

Bright Lights Injured Workers Group



9 November 2011

Premier Dalton McGuinty  
Main Legislative Bldg.  
Room 281  
Queen's Park  
Toronto, Ontario  
M7A 1A1

Dear Premier McGuinty:

**KPMG report on WSIB Adjudication**  
**Concerns about injured workers paying for WSIB unfunded liability**

Your government promised that the WSIB Unfunded liability would not come off the back of injured workers. This promise was made repeatedly by the Minister of Labour and WSIB Chair Steve Mahoney. It was also made by MPP Leeanna Pendergast at the standing committee hearings one year ago on your bill making financial amendments to workers compensation funding.

This promise has been broken as we note the KPMG report, recently released and already approved by WSIB Management. We do not know if it has been approved by the Board of Directors or by the Ministry of Labour.

It was wrong to hire KPMG, a company that has been found guilty of fraud in the United States. The same company that was hired by Mayor Ford to suggest cuts to City of Toronto services is now proposing to slash the benefits to injured workers. This document makes injured workers pay for your financial concerns by proposing unprecedented cuts to benefits.

KPMG repeats the line of medical lobbyists for United States insurance industry by claiming that time off work to heal is harmful to your health.

Many KPMG suggestions are clearly aimed at transferring the cost of work injuries off of employers and onto the taxpayers. They propose forcing injured workers to apply for Canada Pension Plan Disability benefits so that these can be deducted from the compensation paid by the WSIB. KPMG proposes waiting periods for workers compensation benefits, which puts more injured workers on welfare and Employment Insurance. And delay will make injuries worse or become chronic.

KPMG complains that permanent impairment compensation is too high and wants to rate

NEL awards on a lower scale, despite the fact that the average award is already well below 20% disability at present.

KPMG suggests we eliminate compensation for some workplace aggravations and recurrences of prior injuries and tries to blame 'old age' for workplace injuries.

KPMG proposes to eliminate the 72 month lock of loss of earnings benefits. This will sentence injured workers to perpetual probation, having to report to the WSIB for the rest of their life every time they change jobs or get a raise. Even a raise in the minimum wage will bring a reduction in WSIB benefits for the rest of their working lives.

Instead of sticking to value for money issues, the KPMG report proposes legislative changes that are even more punitive than the bill brought forward by Mike Harris in 1998 – Bill 99. These cuts threaten the survival of many injured workers. The KPMG criticizes injured worker representatives for giving faint hope to injured workers who have received unjust decisions. KPMG wants to reduce the opportunity for an appeal or reconsideration.

Mr. McGuinty, please answer our questions:

Do you endorse these changes?

Why is the WSIB proceeding with major change without a public consultation process?

Why are these changes occurring before the final Funding Review report from Professor Arthurs?

Will your government keep the promise that the UFL will not come off the backs of injured workers?

Sincerely,  
Bright Lights Group

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