

WORKSAFE
TRAVAIL SÉCURITAIRE



2009

REPORT TO
STAKEHOLDERS

HEALTHY
AND
SAFE
WORKPLACES
IN
NEW
BRUNSWICK

www.worksafenb.ca



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MESSAGE FROM THE CHAIRPERSON



On behalf of WorkSafeNB's board of directors, I am pleased to present this 2009 Stakeholder Report, a testament of our work on behalf of New Brunswick's workers and employers. As stewards of New Brunswick's health and safety and workers' compensation system, the board of directors is committed to governing with the high standards our stakeholders demand and deserve.

The stories and statistics in this report support our vision of healthy and safe

workplaces and this vision is defined by our five strategic goals: safety, service, return to work, balance, and staff satisfaction and engagement.

Our safety goal is achieved by providing relevant education and consulting services, working closely with joint health and safety committees, and through enforcement. We showed leadership in injury prevention, with a 4.9% reduction in accident frequency from 2008. We thank our stakeholders – the workers, employers, safety associations and health care providers – for helping keep New Brunswick below the national average for accident frequency.

We met our targets for client satisfaction for registered employers, but fell slightly below the target for injured workers. And while these targets are set at 80%, we recognize that our commitment to improving our services will end only when we reach 100% client satisfaction. In support of our service goal, we increased the percentage to be set aside for purchasing annuities when injured workers reach the age of 65, and we updated the Safety Achievement Financial Incentive System policy that provides

participating employers with a financial incentive for prevention and post-injury management.

Although overall, average claim duration over the past six years has improved, in 2009 we did not meet the return to work target of a 62.6 day five-year average. Open case-managed claims suggest improvement, however, and we will work diligently to ensure we meet the target for 2010.

In 2009, an economic downturn and volatile investment markets tested our investment strategies. We are pleased to report that the asset allocation and funding policies established by the board and its oversight of the risks affecting funding levels improved our funding position from 87.8% at the end of 2008 to 101.6% at the end of 2009. The significance of being not just fully funded but funded at a level that allows for stability of funding through the down years of a business cycle cannot be exaggerated. With adequate security for the existing financial obligations a multitude of options become available for future consideration.

We were also able to lower employer

assessment rates to \$2.03 from \$2.05, while increasing the amount set aside for annuity benefits for injured workers. Our assessment rates continue to be the lowest in Atlantic Canada. Our financial results are clearly an achievement of our balance goal.

Staff satisfaction and engagement results remain unchanged from 2008, showing that work needs to be done to ensure our employees feel their work is valuable and makes a difference.

I am proud to present these results, both our successes and those where we fell short because, as a board, we are committed to being accountable and transparent, and to leadership through governance and shared goals. In 2009, the board welcomed two new board members: David Ellis was appointed as a member representing employers and Ron Gaffney replaced Paul LeBreton as chairperson of the Appeals Tribunal. Paul retired after eight years of service.

The following employees retired in 2009: Reginald Arsenault, Raymond Blanchard, Lucille Chamberland, Heather Cossaboom, Jean Hamilton, Donna Keays, John LeBlanc,

Leo McPhee, Judith Randall, Clem Snider, Mike Steeves, Marlene Thompson and Richard Tingley.

In 2009, we also learned of the pending retirement of our president, Doug Stanley. It is with mixed feelings that we will say goodbye to Doug in November 2010. He will be greatly missed by the board of directors, employees at all levels of this organization, and by our stakeholders.

Doug has brought WorkSafeNB forward not only on a provincial level but also on a national level during his 10 years of service. Doug is esteemed by his counterparts across the country and, under his leadership, WorkSafeNB has become recognized as an industry leader.

We on the board of directors know how fortunate we have been to have a CEO of Doug's calibre. His shoes will be tough to fill – in every sense of the word. A gentle giant around the board table, Doug helped us to see the forest beyond the trees, and helped us attain the unanimity we desired on important and often controversial issues. We respect his guidance and work

on our behalf, and wish him and his wife Cassie all the best in his retirement.

It is through Doug's dedication, and that of all WorkSafeNB staff, as well as our board of directors and New Brunswick's workers, employers, and other partners in safety, that we were able to rise to the challenges set before us in 2009. On behalf of the board, I pledge to all our stakeholders continued governance and oversight with the principles that shape our organization and culture – those of honesty, integrity, and accountability. I also pledge on behalf of WorkSafeNB a commitment to improved services and satisfaction for the employers and workers of New Brunswick.



Roberta Dugas
Chairperson, Board of Directors

MESSAGE FROM THE PRESIDENT



We initiated this Report to Stakeholders nine years ago. It is a part of recognizing our responsibility to our stakeholders beyond the financial reporting in our Annual Report. It is a report on our progress toward the goals that you – the stakeholders – set for the staff of WorkSafeNB through your representatives on our board of directors.

Nine years ago our board committed itself to what became a continuous process of developing a good governance framework. More importantly, they developed an annual process of goal setting, performance evaluation and strategic planning. That process has brought us to the point where we are seen as leaders in the administration of workers' compensation and occupational health and safety in Canada. It has brought us to the point where we can provide New Brunswick workers with the best package of

compensation benefits at assessment rates that are the lowest in Atlantic Canada.

Our board established SMART goals for the organization (Specific, Measurable, Achievable, Realistic and Time Framed). These became the clear direction to staff and the yardstick to measure our performance. This is the last report that I will be submitting and it is with a great deal of pride that I tell you that it shows continuous progress has been made during my tenure.

Credit for that starts with our board of directors and our chairperson who are committed to good governance, financial responsibility and integrity. Credit then goes to WorkSafeNB staff who are goal oriented, disciplined, dedicated and accountable.

The administration of workers' compensation has been entrusted to organizations independent of government for almost 100 years. These organizations are given a difficult mandate. That mandate in New Brunswick was expanded to the complete responsibility for occupational health and safety – education, promotion and enforcement – in December 1994 when the Workplace Health, Safety and Compensation Commission was established. Since that time, there have been many chairs (I have served with three) and many board members. Each of these individuals brought to the board their own set of skills and views shaped by

their experiences in the workplace. In my experience, all these individuals accept an onerous responsibility on behalf of stakeholders, often with little thanks. I want to go on record in this report as thanking those board members with whom I served over the last 10 years for their support and their commitment to the responsible exercise of their mandate.

WorkSafeNB has a dedicated and professional staff. Many were here when I arrived 10 years ago, some have retired and some have joined the organization during those years. My experience with all these dedicated people has been an education, extremely rewarding, and a real pleasure. I am pleased to report to you that the hallmark of the staff of WorkSafeNB is service – service to the interests of you, our stakeholders.

In this report you will find what we hoped to achieve and our record – what we have achieved. I want to be absolutely clear that what we have achieved we've achieved by working together – our chair, board and staff – within a responsible governance structure, in the best interests of WorkSafeNB in the service of our stakeholders.

Doug Stanley
President & CEO

2009 BOARD OF DIRECTORS



Front row, left to right:

Morris Mendelson, *Worker Representative*
Doug Stanley, *President & CEO*
Roberta Dugas, *Chairperson*
Conrad Pitre, *Vice-chairperson*
David Ellis, *Employer Representative*

Back row, left to right:

Ronald Gaffney, *Chairperson, Appeals Tribunal*
Dan Hughes, *Employer Representative*
Sharon Tucker, *Worker Representative*
Keith Rogers, *Employer Representative*
Mary Martell, *Employer Representative*
Brad Brinston, *Worker Representative*
Danny King, *Worker Representative*

WorkSafeNB is governed by a board of directors whose members are appointed by the Lieutenant-Governor in Council. Under the board's stewardship, WorkSafeNB administers four acts governing workers' compensation and workplace health and safety in New Brunswick. These are:

- The Workers' Compensation Act
- The Occupational Health and Safety Act
- The Workplace Health, Safety and Compensation Commission Act
- The Firefighters' Compensation Act

The board is comprised of a chairperson, a vice-chairperson, four members

representing employers, four members representing workers, and two non-voting members – WorkSafeNB's president and CEO and the chairperson of the Appeals Tribunal. This mix provides a level of expertise that ensures balance in the interest of all stakeholders.

VISION, MISSION, MANDATE AND VALUES

VISION

Healthy and safe workplaces in New Brunswick

MISSION

WorkSafeNB will promote a safe and healthy work environment to the workers and employers of New Brunswick and efficiently provide quality services, just adjudication, and fair administration of the legislation.

MANDATE

Promote the creation of a workplace safety culture in which all employees and employers view all occupational diseases and accidents as being preventable.

Provide timely compensation benefits, medical aid, rehabilitation, and safe return-to-work services to injured workers.

Provide sustainable insurance and insurance-related services to the employer community.

Represent stakeholders and provide recommendations and advice to government with respect to legislation and publish such reports, studies, and recommendations.

VALUES

We dedicate ourselves to the provision of prompt, effective, efficient, and caring services to each of our clients.

We believe that a team approach ensures that all members of WorkSafeNB are working towards a shared Vision, Mission, Values, and Goals.

We are committed to providing competent and energetic leadership that is focused on a clear direction for WorkSafeNB.

We ensure that our decisions are made with integrity, credibility, and accountability.

We ensure that our communications are based on trust, mutual respect, openness, and clear and reliable information.

We manage our human, material, and financial resources effectively in responding to our mandate and established priorities.

GOALS

SAFETY

Our vigorous pursuit of a safe work culture will lead to a decline in the overall frequency of workplace injuries, and a decline in the perception of the inevitability of workplace injuries in New Brunswick.

SERVICE

We will provide effective programs and services, implemented with care, compassion, efficiency, promptness, and fairness, to benefit both workers and employers.

RETURN TO WORK

We will decrease the time by which injured workers return or are ready to return to employment.

BALANCE

We will provide the best possible benefits to injured workers while maintaining the lowest possible assessment rates for employers.

STAFF SATISFACTION AND ENGAGEMENT

Our employees will feel their work is valuable and makes a difference, motivated by the understanding of how their role and individual contribution is critical to achieving our Vision, Mission, Mandate, Values, and Goals.

THE FOUNDATION OF THE WORKERS' COMPENSATION SYSTEM

In 1910, Justice William Meredith was appointed to a Royal Commission to study workers' compensation in Ontario. In his report, published three years later, Meredith proposed a trade-off where workers gave up the right to sue their employers in exchange for no-fault compensation benefits. Meredith's concepts, known as the Meredith Principles, became the basis for workers' compensation legislation in Canada.

Canada's first workers' compensation act was proclaimed in Ontario in 1915, while New Brunswick's workers' compensation act was enacted in 1918. Although the act has evolved to reflect a changing economy and workforce, the roots of our workers' compensation system continue to be solidly embedded within the Meredith Principles.



THE MEREDITH PRINCIPLES

NO-FAULT COMPENSATION

Workers are eligible to receive benefits for work-related injuries or occupational diseases, regardless of fault, while workers and employers waive the right to sue.

COLLECTIVE LIABILITY

All registered employers share responsibility for fully funding the cost of workers' compensation insurance, and for the system's financial liability.

SECURITY OF PAYMENT

The system is operated to ensure its long-term stability, availability, financial security, and cost-effectiveness. Compensation should be fair and account for the nature of the injury as well as the impact on employment earnings. Employer premiums should be fair, competitive and account for the full cost of the system including claims, reserves and administration.

EXCLUSIVE JURISDICTION

WorkSafeNB has final decision-making authority – it is not bound by legal precedent, and must judge each case on its individual merits.

BOARD INDEPENDENCE

The governing board is stakeholder-driven, autonomous, non-political, and financially independent of government or any special interest group.



WE DEDICATE OURSELVES TO
THE PROVISION OF PROMPT, EFFECTIVE,
EFFICIENT, AND CARING SERVICES
TO EACH OF OUR CLIENTS.



SAFETY

GOAL OUR VIGOROUS PURSUIT OF A SAFE WORK CULTURE WILL LEAD TO A DECLINE IN THE OVERALL FREQUENCY OF WORKPLACE INJURIES, AND A DECLINE IN THE PERCEPTION OF THE INEVITABILITY OF WORKPLACE INJURIES IN NEW BRUNSWICK.

TARGETS

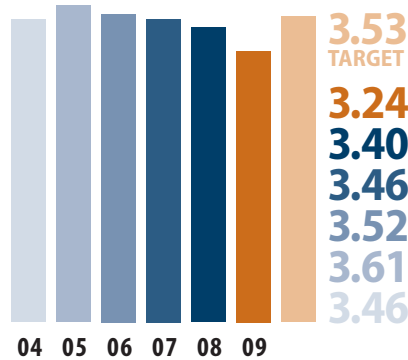
- The workplace injury frequency rate per 100 full-time employees (FTE) will be lower than the previous five-year average.
- The lost-time workplace injury frequency rate per 100 FTE in New Brunswick will be lower than the Canadian average.
- The percentage of workers and employers agreeing that workplace injuries are inevitable will be lower than the previous five-year average.

RESULTS

PROVINCE-WIDE

The number of workplace accidents decreased to an estimated 3.24 accidents per 100 full-time employees, representing a 4.9% decrease from 2008 (3.40 per 100 workers).

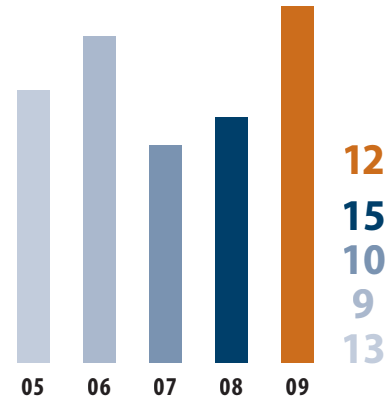
Provincial Accident Frequency Rate
(Rate per 100 FTEs)



Note: Before 2008 no target had been defined.
*Previous years adjusted to reflect the most current data.

In 2009, WorkSafeNB adjudicated 12,235 applications for claims, a 7% decrease from 2008; 882 were rejected as being unrelated to work, or because the employer was not insured. Of those accepted, 6,102 involved lost time of at least one day (a 6% decrease from 2008), and 5,251 were no lost-time claims (medical costs only, and an 8% decrease from 2008). There were 10 fatalities.

Fatalities by Year of Accident



Note: Represents workplace fatalities by year of accident or disease, regardless of date of death.
*Has been restated from previous reports to reflect new information.
**2008 and 2009 include one fatality in each year under the Firefighters' Compensation Act, passed in 2009.

JURISDICTION

At 1.36, New Brunswick's lost-time injury frequency remained below the national average of 2.12, as reported by the Association of Workers' Compensation Boards of Canada. (2008 is the latest year available for comparison information for the Canadian jurisdictions.)

New Brunswick's provincial accident frequency continued to decline over the past decade. WorkSafeNB is proud of the workers, employers, schools and safety associations who help make our province one of the safest in Canada in which to work.

Perceptions of workplace injuries

We began surveying New Brunswickers in 2008 to gauge the percentage of workers and employers who viewed workplace injuries as inevitable. In 2009, agreement ranged from 52% for general workers to 71% for injured workers, with 61% of both registered and non-registered employers agreeing with the statement. This represents an increase in agreement over 2008 in all categories except for general workers, which saw a 3% decrease.

In 2009, WorkSafeNB focused its attention on three industries with high accident frequency, costs or work risks: nursing homes, supermarkets and restaurants. Staff met with employer associations in these industries to discuss accident issues and recommend improved practices. Our health and safety officers increased visits and inspections to these industries, and WorkSafeNB staff helped them improve their health and safety programs.

Nursing homes continue to experience an increase in injuries, with an 11% higher frequency in 2009 over 2008. Supermarkets and restaurants improved slightly (0.5% and 3% respectively).

Since initiating the focus industry program in 2002, WorkSafeNB has selected a number of industries for intervention. The following are no longer active focus industries: potato farming, aquaculture, pre-fabricated buildings, logging, sawmills, fish processing, highway/street/bridge construction and seafood processing.

SAFETY PROFILE



Roy Silliker
General Manager, NBCSA

The construction industry is one of the most dangerous in Canada, with 20% of all Canadian workplace fatalities occurring on a construction site*. But things are different in New Brunswick, where accident frequency in this industry continues to decline.

Much of this credit can go to the New Brunswick Safety Construction Association (NBCSA). Founded in 2001 and funded by the construction industry, NBCSA is an active and passionate promoter of health and safety, and offers training and safety programs to its membership at, or near, cost.

"Construction work requires very particular skills and therefore must be complemented with specialized training," said Roy Silliker, general manager of the NBCSA. This specialized training includes courses such as fall protection, trenching awareness, lockout, hazard identification and control, and accident/incident investigation. The courses focus on real-life hazards and effective prevention plans.

"Quality, standardized training will improve the awareness of workers and management regarding workplace hazards, and help them control these hazards," Silliker said.

Training and orientation is necessary not only for new employees, but also for employees given new tasks or transferred to other departments, he said. "It is important to do this training before the employee starts the job they are assigned, so they will learn the proper procedures and not fall into the old 'this is the way it's always been done' mindset."

WorkSafeNB has worked closely with the NBCSA since its inception. WorkSafeNB collects funds on behalf of the NBCSA. All companies that pay compensation to WorkSafeNB under a construction code are charged a levy, and become automatic members of NBCSA. WorkSafeNB also advises the NBCSA on all courses to ensure they meet the requirements of the *Occupational Health and Safety Act* and Regulations.

"Safety associations are an integral component of our prevention strategy," said Andy Rauska, WorkSafeNB's director of divisional support. "The NBCSA is the product of an industry desiring and taking control and responsibility for the health and safety of its industry. We are pleased to actively partner with NBCSA in realizing its primary objective of 'Save lives and reduce injuries'. Since 2005, the injury frequency in the construction industry in our province has declined by 15.9%. The industry, through its safety association, has some ownership in this decrease."

Since 2001, the NBCSA has issued 110,474 training certificates. Their commitment to the safety of New Brunswick workers also extends to students. Through their Safety Passport Program, the NBCSA has issued certificates to more than 31,500 students – important training that may one day save the limbs and lives of our sons and daughters, nieces and nephews, and grandchildren.

**Centre for the Study of Living Standards, Five Deaths a Day: Workplace Fatalities in Canada*

WorkSafeNB continues to monitor former focus industries to determine the long-term impact of our interventions. Former focus industries continue to improve (a 5% reduction in accident frequency in 2009, and 30% below the five-year average).

Industries: Accidents per 100 workers

	2005	2006	2007	2008	2009
Former Focus Industries	18.22	16.52	12.15	10.74	10.17
Nursing Homes	5.87	7.05	6.27	7.23	7.99
Supermarkets & other Grocery (except Convenience) Stores	5.81	4.70	5.08	4.66	4.68
Accommodation & Food Services – Limited and Full Restaurants	3.03	2.89	2.60	2.78	2.70

The key to prevention is education and enforcement. In 2009, our health and safety officers and occupational hygienists conducted 8,548 workplace inspections, and wrote 7,585 orders under the *OHS Act* and Regulations. They continued to promote and enforce our zero tolerance programs in the areas of fall protection, trenching and equipment lockout.

Prosecutions:

Occupational Health and Safety Act

	2006	2007	2008	2009
Number of charges	20	30	49	19
Number of convictions*	19	12	14	4
Value of fines**	\$85,600	\$61,300	\$56,505	\$11,500
Complaints filed	9	8	19	8

**Does not reflect the number of individual counts for which a defendant was found guilty or entered a guilty plea.*

***Includes cases begun in previous years but only concluded in 2009.*

WorkSafeNB's education consultants conducted 497 workshops at workplaces throughout the province on topics including due diligence, worker/employer responsibilities, developing health and safety programs, accident investigation, trenching and fall protection. We also provided joint health and safety committee (JHSC) training to 1,616 workers from 625 companies.

Because work-related musculoskeletal injuries (MSIs) make up a significant portion of claims and claim costs, WorkSafeNB continued promoting its MSI program. This strategy included helping employers implement ergonomic programs, MSI-reduction education, and compliance. The focus was on back and shoulder injuries, concentrating on forceful exertion in the manual handling of materials specific to our focus industries. We developed an MSI-based strategy for supermarkets, one of our focus industries, to reduce their MSI injuries by 20%. We produced a DVD on MSI prevention for industrial settings, which is available on our website. We updated and posted on the website the publications *Office Ergonomic Guidelines* and *Manual Material Handling Guidelines*, and included an MSI

component in the 3-day JHSC workshops. Our MSI workshop at the health and safety conference was well attended. Health and safety officers increased the number of inspections, concentrating on MSI injuries. Since implementing our MSI strategy in 2007, MSIs have declined by 9.4% for assessed employers compared to our benchmark year: 2005 to 2009.

The 29th Annual Health and Safety Conference provided additional opportunities for education. More than 500 participants attended the conference, featuring workshops on topics such as new worker orientation, ladder safety, electrical safety, and mould control and recognition.

Our partnership with the New Brunswick Community College system resulted in the introduction in September 2009 of a new curriculum that includes 14 hours of health and safety in all college programs, reaching approximately 6,500 students. WorkSafeNB has trained an NBCC employee at each campus to mentor other instructors.

We continue to work closely with the Department of Education by being involved in curriculum writing, providing support resources and introducing new programs. Between August 2008 and August 2009, more than 87,300 students were exposed to health and safety through our youth resources and programs such as Stella the Safety Skunk, Progressive Agriculture® Safety Days, the Lost Youth Tour, YouthSafeNB website, and through our ongoing partnership with Service Canada Youth Centres.



WE BELIEVE THAT A TEAM APPROACH
ENSURES THAT ALL
MEMBERS OF WORKSAFENB ARE WORKING
TOWARDS A SHARED VISION, MISSION,
VALUES, AND GOALS.



SERVICE

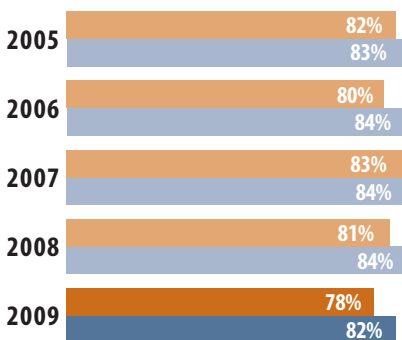
GOAL WE WILL PROVIDE EFFECTIVE PROGRAMS AND SERVICES, IMPLEMENTED WITH CARE, COMPASSION, EFFICIENCY, PROMPTNESS AND FAIRNESS, TO BENEFIT BOTH WORKERS AND EMPLOYERS.

TARGETS

We will maintain or exceed the high level of satisfaction, in excess of 80%, that both our injured worker and employer clients have come to expect.

RESULTS

Client Satisfaction Index



Injured Workers
Registered Employers
Target 80%

CLIENT SATISFACTION INDEX: INJURED WORKERS

In 2009, 78% of injured workers indicated satisfaction with WorkSafeNB's service attributes, included in the Client Satisfaction Index. This is a slight decrease from 2008 (81%) and below the target of 80%, but within the statistical margin of error.

CLIENT SATISFACTION INDEX: EMPLOYERS

In 2009, 82% of registered employers reported satisfaction with WorkSafeNB's service attributes included in the Client Satisfaction Index. This achieves the board's target, but represents a slight decrease from the level of satisfaction reported in 2008 (84%).

Note: The Client Satisfaction Index examines injured workers' and employers' satisfaction with WorkSafeNB's

service delivery, specifically as it relates to professionalism, willingness to listen, understanding the client's needs, accuracy of information provided, amount of benefits, timeliness of handling claims, prompt service, respect, fairness, competency, communications, and effective handling. The survey is administered by an independent agency.

WorkSafeNB works toward client satisfaction by offering workers fair claims adjudication, timely delivery of benefits, hands-on case management and return-to-work services, and easy to read and informative communication tools.

To clearly communicate to our stakeholders the level of service they can expect, the board of directors approved Policy No. 20-100 Principles of Service Delivery. This policy outlines our commitment to client

Client satisfaction means knowing what our clients want, understanding their expectations and delivering quality services to meet their needs, within our legislated boundaries.

services that are caring, compassionate, efficient, prompt and fair.

In 2009, WorkSafeNB created 23,880 claim files; approximately one-half of these involved no claim costs or application for benefits (notification of event only, or billing from physician with no subsequent application from the worker for benefits). We adjudicated 12,235 applications for claims, a 7% decrease from 2008; 882 were rejected as being unrelated to work, or because the employer was not insured. Of those accepted, 6,102 involved lost time of at least one day (a 6% decrease from 2008), and 5,251 were no lost-time claims (medical costs only, and an 8% decrease from 2008).

The average number of days from injury to first cheque for manageable claims decreased by 9.4% when compared to 2008 (19.3 days in 2009 compared to 21.3 days in 2008).

In addition to maintaining and populating two websites (*worksafenb.ca* and *youthsafe.ca*) WorkSafeNB's Communications Department produces a number of publications for both workers and employers. These include a monthly electronic newsletter, E-News; Contact, our print newsletter; the annual and stakeholder reports; hazard and risk alerts; a workshop calendar; posters; pamphlets; and, pocket cards.

All publications are available in both official languages, and in 2009 Translation

SERVICE PROFILE



Rachel Cyr
Administrative Assistant, WorkSafeNB

An organization's customer service is only as good as its people. That's why WorkSafeNB is proud to have people like Rachel Cyr on staff. Cyr is the administrative assistant for WorkSafeNB's northwest region, based in Grand Falls.

As an administrative assistant, Cyr's tasks are varied and seemingly endless. In addition to the clerical duties involved in running an office, she is responsible for managing special projects; supervising, monitoring and assigning work for support staff; researching and preparing reports, statistics and correspondence; and, co-ordinating staff training requirements, to name a few.

But one of her most important functions is

responding to the numerous inquiries sent her way.

"Good customer service just takes one easy step – the extra one," Cyr said. "It means going above and beyond and finding out what the client wants by listening closely and asking the right questions. It means treating them with respect, honesty and understanding, and responding to them quickly and appropriately.

"This is important to me because when I'm the client that is how I want to be treated. And when I give this kind of service, I feel good about myself," she said.

Cyr has been employed by WorkSafeNB for 14 years.

"Because of my experience, I am often called upon by other regions for my input, especially about difficult benefit calculations and benefit entitlement. And by ensuring that benefit calculations and payment of accounts are completed properly and accurately, we will provide quality client services," she said.

"I am also the contact person in the absence of the regional director and the assistant regional director, and also help our human resources department schedule and administer testing for job applicants, and assist with our region's payroll and balancing of vacation and sick time." Since most of her calls are regarding annuities, she is currently enjoying working on the development of WorkSafeNB's new annuity module and its training manual.

Cyr's expertise is as sought-after and appreciated by WorkSafeNB clients as it is by staff. Rachel Comeau,

of the City of Edmundston, was impressed by Cyr's professionalism during the City of Edmundston's implementation of the electronic Form 67.

"Rachel Cyr provided exceptional service during the application of the electronic Form 67 through Service New Brunswick for the City of Edmundston. She was very professional, and never hesitated to offer her help or answer my questions. The user guide she provided was also very helpful. Rachel gets things done and is knowledgeable. It was a pleasure to work with her," said Comeau, health and safety co-ordinator, City of Edmundston.

Cyr said when you love your job, providing quality customer service just comes naturally. "You also have to be a good listener and give accurate information, promptly and efficiently. You must be friendly, polite, helpful, positive, honest and have a lot of patience. And never make a promise you can't keep."

Services translated or managed the translation of close to 670,000 words.

To promote workplace safety among the community and stakeholders, WorkSafeNB hosts a variety of events throughout the year. The largest of these is the Annual Health and Safety Conference, which attracts over 500 participants from around the province and tackles both basic and emerging workplace safety concerns. WorkSafeNB also co-ordinated a province-wide speaking tour for the chairperson, who presented the economic benefits for investments in safety to business groups such as the Saint John Board of Trade and the Moncton Chamber of Commerce. Other events include a Day of Mourning ceremony, breakfasts featuring safety workshops as part of North American

Occupational Health and Safety (NAOSH) Week, and activities in conjunction with Disability Awareness Week.

To promote and discuss our services, WorkSafeNB's Assessment Services Department hosted 13 information sessions with employers, employer associations and other groups.

The WorkSafe Services Division prevention staff conducted 15, 517 activities in the areas of education, ergonomics, occupational hygiene, general consulting and officer interventions, with 3,106 firms. To expand our focus on injury prevention, we added three additional health and safety officers to our staff in 2009.

At the end of 2009, 108 large employers were using the electronic Form 67. The online application has improved the efficiency of information gathering for claims adjudication.

In 2009, the number of employers using the MAAP (Monthly Assessment on Actual Payroll) system increased by 2.7% from 2008. MAAP allows employers to pay their assessment monthly, based on actual payroll, online.



WE ARE COMMITTED TO PROVIDING
COMPETENT AND ENERGETIC LEADERSHIP
THAT IS FOCUSED ON A CLEAR DIRECTION
FOR WORKSAFENB.



RETURN TO WORK

GOAL WE WILL DECREASE THE TIME BY WHICH INJURED WORKERS RETURN OR ARE READY TO RETURN TO EMPLOYMENT.

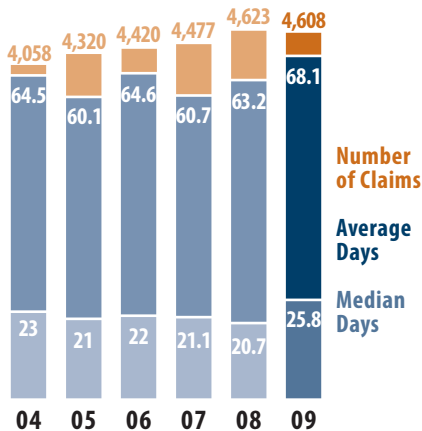
TARGETS

The average paid compensation days for claimants with a return to work goal will be lower than the previous five-year average.

RESULTS

Although the trend in average duration of lost-time claims continues to decline, we did not meet the goal for reducing the average paid compensation days below the five-year average.

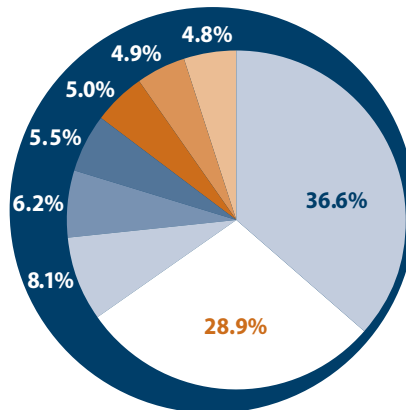
Days of Paid Compensation



*Previous years have been restated to reflect current information.

Results as at December 31, 2009 indicate a 7% increase. This result is likely to improve as the data matures and we estimate a final increase of 2.1% in 2009 over 2008.

Nature of Injury - Lost-Time Claims

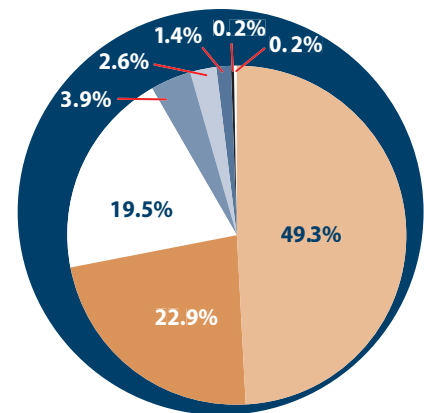


- 36.6% Sprains, strains, tears, unspecified
- 28.9% Other
- 8.1% Fractures
- 6.2% Bruises, contusions
- 5.5% Cuts, lacerations
- 5.0% Soft Tissue Injury (Traumatic)
- 4.9% Traumatic injuries to muscles, tendons, ligaments, joints, etc., unspecified
- 4.8% Back pain, hurt back

In 2009, 2.5% (116 clients) were not capable of returning to any employment

following their workplace injury and are receiving full long-term disability benefits; 1.9% (87 clients) were not re-employed when their claim was closed; 95.7% (4,479 clients) were back to work immediately following their rehabilitation.

Injury Event Exposure - Lost-Time Claims



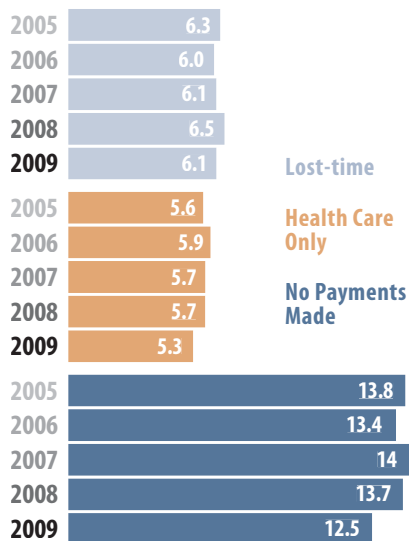
- 49.3% Bodily reaction and exertion
- 22.9% Contact with objects and equipment
- 19.5% Falls
- 3.9% Exposure to harmful substances or environments
- 2.6% Transportation accidents
- 1.4% Assaults and violent acts
- 0.2% Fires and explosions
- 0.2% Other events and exposures

There were 6,102 lost-time claims processed

Injured workers want and deserve a safe and early return to work, and our case managers help them do this. Case managers collaborate with the injured worker, the employer and health care providers to remove barriers for a safe return to work and make the transition as smooth as possible. Case managers play the role of educators, negotiators, mediators and facilitators throughout the process, all the while demonstrating flexibility, creativity, sound decision making and effective communication skills.

in 2009, and the average payment per claim was \$3,575. The maximum insurable earnings for injured workers with lost-time claims, or their dependants, was \$55,400, and benefits are based on 85% of their net income (gross income less income tax and CPP/EI contributions).

Number of Claims Processed in 2009 by Type (in thousands)



Some injured workers require more comprehensive support to help recover from their injuries and return to work. This help is provided through case management teams located in the regional offices, and may last for several months, or, in the most severe cases, several years.

RETURN TO WORK PROFILE



Shane Strong

former injured worker who is back to work

Shane Strong knows first-hand that a positive attitude is as essential to any return-to-work action plan as surgery or physiotherapy. An awkward tilt of his head resulted in a herniated disc in his neck, ending his well-paying job as an aluminum fabricator. Rather than sit home and wait two years for surgery, Strong looked for other options. He was referred to WorkSafeNB's Vocational Evaluation Program, where staff recognized his motivation and willingness to learn new skills to return to work.

"His attitude was exceptional," said his WorkSafeNB case manager, Lynn Hebert. "Shane was not afraid of change and moving forward. He didn't want to be stuck in the past and dwell on

his injury and limitations. The key factors of his success were definitely his motivation, drive for change and great sense of humour."

WorkSafeNB sponsored Strong for a long distance education program with the Southern Alberta Institute of Technology. He juggled his schoolwork with a position he found at an automatic door manufacturer through WorkSafeNB's On-the-Job Training Program.

"I didn't want to reinvent the wheel," Strong said. "It was easier getting into something I was already familiar with, where I knew or knew of other people in the field."

Strong graduated with a Construction Management Certificate of Achievement on January 21, 2009. A day later, his employer hired him as the permanent construction project manager.

"It's a bit different than what I was used to. I'm in charge of purchasing, small project management and some estimating. I do lots of different things, so it's never tedious."

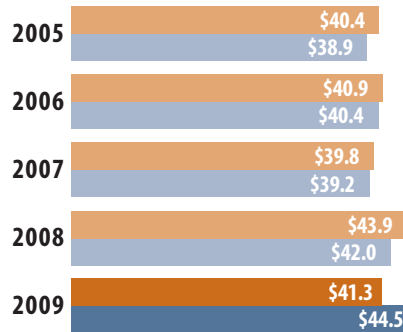
At 52, Strong has redefined himself through hard work and determination. His message for other injured workers who find themselves in a similar situation is "Go for it! It's a lot better than staying at home feeling sorry. Take advantage of every program available to you. The people who helped me were great and if I had to do it all over again, I would."

In 2009, 4,444 claimants received case-managed services.

WorkSafeNB's Continuum of Care model for case management is an incremental care and treatment approach to getting an injured worker safely back to work, as quickly as possible. The ongoing evaluation of this model helps identify areas for improvement in process and services. In 2009, WorkSafeNB evaluated the rehabilitation services of primary physiotherapy, work conditioning, work capacity evaluations, occupational therapy home care assessments and the management of clients with carpal tunnel syndrome. Quality improvements as a result of these reviews include the development of reporting templates, the implementation of functional outcome measures and the revision of standards and protocols.

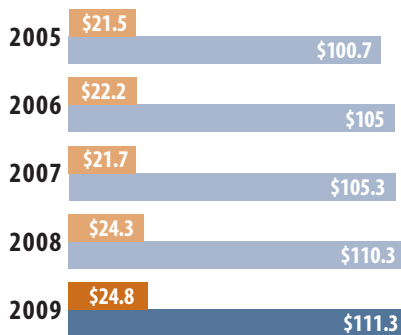
Because shoulder injuries have become a significant contributor to workplace injuries in New Brunswick and often result in prolonged disability and unnecessary surgery, in October 2009 we implemented a shoulder soft tissue injury management initiative. Shoulder injury care maps, based upon best practice physiotherapy and medical management, were developed and are being piloted.

Short-term Disability and Rehabilitation and Health Care Payments (in millions)



Short-term Disability and Rehabilitation Payments Health Care Payments

Benefit Payments (in millions)



Current Year Injuries Prior Years' Injuries

Historically, health care payments to treat injured workers have increased significantly year over year. When adjusted for inflation, this trend has slowed in recent years and payments have remained relatively flat, which is encouraging in that the rate of inflation for health care services has generally exceeded the Consumer Price Index.

In general, the total lost-time payments for injured workers, when adjusted for inflation, has declined in recent years.

WorkSafeNB provides pension and long-term disability benefits to workers with a residual disability resulting from the injury. At the end of the year, there were 1,653 pre-1982 injury pensioners and widows/dependants (a 3% reduction from 2008), and 2,606 injured workers receiving long-term disability (an increase of 1%).

We provide injured workers with an intensive, specialized approach to rehabilitation through our Work Recovery and Vocational Evaluation Programs based out of our facility in Grand Bay-Westfield. In 2009, 815 clients were admitted for treatment, with 601 of those clients receiving treatment for one week or longer. Of this number, 9.32% made a full return to work, 46.42% made a gradual or modified return to work, and 22.29% left the facility ready to return to work.

In 2009, we provided two new interdisciplinary team services to our clients: an opioid reduction program with functional restoration, and a pilot project involving clients with a high pain and activity score. And, in addition to the Shoulder Soft Tissue Injury Pilot Project, we implemented a new pilot for Motivational Enhancement Training (MET). WorkSafeNB monitors the results of these programs and evaluates them in relation to our injured workers' needs.



WE ENSURE THAT OUR DECISIONS
ARE MADE WITH INTEGRITY, CREDIBILITY,
AND ACCOUNTABILITY.



BALANCE

GOAL WE WILL PROVIDE THE BEST POSSIBLE BENEFITS TO INJURED WORKERS WHILE MAINTAINING THE LOWEST POSSIBLE ASSESSMENT RATES FOR EMPLOYERS.

TARGETS

At a minimum, we will maintain a 100% funded liability.

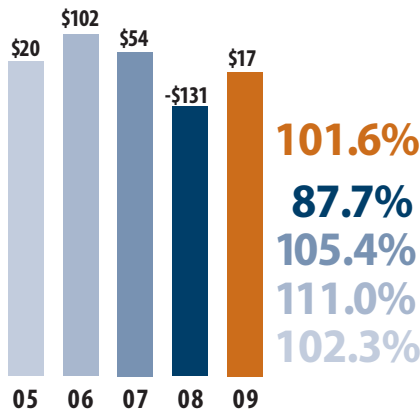
RESULTS

FUNDED LIABILITY AND INVESTMENT PORTFOLIO

WorkSafeNB generates revenues through investments to pay expenses not covered by assessment revenues. Our investment portfolio's assets, and its anticipated

Funding History

Dollar Amounts (in millions) and Percentage Funded

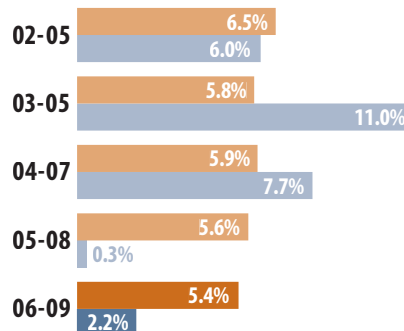


future income, provide for the benefit liabilities payable to injured workers, their dependants and service providers. At the end of 2009, these investments reached \$853 million, representing a 101.6% funded liability. WorkSafeNB's investment portfolio produced an annual return of 18.08%.

PERFORMANCE OBJECTIVES

Objective 1:

The investment portfolio's rate of return is to exceed the increase in the Consumer Price Index (CPI) + 3.8%, on a four year



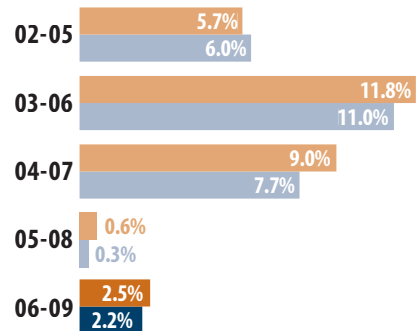
CPI + 3.8%
WorkSafeNB

moving average basis. (Before 2006, the objective was CPI + 4%.)

PERFORMANCE OBJECTIVES

Objective 2:

The investment portfolio's rate of return is to exceed the return generated by the investment policy defined benchmark portfolio by 0.75%, on a four year moving average basis.



Benchmark + 0.75%
WorkSafeNB

ASSESSMENT RATE

The 2009 provisional assessment rate of

The board of directors provides WorkSafeNB with the governance and oversight needed to maintain excellent service and benefits balanced with the lowest possible employer assessment rates. Their leadership defines the standards and expectations New Brunswickers demand and deserve, and, through their governance and oversight, helps us meet them. Their leadership sets the tone for accountability and transparency, and is typified through the policies and practices they establish and monitor.

\$2.03 represents a decrease of \$0.02 from 2008. The decrease reflects an improvement in WorkSafeNB's funding status. In 2009, New Brunswick's rates continued to remain the lowest in Atlantic Canada.

OVERVIEW OF FINANCIAL RESULTS

Better than expected investment returns, claims costs and administration costs resulted in a surplus of \$129.2 million in 2009, compared with a \$185.2 million deficit in 2008. Actual investment returns were 18.08%, compared to budgeted returns of 7.12%.

Actual claims and administration costs were \$192.2 million, which is 25.8% lower than the budgeted claims and administration costs of \$241.9 million. These operating results improved the funded position to \$16.8 million, or 101.6%.

ACTIVITIES

Payments to injured workers or third parties on their behalf totalled \$136.1 million, a 1.2% increase over 2008 payments of \$134.5 million.

WorkSafeNB conducted 282 fraud and abuse investigations in 2009, advancing the principles of detecting, preventing and deterring fraud and abuse. These investigations resulted in present and future claim cost savings in excess of \$354,880.

BALANCE PROFILE



Tim Petersen
Controller, WorkSafeNB

In maintaining its balance goal, WorkSafeNB faces many challenges moving forward, including volatile financial markets and transition to new accounting standards. WorkSafeNB will rely on its disciplined approach to financial management and fiscal and economic planning to meet these challenges.

In February 2008, the Canadian Accounting Standards Board (AcSB) confirmed that publicly accountable enterprises will be required to adopt International Financial Reporting Standards (IFRS). IFRS will replace current Canadian Generally Accepted Accounting Principles for those enterprises, explains Tim Petersen, WorkSafeNB's controller. "The transition to IFRS is

expected to improve transparency, management information, and the consistency of reporting across jurisdictions," Petersen said.

"For WorkSafeNB, IFRS will be effective for interim and annual periods beginning January 1, 2011, including the preparation and reporting of one year of comparative figures," he said.

WorkSafeNB is currently evaluating the impacts and implications from this conversion. "We are consulting with the external auditor and external actuary, and are actively involved in a consultation committee that includes representatives from the other Canadian workers' compensation jurisdictions. The key impacts identified to date include expanded disclosure requirements for benefits liabilities, revaluation of land and buildings to fair value, and recognition of actuarial gains/losses on post-employment benefits in the year that they occur."

The International Accounting Standards Board (IASB) is working on a project that will likely result in significant changes to IFRS 4 – Insurance Contracts. "These changes are expected to be implemented by 2013 and may add volatility to WorkSafeNB's short-term results. Despite the short-term volatility, WorkSafeNB's long-term risks will remain unchanged under IFRS," Petersen said.

WorkSafeNB has developed an implementation

plan, and communicated it to the board of directors. The board receives regular updates on WorkSafeNB's progress and is apprised of any new developments that may have a significant impact on their fiscal planning.

"The key challenge will be communicating with stakeholders to ensure they understand the implications of the transition to IFRS. But I'm confident that our well-established and disciplined approach to financial management and fiscal and economic planning will ensure a smooth transition and assist in maintaining stability in benefits for injured workers and assessment rates for employers."

The number of referrals continues to increase annually.

The General Counsel Department annually oversees 70-90 third party motor vehicle claims, either acted upon within the department or handled by external lawyers. The 32 finalized cases in 2009 enabled WorkSafeNB to recover approximately \$1.2 million in claim expenses, and provided the same amount of cost relief to employers. (The cost relief provided is equivalent to the revenue generated by \$0.01 on the average assessment rate.) Excess damages totalling \$606,383 were paid to injured workers, in addition to compensation benefits of close to \$1.4 million.

The board of directors approved or updated several policies, including:

- Policy No. 21-206, to reflect the legislative amendment that increased the percentage to be set aside for the purchase of an annuity when an injured worker reaches age 65, from 5% to 10% of benefits.
- Policy No. 23-610, the policy that

Canada – Average Assessment Rates (in 2010 Ascending Order)

Jurisdiction	Actual 2005	Actual 2006	Actual 2007	Actual 2008	Provisional 2009*	Provisional 2010**
Alberta	\$1.83	\$1.63	\$1.46	\$1.33	\$1.32	\$1.32
British Columbia	\$1.99	\$1.89	\$1.54	\$1.51	\$1.56	\$1.56
Manitoba	\$1.72	\$1.72	\$1.71	\$1.62	\$1.60	\$1.60
Saskatchewan	\$1.99	\$1.87	\$1.87	\$1.74	\$1.66	\$1.63
Northwest Territories & Nunavut	\$1.96	\$2.00	\$1.76	\$1.80	\$1.71	\$1.80
New Brunswick	\$2.16	\$2.09	\$2.07	\$2.03	\$2.01	\$2.08
Prince Edward Island	\$2.34	\$2.24	\$2.20	\$2.15	\$2.16	\$2.15
Quebec ¹	\$2.29	\$2.32	\$2.19	\$2.14	\$2.10	\$2.19
Ontario ¹	\$2.23	\$2.24	\$2.24	\$2.24	\$2.26	\$2.30
Nova Scotia	\$2.63	\$2.63	\$2.64	\$2.68	\$2.65	\$2.65
Newfoundland & Labrador	\$3.30	\$2.66	\$2.73	\$2.74	\$2.75	\$2.75
Yukon ²	\$1.79	\$2.28	\$2.87	\$2.90	\$3.00	\$2.95

Note: Comparisons of average assessment rates can be very misleading and are influenced by the various methods adopted by WCBs for developing these averages. For example, weighting of individual rates by payroll or by industry can significantly impact the average rate. The mix of industry, the varying benefit levels and earnings ceilings, extent of industry coverage and degree of funding of liabilities can also result in distorted comparisons of average assessment rates by jurisdiction. Extreme caution should, therefore, be exercised in how average WCB assessment rates are used.

All rates, except for the two most recent years, are the actual average assessment rates for all jurisdictions except Ontario and Quebec. Ontario and Quebec rates for all years are provisional average assessment rates that are set at the beginning of each year.

* Rates estimated, except Quebec.

** 2010 estimated rates projected as of January 2010, except Quebec. In Quebec the rate represents the decreed rate set at the beginning of 2010.

¹ Provisional rates set at the beginning of each year.

² Rates for Yukon have been restated and are based on rate-assessed employers.

Source: Association of Workers' Compensation Boards of Canada (except for New Brunswick's rates). Certain figures may have been restated to reflect more up-to-date information.

provides participating employers with a financial incentive for prevention and post-injury management.

- Policy No. 23-175, a new policy that outlines employers' legislative responsibilities, the programs and services available to help employers meet these responsibilities, and WorkSafeNB's role in enforcing the legislation.
- Policy No. 20-100, a new policy that outlines the delivery of caring, compassionate, efficient, prompt and fair client services.

WorkSafeNB consulted with stakeholders on removing the three-day waiting period

for benefits for police and firefighters.

Some stakeholders were in agreement with removing the wait for firefighters and police, some wanted the three-day wait removed for all workers, while others supported no change. Given the result of the consultations, and the economic environment at the time, the board of directors did not recommend removing the three-day wait for firefighters and police. Despite this, Bill 20: *An Act to Amend the Workers' Compensation Act* received royal assent in December 2009, removing the three-day wait for firefighters and police officers.



WE ENSURE THAT OUR COMMUNICATIONS
ARE BASED ON TRUST, MUTUAL RESPECT, OPENNESS,
AND CLEAR AND RELIABLE INFORMATION.



STAFF SATISFACTION AND ENGAGEMENT

GOAL OUR EMPLOYEES WILL FEEL THEIR WORK IS VALUABLE AND MAKES A DIFFERENCE, MOTIVATED BY THE UNDERSTANDING OF HOW THEIR ROLE AND INDIVIDUAL CONTRIBUTION IS CRITICAL TO ACHIEVING OUR VISION, MANDATE, VALUES, AND GOALS.

TARGETS

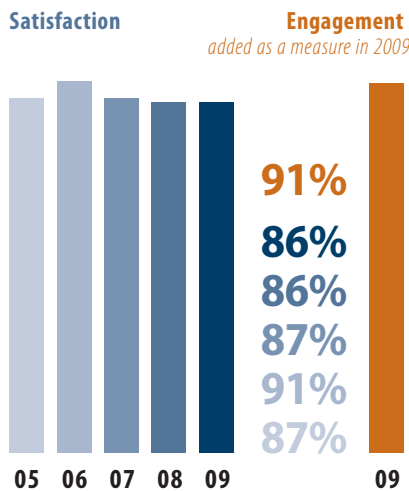
Employee satisfaction and engagement levels will meet or exceed the previous five-year average.

RESULTS

SATISFACTION AND ENGAGEMENT

In 2009, 86% of employees indicated that they find WorkSafeNB “a good place to work,” as measured by the annual staff satisfaction survey. This remains unchanged from 2008, and down from the five-year average of 89% (2004-2008). Employee engagement also remained unchanged from 2008. For the second year, responses to a survey question that measures employee engagement indicate that 91% of our employees are committed to their work and believe it is valuable, makes a difference and contributes to the organizational goals. (Only two years of

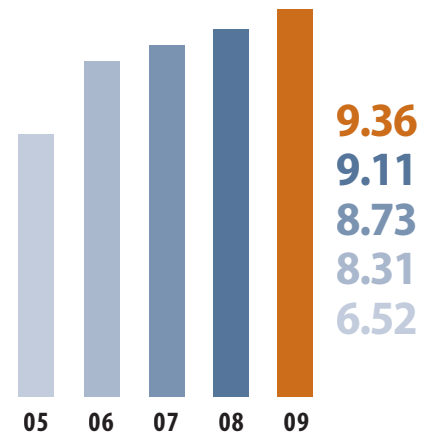
data is available to measure employee engagement.)



ABSENTEEISM

On average, employees were absent from work 9.36 days, a slight increase over the five-year average of 8.06 days.

Absenteeism (days/person)



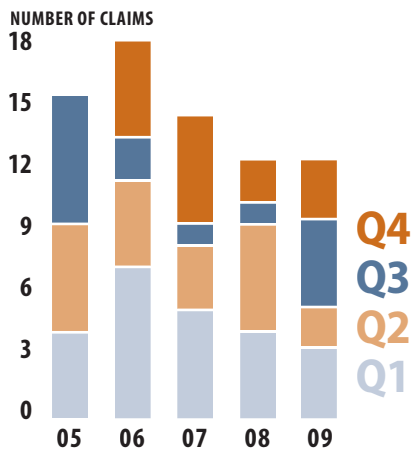
HEALTH AND SAFETY

There were 12 accepted claims in 2009, representing 2.65 accepted claims per 100 full-time equivalent (FTE) workers. The accepted claims per 100 FTE is lower than the five-year average of 3.45. Two were lost-time claims totalling 43 days, and costing slightly more than \$10,000. WorkSafeNB’s active incident and hazard reporting

WorkSafeNB's staff satisfaction and engagement goal is based on the understanding that a satisfied and engaged workforce is critical to offering effective, efficient, high quality services to New Brunswick's injured workers and employers. We recognize that staff satisfaction and engagement contributes to stability, helps maintain productivity levels and business continuity, and minimizes human resources costs and loss of organizational knowledge. We provide competitive benefits, opportunities and services to our employees so they, in turn, can provide the same to our stakeholders.

procedure supports the positive health and safety environment. In 2009, the health and safety index from our survey was 87%, slightly lower than our target of 88%. Managers will review individual results to work on improving this average.

Accepted Claims for WorkSafeNB staff



STAFF TURNOVER

Thirty-two employees left the organization, including 14 retirements. This indicates a staff turnover rate of 7.08% and is higher than the five-year average of 5.4%. Forty-four per cent of those exiting the organization retired, and filling those vacancies was not an issue.

We predict retirements will account for 50% of the turnover in the next five years,

STAFF SATISFACTION AND ENGAGEMENT PROFILE



Edith Savoie
Director of Human Resources, WorkSafeNB

WorkSafeNB recognizes that to achieve its goals and provide high quality service to New Brunswick's injured workers and employers, it must maintain a satisfied and engaged workforce. And a healthy one. So WorkSafeNB's Human Resources Department responded quickly when the H1N1 virus posed a serious global health threat.

"We developed a plan that would respond to the needs of our staff in a potential crisis, while ensuring that we could continue to provide the most essential services to New Brunswick's

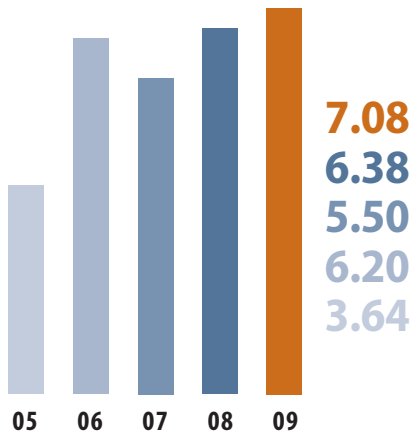
workers and employers," said Edith Savoie, WorkSafeNB's director of human resources. "The plan identified our top business priorities as legal compliance, payment of benefits and compensation to injured workers, and wage payment to employees. We implemented immediate actions and established contingency actions, identifying critical skills required and the employees with those skills."

Savoie visited each of WorkSafeNB's regional offices to present an overview of the plan, and closely monitored the pandemic's progression globally and locally. Weekly or daily updates, as the situation warranted, were posted on the Intranet site, including the dates, time and locations of vaccination clinics. A business continuity plan was developed and posted as well. Handwashing posters and sanitizing stations were mounted in all WorkSafeNB offices, as well as notices encouraging staff and visitors to keep off premises if they showed certain flu symptoms.

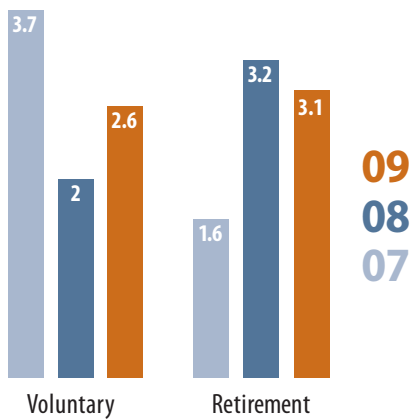
During the pandemic, Savoie, a former nurse, volunteered at public vaccination clinics. "You know it's more than lip service and fulfilling due diligence when you see the director of human resources giving up her free time to vaccinate people," said a WorkSafeNB employee. "When management shows engagement and genuine concern for their employees, that, in turn, elicits an engaged staff."

consistent with the current trend. Although this is a risk to WorkSafeNB, we have an action plan for recruitment.

Staff Turnover (percentage)

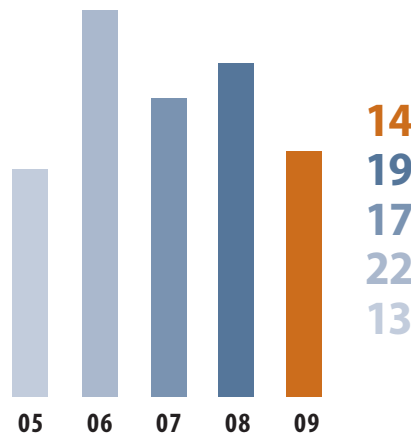


Staff Termination Reasons* (percentage)



*Does not include those who left because of performance issues, or death.

Internal Promotions



Fourteen employees were promoted in 2009. By promoting existing staff, we retain valuable knowledge within the organization.

HIGHLIGHTS

- \$543,041 was spent for educational and professional development in 2009.
- The department sponsored 30 workshops, courses and information sessions, with 148 participants.
- Thirty-four employees participated in the Growing Leaders Program, which identifies and develops staff in leadership roles.
- Supervisors conducted performance reviews with 97% of the staff.
- Reviewed and revised 30 human resources related directives or procedures.
- Reviewed and updated 74 job descriptions, which included identifying the appropriate job hazards and their controls.
- The Wellness Program provided employees

with a variety of activities in support of the four global objectives of physical, nutritional, psychological and basic health. Activities included: Biggest Loser challenge, uphill walking challenge, and Walk and Rolls, in conjunction with Disability Awareness Week. The Wellness Committee hosted lunch and learn sessions on: work/life balance; tips on going green; office yoga; menopause; financial planning; and, healthy living.

- More than 200 employees received flu vaccinations.
- Usage of our Employee Assistance Program was at 18.11%.
- The Disability Management Program helped 15 employees: 10 employees returned to work through the Gradual Return-to-Work Program; four employees remained on the job through workplace adjustments; and, one employee returned to work part-time.
- Health and Safety Program activities included: update of business continuity plan for pandemics; review of regions' processes for dealing with violence; audit of employees' knowledge of job hazards; audit of procedure for code of practice for driving and working alone; audit of inspection records on equipment; monitoring of progress to reduce slips, trips and falls and repetitive strain injuries; and assessing the material handling process for our warehouse.
- The annual staff meeting and recognition banquet was held in April, honouring 63 employees and 14 retirees.

EMPLOYMENT MILESTONES AND RETIREMENTS

IN 2009, WORKSAFENB RECOGNIZED
80 EMPLOYEES FOR THEIR YEARS OF PUBLIC SERVICE.

THOSE WITH 5 YEARS OF GOVERNMENT SERVICE

Natalie Arsenault
Sally Blount
Rebecca Bonnell Connors
Jill Breen
Yanic Chiasson
Sonia Comeau
Angela Francoeur
Jennifer Kenny
Johanne Perreault
Tracey Ross
Grace Samson
Lucie Savoie
Roberto Sgrossso
Beverly Stears



From left to right: Johanne Perrault, Angela Francoeur, Yanic Chiasson, Sonia Comeau, Beverly Stears, Roberto Sgrossso, Rebecca Bonnell Connors, Natalie Arsenault, Lucie Savoie, Grace Samson.

THOSE WITH 10 YEARS OF GOVERNMENT SERVICE

Louis Bourque
Denise Britt
Vickie Chiasson
Shelly Dauphinee
Chamila Jayasekara
Raymond Lang
Carolyn MacDonald
Bill MacLean
Susan Mayes
Derrick Murray
Dino Scichilone
Julie Thériault
Murray Turner



From left to right: Dino Scichilone, Carolyn MacDonald, Derrick Murray, Shelly Dauphinee, Louis Bourque, Raymond Lang, Julie Thériault.

THOSE WITH 15 YEARS OF GOVERNMENT SERVICE

Reginald Arsenault
Roger Burt
Jeffrey Curtis
Dr. Douglas Margison
Carol Veysey
Kevin Whelton



From left to right: Roger Burt, Reginald Arsenault, Kevin Whelton.

THOSE WITH 20 YEARS OF GOVERNMENT SERVICE

Glenda Arnold
 Sandra Blagden
 Raymond Blanchard
 Pierre Bossé
 Cathy-Anne Carpenter
 Tarie Carpenter
 Margaret Duchesneau
 Paula Fournier
 Diane Gallant
 Francine Gallant
 Cathy Love
 Louise McCaie
 Jeannine Morais
 Peter Murphy
 Diana Perry
 Monique Rogers
 Edith Savoie



From left to right: Monique Rogers, Sandra Blagden, Glenda Arnold, Pierre Bossé, Tarie Carpenter, Peter Murphy, Cathy Love, Edith Savoie.

THOSE WITH 25 YEARS OF GOVERNMENT SERVICE

Suzanne Doucet
 Judy Duplisea
 Kay Fitzgerald
 Rick Hicks
 Leah Logan-Guimond
 Pamela Wasson



From left to right: Kay Fitzgerald, Rick Hicks, Pamela Wasson.

THOSE WITH 30 YEARS OF GOVERNMENT SERVICE

David Conley
 Dale Forbes
 Charlene Gordon
 Armand Hébert
 Wendy Pilmer
 Alice Starkey



From left to right: Dale Forbes, Wendy Pilmer, Dave Conley.

THOSE WITH 35 YEARS OF GOVERNMENT SERVICE

Michael Steeves



From left to right: Presenter Conrad Pitre (vice-chairperson, board of directors), Michael Steeves, presenter Doug Stanley (president & CEO).

THOSE WHO RETIRED DURING 2009

Reginald Arsenault
 Ray Blanchard
 Lucille Chamberland
 Heather Cossaboom
 Jean Hamilton
 Donna Keays
 John LeBlanc
 Paul LeBreton
 Leo McPhee
 Judy Randall
 Clem Snider
 Michael Steeves
 Marlene Thompson
 Richard Tingley



From left to right: Archie Steeves, John LeBlanc, Heather Cossaboom, Leo McPhee, Michael Steeves.



WE MANAGE OUR HUMAN, MATERIAL,
AND FINANCIAL RESOURCES EFFECTIVELY
IN RESPONDING TO OUR MANDATE AND
ESTABLISHED PRIORITIES.



APPEALS TRIBUNAL

GOAL THE APPEALS TRIBUNAL'S GOAL IS DELIVERY OF THE HIGHEST QUALITY SERVICES POSSIBLE AND THE FAIR AND TIMELY RESOLUTION OF APPEALS.

TARGET

To reduce the inventory of appeals to be heard and to continue to improve the overall processing time of decisions.

2009 RESULTS SUMMARY:

Due to many changes in the Appeals Tribunal membership, the appeals inventory and the overall processing time of decisions were not reduced. The appeals inventory increased by 2.4% and the overall processing time increased by 4%. These increases are minimal, considering the vacancies in the membership during the year.

The Appeals Tribunal, operating at arm's length from WorkSafeNB, offers employers and workers the opportunity to appeal WorkSafeNB decisions. The Appeals Tribunal's primary responsibility is to provide fair, consistent and impartial decisions in a timely manner.



"As incoming chairperson of the Appeals Tribunal, I was faced with a large inventory of appeals from previous peak years and an increasing number of new appeals. While the Tribunal's excellent complement of managers and staff have ensured a reasonable processing time, we must explore new methods of ensuring timely service for all appellants. I am committed to the principle of the Appeals Tribunal continuing to provide

fair, consistent and impartial hearings and decisions."

Ronald E. Gaffney
Chairperson, Appeals Tribunal

THE APPEALS TRIBUNAL CONSISTS OF THE FOLLOWING:

- Chairperson: Reports to the board of directors on the Appeals Tribunal's administrative operation, and acts as a chairperson for appeal hearings.
- Vice-chairpersons: Currently there are eight part-time vice-chairpersons who chair appeal hearings.
- Appeals Panel members: Appeals Panel members, representatives of workers or employers throughout the province, are appointed by the board of directors. At present, we have 21 part-time members.
- In support of the Appeals Tribunal's activities, 12 staff members work to schedule hearings, prepare the necessary documentation and ensure decisions

are sent to all parties concerned.

ACHIEVING FAIR, CONSISTENT, IMPARTIAL AND TIMELY COMPLETION OF APPEALS REQUIRES:

- Well-trained vice-chairpersons, panel members and staff.
- A consistent approach to deciding appeals.
- Supportive legislation and policies.

THE APPEALS TRIBUNAL OFFERS THE FOLLOWING SERVICE:

Workers, dependants, and employers can appeal WorkSafeNB decisions. As an administrative tribunal, the Appeals Tribunal is a quasi-judicial body that follows the rules of Natural Justice in its decision-making.

APPEALS PANEL HEARINGS

An Appeals Panel will consider an appeal at an Appeals Panel hearing. The Appeals Tribunal holds its hearings in regions throughout the province in the official language chosen by the person submitting the appeal. Appeals Panel decisions are final and delivered in writing. The Appeals Panel consists of a Three-Person Panel or a Single-Person Panel.

THREE-PERSON PANEL

A Three-Person Panel is made up of a chairperson and two panel members. The chairperson is chosen from the Appeals Tribunal's list of individuals appointed for

that purpose. The two remaining panel members consist of a worker representative and an employer representative, also chosen from pre-established lists. Panel members are required to act impartially, and as such, do not represent any particular group.

SINGLE-PERSON PANEL

A Single-Person Panel is subject to the consent of all parties and consists of a chairperson acting alone.

HIGHLIGHTS

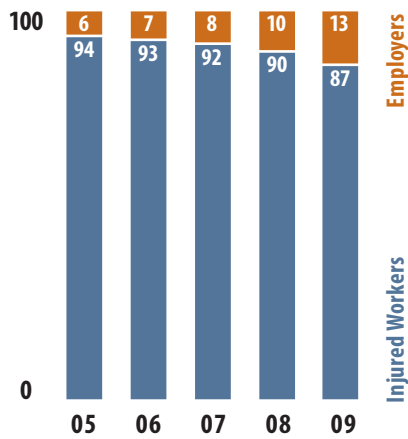
- The number of appeals received decreased by 0.5% from 2008.
- The amount of appeals processed and resolved decreased by 15%.
- The inventory of appeals increased by 2.4%.
- The processing time from the hearing to the decision being mailed to the parties to the appeal increased by 4%.
- The Appeals Tribunal had a number of changes to its membership, including the appointment of six new vice-chairpersons and six new panel members.
- Requests for reconsideration of Appeals Tribunal decisions decreased by 59%. The reasons for this decrease are unknown. Since there is no time limit to submit a reconsideration request or a limit on the number of requests, the volume varies from year to year. We will monitor the volume of requests

to determine any developing trends.

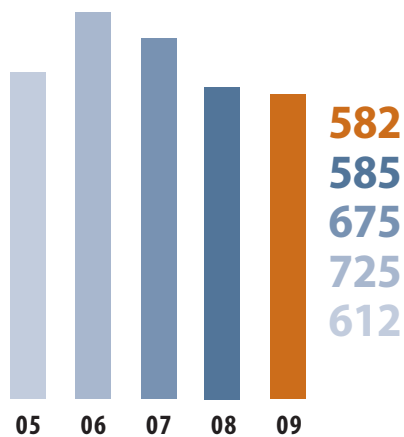
- The number of postponed appeals increased by 2.9 % over the 2008 level, where it had increased by 29%. The major reason for the increase in 2008 was inclement weather experienced in our hearing locations. In early 2009, bad weather forced a large number of postponements. However, later in the year, postponements were attributed mainly to the lack of availability of some panel members and representatives of parties to the appeal. We will continue to monitor postponements to avoid the increases of past years and to work toward reducing the overall amount.
- Appeals withdrawn before the hearing have decreased by 3%, compared to an increase of 30% in 2008. We have been monitoring the reasons for withdrawals. A large percentage can be attributed to an appeal being withdrawn in lieu of postponing due to new information coming in that needs to be seen by the original decision-maker. As well, unrepresented appellants will often submit an appeal application and then seek assistance with the worker or employer advocates. After seeking assistance, these appeals are sometimes withdrawn to allow the representative time to review the file and to obtain additional information to be sent to WorkSafeNB for review.
- The Canadian Legal Information Institute (CanLII) has completed

publishing all our decisions retroactive to 2000. As reported last year, this project complements the work already completed to publish Appeals Tribunal decisions on our website, and provides the public with an additional source to access our decisions for research purposes or when preparing for an appeal.

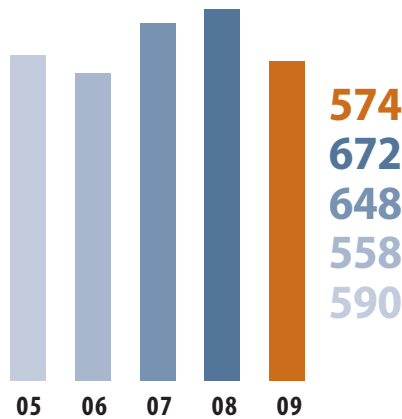
Appeals Initiated



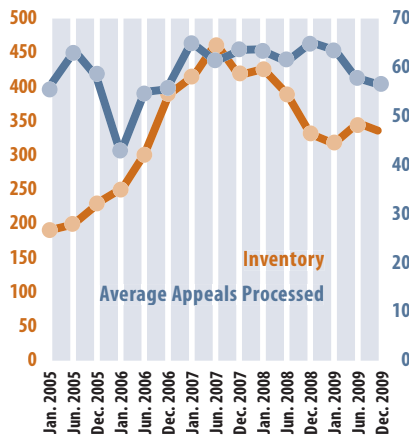
Appeals Received



Appeals Resolved



Overview of Inventory of Appeals



Appeals Results

	2005	2006	2007	2008	2009
Accepted	62%	68%	67%	68%	68%
Partial	7%	3%	5%	6%	5%
Denied	30%	28%	25%	25%	26%
Withdrawn (at hearing)	1%	1%	3%	1%	1%

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Printed in New Brunswick, June 2010

ISBN -978-0-9809342-5-0

ISSN -1710-1204

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