

ITF (Industry Task Force) Association

Effecting positive change in Workers' Compensation through the views of Alberta employers

Government Engagement

Bill 47, which included changes to the WC Act, was tabled on November 5th 2020 and received Royal Assent on December 9th. The majority of the ITF Priority issues were addressed in the proposed changes. A letter was sent to Minister Copping clarifying our position on Director coverage. There has been no further communication regarding the medical and appeal process reviews.

Transfer of WCB Accident Fund to AIMCo

The ITF Executive met with Trevor Alexander and Ron Helmholt on November 26 in follow-up to the November 17th meeting with representatives from AIMCo. There were no specific action items arising from this discussion.

On December 3rd Bill 208 was introduced as a Private Members Bill (the Alberta Investment Management Corporation Amendment Act, 2020). Bill 208 proposes to add public-sector members to the AIMCo board, requires a referendum if Alberta sends notice to withdraw from the CPP, and requires a referendum that AIMCo be the manager. It also removes the ability of Treasury Board to give directives to AIMCo. The focus of the Bill is primarily on management of pension funds. Session ended without this Bill passing Second Reading.

Appeals Commission Update

Members of the ITF Executive met with Dale Wispinski on December 7th. Topics discussed included the pending medical and appeals review and the impact of Bill 47 changes on the Appeals Commission. The Fair Practices Office will be closed and the Appeals Advisor function moves to the Appeals Commission. The Medical Panels Office will also be closed and the medical panels function moves under the Appeals Commission.

ITF was thanked for their efforts in addressing concerns with the 3-year term limits for Order in Council appointments, and the Appeals Commission was pleased to see a new 5 year term limit for the Chief Commissioner and Vice-Chairs. She was also pleased to see a return to the previous process for reconsiderations.

Dale indicated RFP timelines regarding the selection of a consultant are being met but she did not have any specific information about next steps. In terms of AC priority issues, a focus on best practices as well as new technology and other resources that can be leveraged to improve service to clients is one of their priority areas. She noted their case management system is almost 10 years old and has limitations impacting efficiencies and metrics.

Opportunities to improve efficiencies and timelines for medical panels as well as appeal hearings will also be a priority. Access to information by employers and employer appeal advisors was flagged as an issue for review. Dale indicated a strong argument can be made that parties coming to the Appeals Commission should all be looking at the same information at the same time.

Dale Wispinski indicated the AC is excited about the opportunities that exist to enhance the appeal experience for clients. She also expressed confidence a structure can be put in place to ensure independence is maintained in fact as well as appearance.

Policy Consultation on Legislative Changes

ITF was invited to participate in a working session on December 16th to help inform the WCB on stakeholder views in preparation for a formal policy consultation on the Fairness Review Body, Duty to Cooperate (which replaces Obligation to Reinstate) and egregious conduct. The ITF and the Labour Coalition were each asked to designate five representatives. Darren Ferleyko, Len Bourdin, Ken Gibson, Boris Makale and Scott Klappstein attended on behalf of the ITF Association.

WCB provided some discussion documents and examples of policies from Ontario. There were no concerns with respect to the Fairness Review Body and discussion regarding what constitutes egregious conduct was fairly general. WCB's interpretation of the Duty to Cooperate legislation and parameters for administrative penalties raised considerable concerns. ITF has followed up with the WCB as well as Minister Copping on this since the proposed interpretation by the WCB is not in keeping with the intent or the documents issued by the GoA.

Joint OHS/WCB Reporting System

A subcommittee met to discuss the benefits and concerns of implementing a joint reporting system and a meeting with OHS to better understand their interests and what is being proposed is being scheduled. Members who operate in jurisdictions where there is a joint reporting system or consolidated OHS/WCB were asked to send any observations or experiences to Melanie.

Upcoming ITF Association meetings

Our first meeting of 2021 is on **Wednesday March 3rd starting at 8:30 am**. Space is being held at the Hampton Inn & Suites in Airdrie. A decision will be made closer to the date about whether it will be in person or virtual.

December 2020