



WOMEN OF INSPIRATION

Offering Support, Knowledge Transfer & Education
and Outreach to Women Injured at Work

June 13, 2011

WSIB Funding Review
Workplace Safety and Insurance Board
200 Front Street West, Toronto
M5V 3J1

Dear Prof. Arthurs and the Funding Review Panel:

Re: Women of Inspiration follow-up of the Submission to the Funding Review

As you may know, we are a support group of female injured workers. We presented our position as injured worker women to you on April 6, 2011.

We would like to take this opportunity to thank you for listening to our stories, which were very personal and emotional as you remember. At the same time, we would like to follow-up on the appreciation of our stories. We believe most of them are related and are within the scope of your mandate in the Funding Review.

We begin by expressing our concerns, which relate to the Unfunded Liability (UFL). Simply said, if the Unfunded Liability needs to be fully covered, the burden should not be on the shoulders of injured workers. This is of concern to us injured workers because we are the most vulnerable group in the compensation system, and we have already endured too many losses and are living in poverty.

We hear that the system is broke; however, we know that the WSIB has approximately about \$ 16 billion in the bank. We also hear that it is important to increase this amount in order to cover injured workers in the future. Therefore, in our view, the WSIB and the Ontario government are saving money to fund the future of the Compensation system at the expense of us, the injured workers of today. We also know that the amounts of money employers get in rebates are quite high. This compared to the amount of money the WSIB pays to injured workers, is undoubtedly a contradiction. It is hard to believe that the system is broke. While employers complain about the UFL, they have applauded a 29% drop in assessment rates. We support an increase in employers' assessment rates.

C/O Injured Workers' Consultants - 815 Danforth Ave., Suite 411
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Our experiences as injured workers should be considered in your review. We believe our submissions are relevant to your mandate. We are an important equation in the system. After all, the system is here to compensate for injuries that happen at work.

Benefits Indexation:

We would like to express how our experiences and presentations are directly linked to the scopes of your mandate. For example, under the topic of Benefits Indexation, the story presented by one of our members on cost of living is about how injured workers are affected by the de-indexation of benefits. The Cost of Living goes up several percentage points annually; however, indexation of injured worker benefits is limited and does not represent the real cost of living adjustments. For example, we heard Sylvia Clarke who told us she gets a small pension from the WSIB. She explained how Cost of Living adjustments are important to the survival of injured workers who already live under the poverty line. She explained that with the existing formula, injured workers only get poorer. This simply shows injured workers who have limited benefits are further disadvantaged financially. We support having full cost of living adjustments for injured workers.

Employers' Incentive Programs:

You heard a number of presentations, which were all related to the perverse effects of experience rating. This fits your topic of employers' incentives. Those presentations were clear examples of employers' behaviour. They hide injuries in order to get rebates. For example, we heard the story of Myra Strzalka who was injured in 1997. She reported her injury to her boss, but "he did not want her to report it because he was going to get in big trouble". Another example is the case of Fatemeh Sardashti who had an injury at work in 2003, did not take time off work. Her employer never mentioned about Workers' Compensation Board and did not file an injury report. It is not surprising that employers fall into this behaviour. In the same category, we heard many stories of employers pushing injured workers to return to work to soon after injury. Ms. Sardashti together with Halina Furca and Heather Cherron von Atzigen had similar experiences with their employers. They were asked to return to work to light duties with no time to heal their initial injuries. Another type of problems with employers is Ms. Sandra Sinclair's situation. She was injured on the job while working as a health care aid in a private nursing home. She suffered a significant back injury. She was not able to work, thus she reported the injury to her unit supervisor. She indicated that the director of resident care filled out the form. However, when she took it to the administrator, this person told her to throw the form in the garbage and asked her to write a new incident report indicating that her injury was not work related. These actions by employers are not isolated incidents. They are conscious actions to hide or dispute injuries in order to avoid surcharges and at the same time have good accident free records. Besides, these actions cause more injuries, which in turn cause permanent impairments and depression. Many injured workers are left without benefits and no suitable work. Thus, injured workers fall in the sliding slope of poverty and suffering.

Employers get rebates when they have accident free workplaces. The system is built to reward those employers. However, rather than promoting what experience rating is there for, it promotes bad behaviour from employers. On the other side of the coin, employers that do facilitate injury reporting are penalized with huge surcharges. There is a big problem with this picture. Those employers that do what they are supposed to do get penalized, while those hiding injuries get rewarded with rebates. We support Employer Incentive Programs should be eliminated. It does harm to injured workers and to employers when they report injuries.

Universal Coverage:

Then, we heard Maryam Nazemi who presented with her daughter the issue of universal coverage. Although we know this topic is not within your scope, we urge you to look at universal coverage, which was one of the levers raised in the Auditor General's report in 2009. We do not understand why this important lever was left out of the review. This is a positive advancement in the system. It would impact employers' rates in a convenient manner. As more employers contribute to the system, it will reduce costs to all employers. We support the notion of having Universal Coverage.

In conclusion, we would like assurance that the panel acknowledges and understands the historical compromise. Injured workers are already at a disadvantage and will not have to pay for the consequences of a fully covered system. We deserve to be acknowledged as the main sufferers and most vulnerable group in this process.

We hope that you will consider our concerns and will act fairly on behalf of injured workers.

Yours Sincerely,

Women of Inspiration Injured Worker Group.