

Question 1: Why are Councillors being interviewed as “**workers**” at all, doesn’t the Municipal Government Act (MGA) indicate that Councillors are not considered employees?

Answer: The MGA does not consider Councillors employees. Additionally, Section 6 (1) of the Alberta [Workers’ Compensation Regulation](#) indicates the same.

*“The Act does not apply to the members of a council of a municipality under the Municipal Government Act unless the council applies by resolution to the Board to have the Act apply to members of the council and, on the approval of any such application by the Board, the members of the council are deemed to be **workers** of the municipality concerned, while actually engaged in the business of the municipality, and the municipality is deemed to be their employer”.*

Per the above, COR audit interview inclusion of Councillors only occurs as a result of purposeful municipal application to WCB-Alberta requesting their addition as workers to the municipal WCB account.

Question 2: If a municipality wants to have Councillors **added** or **removed** from its WCB account so that they are / or are not included in COR Audit interviews, how is this requested?

Answer: Section 6 (3) of the Alberta [Workers’ Compensation Regulation](#) permits this practice.

“The Board may at any time revoke an approval given under this section and, on the revocation, the person referred to in the revocation ceases to be a worker to whom this Act applies as of the effective date of the revocation”.

A written request to remove/add coverage for Councillors can be submitted by an authorized representative **via email or letter** to the WCB-Alberta Underwriting underwriting@wcb.ab.ca.

Question 3: Can Councillors be placed under a separate WCB account than the municipality?

Answer: **Yes**, it is possible to create a Council WCB account separate from the municipality’s regular WCB account but please be advised this is a unique situation and WCB-Alberta Underwriting (underwriting@wcb.ab.ca) must be involved. The account would be classified in the same industry, and WCB-Alberta would combine the experience of the two accounts – which would result in matching rates between the two accounts. Please note however the additional administrative burdens and caveats if actioned.

- The municipality would be required to submit two (2) annual returns instead of one, and manage any changes on two accounts instead of one.
- If the new elected official WCB account does not have COR status, it would not get a PIR refund.

A written request to have Councillors placed under a separate WCB account is to be submitted by an authorized representative **via email or letter** to the WCB-Alberta Underwriting (underwriting@wcb.ab.ca). Underwriting has been made aware of this unique situation, and will therefore be best suited to provide the correct response.

Note: Please **do not** contact the main WCB-Alberta general information telephone line about this specific situation as this is an atypical process that needs to be facilitated by a specific department (Underwriting) of WCB.

Question 4: Is asking Councillors “worker” questions during a COR audit the appropriate level of question given the role they have in municipal operations?

Answer: The **previous** interview questions asked of Councillors during COR audit interviews were approved by Government of Alberta (GoA) Partnerships and have now been revised to better reflect the role Councillors in municipalities. The **new** 9 COR Audit interview questions approved by GoA Partnerships for Councillors in 2023 are below.

What are some of the key points listed in the Health and Safety Policy?
Can you provide some examples of how the three OHS Rights (right to be informed, right to participate, and right to refuse dangerous work) apply to the work you do for this organization?
Can you provide some examples of legislation that is applicable to you under the Occupational Health and Safety Act, Regulation and Code?
What kinds of resources are provided to implement and improve the health and safety system?
What are some of the highest hazard tasks associated with the organization’s operations?
What type of training have you received in emergency response?
What is the process you follow for reporting incidents (including near misses), occupational illnesses or work refusals?
How is senior management/management involved in the performance of the health and safety management system (e.g., develop a health and safety plan for the upcoming year, provide resources for health and safety initiatives, etc.). How is senior management/management held accountable for the Health and Safety Management System (HSMS)?
How does the organization communicate the results of health and safety system evaluations to employees?

Question 5: What is AMHSA’s view on WCB-Alberta coverage for municipal Councillors?

Answer: As an approved Certifying Partner (CP) for the Partnerships in Injury Reduction (PIR) Program, AMHSA does not take a specific stance on WCB-Alberta coverage for municipal Councillors. However, the decision to include/exclude municipal Councillors should likely consider a few organizational dimensions.

Consideration should be given to the following questions:

Risk Tolerance: What level of risk/hazard have you assessed Councillors work related activities at? If you assess that liability of Councillor injury/illness exists while performing work-related duties, is this risk material/acceptable/or mitigated through other forms of insurance?

Positional Role / Span of Control: What role do municipal Councillors have in your Health and Safety Management System (HSMS)?

Question 6: I have further questions, who should I contact?

If you have questions about this topic or about the Certificate of Recognition (COR) program please contact:

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AMHSA Director Learning & Assurance
olana@amhsa.net

Craig Hrynychuk
AMHSA Executive Director
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