



WOMEN OF INSPIRATION

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

April 22, 2020

Dear Friends and Allies,

Re: Universal Workers Compensation Coverage and the COVID Pandemic

The Women of Inspiration (WOI) is an injured worker activist group. We strongly believe that all Ontario workers should be covered under the umbrella of the workers' compensation (WSIB) system in the event of workplace injury. This has become even more obvious and true in context of the COVID pandemic society is experiencing currently. ***We are writing to ask you to endorse the letter of our friend and WOI member, Maryam Nazemi, calling on the government to immediately enact universal coverage of workers' compensation.***

Recently, the WSIB re-structured its coverage whereby it created a very long list of industries that it explicitly excluded from being covered under the WSIB system. In our view, this was the wrong approach. It was a missed opportunity to correct the gaps in workers' compensation coverage. Job classes in several vulnerable occupations are now still left without coverage.

In particular, without protection of the WSIB system, there are many vulnerable essential service workers putting themselves at risk during the current pandemic. For example, many professionals such as cleaners, truck drivers and delivery workers to name a few are now officially and socially recognized as very important in keeping us all safe and yet surprising the WSIB undervalues and disregard these workers by not covering them. As such, most of these workers are not covered under the WSIB system. In this time of crisis, who are we least able to do without – the grocery store worker or the billionaire hedge fund manager? Who is doing more for our society at this peak time of crisis? Let's value and respect the skills of the people who are doing essential work in these times of crisis, by offering protection under the umbrella of the WSIB.

This pandemic knows no boundaries, and neither should our capacity for compassion and care for our fellow human beings. It's scandalous that in a province as rich as ours there are essential workers risking their lives on a daily basis without the comfort of

knowing they will be protected and cared for in case they become affected with the COVID-19 disease or another workplace injury. The old trade union slogan goes “an injury to one is an injury to all, united we stand divided we fall”. It’s inspiring to see people coming together all over the province and showing compassion in the face of adversity – let’s come together as a community and demand the same from our governing bodies. It’s that spirit that will move our Province forward after this crisis; let’s move society in the right direction by demanding of our leaders take steps to protect every last member of society is protected and looked after.

We hope that the takeaway from this moment in time is that our society can be defined by solidarity and compassion rather than fear and inequality. We ask that you lend your support to this mountainous goal of helping to bring about universal coverage to all Ontario workers and workplaces.

You can do this by writing to Premier Doug Ford (premier@ontario.ca) to say:

The time to enact universal coverage in workers’ compensation is now! We endorse the attached letter of Maryam Nazemi from the Women of Inspiration injured workers group and ask that you take immediate steps to cover all workers under the WSIB system.

In Solidarity

Per:

Women of Inspiration

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Maryam Nazemi

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Delivered by E-mail

Dear Premier Ford:

RE: Universal Coverage – Worker's Compensation

I am writing to you now about the vital need for coverage of all workers in Ontario by our workers' compensation system. The time to act is now. Every worker in Ontario must be protected from financial and health ruin in the event of workplace sickness or injury. This COVID-19 pandemic highlights the fact that it is no longer defensible to exclude certain industries and types of workers from worker's compensation coverage.

Frontline workers who put themselves in harm's way during this crisis should not also be risking their financial security to keep essential services afloat. For example, how can you justify excluding employees of private residential care facilities and group homes from coverage, when those workplaces are the epicenter of the COVID-19 pandemic? many Workers making deliveries of all kinds (from truckers carrying essential supplies to personal food and grocery delivery) are indispensable, but are also often excluded from WSIB coverage, being misclassified as independent operators.

I repeat, this COVID-19 pandemic makes clear that it is no longer defensible to exclude certain industries from worker's compensation coverage. The time to enact universal coverage is now.

My Story

I am writing to you as a worker who has horrifying first hand life experience of both work injury and economic fallout from a pandemic.

I suffered from a work related massive spinal cord injury as an early childhood educator, and was left without having any compensation coverage because it was a private rather than public daycare. At the same time, the SARS outbreak destroyed many businesses, like my husband's, and we had no choice but to shut down, with even more debt left unpaid, because the system ignored us.

I came to Canada over a decades ago for a fresh start; a new life with new opportunities. Little did I know the turbulent experiences I would face. As an Early Childhood Education (ECE) teacher at a private school in Toronto, I had a physically strenuous job. The arduous task of managing an autistic child, along with groups of young children, took a physical toll on me, ultimately leading to a massive spinal cord injury.

Unlike workers whose employers are covered by Ontario's worker's compensation system, I was not eligible to continue receiving wages or any other form of compensation. My employer, to my shock, chose to not cover her employees, leaving me penniless, and not knowing what to do next.

I endured brutal rejection from all levels of provincial support systems. I suffered from immense pain and depression, sleepless nights, complete loss of my financial assets, and I faced poverty. I lost my identity, and my dignity. The cost of all my surgeries, years of rehab, and weeks of hospitalization for sleep deprivation was on tax payers and OHIP, not my employer.

The Intention of Workers' Compensation

When the worker's compensation system was established over 100 years ago, its founder Justice Meredith said only employers with three workers or more should be covered, but expected coverage would expand in the future. More than a century later, fewer workers are covered than 100 years ago. Unfortunately, the number of workers who aren't covered has risen.

Today, the lack of universal coverage is worse than when it was documented by the Jackson report of June, 1996. One hundred years after the workers' compensation system was established, Ontario has one of Canada's lowest coverage rates (71.7% in 2013), with nearly 2 million people today left unprotected and vulnerable.

Approximately 30% of workers who are not covered includes many workers who are currently serving the public, such as food delivery personnel and those working in private residential care and group homes. Ontario used to play the lead in terms of coverage and now is among the provinces with the lowest rates of coverage. Where have we gone wrong and when would be a good time to take the lead again? Yesterday was SARS, today is COVID 19, and tomorrow will be another issue that puts the lives of our innocent workers at risk.

In 1915, the Meredith Report stated that Ontario's labour system has to have comprehensive coverage. In 1996, the Jackson Report recommended expanded coverage. In 2002, the WSIB's own Brock Smith report called for all workers to be covered. In 2003, University of Toronto Professor Douglas Hyatt's study of the WSIB concluded full coverage is warranted. In 2008 and 2009, the. In 2012, the funding review by Harry Arthurs, commissioned by WSIB to look into the unfunded liability (he had struck by the injustice of a compensation system that does not serve all workers and employers). He had to include this problem, even if it was beyond his mandate, economist Hugh Mackenzie details the benefits of universal coverage for the Board's financial reform. And here we are, in 2020, with thousands of frontline workers, essential support workers, and workers in other industries, who are risking their lives during COVID-19, who still have no coverage.

Worker's Compensation today and COVID-19

Has anything changed since the SARS outbreak in our province as workers are now facing the COVID-19 outbreak?

There have been unprecedented challenges to the health and economic wellbeing of people all around the world recently, including Canada, and the province of Ontario, because of COVID-19. The response from civil society has been amazing. There is a new sense of social solidarity and a tremendous understanding of the mandatory protection and support for all people who are affected, especially the most vulnerable. All levels of government and many institutions have also stepped up. Worker support has expanded in the recent months, including E.I, mortgage deferrals from banks, and emergency benefits. Yet there is another vital part of our Canadian safety net which can play an important role – our workers' compensation system.

Ontario's WSIB has a strong workplace focus and collaborates with the organizations responsible for preventing occupational injury and illness. This means that the WSIB is very well positioned to step in during this complex health crisis affecting workplaces. It can also provide long term benefits to workers who survive COVID-19, and provide support and financial assistance to those in other industries that are at risk. As well as physical disabilities many workers may suffer from a mental illness, such as depression, PTSD or anxiety, and the WSIB has to step in.

To hear that the provincial government and WSIB recently chose to explicitly maintain an extremely extensive list of industries excluded from workers' compensation coverage is shameful. This decision was made at the expense of Ontario's workers and Ontario's taxpayers' money, and must now be rectified.

Conclusion

Real stories like mine could have been prevented if the government of Ontario would put the lives and health of workers ahead of business interests. Everyone who goes in to work in the morning should leave at the end of the day in the same health. No one should sacrifice their health and well-being for a paycheque. All Ontarians and all workers across Canada deserve this basic right – not just now, but always. Every worker deserves to have a safety net to protect, prevent, and provide during workplace injuries. Unfortunately, attention to this important issue has been limited in Ontario, and during COVID-19, there are frontline workers, support workers, and employees in the food and retail industry that are being forgotten.

We did not learn from SARS, where so many people died, and businesses were forced to close because there was no financial and social support. And now, in light of COVID-19, these institutions are continuing to make employees work in intense, unsafe, and dangerous work conditions, just like 2003.

It is unreal for one to hear my story, but this was one of my most moving moments of my life to help me bounce back stronger, to heal myself, to climb back up the ladder I fell off of, with a mission to make sure all workers will have workplace health, safety and security. I truly became a proud Canadian living in the province of Ontario; to act selflessly and to be a part of this necessary change in communities across Ontario, and because I did not give up in fighting for

Universal Coverage, I received the Good Citizenship medal from the Ford government. However, the fight still continues, now more than ever.

I have faith and believe that together we will rise above fear and passiveness and together, can make real change to our workplace health and safety system for all our workers in our province, and in Canada for generations to come; for our kids, for our sisters and brothers, for our neighbors, our grandkids, and our great grandkids.

Not only will be beat this virus, but our systems shall improve for the permanent progression of life in society, with Universal Coverage for all. I look forward to hearing from you about intended next steps.

Thank you very much,

Maryam Nazemi OMC

Injured Worker and Community Advocate

Copy:

Hon, Minister McNaughton,

Tom Teahan, WSIB

Elizabeth Witmer, WSIB