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The Hon. Dalton McGuinty,
Premier of Ontario
Legislative Building
Queen's Park,
Toronto, Ontario,
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An open letter to the Premier of Ontario

Dear Premier McGuinty:

Re: **Ignoring Professor Arthurs' quest for fairness for the injured**

Your Government and the WSIB called upon respected law professor Harry Arthurs to look into several issues affecting the operations of the WSIB, the organisation set up in 1915 to help injured workers and their families. Professor Arthurs was asked, in particular, to address the issue of cost of living adjustments for injured workers and propose a fair formula to resolve this long standing issue. Your government, as you know, has been critical of previous governments for denying full cost of living to injured workers. Your government has also promised to address the WSIB funding issues but "not on the backs of injured workers".

We are therefore appalled that your Minister of Labour, Linda Jeffrey, released a statement attached to the release of the Arthurs report on May 4, 2012 indicating that the cost of living adjustment in 2013 and 2014 will be 0.5%. This is below the expected rate of inflation and represents, in fact, a real reduction of benefits, the very reason for asking Professor Arthurs to propose a different system.

In recommending full, automatic adjustments of WSIB benefits to the cost of living (measured as the Consumer Price Index), Mr. Arthurs issued a clarification that speaks to his honesty and integrity. He said that he was not able to recommend full retroactive adjustments for the losses injured workers had incurred since 1996, when inflation started eroding the real value of WSIB benefits. Professor Arthurs issued an apology:

"I frankly acknowledge that my recommendations do not represent a perfect – or even a perfectly fair – response to this difficult issue. At best, they provide partially disabled

workers with a measure of rough justice. However, rough justice is certainly better than no justice at all.”

Mr. Premier, even this measure of “rough justice” was not heeded by your government. We participated in the Arthurs inquiry process in good faith. So did other participants in the WSIB system. We have suffered long enough, as you know from your tenure, and thought that your commitments to injured workers and in favour of poverty reduction were also made in good faith. Professor Arthurs recommended a measure that fell short of fairness that he called “rough justice”, but your government has responded with no justice at all.

If media reports are correct, you state that you need to be “tough” in dealing with the economic crisis. However, you are hurting the most vulnerable citizens of Ontario. Professor Arthurs’ report is entitled “Funding Fairness”. Unfortunately, your government’s immediate reaction has been to exacerbate the opposite: unfairness.

The ONIWG calls on your government to follow the Arthurs report’s recommendation on full inflation adjustments. We still demand full retroactivity as our standard is one of “full justice, not half measures”, in the words of Justice Meredith, the founder of our workers’ compensation system. But at the very least you should have implemented Prof. Arthurs recommendations as a minimum step to fairness.

Our Ontario includes injured workers and seeks to eliminate poverty!

Sincerely,

Peter Page
President
ONIWG.