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IN UNITY THERE IS STRENGTH



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Tuesday, July 23, 2019

Dear Mr. Harnick:

Thank you for your letter of July 5th. While I do appreciate the time and thought that went into your response, there were some inaccuracies which need to be corrected.

First, it should be noted that the `worker clinics` are responsible for the lion`s share of clinic workers compensation in legal aid assistance in Ontario. There are a few general service clinics that do workers` compensation, but the vast majority do not. In contrast, all of the geographic general clinics provide assistance with housing and income security. Outside of a few geographic catchments, the three workers compensation speciality clinics are the only source of legal aid assistance to most injured workers.

In your letter, you also note that many geographic clinics only receive funding for 3 or 4 positions, and that other specialty clinics receive comparably little funding. We agree that the legal clinic system across Ontario is under-funded. However, the fact that some clinics receive less funding than others should not be a justification for cuts; this is not a race to the bottom. On the contrary, it means funding and resources should be increased across the board. As we stated in our original letter to you, we understand that your position is that LAO is not an advocacy organization. We do believe, though, that it has a role to play in protecting the system and preserving its integrity.

The Ontario Network of Injured Workers Groups has members from across the province, giving us a real and keen awareness of the shortage of support that is available to injured workers. We know that any cut to the workers clinics will undoubtedly mean that even fewer injured workers will be able to access legal assistance. All of the staff in these clinics provide front line services. Fewer staff will mean a reduction in front line service. That reduction in front line service will not only affect the injured workers but will result in degrees of devastation for their families as well.

We don`t think you understand how vulnerable injured workers are. A work injury is a profound life-altering event for these workers who seek help at our legal clinics. Injured workers not only struggle with the acquired disability and all it entails but are forced to fight to be compensated and rehabilitated in a system that is difficult to navigate. A WSIB claim can be very time consuming and difficult even for trained professionals to understand, which is why most community legal clinics no longer do WSIB claims. Compensation claims are mostly left to the injured worker specialty clinics. By the time injured workers get to a legal clinic that is able to help them, their lives are in tatters. Many are struggling with mental health issues and suicidal thoughts. A call centre model is not meant for vulnerable people like this. This is why the community legal clinic model was set up. They need to be able to reach someone who understands what they are going through, who can explain the process and ease their concerns.

Support staff, especially those at specialty injured worker clinics, aren't just people who answer the phone or greet visitors; they are the first point of contact with the very vulnerable people these clinics serve. Their job is part social worker. They must build a bond with their clients because trust is a big issue. The stigmatization that injured workers experience from both the compensation system and society itself results in a great distrust for many injured workers, even towards those who they turn to for help. They have a right to be distrustful because they have been let down by the very system that was put in place to help them. Don't let them down again.

While you have stated that the services these clinics provide are not dependent on their locations, you are mistaken. While these clinics have a provincial mandate, they are also community clinics that serve the injured worker community in Toronto and surrounding areas. The greater Toronto area alone accounts for half of this province's population. Three clinics are not sufficient to serve that population. They are the only clinics in the city of Toronto that even do WSIB claims. Due to the vulnerability of injured workers, these clinics have become much more than just a place where injured workers get legal help. Since WSIB claims take so much time, the clinics also provide education and a place for injured workers to meet and get needed support. The clinics provide a safe space where injured workers find they are being understood. For this reason, many of our members have said repeatedly that the legal clinics saved their lives. LAO's recognition of this prompted them to provide funding to IWC for a 3-year Speakers' School project to help injured workers learn to advocate on their own and for a mental health project to help address the mental health needs of injured workers.

You referred to an amalgamation of the injured worker clinics. The Injured Workers Community Legal Clinic, which pays the lowest rent due to their location away from the downtown core, explored rental options and found that the moving costs alone would be upwards of \$22,000 – and that does not include the much higher monthly rent costs of relocating into a downtown location. Given that the other two injured worker clinics are located in the downtown core, a move for them would likely be much more, even if they were able to find a suitable location to house them all. This should have been considered before slashing their budgets.

We would also caution against parsing out workers' compensation vs. housing vs. income security. All of these issues are intertwined. Injured workers who have been unjustly denied by the WSIB face housing and income security issues as a result. A reduction in frontline services to injured workers will therefore lead to an increase in injured workers who end up on social assistance and in housing crises. The ripple effects will cause more strain across the system.

We urge you, once again, to restore funding to all of the speciality clinics, including the three injured worker clinics.

Sincerely,



Janet Paterson
President
Ontario Network of Injured Worker Groups (ONIWG)