

Michele McSweeney
President

Catherine Fenech
Secretary

Eugene Lefrancois
Treasurer



HEAD OFFICE
96 Frederick Ave
Hamilton, On
L8H 4K8
905-577-3362

E-mail - oniwg1990@gmail.com
www.injuredworkersonline.org

For Immediate Release

How Far Does an Injured Worker Have to Go to Get a Fair Hearing?

[Toronto – Nov. 14, 2013] That’s the question being asked as 72 year old Toronto injured worker, Jimmy Velgakis began a hunger strike on Tuesday in front of the Workplace Safety & Insurance Board (WSIB) head office in Toronto. Injured in 1991, Mr. Velgakis is still trying to get a fair decision based on the merits and justice of his case, for a back injury that has never resolved.

This is not the first time that Mr. Velgakis has been driven to such desperate measures. In July 2011, in the midst of a heat wave, Mr. Velgakis camped out in front of the Workplace Safety & Appeals Tribunal on University Avenue, refusing to eat. His hunger strike ended on its eighth day when then WSIB Chair Steve Mahoney promised him a hearing and a decision on the merits and justice of his case within three months. Mr. Velgakis never got that decision. Instead the WSIB ruled that they did not have the jurisdiction to review the decision, again leaving Mr. Velgakis with no benefits.

Two years later he is again refusing to eat, this time joined by his MPP Cheri DiNovo.

“Unfortunately we are seeing more and more injured workers driven to desperation by a compensation system that is not addressing the needs of injured workers”, said Catherine Fenech, Secretary of the Ontario Network of Injured Workers Groups (ONIWG). “Although we would never encourage any injured worker to risk their health in this way, we understand the frustration Mr. Velgakis feels and hope the WSIB will do the right thing, honouring their promise to him.”

Ironically, this year marks the 100th anniversary of Sir William Meredith tabling his report which formed the basis of the modern workers compensation system. Amongst Meredith’s principles was a non-adversarial, inquiry based system. Mr. Velgakis’ employer has fought his claim every step of the way and continues to dispute it.

“...Half measures which mitigate but do not remove injustice are, in my judgment, to be avoided. It would be the gravest mistake if questions were to be determined not by a consideration of what is just to the workingman, but of what is the least he can be put off with...” (W.R. Meredith)

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For further information, please contact:

Michelle McSweeney (905)577-3362
Catherine Fenech (905)790-8198