



## Stakeholder Feedback

Online consultation on the topic below was posted from July 6 to October 4, 2021. The verbatim comments received by WCB-Alberta during online consultation are reproduced below.

### Policy Project Planning

| <i>Stakeholder</i> | <i>Category</i>             | <i>Comments</i>  |
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| ITF                | <b>Employer Association</b> | <p>Following are policy topics ITF members would like included in the next policy plan cycle. We believe it is important the policy plan reflect a balance of both worker focused and employer focused policies.</p> <p>1. Funding Policy 01-01 Part I and Part II</p> <p>Topics of interest include what constitutes being "fully funded" and whether 114% to 128% is an appropriate range, the purpose and use of the Accident Fund including the appropriateness of using the Accident Fund to subsidize rates, triggers for increasing rather than subsidizing rates, a formula for addressing funding deficits, defining a "surplus" and handling of surpluses above the required funding level.</p> <p>2. Cost Relief Policy 05-02 Part 1 and Part II Applications 1 and 3</p> <p>We propose Part II be reviewed to assess appropriateness of including cost relief specific to situations where the WCB is extending psychological counselling to address issues that are not directly the result of the compensable injury and for pre-existing psychological/psychiatric conditions. In some instances this could be a pre-existing condition while in others, counselling could be extended to deal with "life stresses" where these present a barrier to returning to work. An employer's ability to deal with psychological injury claims is impacted by privacy considerations and often employers do not have the information to manage these claims effectively. Apart from the merits of the WCB routinely offering up to 10 sessions of psychological counseling, this policy proposal focuses on relieving costs for counselling from the employer experience record where the compensable injury itself is not a psychological or traumatic injury.</p> <p>We are also requesting that the policy regarding cost relief for back claims be reviewed. The policy was updated in 2018 to indicate that for accidents on or after September 1, 2018, WCB relieves claim costs exceeding eight times the worker's weekly compensation rate. This was done as a result of removing the cap on Maximum Insurable Earnings. With the change in the maximum compensation rates resulting from Bill 47 consideration should be given to reverting back to claims for back injuries receiving cost relief after 8 times the weekly max comp rate instead of the current 8 times the</p> |

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|             |          | <p>workers weekly comp rate. Furthermore, the 8 week provision has been in place for many years and its continued relevance should be reviewed. Disability Duration Guidelines indicate the expected timeline to return to heavy duties is 4 weeks. In addition, WCB Alberta stats show that the typical recovery period for a back claim is 4 weeks. We also question why there is a specific Back policy - most jurisdictions include back claims in their general cost relief policy Under Policy 05-02 Part II Application 1 #15 WCB does not charge the costs to the employer's experience account provided all of the following conditions are met: · the worker did not miss time from work as a result of the compensable accident, · the costs are for medical aid only, and · the costs are less than the prescribed amount established by WCB.</p> <p>If the claim cost goes over the \$1500 threshold used for Experience Rating it is included in the employers experience record. An employer may be granted cost relief and the costs then are less than the \$1500 CCT but the WCB will still use total costs for Experience Rating since the original costs exceeded \$1500. The main issue is the reference in WCB Policy to "the costs". The WCB stance has been that "the costs" refers to the unadjusted costs that were charged to the claim. We propose it be clarified in policy "the costs" should be the remaining costs after all applicable cost relief has been applied.</p> <p>The ITF Association also proposes some changes be made to the current formula, which will be communicated to the WCB separately. We view the changes being proposed as items that can be dealt with as an administrative issue, outside policy consultation. However, if the WCB view differs we also propose a review of the CCT formula itself as part of this policy plan.</p> <p>3. Pricing Policy 07-02, Part II, Application 7 (Industry Custom Pricing) and 07-03 Part 1 (Administration of Safety Association Grants)</p> <p>Regarding Application 7, Industry Custom Pricing, the policy should incorporate periodic program reviews as well as provisions for periodic mandatory repolling of participants. In addition, requirements for joining, leaving and changing options in the program should be revisited. A third area of interest includes a review of the "no cost relief" option and the intent and unintended consequences this may be having.</p> <p>Regarding 07-03, Administration of Safety Association Grants, all Safety Associations have a governance structure that includes oversight by a Board of Directors elected by their membership. These Boards approve funding and are responsible and accountable to their membership for monitoring activities of the Association. Board membership is comprised of employers and other stakeholders as appropriate. There is no value add for the WCB to have any involvement in oversight of these Associations.</p> <p>Policy should recognize this relationship and the limited role for the WCB in</p> |

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|             |          | <p>oversight. Policy should also reflect a requirement for the WCB to periodically confirm continued employer/industry support to fund the Safety Association. The process for confirming ongoing industry support should be specified and include seeking written confirmation annually with the direction and strategic plan from key stakeholders for each Association. This is a different approach from taking an active role in oversight of Safety Association activities and outcomes.</p> <p>4. New Policy Topics</p> <p>Payment of TTD benefits during medical investigation under Section 38 of the WC Act (ref AC decision 2020-0513). The Appeals Commission panel noted that the discretionary authority under Section 38 is quite broad and there are no guidelines and/or criteria provided for determining the circumstances under which the WCB may pay compensation to a worker, nor are there any explicitly stated restrictions limiting the exercise of the discretion afforded the WCB.</p> <p>Concerning the lack of guidance on how to exercise the discretion under Section 38, the Panel noted:</p> <ul style="list-style-type: none"> <li>• The WCB does not have a specific policy that addresses the payment of compensation, such as TTD benefits, on a medical investigative basis.</li> <li>• WCB Policy 04-02, Part II, Application 1, provides that a worker is entitled to TTD benefits when there is medical evidence a work-related injury resulted in temporary work restrictions that prevent them from returning to their pre-accident or other suitable employment. However, WCB's TTD policy offers no guidance in deciding matters that fall under Section 38 of the WCA. There was reference made to a WCB Medical Investigation Procedure, but the Appeals Commission does not use WCB procedures.</li> </ul> <p>Telecommuting and Remote Work. Working remotely will increase and it would be helpful to clearly define coverage in policy. Currently the main source of direction is policy 02-01 and information related to employment hazard and course of employment, as well as the scenarios outlined in the Telecommuting Employer Fact Sheet. At the very least the term 'telecommuting' needs updating. Considerations where individuals are working in another Canadian jurisdiction, as well as out of country, should also be reviewed.</p> |
| Individual  | Other    | <p>I feel we should focus next through our policy project plan on, Reimbursement of housekeeping expenses prior to December 1, 2013.</p> <p>Thank you.</p>   |

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| Individual  | Other    | <p>Greetings</p> <p>It has been noticed that when a person has been injured, in a particular geographical area (rural) there is and has been numerous requests for the individual to relocate in to major centers (ie.Edmonton). There has been little understanding or acknowledgement to the reason why the person choices to live in the current geographical location. While it is true some may choose to relocate to larger centers (at caseworkers recommendations), it has been noticed, that those who refuse to relocate and with a permanent disability are now shunned. Often being, transferred from caseworker, to caseworker with no notification of this happening. Often leaving gaps in the services that is offered or received by the injured worker. It appears under the current policies that all persons are grouped together as ``injured worker`` with little to no acknowledgement of rural vs urban location.</p> <p>Perhaps a board or committee should be stuck up to investigate the long term effects of services offered to rural clients and employers.</p> <p>It has been noted that many public services are not available in rural areas due to population levels and the remoteness of some communities. This is also not in the mandate of the WCB to correct or fulfill these voids in public services.</p> <p>I think that the WCB should look at having specialized caseworkers that are trained in rural clients environments. This would allow caseworkers to have better understanding in the rural clients challenges, with re-employment, physical training and mental health issues. If we have learned one thing from this current pandemic is that much can be bridged with on line training. On line support groups and using apps like zoom, ms teams to help connect with rural clients. By developing policy to allow case workers to utilize the internet and technology to better contact and work with clients and employers in rural areas of Alberta.</p> <p>Policy changes allowing a class of specialized(rural) caseworkers , within the WCB work force, would help to integrate rural clients much better into a system that is really urban based (experience and location of WCB current work force).</p> <p>Nothing makes one feel disenfranchised from WCB then being told ``Oh you live where?..(Clicking in keys..goggle maps opens) Oh you really live in the middle of no-where`` . This has been happening a lot and continues to be so. How connected do you feel to WCB , when caseworkers don`t even research where you live? This only develops a feeling isolation and a true lack of understanding for rural clients.</p> |



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|             |          | <p>especially one that I had to deal with from early June 2021, until her being removed from my claim just recently, from someone above her head). This person was absolutely the worst person I've has the most unpleasant dealings with, in 25 years, by far!!!!!!! Injured workers MUST have a stronger voice at the table to represent them. I do have the experience of being one. I would even consider being trained, for a position to help injured workers i.e. Case Manager, who would be more focused on their needs and not trying to do the least and provide the least to make WCB profits increase, like it seems to be.</p>   |
| Individual  | Worker   | <p>I find the medical Cannabis policy extremely outdated. As a chronic pain patient having to prove Cannabis's efficacy, is rather demeaning. There are very limited pharmaceutical options for my specific condition (CRPS.) Cannabis does however give immediate, although short lasting relief. The high prices of medical cannabis, also makes it harder to access. Again the WCB's reimbursement policy for medical cannabis is extremely outdated. My use of medical cannabis has specifically triggered "investigation of why it was prescribed." A simple google search into "cannabis treatment for chronic neuropathic pain." There are many scholarly articles, however the past 100 years cannabis has continued to be vilified. That has caused a lack of scientific studies. The science is very rapidly "catching up."</p> <p>I would strongly encourage the WCB to look at federal Cannabis Act, that has been in effect since October of 2018. The WCB it seem is 3 1/2 years behind in its policies regarding medical cannabis.</p>   |
| Individual  | Worker   | <p>I am presently safety rep for the union on the company board. My resume does include sports medicine level 3 NCCP, EXTREME COACH, CHA. Retired level 5 CHA Referee. I feel giving a background always helps in making an opinion with some knowledge. On the work force today and economic situation in Canada companies tend skim to make budget. I believe in the transportation industry key players have been eliminated. Example driver supervisors, trained themselves to do the job. Safety wise knowing the job and being able to assist in preventive maintenance, not equipment but drivers. Ergonomics, physical abilities, knowing when an unsafe situation presents itself. Identifying the hazards before injury occurs. I find there lack of hybreds supervisors in the transportation industry. This would help prevent injuries and claims, premiums. WCB is not connected in Alberta to OHS, so WCB can only respond after an injury occurs. Modified duties should be covered totally by WCB and not split between the company and WCB. This would prevent the worker employee for waiting for a payment. As I understand WCB is non-taxable pays a certain portion of the workers wages but it is not wages. If a worker is classified under WCB and goes to work for a certain amount of time on the dock he is now split taxed and non-taxed which is a disadvantage to the worker. In my humble opinion I</p> |

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|             |          | <p>think WCB should pick up the tab and then work out the details with the company. Not having too much experience with WCB there could be logistic problems administrative problems but I think it actually would streamline the system. Example driver makes 1600 everywhere 2 weeks. That's what WCB would award him if that's what the amount is that they've calculated then they can go back with the company if they done modified duties to give them a rebate the company would then provide WCB with the money. The present situation disadvantaged the worker almost like penalizing him for getting hurt. In some cases as we all know ergonomics plays a huge factor and sometimes you run into a situation that ignorance can compound that injury. I just don't believe the worker should be disadvantaged because he's injured. I think that the system could be streamlined in a better way payment gone straight from WCB to the worker system when finished dealt with with the company rebates whatever required goes back working time and not should be kept record. And the administrative side I just don't see a downfall to that I think it's too positive streamline your department because you won't need people trying to calculate what the wages would be and streamlines the fact that the worker does not get disadvantaged. Thank you that's my input for what it is.</p>   |
| Individual  | Worker   | <p>Hi,</p> <p>Would WCB consider creating a policy that automatically sends both the workers and employers report of the injury to the injured worker through email? I imagine that it wouldn't be very costly to implement as I'm sure that most of those forms are completed online anyway. And WCB uses email communication anyhow.</p> <p>I think that it would speed up the adjudication process and it could help prevent potential fraud as the injured worker could look for discrepancies as soon as the documents were received.</p> <p>I am aware of policy 01-05 Part II Application 2 Questions 1, 2, and 4 that states that these documents are to be provided to the employee by the employer. It would be beneficial if the employer refused to provide copies of the documents to the employee or if they submitted a different, altered version of the employer report of accident to the employee, it could be addressed immediately.</p> <p>If you were to implement such a policy, I don't believe that it should replace or supersede the policies listed above, but it could be a useful tool in addition to them.</p> <p>Seeing as how you will provide the documents on request, and since the employer is legally bound to provide them, I don't see any issues with the information being given to the employee on that basis. I get that it does seem a bit redundant, but I've had to deal with an employer that refused to provide copies of these documents, and I would guess that most people</p> |

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|                    |                 | wouldn't think about requesting them from WCB or know the legislation well enough to demand them from their employer.<br>Thank you for opening up a policy feedback form. |