

**THE WORKERS' COMPENSATION BOARD
MEETING OF THE BOARD OF DIRECTORS
MINUTES**

DATE: April 30, 2019

PLACE: The Workers' Compensation Board
12th Floor Board Room
Jarvis Building
9925 - 107 Street
Edmonton, Alberta

TIME: 8:00 a.m.

BOARD MEMBERS

Grace Thostenson, Chair
Mike Boyle, Member
Erna Ference, Member
William Hnydyk, Member
Philip Hughes, Member
Ivana Niblett, Member
Mary Phillips-Rickey, Member
Dave Rebbitt, Member
Keith Serre, Member
Jane Sustrik, Member

EXECUTIVE

Trevor Alexander, President & Chief Executive Officer **
Ron Helmhold, Chief Financial Officer ♦*
Wendy King, Chief Operating Officer ♦*
Marcela Matthew, Vice President, Worker Health & Wellness ♦*
William P. Ostapek, Secretary and General Counsel ♦*
Roxy Shulha-McKay, Vice President, Employee & Corporate Services *

ALSO PRESENT

Leslie Henkel, Board of Directors' Secretariat ♦*

♦ excused for item 9

* excused for item 12

** excused for item 12 (part 2)

Board of Directors

The Chair called the meeting to order at 8:00 a.m.

1.1 **Agenda**

The agenda as distributed was approved.

1.2 **Proposed Motions**

The list of proposed motions was received for information.

2.1 **Minutes of the Meeting of March 26, 2019**

MOTION
2019/05/10

It was moved that,

"The minutes of the meeting of March 26, 2019 be approved."

CARRIED

2.2 **2019 Meetings and Activities Schedule**

The meetings and activities schedule was received for information.

3. **Business Arising from the Minutes of March 26, 2019**

There was no business arising from the minutes of the March 26, 2019 meeting.

4. **Report of the Chair**

The Chair noted the results of the recent provincial election and that the new Cabinet will be sworn in today.

5. **Report of the President**

The President reported on the following:

- financial status and operations,
- Partners in Injury Reduction,
- town hall meetings with staff,
- meetings with stakeholders,
- recent meeting with the Deputy Minister and Assistant Deputy Minister of Labour, and
- provided an update on changes arising out of Bill 30.

COMMITTEE REPORTS

Board of Directors

6. Policy Committee

The committee chair provided a report on the committee's recent meeting.

6.1 Policy 04-06, Part II, Application 5, Medical Assistance in Dying

The draft policy was open for online consultation for 60 days, from January 3 to March 5, 2019. Twelve responses were received. Eleven of the twelve submissions agreed to the basic premise that a medically-assisted death attributable to the compensable injury is considered a compensable fatality. There were several issues raised, three of which have resulted in changes to the proposed draft policy. The changes are for clarification, rather than substantive:

- Three submissions (2 employers and 1 employer association) questioned how the overall costs of the compensable fatalities would affect employer costs and experience rating. A new question (Question 5) has been added to confirm that the costs of the fatality will be treated in the same way as those of any other compensable fatality.
- Three submissions (1 employer and 2 employer associations) asked what the process would be for workers living out of province. WCB does not have any involvement in the actual process so, to assist workers, a link to Health Canada's information page has been added to Question 2.
- Two submissions (1 labour union and 1 worker) expressed concern that workers with occupational diseases were not included under the policy. Occupational diseases are included under "work injury"; however, for clarity, a note has been added in Question 2.

Only a very few workers seek medical assistance in dying, and therefore no significant costs are anticipated as a result of the proposed policy.

MOTION
2019/05/11

It was moved that,

"The Board of Directors approve draft Policy 04-06, Part II, Application 5. This is a new policy application that explains WCB's approach when a worker accesses medical assistance in dying (MAID) as a result of a compensable injury. The proposed policy provides that:

1. The decision on eligibility for MAID is outside WCB's role, and WCB will not participate in or guide the process.
2. If it is determined that the injured worker's compensable condition qualifies the worker for a medically assisted

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death, WCB will accept the medically assisted death as a work-related fatality and will provide benefits and services to the surviving dependants, as would be done with any work-related fatality.

3. When it is determined that the medically assisted death is a compensable fatality, WCB will pay for the healthcare costs associated with the MAID process.

Effective Date: June 1, 2019, applying to all decisions made on or after that date."

CARRIED

6.2 2019 Policy Project Plan

The 2019 Policy Project Plan was posted online for stakeholder feedback for approximately 60 days, from January 8 to March 12, 2019. Six responses were received, which were reviewed and discussed. The plan has now been approved by the Policy Committee and will be posted on the WCB website.

6.3 2019 Policy Project Plan – Q1 Update

The first quarter update on the 2019 Policy Project Plan was received for information.

7. Audit Committee

The committee chair provided a report on the committee's recent meeting.

7.1 Financial Statements – 2018

The financial statements and accompanying notes, as recommended by the Audit Committee, reflect the financial position of the corporation as at December 31, 2018. The financial statements and notes have been prepared in accordance with International Financial Reporting Standards.

MOTION
2019/05/12

It was moved that,

"The Board of Directors approve the corporation's Annual Report, which includes the consolidated financial statements, the Management Discussion and Analysis and accompanying notes for the year ended December 31, 2018, and the Chair of the Board of Directors and the President and Chief Executive Officer be authorized to sign the Statement of Financial Position on its behalf for delivery to the Minister of Labour before May 31, 2019."

CARRIED

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7.2 2019 Claim Benefit Liability Valuation – Reappointment of External Actuary

Section 93(6) of the *Workers' Compensation Act* requires WCB to have an independent, duly qualified actuary certify the actuarial evaluation of the claim benefit liabilities at least once every five years. The WCB's certifying actuary, Eckler Ltd. (Eckler), has been appointed to a five year term commencing with the 2018 valuation, subject to annual review and reappointment.

Management is satisfied that the contract continues to provide good value considering the scope of services provided. In addition, management is satisfied with the quality of work performed by Eckler in the certification of the 2018 claim benefit liabilities, as well as the working relationship that Eckler has established with the internal actuarial staff. Accordingly, management supports the reappointment of Eckler under the existing contract.

MOTION
2019/05/13

It was moved that,

"The Board of Directors reappoint Eckler Ltd. as the WCB's external certifying actuary for the 2019 claim benefit liability valuation."

CARRIED

7.3 2018 WCB Annual Report

The draft 2018 WCB Annual Report was received for information.

8. Finance Committee

The committee chair provided a report on the committee's recent meeting.

8.1 Monthly Financial Reports

The monthly financial reports were received for information.

The Chair excused senior management, with the exception of the President & Chief Executive Officer and the Vice President, Employee & Corporate Services, from the meeting for item 9.

9. Human Resource and Governance Committee

The committee chair provided a report on the committee's recent meeting.

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9.1 2019 President & CEO Objectives and Evaluation Matrix

A review was conducted to ensure CEO objective setting and evaluation processes are best practices are in place. Without exception, best practice research confirmed that the CEO's primary focus is to drive organizational results. That being said, the CEO has aligned his 2019 objectives with the 2019 strategy map and objectives. Annual objectives are identified with outcomes that are within the CEO's control. These objectives relate to the key pillars of success that shape WCB vision and define WCB goals for the future:

- exceptional service: collaborative, inclusive, empowering;
- fair and balanced: transparent, responsive, trusted; and
- financially sustainable: balanced, sustainable, cost-effective.

For 2019, the objectives were chosen based on key organizational priorities, determined by the environment within which the WCB operates and those elements that have the most impact on the workers' compensation system now and into the future.

1. A Shared Service Journey: Defining a shared vision of care, recovery and return to work that puts workers at the centre of their recovery and employers at the centre of guiding a safe and successful return to work.
2. Changing Nature of Work: Understanding the changing nature of work and how the workers' compensation system needs to prepare and respond.
3. Changing Nature of Claims: Facing the impact the changing nature of injury and the pace of new medical research have on the workers' compensation system.
4. Technology and Data Sharing: Using advances in technology to improve service delivery and open our data to stakeholders who want to make the province healthier and safer.

MOTION
2019/05/14

It was moved that,

"The Board of Directors approve the President & CEO's 2019 objectives and year-end CEO evaluation matrix."

CARRIED

10. New Business

There was no new business.

11. Meeting Evaluation

The members completed the meeting effectiveness self-assessment form.

Board of Directors

12. In Camera

The Board of Directors held an *in camera* session in two parts. During the first part, all of senior management, except the President & CEO, were not present. During the second part, the President & CEO was also not present.

There being no further business, the meeting ended at 11:00 a.m.