

Feb 28, 2014 – 15th Annual International Repetitive Strain Injury (RSI) Day

RSI Injuries—the latest casualties of the WSIB policy-grab

Friday, Feb 28 2014 will be the 15th year that workers and allies will gather in Toronto to focus on preventing repetitive strain injuries (RSIs) and mobilizing a defense against the benefits grab in WSIB's proposed policy changes.

Repetitive strain injuries (RSI) do not make the front page of the newspaper, yet they can cripple people for life. RSI is a generic term used to group a broad number of overuse injuries that affect the muscles, tendons, and nerves of the neck, upper and lower back, shoulders, arms, and hands. Not only does the complexity of RSIs make them an easy casualty for benefit cuts at WSIB, but they also go unrecognized at the workplace in prevention efforts. Employers are often unlikely and unwilling to change their processes and organize work to avoid repetitive movements, force, vibration, awkward postures, lifting, and other activities that can cause musculoskeletal injuries. The fact is that workers compensation benefits are under attack even while no specific ergonomic regulations compel employers to prevent musculoskeletal injuries. Therefore, preventing the injuries in the first place and fighting the attacks on compensation will be themes of this 15th RSI Day.

To see the harm of WSIB's proposed policies you just have to understand the following:

- **WSIB is focused on making processes simple to bring “finality to the claim”** (as stated in the KPMG 2010 Value for Money Report page 14)—indeed there has been a 50% increase in the rate of claims denials according to the Board's own statistics.
- **Strategy to cut claims includes looking for other things to blame your injury on**—like aging or pre-existing conditions that you might have. The new policies call for WSIB to first look at non-work related causes of ongoing injury and only consider compensation if the non-work causes are ruled out. This is the opposite of the way the system intended to operate when workers gave up their right to sue for no-fault coverage. Normally, if work had any role in the injury, the injury would be compensated.
- **Employers not paying their fair share means two things;**
 - Taking the savings out on the backs of injured workers and condemning injured workers to perpetual poverty
 - Taxpayers (and NOT employers) pay the costs of work injury because if injured workers are shut out of WSIB they must use the public health care system and rely on programs like welfare and Ontario Disability Support Program (ODSP).

Here's one example of how this works: Imagine if you are a 45-year old worker who experiences any kind of strain at work. It could arise over time or it could occur one day

in a repetitive movement or posture. You file for WSIB but your claim is denied or only approved for a day or week because they say you have signs of “degenerative disc disease and may have developed the problem anyway.” Yet, you have never had a problem with your back in your life! Imagine how lucrative this policy can be for employers’ costs that make up WSIB’s coffers when, as the 2011 Census Factsheet notes that Ontario’s working population is getting older. Workers aged 45-64 increased from 38.8 % of the workforce to 42 % in the years 2006-2011.

The fact is that many people over 40 will show some sign of degeneration in a MRI. Robertson and Nicholson (2011) say that the lumbar spine shows increased abnormalities as age increases yet these changes do not predict current or subsequent disability. The proposed WSIB policy ignores the last part. Imagine, no worker over 40 ever getting approved for a strain because our backs are starting to show the natural signs of aging! Never mind that you were injured at work—that is proposed to be a secondary consideration. This is a clear violation of the “thin-skull doctrine,” a well-established legal principle in common law and over 100 years old, where you take the victim as you find him or her. Undermining RSIs among older workers demonstrates a lack of compassion and care on behalf of the WSIB. If passed, this policy will effectively shift the burden to the worker to prove that it was the work injury that disabled them and not their asymptomatic pre-existing condition.

And this is only one example. Many other practices (already occurring even as the policies are pending) are ripping people’s benefits off in every possible way. Older injured workers are pushed towards WSIB’s “Older Worker Option” where in 2012, 105 workers gave up their right to receive possibly full benefits until age 65 in exchange for one year of benefits. Claims managers even have a “script” to describe this one-time deal for workers. What will happen to those workers after the year? WSIB won’t care—these workers will be ineligible for further benefits.

These proposed changes and the lack of prevention for RSIs should infuriate every person who works in this province as well as all persons whose health has been robbed by work and who continue to be victimized every day afterward by the theft of the very compensation that should rightly provide a way to basic independence and dignity. The result of this shift creates a strain on the peace of mind of all workers—those injured or not. Workers won’t be able to depend on the system meant for their protection and well-being. In addition, it is burdensome for society because it sends a message that workplace hazards like RSIs which affect workers from an array of occupational backgrounds are not important enough to compensate! The policies need to be taken off the table and WSIB needs to be fixed.

We ALL need to care about overcoming the lack of will to prevent these injuries and the continuing attacks on compensating RSI injuries. All workers need to stand together with unions and allies to stop these attacks to our basic human rights. So join us.

Date: Friday February 28, 2014
Location: The 519 Church Street Community Centre, 519 Church St.
Toronto (Church St. just north of Wellesley)
Time: 9:30 am -4:00 pm..... Registration & Coffee at 9 am
Cost: Free. including lunch, but pre-registration required

****This is a "SCENT FREE" event****

Please do not wear scented products. Thank you.

In order to plan for food, please register by emailing: registration@rsicanada.org or rsiawareness@gmail.com

* Please note, we rely on the generous donations from unions and community groups to offer this free conference each year, so all who wish to attend are able. If your group wishes to donate to cover the cost of the food, please email donations@rsicanada.org
All donations are appreciated.

Other RSI Day Events:

Occupational Health Clinics for Ontario Workers (OHCOW) is hosting an ergonomics conference at Cambrian College that can be attended in person or online from 830-1230. For more information click here for registration information, the brochure and the agenda. <http://www.ohcow.on.ca/sudburynews?newsid=202>

The Workers Health and Safety Centre (WHSC) is offering reduced cost ergonomics training locations across Ontario. Click here for training dates, registration, and information. - See more at: <http://inst.whsc.on.ca/products/CourseListTemplate.cfm?Title=EIRFDP>