

WORKERS' COMP IS A RIGHT



**Ontario Election 2018:
Where do the parties stand on Workers' Comp?**

On June 7th this year, injured workers, like all Ontarians, will have an opportunity to cast a vote for the next provincial government. We asked the major parties where they stand on Workers' Comp.

Whether you are an injured worker or an ally, we have produced this guide for you to know where each major party stands on the key issues facing those who have experienced injuries on the job, as well as anyone who may be injured in the future.

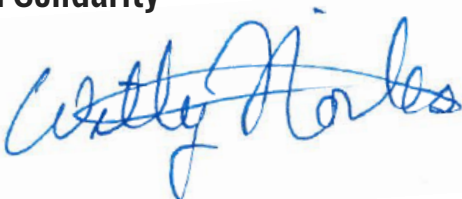
In March and April of this year, we sent background information about the issues along with a number of questions to the **Liberal, NDP, Green, and PC** parties. Each party got two followups by email or telephone. Deadlines were made clear, and extensions were granted to any party who asked for one. We have published their answers here, in the order in which they were received. Responses are edited only for length, and the full text of our questions and their replies can be found at injuredworkersonline.org.

Over the last few years the problems with the Workplace Safety and Insurance Board (WSIB) have received more public attention than ever. Injured workers know: the system is broken and it must be fixed. We wanted to know what each party plans to do to (or not do) to help repair the compensation system in Ontario.

To that end, **we asked each party six questions** about the most pressing issues facing injured workers today.

Whether you are an injured worker yourself, or you know someone who is - or you simply want to know that the compensation system will be there for you when and if you need it - we hope you will use this information to help inform your decision on June 7th.

In Solidarity



Willy Noiles, President, Ontario Network of Injured Workers' Groups



1 How would you ensure that the workers' compensation system properly supports injured workers, so that the costs of work injuries are not downloaded onto the public?

It is a commonly held belief that the WSIB is funded by the public; it is in fact funded by employer premiums and its own investments. When the WSIB denies claims, injured workers often end up on social assistance, meaning the public ends up paying for the care of injured workers.

Liberal

- We have amended the legislation to ensure that we continue to react to the evolving workplace (eg. Coverage for chronic mental stress, appropriate coverage for temporary help agency employees, and indexing benefits to CPI).
- We have moved to reduce claims suppression.
- We now require that the WSIB appoint a Fair Practices Commissioner as an organizational ombudsperson.

NDP

- An NDP government will ensure that the workplace insurance system can be accessed by workers when they need it.
- The WSIB will pay benefits that recognize wages lost by injured workers, and will require regular updates of workplace safety rules and WSIBS rates and coverage.

Green

- The lack of compensation injured workers receive from the WSIB prevents them from fully recovering from their injuries. As a result, they have to rely on social assistance and the financial responsibility falls onto the public. The Green Party of Ontario will ensure the workers' compensation scheme addresses these issues so that injured workers are properly compensated under this regime without resorting to the social welfare system.

PCs

- No Response.



2 Do you agree that the WSIB should be required to prioritize and respect the medical opinions of injured workers' treating healthcare professionals?

The WSIB routinely pays little or no attention to the medical opinions of the healthcare professionals who treat injured workers directly, meaning their recommendations around return to work, treatment, and medication are often ignored.

Liberal

- Decisions relating to medical issues should be based primarily on the information and opinions received from the treating healthcare professional(s). In this regard, medical information may be received from a number of healthcare professionals... this can lead to a difference of opinion on diagnosis, prognosis, treatment, causation, and the worker's functional abilities or physical precautions. The challenge to the WSIB in making a decision is to take all of this information and weigh it appropriately.

NDP

- Yes... Under an NDP government, WSIB will no longer reject the medical opinions of injured workers' chosen doctors and health specialists who know them best.

Green

- We agree that the WSIB should be required to take into account the medical opinions of the healthcare professionals who are treating the worker. These medical professionals should be involved in crafting the injured workers' return to work, medication and treatment plan.

PCs

- No Response.



3 Will you call for an end to cuts based on “pre-existing conditions” that never affected a worker before their injury?

Liberal

- As of December 15, 2017, the WSIB no longer reduces benefits for people with an asymptomatic pre-existing condition if it is non-measurable. [EDITORIAL NOTE: This change in policy applies only to Non-Economic Loss settlements, and not ongoing wage-loss benefits].

NDP

- Yes... The role of the WSIB should be to facilitate the recovery of injured workers, and to ensure they receive the benefits they are entitled to, so they can return to their jobs - not to find ways to deny their claims.

Green

- Workers should not be denied claims based on pre-existing conditions that did not affect a worker before their injury.

PCs

- No Response.

HOW TO VOTE:

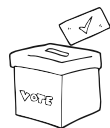
There are many ways to vote in a general election. You can choose the option that works best for you.

- You can vote in person before election day at your returning office from May 10 until June 6 at 6 P.M. (Eastern Time)

- You can vote in person before election day at an advance voting location from May 26 to May 30

- You can vote in person on election day on June 7

- And, you can vote by special ballot, either in person, by mail, or by home visit



Find all of the information you need
at <https://www.elections.on.ca>



4 What do you think should be done about the fact that the WSIB cuts people's benefits based on phantom jobs (called "deeming"), rather than compensating them for actual lost earnings?

Liberal

- We believe that any injured worker deserves the chance to be fairly assessed on their post-injury abilities with the most current tools available and be provided with the best measure of their future capabilities through the WSIB process.

NDP

- Andrea Horwath and the NDP government will end the practice of deeming. We table amendments to Bill 148, the Fair Workplaces, Better Jobs Act, which would have stopped the practice of “deeming” injured workers capable of working in jobs they have never worked, for wages they have never made.

Green

- We oppose the practice of “deeming” as the system does not support injured workers. Injured workers should be compensated for their lost earnings based on their income before the injury.

PCs

- No Response.



5 Will you support a call for a public inquiry of the WSIB, and ensure that the recommendations will lead to genuine change?

Liberal

- Our next step will be to conduct a review of how mandatory WSIB coverage is determined and whether the current exclusions are appropriate.

NDP

- New Democrats have committed to set up a task force to remove barriers between injured workers and the compensation they deserve. This task force will be made up of experts - including injured workers and their advocates.

Green

- While [the] unfunded liability is being reduced, legacy debts cause Ontario employers to pay one of the highest premium rates in Canada. The Green Party of Ontario supports a public inquiry into the WSIB in order to improve the operation of the organization.

PCs

- No Response.



6 How do you plan to address the injustice of occupational diseases not covered by WSIB?

Liberal

- We recently appointed Dr. Paul Demers and the Occupational Cancer Research Centre to review how work-related cancers are evaluated to ensure the WSIB takes into account best practices and the most up-to-date medical science.
- Creating a new Occupational Disease Response Plan that will seek to address occupational disease and occupational cancers in a more direct and expedited manner.
- Developed a proactive strategy for enforcement and prevention.
- Conducted regular annual reviews of Occupational Exposure Limits.

NDP

- Have introduced bills to ensure that firefighters exposed to carcinogens... had their occupational disease recognized as occurring on the job.
- At the forefront of advocating that PTSD is presumed as a workplace illness for several frontline occupations.
- Fought to have the claims of Peterborough General Electric workers, who are experiencing cancers, recognized by the province.
- Committed to expanding coverage and definitions of occupational illnesses.

Green

- We support expanding the list of occupational diseases so that more employees are covered by the Occupational Disease and Survivors Benefits Program.

PCs

- No Response.

