant challenge of balance – balancing the employer's right to the lowest assessment rates possible with an injured worker's right to the best benefits possible.

“We take our role as stewards of the funds of New Brunswick employers very seriously,” says Peter Murphy, vice-president, Corporate Services Division. “We are dedicated to ensuring that New Brunswick employers receive value for their premiums, and employees receive the best quality treatment, care, and compensation in case of an injury.”

*“We take our role as stewards of the funds of New Brunswick employers very seriously.”*

Peter Murphy, Vice-President, Corporate Services Division

To ensure benefits for injured workers and the provision of prevention and health and safety services, the Commission must maintain fiscal stability and return to a fully-funded liability. To do this, provisional assessment rates increased in 2003 to \$2.07, from \$1.90 in 2002. Despite this increase, however, our provisional assessment rates remained below the national average of \$2.10, and the lowest in Atlantic Canada. We also continue to follow a sound, long-term investment strategy.



## [goal four]

### CORPORATE SERVICES DIVISION AND GOAL FOUR

#### What we do:

In our commitment to Goal Four, the Corporate Services Division maintains a measured balance between competitive assessment rates and fair benefits for the injured worker.

The Corporate Services Division manages the industry classification and experience rating systems, collects assessed premiums, and manages the Monthly Assessment on Actual Payroll (MAAP) program.

The division works closely with the Board of Directors on strategy and policy development and rate setting, and provides consultation services to stakeholders.

#### How we do it:

##### Assessment Services

The Assessment Services Department provides liaison with New Brunswick's 13,481 registered employers. They manage the assessment process, and explore ways to reward employers who have positive claim histories.

##### Treasury Department

The Treasury Department is responsible for generating and managing the WHSCC's revenues. It does this by investing the premiums paid by employers over the long term, creating a fund from which to pay benefits to injured workers.

##### Planning and Policy

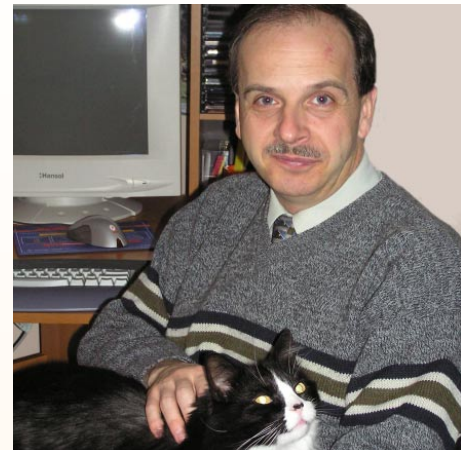
The Planning and Policy Department is responsible for strategic planning, and policy development. The department produces the WHSCC's quarterly reports, and conducts regular stakeholder consultations, which often result in recommendations for change to the legislation and regulations under which the WHSCC operates.

##### Fiscal and Economic Planning

The Fiscal and Economic Planning Department helps the Board of Directors estimate the cost of any proposed legislative amendments and policy changes.

### Jacques Laroche, Injured Workers' Advisory Committee

Committees such as the WHSCC-sponsored Injured Workers' Advisory Committee provide a voice for New Brunswick's injured workers, helping to maintain the balance necessary between fair assessment rates for employers and the best possible benefits for clients, as defined by Goal Four.



The Injured Workers' Advisory Committee provides a forum for discussing issues relevant to injured workers in the province, with the aim of improving the Commission's services and programs. The committee supplies injured workers with the latest information on approved changes in the *WC* and *OHS Acts*, policies, procedures and programs, and provides feedback on these changes.

Jacques Laroche recently completed his second and final term on the advisory committee. Mr. Laroche, a husband and father of two, is a paraplegic. He was injured in a logging accident in 1988.

## [WHSCC stakeholder profile]

"I was proud to serve on the committee. It was very enriching, personally," Mr. Laroche says. "Committee members play a vital role by helping the Commission inform injured workers about changes to legislation, programs and resources available to them," he says.

"It was very interesting – we worked with all kinds of issues. Discussion can bring change, and we provided recommendations to the Commission's Board of Directors. We considered many factors and put a lot of thought into these recommendations, and we were not ignored. The Commission values our contribution and took us seriously. It was gratifying to see responses to our suggestions."

Following his accident, Mr. Laroche said the WHSCC worked closely with the Canadian Paraplegic Association (CPA) to make the necessary modifications to his home. "I'd like to see the Commission work even more closely with specialized groups like the CPA," he says.

In addition to his two terms with the WHSCC's Injured Workers' Advisory Committee, Mr. Laroche is a councillor for the Town of Nackawic, is on the Board of Directors of the CPA, and has served with the Greater Fredericton Economic Development Corporation and the Central New Brunswick Economic Development Commission. "I really enjoy every moment of my volunteer work – it's very rewarding."



## [goal four]



### Planning and Policy Department, WHSCC

(standing, from left to right): Shelly Dauphinee; Vincent Chew; Muriel Melanson; Tanya Vanier; Carolyn MacDonald; and (seated, from left to right): Wanda Woodcock; Angela Francoeur; and Jill Grabam.

Balancing the needs of employers, workers and public interests is

a critical element in the policy development process. While the Planning and Policy Department contributes to achieving all five strategic goals, the challenge of balancing stakeholders' perspectives, through policy, is most evident in Goal Four which strives to hold assessment rates at the lowest level possible, consistent with the best possible benefits to injured workers.

The role of the WHSCC's Planning and Policy Department is to provide the Board of Directors with the information they need to make informed decisions and practise good governance. "The Board's policies are an interpretation of the legislation," says Shelly Dauphinee, director of Planning and Policy. "Legislation can be complicated and policy is developed to both clarify issues in legislation and to communicate to stakeholders the Commission's position on those issues," she says. Through policy, the Board makes decisions regarding medical aid, rehabilitation, loss of earnings and survivor benefits under the *Workers' Compensation (WC) Act*; and focuses attention on workers' and employers' health and safety responsibilities under the *OHS Act*.

## [WHSCC department profile]

The WHSCC's policy process is broken down into four components: issue identification; research, analysis and development; decision-making at the staff, executive and Board level; and publishing. "Policy priorities are approved annually by the Board of Directors and they are based on factors such as changes to legislation, operational issues, Appeals Tribunal decisions and court decisions," Ms. Dauphinee explains. "An automatic review cycle also provides for regular analysis of policy documents, ensuring consistency with the Commission's strategic direction."

The Planning and Policy Department develops and retains over 400 policies and policy-related documents including directives, procedures, and fee schedules. These documents are published online at [www.whsc.nb.ca](http://www.whsc.nb.ca). The department comprises a staff of eight, with backgrounds in law, business, planning and communications. In addition to policy, the department also produces the quarterly Corporate Report, regularly surveys for client and stakeholder satisfaction, and supports the Board of Directors in its strategic planning process.

## GENERAL COUNSEL'S OFFICE AND GOAL FOUR

The General Counsel's Office supervises the third-party action recoveries resulting from certain workplace accidents. Fraud and abuse investigations result in detection of unpaid employer assessments and termination of non-entitled worker benefits.

### 2003 Highlights and Accomplishments

The following list of 2003 activities supported the Corporate Services Division's daily efforts to achieve Goal Four.

- Continued roll-out and marketing of the MAAP program, with 208 new businesses signing in 2003.
- Employer services representatives from the Assessment Services Department conducted 1,200 on-site visits to perform audit and classification reviews, and discuss Commission issues with employers.
- The Fiscal and Economic Planning Department reviewed the assessment system by which the Commission's assessment revenue requirement is equitably allocated to assessed employers.
- Cortex Applied Research was hired to prepare an Annual Fiduciary Report, which reviewed the 2002 administration of the investment portfolio. The report was presented to the Financial Services Evaluation Committee, which has addressed its recommendations.
- The Treasury Department completed the review and termination of an external investment manager, and hired a replacement, all done in accordance with directives designed to reflect industry best practices.
- The investment portfolio outperformed its benchmark for the year, producing an annual return of 12.4%, compared to the benchmark of 11.7%.
- Fraud and abuse investigations resulted in future revenue and claim cost savings of close to \$1 million.
- Third-party action recoveries provided cost relief to employers, representing approximately \$0.018 on the average assessment rate, with injured workers receiving \$1,095,000 in addition to compensation benefits.

# Goal Five

## “OUR EMPLOYEES WILL CONSIDER THE COMMISSION A GOOD PLACE TO WORK.”

### TARGET FOR 2003:

WHSCC employee satisfaction surveys will remain at a high level for the organization

### 2003 RESULTS SUMMARY:

The employee satisfaction survey results indicate 87% of our employees find the WHSCC a “good place to work.” The response rate was 84%.

### DETAILED RESULTS:

The following charts and tables displaying the detailed results of the Commission’s 2003 efforts to achieve Goal Five are

available in the Goal Five Statistics section on page 36 of this report:

- Accepted Claims for Commission Staff
- Absenteeism (Days per Person)
- Staff Turnover
- Employment Milestones and Retirements
- Employment Milestones and Retirements
- Internal Promotions

### CONTRIBUTING DEPARTMENT:

Human Resources Department

## Executive Summary

Goal Five is especially important because it recognizes that our staff is the cornerstone of our success. We know that it takes dedicated people to do a good job serving the public, and that a positive work environment improves employee satisfaction and productivity.

*“The Commission believes that attaining great performance is a journey, not a destination.”*

Heather Cossaboom, Director, Human Resources

“The Commission believes that attaining great performance is a journey, not a destination. We support our staff on that journey by providing them with all the tools they need to arrive,” says Heather Cossaboom, director of Human Resources. “We are committed to attracting, motivating and retaining a highly professional, service-oriented workforce, and we do this by making the Commission ‘a good place to work.’”

## [goal five]



Jackie Theriault,  
Secretary II,  
Compliance and  
Technical Services

WHSCC is committed to making the Commission a good place to work, and supports its employees in their professional development. Heather

Cossaboom, director of Human Resources, says the Career Advancement Program (CAP) was developed to do just that.

Through CAP, employees can be considered for positions when they have begun the process of attaining the required qualifications. In addition, employees may seek additional support as outlined in our education directive.

Jackie Theriault is one employee who has benefited from the program, although she had already begun her studies before the program was implemented. Mrs. Theriault was on a temporary assignment when the position of Secretary II in Compliance and Technical Services became available. The position required a business diploma and some background in law. Mrs. Theriault had just completed a law course, required for the Business Management Certificate she is pursuing through distance education from Dalhousie University's Henson College. She devotes about eight hours a week of her own time on her studies and has been able to use what she's learned in her new position.

### [WHSCC employee profile]

"It was such a coincidence that the position required some knowledge of law and I was just completing the law course. It was a sign. The job seemed interesting, and, being on a temporary assignment, I liked the security it offered."

Mrs. Theriault is appreciative of the opportunity afforded her through CAP, and encourages others to further their education. "I really like my new job. It's a whole new avenue for me. Since joining the Commission in 1979, I have always worked in compensation and rehabilitation – prevention is totally different. It's very challenging, but a challenge I'm up to."

Her new position entails background and research to help the chief compliance officer with legal decisions. She also provides information on legislation, division policy and practice, and responds to general inquiries and accident reports, work refusals and stop-work orders.

## HUMAN RESOURCES DEPARTMENT AND GOAL FIVE

### What we do:

The Human Resources Department knows that we best serve our clients and stakeholders by maintaining a happy, healthy and productive workforce. We do this by operating on the values of respect, acknowledgment, compensation and development, and the spirit of equal opportunity and human rights, while adhering to our responsibilities under the *Public Service Labour Relations Act* and the *OHS Act*.

We provide a healthy and safe workplace, provide opportunities for advancement, and support our employees' personal and physical well-being.

### How we do it:

#### Health and Safety

The Human Resources Department practises what it preaches by setting and maintaining the highest standards for a safe and healthy work environment. This is done through the Commission-developed 5\*22 health and safety program.

#### Employee Assistance Program (EAP)

Through the Human Resources Department, the Commission offers employees confidential support and counseling services through an Employee Assistance Program provided by an external service provider.

#### Other departmental services having an impact on Goal Five are:

- Attendance management
- Labour and compensation services
- Security
- WHSCC Wellness Program
- Employee training
- Staffing
- Employee recognition

## [goal five]

Yvon Collette,  
WHSCC Training  
Consultant



### 2003 Highlights and Accomplishments

The following list of 2003 activities supported the Human Resources Department's daily efforts to achieve Goal Five.

- A total of \$900,611 was budgeted in 2003 for educational development and enhancement of our staff. These initiatives were supported through the education directive and the performance review process.
- 98% of our staff underwent a performance review with their supervisor.
- The Employee Assistance Program helped 85 new clients.
- The Wellness Program provided monthly newsletters to all staff. Wellness themes were initiated for each month, and included: family wellness, financial wellness, seasonal wellness and holiday wellness. Activities included: blood clinics, flu immunization clinics, lunch and learn topics including "De-stressing the Holidays," distribution of wellness calendars and the posting of information on wellness activities.
- The Commission's health and safety status was resurveyed in 2003 and demonstrated considerable improvement.
- The injury reduction objective for 2003 was to decrease repetitive strain injuries. No repetitive strain injury was reported in 2003 and the total number of accepted claims (lost-time and no lost-time) totalled 11, the lowest number within the last five years.
- An online training calendar was implemented to help our employees plan their internal corporate educational needs.
- An annual staff meeting was held along with a recognition banquet, honouring 76 employees and 13 retirees.

Goal Five defines the WHSCC's commitment to making the agency "a good place to work." One way the Human Resources Department meets this goal is by providing employees with training and development opportunities.

Yvon Collette, the WHSCC's training consultant, is charged with co-ordinating these opportunities. "By providing employees with training opportunities for career advancement we're showing them we're willing to invest in them – we're telling them that we care," Mr. Collette says.

"To help determine which courses are offered, we first identify the most pressing needs within the organization," he says. "Some are common to all departments, such as the Microsoft Applications, for example, while others, such as a C-Spine Exercise Program course, are more specific to certain jobs."

Mr. Collette, with help from WHSCC's webmaster, Jeff Duplessie, launched an electronic training calendar accessible to all employees through Infonet, the WHSCC's internal website. The calendar provides a reference point for current training and development opportunities within the Commission. Subject areas include skills competency training, PC systems training and general orientation.

### [WHSCC service profile]

"The online training calendar is very efficient," Mr. Collette says. "With one click of the mouse, staff can view the courses offered in their geographical area, read a course description and even register online." Before implementing the electronic calendar, Mr. Collette had to send out separate e-mails for each course, contact employees individually to confirm attendance and manually track the information. "There was a lot of back-and-forth," he says. "It was extremely time-consuming. The new calendar saves countless hours, and, as in any business, time is money." Mr. Collette says he hopes to expand the calendar over the years to include many more courses.

"We're confident this is a step in the right direction toward meeting the training and educational needs of the Commission's management and employees. It is also further proof of our commitment to meeting Goal Five."

# Goal One Statistics

## GOAL ONE STATISTICS

The following tables and charts display the detailed results of the Commission's 2003 efforts to achieve Goal One.

### Prevention/Occupational Health and Safety Statistics

General Health and Safety	2003	2002
Workplace inspections	5,899	5,799
Orders written	4,109	3,950
Stop-work orders	99	102
Accident investigations	232	159
Fatalities investigated	2	7
Court cases	12	7
• Charges laid against an employer	8	7
• Charges laid against an employee	2	—
• Charges laid against an owner	1	—
• Charges laid against a contractor	1	—
Awareness education/Training	197	183
Consultation	1,588	1,513

### Occupational Hygiene

Workplace inspections	59	144
Orders written	33	127
Stop-work orders	3	39
Awareness education/Training	6	8
Consultation	75	65
Evaluation and analysis	50	119
Tests	12	39

### Education

Awareness education/Training	550	430
Consultation	559	326

### Ergonomics

Awareness education/Training	38	44
Consultation	254	101
Evaluation and analysis	81	78

### Health and Safety Consultants

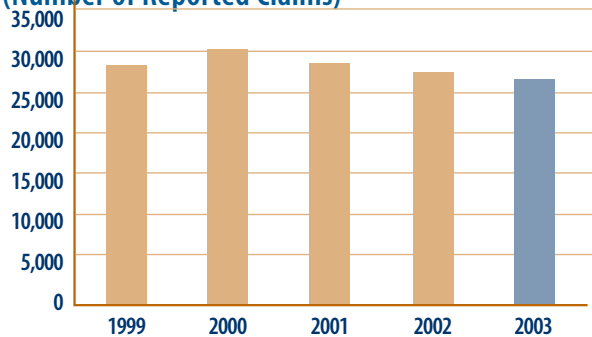
Awareness education/Training	15	37
Consultation	267	493
Evaluation and analysis	421	434

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

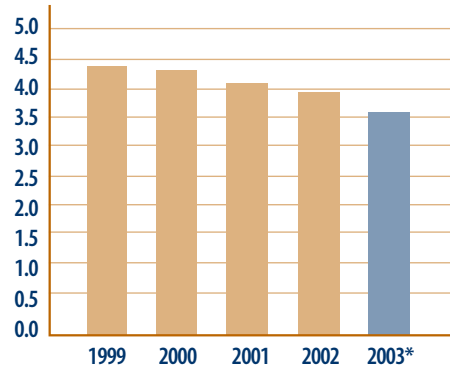


# [goal one statistics]

**WHSCC Reported Accidents  
(Number of Reported Claims)**



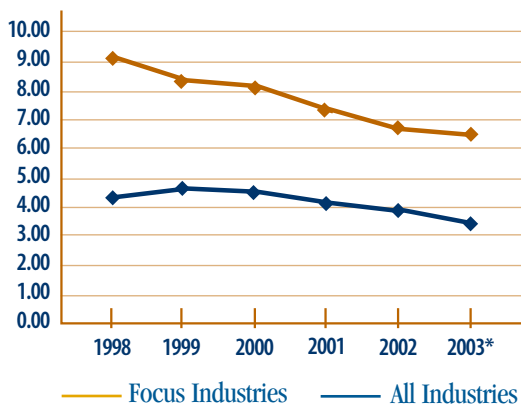
**Provincial Accident Frequency Rate  
(Rate per 100 FTEs)**



\*Projected

*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.*

**WHSCC Focus Industries Accident Frequency Rate**



\*Projected

**Complaints –  
Occupational Health and Safety Act**

	2003	2002
Number of complaints filed	31	24
Complaints allowed	5	1
Complaints dismissed	5	4
Complaints resolved	18	2
Complaints withdrawn	5	4
Complaints outstanding	3	–

**Prosecutions –  
Occupational Health and Safety Act**

	2003	2002
Number of charges	22	22
Number of employers charged	8	10
Number of owners charged	1	–
Number of workers charged	2	–
Number of convictions	13	9
Number of charges dismissed	–	2
Number of charges withdrawn	11	6
Number of charges outstanding	14	5
Value of fines	\$54,275	\$35,120

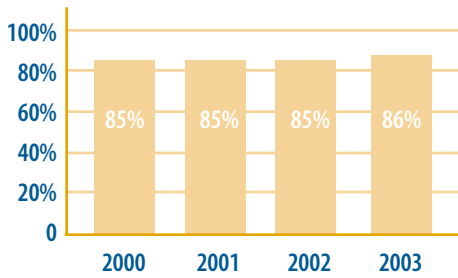
Note: In some cases, more than one charge has been laid.

# Goal Two Statistics

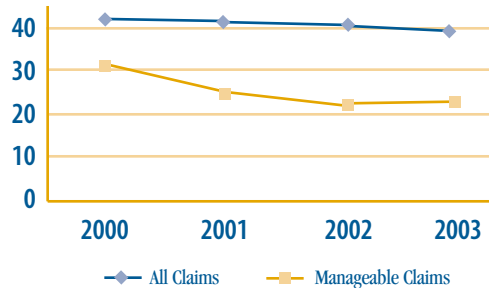
## GOAL TWO STATISTICS

The following charts display the detailed results of the Commission's 2003 efforts to achieve Goal Two.

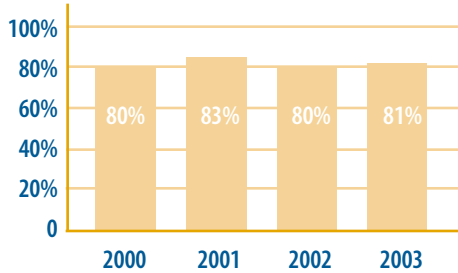
### Employer Satisfaction Index



### Average Number of Days from Accident to First Cheque

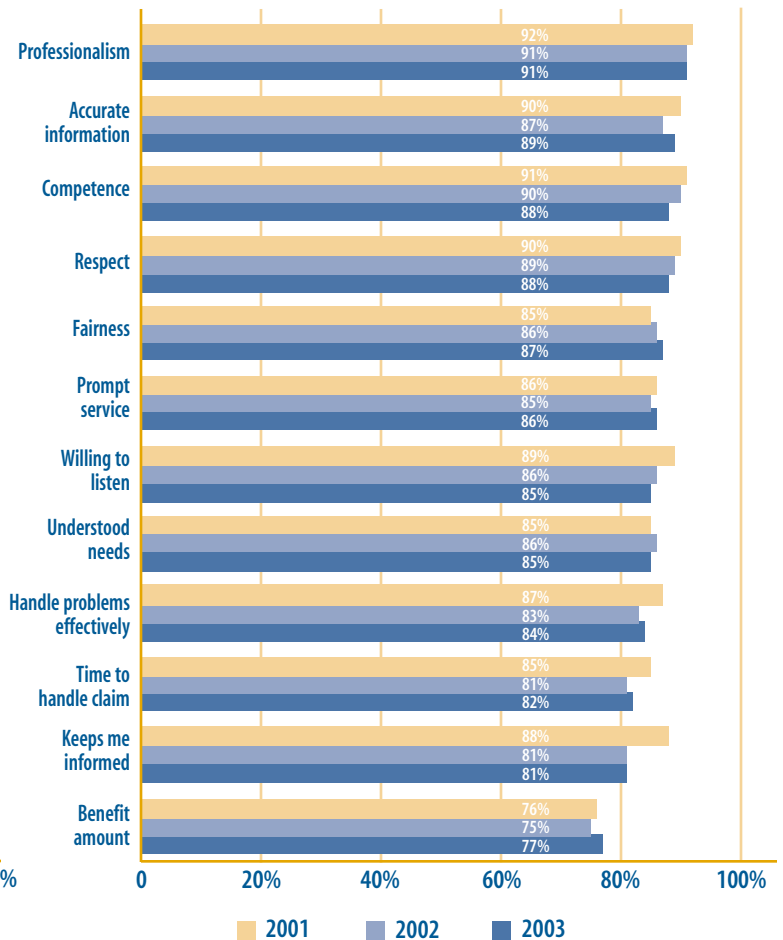
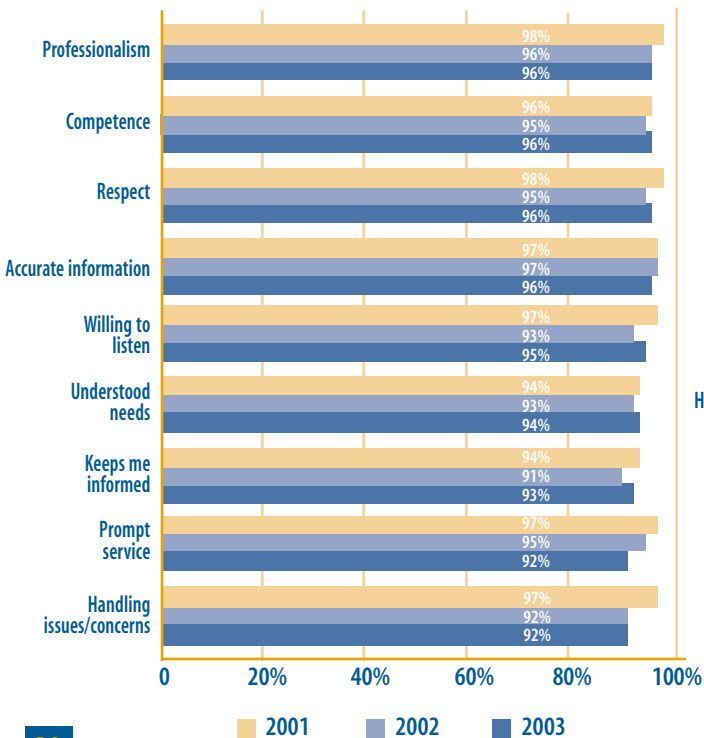


### Injured Worker Satisfaction Index



### Injured Workers' Satisfaction (completely/mostly satisfied)

### Employers' Satisfaction (completely/mostly satisfied)



# Goal Three Statistics

## GOAL THREE STATISTICS

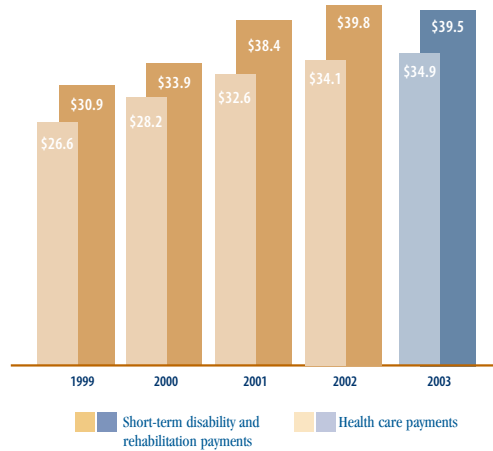
The following tables and charts display the detailed results of the Commission's 2003 efforts to achieve Goal Three.

### Summary of Benefits – 2003

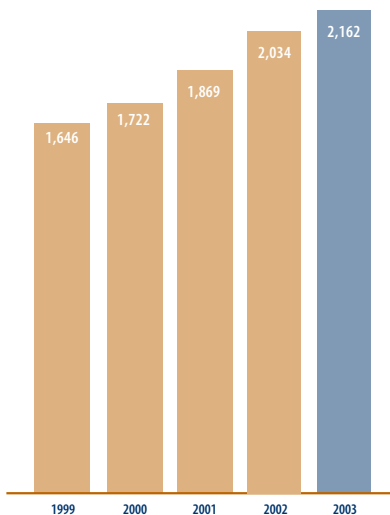
Maximum Annual Compensable Earnings	Maximum Weekly Earnings	Percentage Rate for Determining Benefits	Maximum Weekly Benefits	Effective Date
\$48,400	\$930.77	85% of net*	\$559.21	January 1, 2003
		85% of net**	\$586.86	January 1, 2003

\*No dependants  
\*\*Dependent spouse

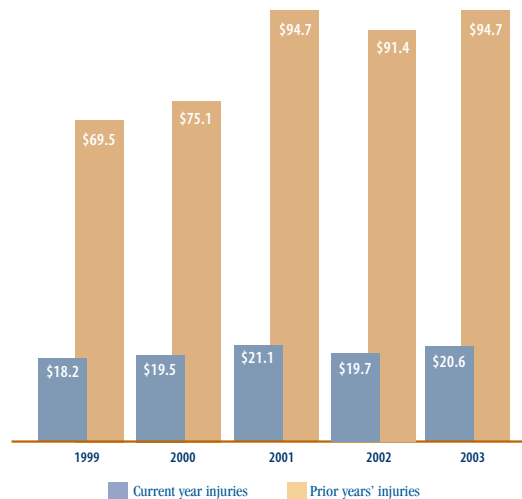
### Short-term Disability and Rehabilitation, and Health Care Payments (in Millions)



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

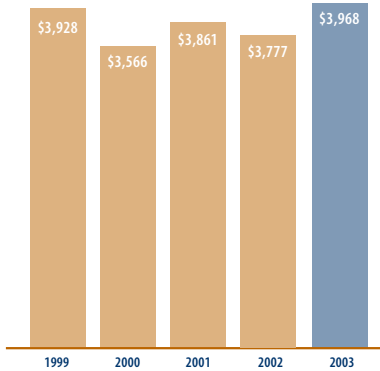


### Benefits Payments (in Millions)

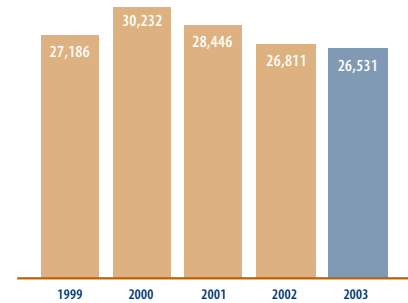


# [goal three statistics]

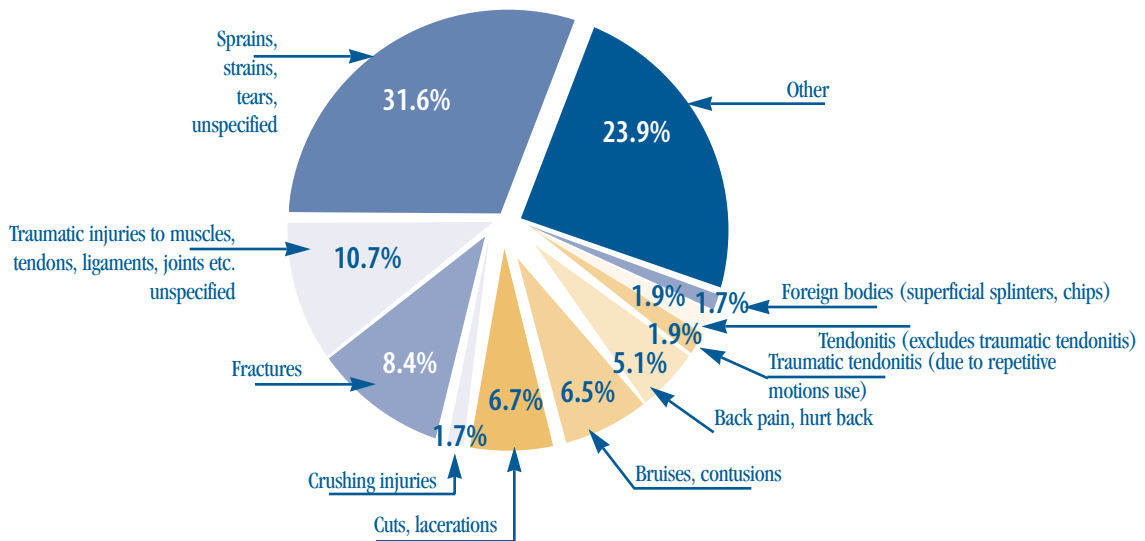
### Average Payment per Claim



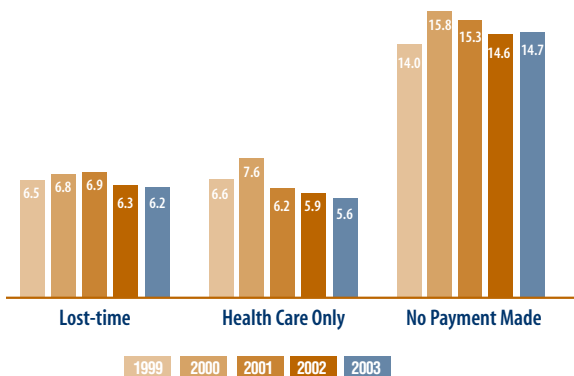
### Number of Claims Adjudicated



### Nature of Injury



### Number of Claims Adjudicated by Type



### Return to Work

#### Injured Workers with Lost-time Claims

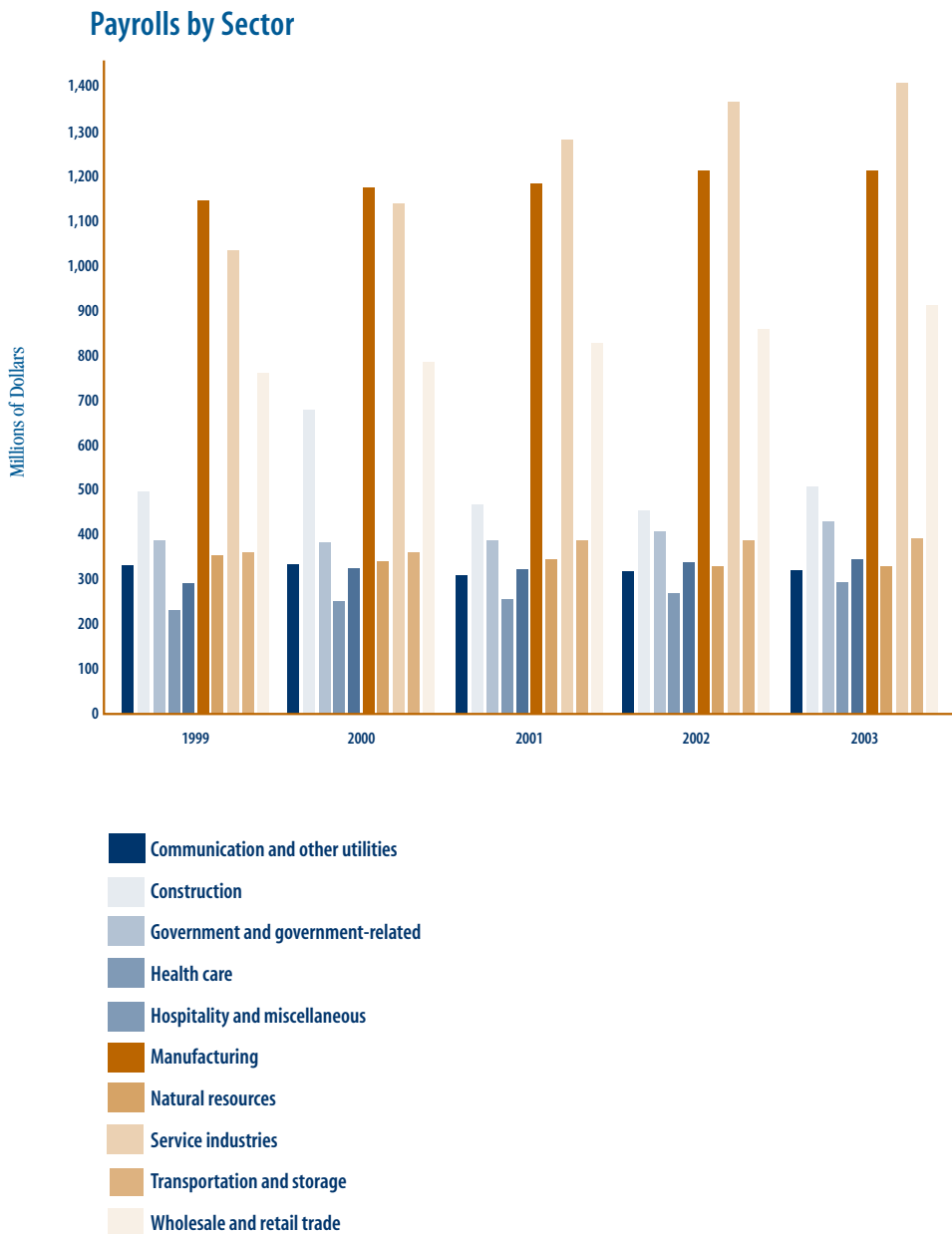
% returning or fit to return to work within	2000	2001	2002	2003
20 days	58%	59%	61%	59%*
80 days	80%	81%	81%	79%*
130 days	86%*	86%	88%*	89%
260 days	93%	93%*	93%*	N/A
520 days	96%	96%*	N/A	N/A

\*Some claims are still in adjudication as of January 31, 2004. (Partial year information.)

# Goal Four Statistics

## GOAL FOUR STATISTICS

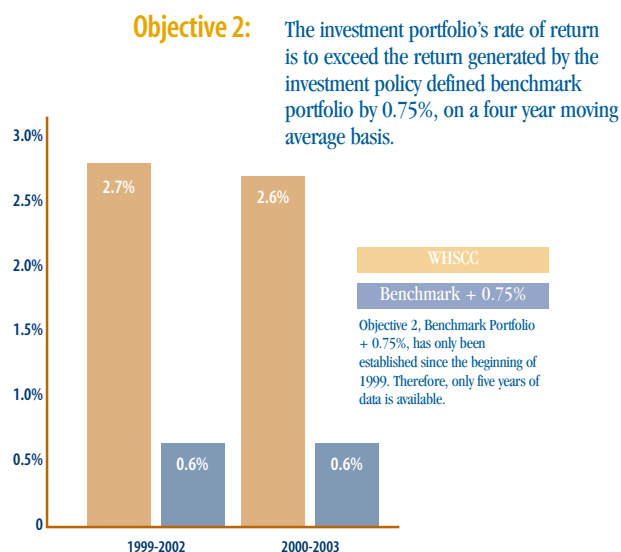
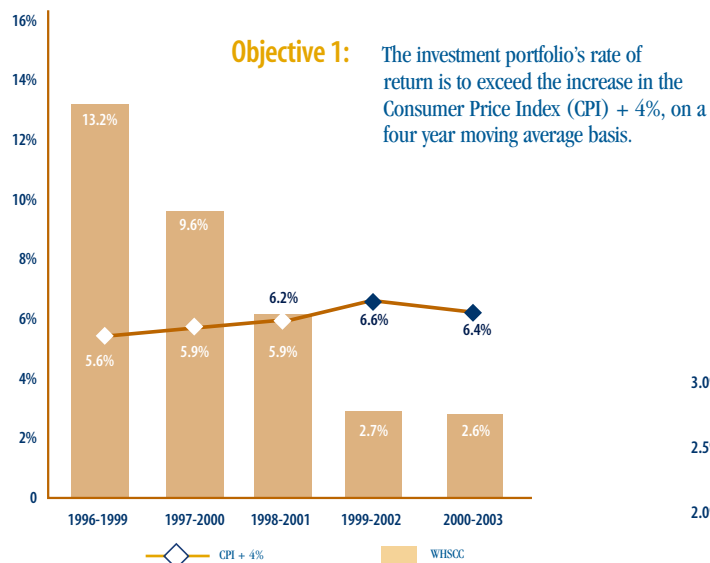
The following charts and tables display the detailed results of the Commission's 2003 efforts to achieve Goal Four.





# [goal four statistics]

## Performance Objectives



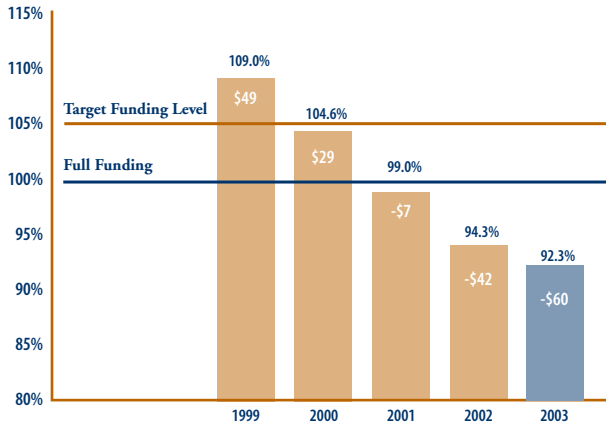
## Investment Returns by Asset Class for the Year Ended December 31, 2003

	WHSCC	Benchmark Index Return	Benchmark Index
Canadian Bonds	6.7%	6.7%	SCM Universe Bond Index
Canadian Equities	29.8%	26.7%	S&P TSX Composite Index
U.S. Equities	8.9%	5.3%	S&P 500 Index (C\$)
EAFE Equities	12.5%	13.4%	MSCI EAFE Index (C\$)
Emerging Market Equities	24.5%	27.8%	MSCI EM Index (C\$)

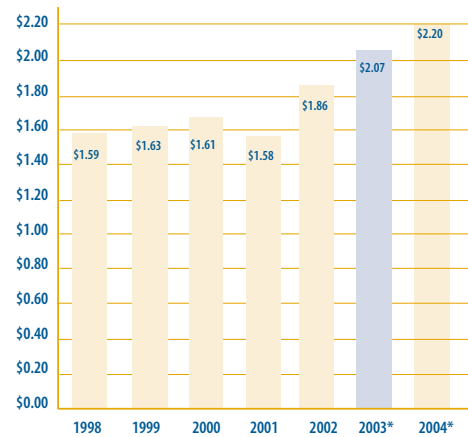
**NOTE:** The WHSCC audited financial statements are published in the WHSCC's *2003 Annual Report*, available online at [www.whsc.nb.ca](http://www.whsc.nb.ca). Printed versions are available by calling 506 633-5660 or 1 800 222-9775.

# [goal four statistics]

## Funding History – Dollar Amounts (in Millions) and Percentage Funded



## New Brunswick Actual Average Assessment Rates



\*Provisional average assessment rate

## Canada – Average Assessment Rates (in 2004 Ascending Order)

Jurisdiction	Actual 1999	Actual 2000	Actual 2001	Actual 2002	Provisional 2003	Provisional 2004
Yukon	\$1.26	\$1.29	\$1.30	\$1.28	\$1.41	\$1.54
Manitoba	\$1.46	\$1.49	\$1.52	\$1.53	\$1.56	\$1.70
Northwest Territories & Nunavut	\$1.20	\$1.04	\$1.18	\$1.28	\$1.60	\$1.91
Alberta	\$1.07	\$1.12	\$1.31	\$1.64	\$1.89	\$1.98
Saskatchewan	\$1.66	\$1.61	\$1.57	\$1.65	\$1.91	\$2.08
British Columbia	\$1.88	\$1.73	\$1.78	\$1.87	\$1.92	\$1.91
Quebec	\$2.27	\$2.12	\$1.89	\$1.83	\$1.93	\$2.15
New Brunswick	\$1.63	\$1.61	\$1.58	\$1.86	\$2.07	\$2.20
Ontario*	\$2.42	\$2.29	\$2.13	\$2.16	\$2.19	\$2.19
Prince Edward Island	\$2.11	\$2.08	\$2.29	\$2.34	\$2.39	\$2.39
Nova Scotia	\$2.56	\$2.55	\$2.49	\$2.50	\$2.54	\$2.57
Newfoundland & Labrador	\$2.97	\$3.23	\$3.22	\$3.50	\$3.24	\$3.24

\*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 2003 and 2004 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 new information.

## Third-party Actions January 1, 2003 – December 31, 2003

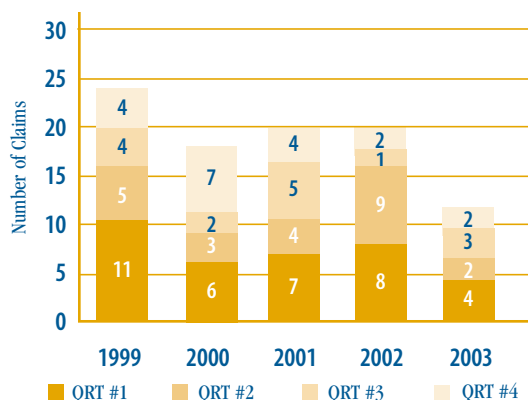
Number of Cases under Management	Number of Cases Finalized	Legal Fees on Finalled Cases	Worker Benefits Paid	WHSCC Recovery	Excess Paid to Workers	WHSCC % of Recovery	Employer Cost Relief	Legal Fees % of Recovery
75-90	34	\$351,986	\$803,143	\$1,040,181	\$1,094,948	90.05%	\$1,040,181	16%

# Goal Five Statistics

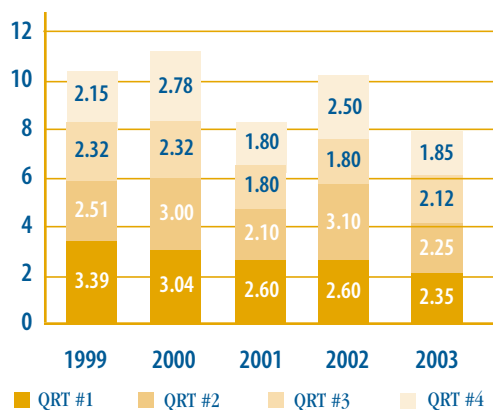
## GOAL FIVE STATISTICS

The following charts and table display the detailed results of the Commission's 2003 efforts to achieve Goal Five.

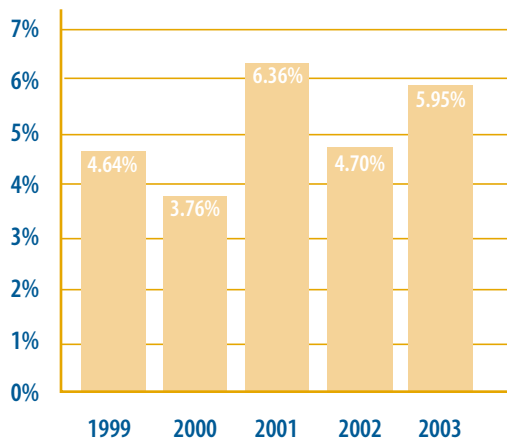
### Accepted Claims for Commission Staff



### Absenteeism (Days per Person)



### Staff Turnover



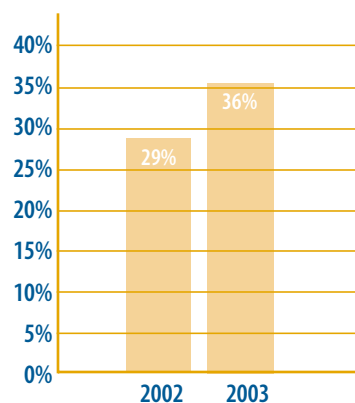
Note: Certain figures may have been restated to reflect new information.

### Employment Milestones and Retirements

In 2003, the WHSCC recognized 76 employees for their years of public service and 13 others who retired during the year.

- Those with 5 Years of Government Service**  
 Scott Allaby, Donald Bernard, Troy Brake, Carol Ferguson-Scott, Peter Ferris, Doug Fillmore, Frank Forestell, Mark Holland, Krista Kraitzek, Suzanne Labelle, Pauline LaCroix, Lysbeth Larooi, Lise Malenfant, Edythe McDermott, Gérard Richard, Tasha Pellerin, Suzanne Sharpe and Paula Taylor.
- Those with 10 Years of Government Service**  
 Diane Baker, Patricia Darrah, Marina Forestell, James Garey, Linda Gillespie, David Greason, Sally MacCallum, Louise McCaie, Heather Murray, Eric Sparkes and William Stymiest.
- Those with 15 Years of Government Service**  
 Patricia Arsenault, Gary Carter, Nadine Cormier, Christine Crawford, Sharon Driscoll, Francine Gallant, Joanne Gaudet, Amber Graham, Stéphane Hamel, Josiane Hewitt, Paul LeBreton, José Ledezma, Paul Leger, Angela Morin, Penny Nichols, Jacqueline Phinney, John Phinney, Jeannette Richard, Lynne Roy-Dow, Juliette Robichaud, Robert Thomas and David Woodward.
- Those with 20 Years of Government Service**  
 John Boak, Roland Bordage, Michael Bourque, Maurice Cormier, Lévis Doucet, Jean-Claude Frenette, Linda Laforge, Scott Lockhart, Wesley Logan, Brenda Malcolm and James Stoddard.
- Those with 25 Years of Government Service**  
 Sheilah Bacon, Patricia Hay, Brent Hoyt, Eric McCartney, William McFarlane, Joanne Rideout, Pauline Roy, Michael Steeves and Harley Thibault.
- Those with 30 Years of Government Service**  
 Ronald Corvec, Pamela Gallop and Hugh Munro.
- Those with 35 Years of Government Service**  
 Kate Abblitt and Brian Connell.
- Those who Retired:**  
 Kate Abblitt, Alicia Brankin, Diane Cartwright, Brian Connell, Mary Hughson, John Maguire, Sheila Maguire, Hugh Munro, Dianne Ormandy, Joanne Rideout, Steve Scott, Florence Sweet and Patricia Titus.

### Internal Promotions



Percentage of internal promotions based on the annual competitions held. In 2003, 108 competitions were held.

# Appeals Tribunal

**OUR FOCUS CONTINUES TO BE THE DELIVERY OF THE HIGHEST QUALITY SERVICES POSSIBLE, AND THE FAIR AND TIMELY RESOLUTION OF APPEALS.**

## TARGET:

A 90-calendar-day completion objective for appeals.

## 2003 RESULTS SUMMARY:

While the 90-calendar-day objective for completion of appeals remains elusive, we continued to see considerable improvements in processing time in 2003.

## APPEALS STATISTICS:

The following charts and tables display statistics related to the Appeals Tribunal's 2003 workload, and are available on page 39 of this report:

- Appeals Received
- Appeals Resolved
- Appeals Initiated
- Appeals Results

2003 highlights

## Executive Summary

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 must continue to not only focus its efforts on streamlining its procedures, but also on maintaining and enhancing its decision-making process", says Paul LeBreton, chairperson of the Appeals Tribunal. "A considerable effort is required by both vice-chairpersons and panel members to stay abreast of all changes affecting the workers' compensation program in New Brunswick."

The Appeals Tribunal consists of the following:

- *Chairperson*: reports to the Board of Directors on the administrative operation of the Appeals Tribunal, and also acts as a chairperson for appeal hearings.
- *Vice-chairpersons*: currently, 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 members who serve on a part-time basis.
- In support of the activities of the Appeals Tribunal, a number of staff work to schedule hearings, prepare the necessary documentation and ensure decisions are sent to all parties concerned.



*"The Appeals Tribunal must continue to not only focus its efforts on streamlining its procedures, but also on maintaining and enhancing its decision-making process."*

Paul M. LeBreton, Chairperson, Appeals Tribunal

# [Appeals Tribunal]

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

- Well-trained vice-chairpersons, Appeals Panel members and staff;
- A consistent approach to deciding appeals; and
- Supportive legislation and policies.

## Appeals Tribunal Service Overview:

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 your 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.

## 2003 Highlights and Accomplishments

The following list of activities complement the day-to-day work of the Tribunal in its efforts to achieve its goals.

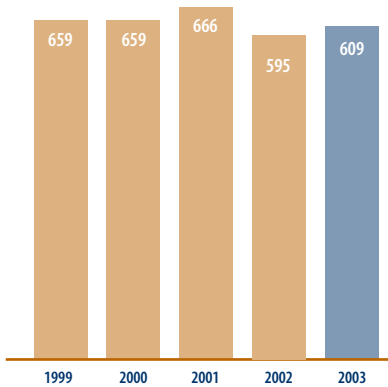
- As part of our commitment to providing timely, fair and consistent decisions, a new tool called the "Decision-making model" was developed. The tool provides Tribunal members with a method to assure consistency in their approach to their preparation by focusing on the appeal issue and the documents relevant to its resolution.
- A recent decision from the Supreme Court of Canada involving administrative tribunals and the *Canadian Charter of Rights and Freedoms* caused us to analyze our process for reviewing applications of appeal to assess the implications of this decision. We now require that the reasons for the appeal be indicated on appeal applications to ensure that questions regarding Charter rights are appropriately identified and documented before the appeal is scheduled for hearing.
- We continued our efforts to ensure that all new pertinent documents are forwarded to the Commission for its consideration before proceeding to a hearing. This has led to an increase in adjourned hearings; however, it assures that the Commission has reviewed all the pertinent documents prior to making its decision. If the Commission's decision remains unchanged, the panel is reconvened to continue the hearing.
- The number of Appeals Panel members increased from 16 to 20, equally representative of workers and employers. This represents an important change to the Tribunal. We believe this increase in Panel members will help reduce the overall time required to process appeals as we will have a greater number of Panel members available for scheduling of appeals.



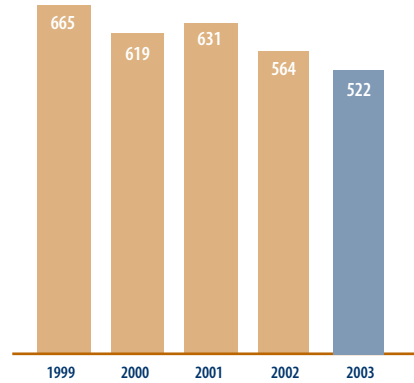
# Appeals Tribunal Statistics

## APPEALS TRIBUNAL STATISTICS

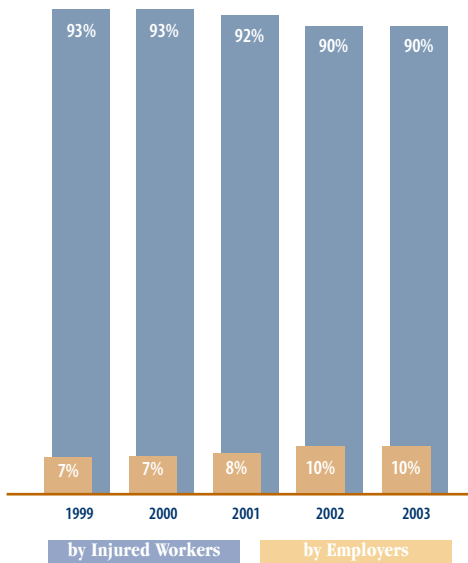
### Appeals Received



### Appeals Resolved



### Appeals Initiated



### Appeals Results

	1999	2000	2001	2002	2003
Accepted	46%	52%	49%	58%	50%
Partial	23%	16%	18%	8%	13%
Denied	31%	32%	33%	32%	34%
Withdrawn	—	—	—	2%	3%

## *[emergencies]*

### **Health and Safety Emergencies**

Toll free: 1 800 442-9776

### **Claims Enquiry**

Toll free: 1 800 222-9775

### **Assessment Services**

Toll free: 1 800 222-9645

**Nova Scotia, P.E.I., Newfoundland  
& Labrador, Quebec and Ontario**

Toll free: 1 800 222-9775

## *How to contact the WHSCC*

## *How to contact the Appeals Tribunal*

### **Saint John Head Office**

1 Portland Street  
PO Box 160  
Saint John NB E2L 3X9  
Telephone: 506 632-2200  
Toll free: 1 800 222-9775

### **Grand Bay-Westfield Workers' Rehabilitation Centre**

**Location**  
3700 Westfield Road  
Saint John NB E2M 5Z4  
Telephone: 506 738-8411  
Toll free: 1 800 222-9781  
Fax: 506 738-3470

**Postal Address**  
PO Box 160  
Saint John NB E2L 3X9

### **Appeals Tribunal**

Telephone: 506 632-2200  
Toll free: 1 800 222-9775  
Fax: 506 633-3989  
E-mail: [appeals@whscc.nb.ca](mailto:appeals@whscc.nb.ca)

**Postal Address**  
1 Portland Street  
PO Box 160  
Saint John NB E2L 3X9

## *[offices]*

### **Bathurst Office**

Place Bathurst Mall  
1300 St. Peter Avenue  
Suite 220  
Bathurst NB E2A 3A6  
Telephone: 506 547-7300  
Toll free: 1 800 561-2524  
Fax: 506 547-7311  
506 547-2982

### **Grand Falls Office**

166 Broadway Blvd.  
Suite 300  
Grand Falls NB E3Z 2J9  
Telephone: 506 475-2550  
Toll free: 1 800 222-9775  
Fax: 506 475-2568

### **Moncton Office**

100 Arden Street  
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Moncton NB E1C 4B7  
Telephone: 506 867-0525  
Toll free: 1 800 222-9775  
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