



# SBCI UPDATE

December 2013

NEWSLETTER

## MESSAGE FROM THE CHAIRPERSON

Welcome to our Fall Newsletter. I hope that everyone had a safe and enjoyable summer, and will take this early opportunity to wish everyone a joyous Holiday Season and Happy New Year. Only a month away!

Over the past few months, SBCI's staff and Board of Directors has been working on the Strategic Plan for 2014-2016. We have now completed the Board's part of it, and the staff is producing the operational plans for implementation over the next three years. One of the key features of the Strategic Plan is to continue to consider ways of broadening our services to school boards within a focus of "fostering healthy workplaces". We are also continuing to consider how we might offer at least some of our services to the Broader Public Sector. As we do so, we always bear in mind that service levels to school boards must be maintained.

Following the end of the 2012-2013 school year, SBCI recently produced and issued to member boards analysis reports of WSIB reported incidents with result comparisons to the prior school year and all members boards results. We produced the analyses by occupation, by body part injured and by type of incident (i.e. how it occurred), but have other codes in our Parklane system, and could provide other analyses on request.

I will take the opportunity to highlight just a few of the recent and imminent projects of the SBCI Health & Safety team:

- The Principal training program has been very well received by school

boards, so much so that we are printing more of the booklets

- Laboratory and Tech Shop safety booklets will be available shortly
- A Driving Hazard booklet is available in English and is being translated into French
- A Slips, Trips and Falls Hazard booklet is in draft form

In the last Newsletter, I mentioned that SBCI is planning to introduce an Absence Study for all Ontario school boards wishing to participate. At this point in time, 53 boards out of 72 have signed up. We will be issuing a preliminary report displaying overall paid absences by employee group and number of days with comparable data for participating boards. Once all the data has been collected, additional reports and analysis of the data will be provided.

I welcome a new staff member – Chris Walton – as a Case Manager.

If you have any questions, comments or ideas regarding the Co-operative, please give me a call or send me an email. Our aim is always to improve the services that we provide to you. I can be reached at [lynda.coulter@ycdsb.ca](mailto:lynda.coulter@ycdsb.ca) or (905)713-1211 X13850.

Lynda Coulter  
Chairperson

## 2012-13 WSIB PROGRAM IN REVIEW

### Appeals

The WSIB has been extremely busy with changes to their approach in handling appeals, transitioning from mainly oral hearings to more written appeals. Additional Appeals Resolution Officers

## IN THIS ISSUE

MESSAGE FROM THE CHAIRPERSON .....	1
2012-13 WSIB PROGRAM IN REVIEW .....	1
WSIB RECOGNIZES SCHOOL BOARDS' RETURN TO WORK EFFORTS.....	2
SBCI'S WSIB SOUTHWEST REGIONAL GROUP .....	2
MANDATORY TRAINING FOR WORKERS AND SUPERVISORS .....	3
WORKER SAFETY AT A CUSTOMER WORK SITE .....	3
THE NEW CANADIAN STANDARD: PSYCHOLOGICAL HEALTH AND SAFETY IN THE WORKPLACE .....	3
UPDATE FROM ACTUARIAL DEPARTMENT .....	4
UPDATE FROM DATA MANAGEMENT DEPARTMENT .....	4
SBCI BOARD OF DIRECTORS .....	5
DATES OF MEETINGS .....	5
SBCI STAFF .....	5

were hired to handle the 6,000 cases backlogged due to the changes. The parties (workers and employers) with a bookmarked appeal were given the opportunity to proceed with the appeal by way of a written submission with a guarantee of a quick turnaround. Consequently, SBCI has handled the highest number of appeals in our almost 20 year history. September 2012 to September 2013 SBCI facilitated 177 appeals on behalf of our 58 member school boards. Thus far, in 2013 we were able to recoup \$512,656 as appeals overturned the allowance of benefits and

credits were returned to the school boards. There was an additional \$3,975,852 in potential future costs savings from appeals wins. Of the 141 appeals done in 2013 so far, 104 were worker appeals, 40 were employer appeals.

### **Insurance & Assistance Program Refunds**

This service has grown tremendously in the last few years. More cases are reaching the insurance or Assistance Program deductibles. To date SBCI has been able to secure refunds in the amount of \$5,482,983 for member school boards. For the fiscal year 2012-13, \$1,596,960 was refunded to the school boards from the re-insurance companies and the Assistance Program.

### **Average Duration of Absence**

Over the last 5 years the average duration of absence for our 58 member school boards decreased from a high of 13.61 days to a low of 10.21 days 2012-13.

## **WSIB RECOGNIZES SCHOOL BOARDS' RETURN TO WORK EFFORTS**

A recent WSIB Appeals Resolution Officer (ARO) decision illustrates the importance of a school board's pro-active and structured return to work process in demonstrating the ability to accommodate injured workers. The worker, an Educational Assistant (EA) had entitlement for a lumbar strain injury, related surgery and chronic pain disability (CPD). A NEL was originally granted on an organic basis in 2007 and re-evaluated under CPD in 2010. The worker had appealed the denial of full LOE benefits from September 2007 onwards. The school board was represented by SBCI.

The ARO upheld the decision to deny LOE benefits. The ARO noted that the school board had discussed several job opportunities with the worker, including training in sign-language for EA positions, and had offered three types of job duties, of which the worker opted for an elementary school secretary (ESS) position. A Graduated Return to Work (GRTW) Plan was implemented beginning with job shadowing at two hours per day and increasing as tolerated.

After job shadowing for two weeks in August 2007, the worker stopped all work claiming to be totally disabled and unable to continue. The worker claimed that the ESS position on a full time basis would have been unsuitable noting the requirements to sit at a desk and answer phones and the side effects of medications. The worker had not worked since that time.

At the hearing, the worker presented as severely disabled having difficulty entering and exiting the hearing room, exhibited trouble focusing and shifting body position while answering questions. The worker stated that activities of daily living (ADLs) were significantly reduced and that the spouse did most of the domestic chores. There had been no active treatments for the past four or five years and the condition had deteriorated since LOE benefits were denied.

In addition to the evidence of job offers, physical demand analyses and the GRTW Plan on file, the school board submitted the applicable Collective Agreement, its Early Intervention Return to Work materials and relevant emails prior to the hearing to defend against the worker's appeal.

The ARO noted the multiple reviews conducted by the WSIB medical consultant in the file. The ARO also referenced the *American College of Occupational and Environmental Medicine (ACOEM), Chronic pain, Occupational medicine practice guidelines: Evaluation and Management of common health problems and functional recovery in workers* and provided an excerpt of the recommendations. These included the benefits of maintaining a high level of ADLs, returning to normal activity or work as soon as possible, increasing function and that, "All patients should be encouraged to accept responsibility and learn necessary coping skills for managing their recovery". The ARO accepted that the worker was best served with the continued offers of appropriate graduated light work by the school board and found no reasonable basis to set aside the WSIB doctor's medical evaluations along with the ACOEM medical material.

The ARO concluded that the school board had undoubtedly provided opportunities

to re-train the worker in three distinct career positions and Vocational Target of ESS was suitable and could have been further modified to accommodate this particular worker. As such the ARO concluded that the worker would not be entitled to LOE after September 2007.

It is important to note that the school board showed the ability to accommodate the worker through its RTW procedures, suitable job offers and flexibility in the RTW process. This demonstrated the school board's due diligence, RTW compliance and desire to mitigate the worker's loss of earnings, positively impacting the ARO's decision for the school board.

## **SBCI'S WSIB SOUTHWEST REGIONAL GROUP**

Over the past few years, SBCI has facilitated and delivered conferences that are usually held centrally for our school board members. We would like to see all school board members attend these sessions but that is not always possible due to travel or time constraints. Based on feedback received from our school board members in the southwest region, some meetings will be scheduled over the next 12 months on a trial basis.

The first meeting is scheduled for Friday December 13, 2013 in London, Ontario. Thank you to Thames Valley District School Board for agreeing to host the first meeting.

For school boards located in the southwest region, a 'save the date' email, and a subsequent invitation with additional details will be sent out to you shortly.

Meetings will initially be facilitated by Figen Dalton and Christopher James of SBCI. At our first meeting, we will be discussing WSIB claims decisions and issues, the WSIB's new draft benefit policies, and there will be a brief presentation from one of SBCI's Health and Safety Specialists on available services. We have also invited the Director of WSIB London office to attend and give us a presentation on their regional activities.

We look to extend this pilot to other regional areas during 2014.

For future meetings, we hope to have guest speakers on topics of interest or relevance. Suggestions are always welcome.

## **MANDATORY TRAINING FOR WORKERS AND SUPERVISORS**

Effective July 1, 2014, Ontario school boards will have to ensure that all workers and supervisors/principals have completed a basic occupational health and safety awareness training program. The first of its kind in North America, the new regulation mandates basic safety awareness training for all Ontario workers and supervisors.

To help employers comply by July 1, the Ministry of Labour (MOL) is developing record-keeping tools, comparability checklist, and guides. Notable exceptions to the regulation include workers and supervisors who have previously completed a basic occupational health and safety awareness training program that covers the same content, either with their current or former employer, and can provide proof of completion. Supervisors who have completed a basic occupational health and safety training program for supervisors, prior to the regulation coming into force will not have to complete a basic occupational health and safety awareness training program for workers.

Once the regulation takes effect, the school board is responsible for ensuring that all workers and supervisors have completed a basic occupational health and safety awareness training program. The Ministry of Labour has provided a training program suite (workbooks, employer guides, poster, and e-learning modules) to meet these requirements; however, it is not mandatory to use these, particularly as many employers already have extensive health and safety training programs in place.

All the training products are available at no cost and in multiple formats and languages. The health and safety workplace poster, the worker and supervisor workbooks and employer guides are currently available in print

through ServiceOntario and online through the Ministry of Labour. E-learning modules for workers and supervisors as well as 'on-the-go' resources for mobile users are expected to be available shortly. By May 2014, worker and supervisor workbooks and e-learning modules will have been revised to a grade 4 comprehension level, and focus on images, graphics, audio, and video with minimal written text.

Many school boards already offer training and awareness programs that meet or exceed the MOL mandatory training requirements. An equivalency checklist is being prepared by the Ministry to help employers determine if their programs qualify. Either way, school boards need to keep records to confirm worker participation in mandatory training or its equivalent.

SBCI training programs for staff and supervisors meet these basic equivalency requirements. Contact your Health and Safety Specialist for more information.

## **WORKER SAFETY AT A CUSTOMER WORK SITE**

One question we often get asked is, who must ensure the safety of a worker who works at a customer work site. Following an incident where a worker got injured while working at a customer work site, the Ontario court ruled that a contractor is responsible to take all reasonable precautions to prevent an accident. This means that due diligence will often require that the contractor goes to the specific work site of the customer and conducts a pre-job assessment of the work to be performed. Following the assessment, specific procedures should be put into place and communicated to the worker or workers who will be performing the job.

A worker should not be sent to perform a job if the contractor or sub-contractor cannot control the work site or is unable to address a specific hazard that might put the worker at risk. This is a part of the OHSA liability.

However, it has to be pointed out that an employer in Ontario is considered as "virtual insurer" of a sub-contractor's employee. Therefore, in the case of an

accident involving an employee of a contractor, both the employer, for example a school board, and the contractor or sub-contractor can be charged by the Ministry of Labour, under section 1(1) of the OHSA.

To be proactive, the employer (the school board) should ask the contractor for a copy of safe work procedures before the beginning of the job.

## **THE NEW CANADIAN STANDARD: PSYCHOLOGICAL HEALTH AND SAFETY IN THE WORKPLACE**

In January 2013, the Canadian Standards Association (CSA) released a new standard, which was commissioned by the Mental Health Commission of Canada, regarding psychological health and safety in the workplace. This standard has two main purposes:

1. Prevention of psychological harm that can arise from conditions in the workplace and,
2. Promotion of psychological health in the workplace through support, education and awareness.

While the CSA is not an expert in the field of mental health, they have put together a technical committee of experts with a vested interest in this field to create a collective and unbiased approach to addressing mental health in the workplace. The standard contains leading practices to help organizations move forward in creating psychologically healthy and safe workplaces.

The vision is one that actively works to prevent harm to workers' psychological health and promotes psychological well-being. Psychological health and safety includes in part, the way people interact with one another, working conditions and management practices. While there are many factors external to the workplace than can have an impact, this standard addresses those within the control, responsibility or influence of the workplace.

The standard breaks down the psychological health and safety management system into 5 key elements:

1. commitment, leadership and participation
2. planning
3. implementation
4. evaluation and corrective action
5. management review

It also provides a systematic approach to achieving each of these elements by recognizing, assessing and addressing organizational risk factors, which research has shown to be the most significant reasons why toxicity in the workplace exists.

The new standard is voluntary and not government regulated. SBCI is conducting further research into the standard and the associated best practices to determine the impact it may have on school boards. Mental health matters are a growing concern for all employers and it is always beneficial whenever a strategy or management system can be implemented to support both the employer and employee. In due course, SBCI will advise member boards of any potential impact this new standard will have and the resulting support and service that SBCI may be able to offer.

### UPDATE FROM ACTUARIAL DEPARTMENT

It is almost the end of another PSAB reporting season. We completed 60 Actuarial reports for school boards, 5 reports for student transportation consortia and, by the time it is all over, we will have completed 5 reports for School Authorities.

Full valuations were completed for almost all boards again this year as boards wanted to reflect the actual frozen gratuity benefit amounts they had calculated, having gone through the exercise earlier this year as required under the MOU requirement. Boards also wanted to reflect actual retirements in 2012-13 in their liabilities instead of what the actuarial assumptions would project from the 2012 valuation. And a similar "true-up" was necessary since 2012-13 was the last year that employees could retire and access subsidized post-retirement health, dental and life insurance benefits.

This was also the first year for reporting the new sick leave carry over benefit

liability and for bringing the curtailed liabilities into compliance. This latter exercise has created unprecedented significance to a previously little known or appreciated term EARSL (Expected Average Remaining Service Life) which is now the basis of amortizing the liabilities and bringing them into compliance.

We at SBCI also have a new appreciation for Schedules 10, 10G, 10ADJ and 5.

All in all it was a challenging, enlightening experience for all of us. We thank you for giving us the opportunity to provide this service again this year and appreciate the shared agony of data reconciliations, EFIS, PSAB and EARSLs.

Good luck with your revised estimates.

### UPDATE FROM DATA MANAGEMENT DEPARTMENT

#### AM Shared

SBCI is in the process of creating some audit tools to ensure the successful transfer of the Personal and the Absence Data from your HR system into Parklane and for the creation of your reports. This will assist school boards to implement the move to the Share System by ensuring the accuracy of the data.

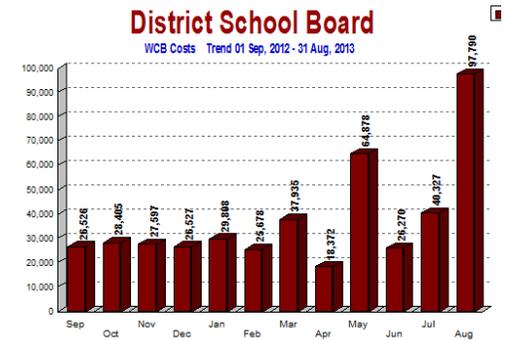
#### WSIB Incident Reporting

A few school boards have experienced issues with the electronic submissions of Form 7s where it states successful submission in the system but was not received by the WSIB. If you are experiencing any issues, please let us know.

Are you entering all of your costs in Parklane? Your WSIB costs can be entered electronically but your Physician and Administration charge still have to be manually entered in Parklane with your monthly invoices.

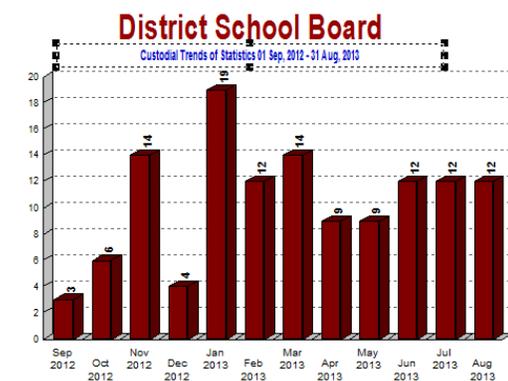
Did you know that our department offers one-on-one training with your board via GoToMeeting? These are half an hour to an hour sessions on specific subjects that meet your needs at your board.

Did you know that the Parklane software has a new graph for Days, Cost Trends (DGH)? This graph can be run for up to three years and will give you a comparison by month.



#### Health and Safety

Did you know that the Parklane software has a new graph for Incident trends (DGG)? You can select by category (Lost Time, No Lost Time or both). This graph can be run for up to three years and will give you a comparison of number of accidents by month.



If you have any questions on how to run reports in Parklane, our new Data Management Assistant, Erin McLennan is available to provide you with assistance. Erin can be reached at extension 228 or by email at [Erin@sbc.org](mailto:Erin@sbc.org).

## **SBCI BOARD OF DIRECTORS**

---

Lynda Coulter (Chair)  
Carolyn Bastien (Vice Chair)  
Ronald Bender  
Judi Goldsworthy  
Jamie Gunn  
Janice McCoy  
Maura Quish  
Roger Richard  
Mary Lynn Schauer  
Anna Sequeira

*Julia Barrasso*, Attendance Support  
Practice Leader  
*Byron Franson*, Attendance Support  
Consultant  
*Kathleen Gratton*, Attendance Support  
Consultant  
*Shoba Thomas*, Attendance Support  
Consultant  
*Chris Walton*, Case Manager  
*Rana Khalaf*, Manager, IT Applications  
*Patrick Gani*, Senior Analyst Programmer  
*Gavin King*, Programmer/Analyst

## **DATES OF MEETINGS**

---

### **Board of Directors Meetings**

Friday, December 6, 2013  
Friday, February 7, 2014  
Thursday, March 6, 2014  
Friday, April 11, 2014  
Friday, May 9, 2014

## **SBCI STAFF**

---

*Brian Brown*, Chief Executive Officer  
*Lynn Porplycia*, Chief Operating Officer  
*Wendy Achoy*, Chief Actuary  
*Raazia Haji*, Actuarial Analyst  
*Joe Huang*, Actuarial Analyst  
*Shawn Tang*, Actuarial Analyst  
*Christopher James*, Senior Claims  
Manager & Lawyer  
*Figen Dalton*, Claims Manager  
*Darlene Iwaszko*, Claims Manager  
*Dave Kersey*, Claims Manager  
*Mary Luck*, Claims Manager  
*Kelly Melanson*, Claims Manager  
*Robert Orrico*, Claims Manager  
*Erin McLennan*, Paralegal Analyst  
*Robbin Lavoie*, Senior Health & Safety  
Specialist  
*Christina Bick*, Health & Safety Specialist  
*France Germain*, Health & Safety  
Consultant  
*Jennyfer Payeur*, Health & Safety  
Specialist  
*Louise Bellamy*, Financial/Office  
Coordinator  
*Karen Bertrand*, Accounting Clerk  
*Stephanie Kwong*, Executive Assistant  
*Lily Li*, Executive Assistant  
*Melissa Hewit*, Supervisor, Data  
Management  
*Sylvie David*, Acting Data Management  
Supervisor  
*Rose Erbay*, Bilingual Data Entry Clerk  
*Audrey O'Connor*, Data Entry Clerk