

ITF (Industry Task Force) Association

Effecting positive change and ensuring sustainability of the workers' compensation system through the views of Alberta employers

Industry Custom Pricing

At a July 17th meeting WCB outlined next steps in terms of process and policy changes. ITF was successful in achieving significant changes to the ICP program.

The Board of Directors will be asked to approve policy changes in the fall that address the major concerns raised by ITF. These are deemed non-substantive from a policy perspective and no additional consultation is required. If approved the new policy will be in effect for 2024 repolling. As a result there will be minimal repolling in 2023. The automatic repolling cycle would commence in 2024 and is expected to be similar to the schedule WCB shared in 2022.

The policy changes commit to an automatic repolling every 5 years as well as wording changes that allow the WCB to change the employer polling question. Provisions to request repolling after 3 years will remain. Employers will be repolled on renewing participation and if support to stay in ICP from 50% of the industry is not achieved, the industry would revert to standard pricing. Under the current policy the industry stays in the ICP option unless there is 50% or higher support to change. This addresses member concerns that industries have found they are not able to leave the program because a non-response is considered a vote for the "status-quo".

WCB also accepted our proposed change to use "waiving cost relief" rather than the "cost relief option" for polling purposes, as well as recommendations regarding plain language and transparency. Work will continue in 2023 on drafting new letters, amending FAQ documents and development of additional resources.

Signatures on C060 Reports

In response to our May 15th letter WCB has advised that from a legal perspective claim benefits, services and decisions are not impacted by the lack of a signed C060. Legal advice is that because of how information is gathered during the claims management process the initial discussions from all stakeholders regarding the circumstances of a claim are documented and are being confirmed through different letters to a worker throughout the life of their claim. Letters also reinforce the need for a worker to report any earnings or employment they may have post-accident. WCB is not aware of any AC decisions where the absence of a signature was relevant in an appeal decision.

WCB agrees there is benefit in having a signed statement on file and will continue efforts to increase the percentage of claims that have a signed C060. WCB plans to increase communication from claim owners as well as increase electronic signature avenues. Both the Worker and Employer Mobile Apps now have the capacity to complete these forms and the person completing the form electronically signs the form by clicking an "I accept" button to verify their submissions are accurate and they are aware of the requirement to report earnings or employment status changes to the WCB.

WCB believes this approach is working and will achieve increased compliance. ITF suggestions regarding specific claim types requiring a signed form was not responded to so the Executive will follow up with WCB on this point.

Policy Consultation Advisory Group (PCAG)

The PCAG met on July 5th. Policy changes related to working remotely have been approved by the Board and are expected to be posted in September. ITF highlighted the importance of fact sheets and training for frontline WCB employees.

The PCAG discussed how to best gather feedback from stakeholders initially as well as opportunities for discussion of intent prior to policy drafting. WCB would prefer to focus on what can be accomplished through process improvements versus formal policy change. There have been significant policy changes over the past several years and WCB noted it is a challenge to implement and train staff when changes are frequent. This also increases the administrative burden as claims are adjudicated based on policy in effect at the time.

Regarding administration of Safety Association grants, WCB reviewed the process and role of WCB at a previous PCAG meeting. On July 5th WCB indicated they haven't had any concerns raised by OHS or Safety Associations and suggested this item come off the policy planning list. ITF had proposed a policy amendment to clarify WCB's role. Policy currently indicates WCB has a responsibility to ensure the money collected and disbursed is achieving the intended purpose, and among other items the terms and conditions include evaluation of safety association performance, sharing of resources, and worker participation in the safety association. *If you feel ITF should continue to pursue confirmation of a more limited role for the WCB in policy please let Melanie know.*

Duration of Disability Working Group

The working group met on July 20th. In a previous meeting members asked that WCB develop a statement endorsing modified work to be included in communication with health care providers. WCB has proposed wording to be added to the C1457 form (NOTICE TO HEALTH CARE PROVIDER FITNESS FOR WORK). Members endorsed the direction but proposed some changes. A second draft will be made available before implementation.

The pre-confirmation of modified work pilot was also discussed. The pilot is designed to better understand barriers and items within control of the WCB at every level to support return to work. A form was reviewed that now includes psychological as well as physical restrictions. Where an employer form is on file, this will trigger the claim owner to look for modified work opportunities whenever new medical information is received.

WCB also outlined a new initiative focusing on prior year claims. Collectively, ITF members had 347 claims of more than 6 months duration at the end of June, and 166 that are over 1 year. WCB will be reaching out to ITF members with claims in these categories.

This initiative has two goals. The first is to take a fresh look at return to work opportunities for these workers. The second goal is to analyze why these claims continued for this length of time and categorize themes and trends. Some claims will have continued this long for a reason (e.g. a traumatic injury or extensive limitations) but for others a different approach may have been a better option earlier in management of the claim. Key learnings will also help identify strategies to prevent future long duration claims and better support medium sized employers in their return to work initiatives.

Planning is underway for information sessions in southern Alberta in the fall. Two sessions are being considered (return to work and employer information) with potential for a focus group with those who attend on how WCB can improve services in this region.

WCB also outlined plans for enhancements to the Employer App as well as the Employer Portal which is used primarily by large employers. WCB hopes to leverage this to be more of an interactive platform. As one example, a simulator tool is being developed that would allow employers to see the impact on premiums if specific claim costs changed. Looking at the feasibility and opportunities to provide a “virtual account manager” is also underway. ITF was asked to provide four participants for a test session which is being planned for mid-September.

WCB also requested feedback on the “All Claims” dashboard and specifically what is working well, what needs work and desired additional features.

Notification of 3rd Party Cost Recoveries

Members had previously noted there are no letters advising the employer of a 3rd party recovery being approved and that they only become aware when they get a new rate statement. We had asked if letters could be sent automatically so there is more timely notification.

WCB advised that their Legal department handles all 3rd party cost recovery actions and their process does not include letters to employers. Third party recovery will potentially impact an employer’s experience but because there is no review/appeal mechanism through the WCB resulting from these Court matters, and because these are matters of solicitor-client privilege, the Legal department will not advise employers on the conclusion of these situations.

Once a file is settled and costs are recovered the Legal team will implement the changes and forward all cost adjustments to the cost distribution team for their processing to ensure impacts on claim costs are realized as quickly as possible.

WCB Policy Plan Consultation

If there are any policies not already captured in the 2023-2025 policy plan, either as Current Projects or On the Horizon, that you would like to see included please let Melanie know. The subcommittee is meeting on August 15th and understanding the policy work members feel is a priority will help inform the discussion.

Upcoming ITF Association meetings

The guest presentation webinar is scheduled for Wednesday August 30th starting at 1:00. The agenda includes an update from the Appeals Commission team as well as a presentation by WCB on their processes and procedures for managing longer duration claims. The third session starting at 2:15 is by Doug Gross, Professor and Department Chair at the University of Alberta. Doug has done extensive research on models of care for soft-tissue injuries in Alberta and their effectiveness, and will also provide a historical perspective on the number of visits to physiotherapy over the years and why they have fluctuated.

The next quarterly meeting and AGM is on Wednesday September 6th at the MHSA offices in Rocky View.

July 2023