



**WORKSAFE** **WHSCC** **CSSIAT**  
**TRAVAIL SÉCURITAIRE**



# 2006

## WHSCC Stakeholder Report

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# Letter from the chair and president

With the second lowest accident frequency rate on record, a reduced assessment rate for the second consecutive year, and a fully-funded liability at 111.0%, 2006 was another solid year for the Workplace Health, Safety and Compensation Commission. That's why we're very proud to present to you, on behalf of the board of directors, management and staff of the WHSCC, this *2006 Report to Stakeholders*.

This report outlines our goals, the measures we've set to achieve them, and our results. While these goals are challenging, we strive not only to meet them, but also to exceed them. To help us do this, in 2006 we developed a five-year strategic plan and risk assessment that identified the following eight strategies:

- Leveraging best practices in prevention, compensation and rehabilitation
- Knowing New Brunswick workplaces
- Ensuring the highest standards in governance
- Expecting the unexpected
- Balancing the system
- Purchasing the right medical services, by the right provider, at the right cost
- Creating long-term sustainability
- Educating New Brunswickers

By adapting and ***leveraging best practices in prevention, compensation and rehabilitation***, the WHSCC can substantially enhance its performance, leading to lower costs, increased revenues and improved services. To determine best practices, in 2006 the WHSCC conducted audits on clients receiving physiotherapy, which will help identify opportunities to improve return-to-work services. We completed a review of best practice for assessing and treating clients with mild traumatic brain injury, and developed an assessment and treatment protocol based on this review. We also conducted reviews of work conditioning providers, chronic pain, gradual return-to-work services, and work capacity evaluations.

From 2001-05, the cost of work-related musculoskeletal injuries ranged from \$35-\$43 million, with 70% of those claims attributed to back and shoulder injuries. Consequently, in 2006 we developed a strategy to reduce the accident frequency and costs of these injuries.

By ***knowing New Brunswick workplaces*** we can more effectively manage prevention activities, workplace health and safety investigations and inspections, employers services, rate setting, workers' compensation, rehabilitation and return-to-work services. In 2006, the WHSCC worked closely with four focus industries – industries identified for particular attention because of high numbers of claims and costs. These industries were forestry operations, sawmills, nursing homes and fish processing. We also worked with the potato harvesting industry as well as a number of focus firms, based on the accident history of their industry group and the individual firm's accident record. And we partnered with the Canadian Federation of Independent Business on a small business campaign.

***Ensuring the highest standards of governance*** means effective strategic planning and risk assessment, strong policy decision-making, and prudent allocation of resources. And it means transparency. In 2006, we developed the *2006-2011 Strategic Plan and Risk Assessment*, a plan that will position the WHSCC as an organization



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that is forward thinking, solid, and value-adding to New Brunswick's workers and employers. We also developed guidelines that clearly define the responsibilities, skills and values needed by all board members for effective governance. And we continued to maintain transparency by publishing a quarterly accountability report.

Also in support of our commitment to ensuring the highest standards of governance, the WHSCC continues, through third parties, to administer and report the results of annual client and staff satisfaction surveys.

By **expecting the unexpected**, we can reduce the WHSCC's risks. It means being prepared for such things as declining health in the workforce, demographic shifts, and new and emerging occupational diseases and pandemics. It means considering a potential increase in injuries, for example, in the construction industry, with projects on the horizon such as the Point Lepreau refit and the LNG terminal. In 2006, the WHSCC completed an occupational disease study; the results show we are financially prepared for facing emerging diseases and pandemics. We are establishing practices to adjudicate potential claims in these situations, and continue to focus our attention on emerging issues related to diseases.

**Balancing the system** means keeping employers' assessment rates as low as possible, while providing the best possible benefits for injured workers. In 2006, employers saw the average assessment rate decrease to \$2.14 per \$100 of payroll, down from \$2.20 in 2004, and \$2.19 in 2005. Injured workers saw payments increase to \$127 million, up by 4% over 2005.

**Purchasing the right medical services, by the right provider, at the right cost** will reduce the WHSCC's cost of doing business. Providing timely, appropriate and cost-effective services benefits both injured workers and employers – injured workers are able to recover and

*Creating long-term sustainability ensures the availability of the compensation system in the years ahead;*



**Members of the 2006 Board of Directors**

Front row, left to right:  
N. Fraser MacLeod;  
Bernice Doiron Chiasson;  
Robert M. Scott\*; Chantal Lafleur;  
Paul LeBreton. Back row, left to  
right: Brad Brinston; Lin Hupman;  
Douglas C. Stanley; John Mahar;  
Morris Mendelson.

\*term expired Nov. 22, 2006

*it means the benefits promised to injured workers are secure going into the future, and reduced compensation insurance premiums for employers.*

return to suitable employment sooner, thereby reducing economic loss, and employers are not faced with the losses associated with longer than expected vacancies in their workplace, and the costs of retraining. In 2006, we continued to improve our case management practices by identifying precursors of long-term claims. By identifying these issues and dealing with them early in the claim, we increase the likelihood of success.

**Creating long-term sustainability** ensures the availability of the compensation system in the years ahead; it means the benefits promised to injured workers are secure going into the future, and reduced compensation insurance premiums for employers. In 2006, the WHSCC maintained a fully-funded liability of 111.0%; this contributes to rate stability by reducing the impact of year-to-year fluctuations, disasters and other events.

**Educating New Brunswickers** is key to our vision of healthy and safe workplaces. We implement this strategy every day, through social marketing campaigns, targeted youth initiatives, and through countless publications, including hazard and risk alerts, safety talks, and job-specific flyers and bulletins. We educate through our annual health and safety conference and workshops, through our print and electronic newsletters, and through our health and safety consultants and officers and education consultants.

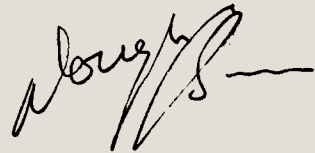
In 2006, the WHSCC rolled out the lockout and tag, and trenching phases of its Zero Tolerance campaign, begun in 2005. We launched a social marketing campaign – Injuries are no Accident – aimed at swaying the public to view workplace injuries as unacceptable, rather than unfortunate. The WHSCC provided some form of health and safety orientation to close to 55,000 students, and conducted 546 workshops around the province on topics including due diligence, accident investigation, trenching and fall protection. And the WHSCC partnered with the Human Rights Commission and the Department of Post-Secondary Education, Training and Labour to produce a set of comprehensive documents on workplace accommodation and the right to return to work. We also provided information to employers on preparing for a pandemic situation. This is just a small sampling of the work we did to educate New Brunswickers.

Yes, 2006 was a good year. But while we're proud of this work, we know there's so much more to do. One workplace fatality, one injury, is one too many – we remain steadfast in our commitment toward substantially reducing these numbers, and we promise to work diligently to increase your satisfaction with our services. We ask that you continue to share our vision of healthy and safe workplaces in New Brunswick – together we can make it happen.

Thank you for your ongoing support.



Roberta Dugas  
Chairperson, Board of Directors



Doug Stanley  
President and CEO

# VISION

## *Vision*

Healthy and safe workplaces in New Brunswick.

# MISSION

## *Mission*

The Commission 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

## *Mandate*

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

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

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

Provide recommendations and advice to government with respect to legislation and publish such reports, studies, and recommendations as the Commission considers advisable.



# GOALS

## *Safety Goal*



Our vigorous pursuit of a safe work culture will lead to a decline in the overall frequency of accidents and a significant decline in the overall frequency of accidents in industries and firms where our resources are focused.

## *Service Goal*



We will provide prompt, effective, efficient, just, fair, and caring services to each of our clients.

## *Return to Work Goal*



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

## *Efficiency Goal*



We will hold the assessment rates to employers at the lowest level possible, consistent with the best possible benefits to clients.

## *Staff Satisfaction Goal*



Our employees will consider the Commission a good place to work.



# Key Statistical Indicators

Key Statistical Indicators	2005	2006
Total claims created (can include claims with no application for benefits)	25,574	25,203
Claims recorded, no benefits paid	13,777	13,427
Total claims adjudicated	13,051	13,042
Total claims accepted	11,895	11,918
Lost-time claims	6,289	6,026*
No lost-time claims	5,606	5,892
Work-related fatalities occurring	13	8*
Average payment per claim	\$4,073	\$4,432
Average days lost per lost-time claim	73.1	74
Current year claims cost incurred (000s)	\$116,494	\$114,788
Claims payments made for current and prior years' injuries (000s)	\$122,279	\$127,151
Claims costs incurred for current and prior years' injuries (000s)	\$179,098	\$159,864
Total benefits liabilities – assessed employers	\$769,729	\$799,831
Total benefits liabilities – self-insured employers	\$118,531	\$121,142
Fund balance (in millions)	\$20.3	\$102.5
Percentage funded	102.3%	111.0%
Administration costs – Operations, excludes self-insured (000s)	\$18,892	\$19,805
Administration costs – Occupational health and safety (000s)	\$7,821	\$8,095
Assessment revenue (000s)	\$144,672	\$144,858
Total premium revenue (000s)	\$175,956	\$172,828
Assessable payroll (000s)	\$6,654,307	\$6,972,591*
Provisional average assessment rate	\$2.19	\$2.14
Actual average assessment rate	\$2.16	\$2.09*
Market rate of return on portfolio	9.5%	13.3%
Average calendar days from date of disablement to first cheque for manageable claims	18.1	20.1
Average calendar days from injury to first payment issued (all claims)	37	39
Maximum assessable earnings	\$50,900	\$51,900
Number of assessed employers	13,530	13,633
Number of New Brunswickers working	350,500	355,400
Number of workers covered by the <i>Workers' Compensation Act</i>	290,500	291,900
Number of workers covered by the <i>Occupational Health and Safety Act</i> (excludes workers covered by federal legislation)	332,400	333,700
Number of workplace health and safety inspections	6,343	7,104
Number of orders (violations of the <i>Occupational Health and Safety Act</i> ) written	5,821	5,960
Number of serious accident investigations**	129	115
Number of workplace health and safety workshops	552	546
Appeals received	612	725
• initiated by workers (or their representative)	575	675
• initiated by employers (or their representative)	37	50
Appeals resolved	590	558

\*Projected, pending receipt of final figures for 2006.

\*\*Serious accident investigations include fatalities, fractures (excluding fingers and toes), and any injury requiring hospital admission as an in-patient (amputations, burns, etc.)

Note: Certain figures may have been restated to reflect new information.



# Safety Goal

*Our vigorous pursuit of a safe work culture will lead to a decline in the overall frequency of accidents and a significant decline in the overall frequency of accidents in industries and firms where our resources are focused.*

## MEASURE

A decline in the overall accident frequency rate:

- Within the province.
- Compared to other workers' compensation jurisdictions.
- By payroll.
- By industry sectors.

A significant decline in the accident frequency rate of each:

- Focus industry over the most recent five-year period.
- Focus firm over a five-year period based on years of involvement.

## RESULTS SUMMARY

### Province-wide

The number of workplace accidents decreased to an estimated 3.57 accidents per 100 full-time employees, representing the second lowest year on record.

### Jurisdiction

New Brunswick continues to report fewer lost-time accidents than the national average, with 1.30 in 2004, and 1.42 in 2005. The national average was 2.61 in 2004, and 2.56 in 2005 (data for 2006 is not yet available).

*"Because we believe that 'injuries are no accident,' prevention is a primary focus. The safety of our young workers is one of our concerns. That's why we work closely with the Department of Education to develop and deliver relevant, age-appropriate education programs in our schools, from kindergarten through to high school. We strive to instill a personal safety culture early on – one we hope our youth will uphold throughout their working lives."*

~ Dave Greason, Vice-President, WorkSafe Services Division

**A**s parents we try to instill safety habits in our children as soon as they are old enough to understand the word "no." So it's only natural that, when they go off to school, we rely on their teachers to continue their safety education. The WHSCC and the New Brunswick Department of Education work closely together to provide teachers with the tools to do so. The WHSCC's youth programs co-ordinator is dedicated to this task.

"The WHSCC is committed to helping our educators promote health and safety in the classroom, at all grade levels," says Perley Brewer, manager of the WHSCC's Client Consulting and Education Services. "Since 1998, we've been actively involved in writing and developing health and safety curricula and programs, and producing customized support resources to help teachers nurture a culture of health and safety with our kids. Our hope is they will develop a commitment to health and safety early on, and sustain this commitment throughout their adult working life."

In the 2005-06 school year, the WHSCC youth initiatives provided some form of health and safety orientation to close to 55,000 New Brunswick students, through programs such as



### Stakeholder profile

Graham Jefferies  
Teacher,  
Harbour View  
High School

Stella the Safety Skunk, Choices for Life, Safety Start, and Passport to Safety.

And while the WHSCC believes that it is important that all ages be exposed to health and safety education, of particular focus are youth, ages 15-24. "Young and new workers are at highest risk for workplace injuries. Many young adults are dividing their attention between high school or university and a part-time job, and some have full-time summer jobs," Brewer says. "Unfortunately, many aren't aware of their job hazards, and their rights at the workplace."

The WHSCC hopes to turn this around, through its programs, and through the commitment of caring teachers, such as Graham Jefferies at Harbour View High, in Saint John.

Jefferies has been teaching high school for 27 years, and knows the importance of health and safety in the school curriculum. "Before becoming a teacher I worked in industry – I know how dangerous worksites can be. But hazards exist in all types of workplaces," Jefferies says. "Young people going to a strange job site need to know there are a lot of things out there that can hurt them – not just the obvious."

## RESULTS SUMMARY, CONT'D:

### Payrolls

The number of accidents per \$1 million in assessable payroll continued to decrease in 2006 with 1.42 accidents per \$1 million in payroll. This is down from 1.43 accidents in 2005, and from a high of 1.55 in 2002.

### Industry Sector

Compared to 2005, accident frequency for five industries decreased, while five industries increased. The most notable decrease was in the light manufacturing industry, which saw a 5.8% decrease. The industries of construction; metal and machinery manufacturing; finance and insurance; government, education and health; and accommodations and amusement, all saw marginal increases over 2005, with the exception of government, education and health, which experienced a 12 % increase.

### Focus Industries

The WorkSafe Services Division concentrated on four focus industries: nursing homes, sawmills, forestry operations, and fish processing. When compared with 2002, the accident frequency rate for the focus industries declined by 3% to 8%, with forestry operations showing a slight increase (2%).

### Focus Firms

In 2006, 77 active companies received in-depth assistance with health and safety programs. These efforts include the implementation of the Commission-developed 5\*22 health and safety model. Focus firms show a continuing improvement in accident frequencies. Since 2002, the overall accident frequency rate for firms selected has declined from 16.99 accidents per 100 FTEs, to 12.94 accidents per 100 FTEs in 2006.

## PROFILE, CONT'D:

By the time students reach high school they have the basics, but are still naïve about a lot of the dangers, Jefferies says. Many don't know they have the right to refuse dangerous work, without punishment from their employer. Through his co-operative education class, his students receive health and safety, CPR, and WHMIS training, and Jefferies draws on many of the WHSCC's resources to help him get the safety message across. These include support materials such as the Lost Youth video and Important Facts to Take to Work (Information for New Workers) pamphlet. "We have really good support from the WHSCC," Jefferies says. "The activities, teaching resources and support materials are excellent. Choices for Life, for example, is a wonderful teaching aid." Jefferies also has high praise for the Passport to Safety and Safety Start programs. (Students completing the Safety Start program are given preference when applying for provincial government jobs.)

"When presented properly, students are very receptive to the health and safety message. Following classroom theory, the students do safety sweeps around the school, and

they never cease to surprise me. Sometimes they're even too nit-picky, and might mix up a maintenance issue with a safety hazard. But I always encourage them to bring up any issue – it's always better to err on the side of safety."

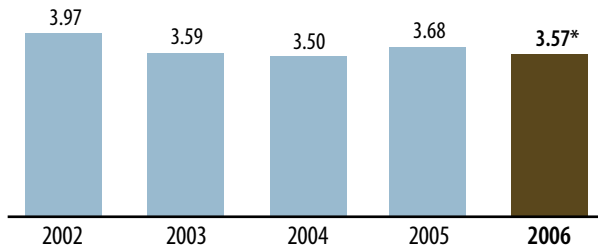


## STATISTICS:

### Provincial Accident Frequency Rate

#### Rate per 100 FTEs

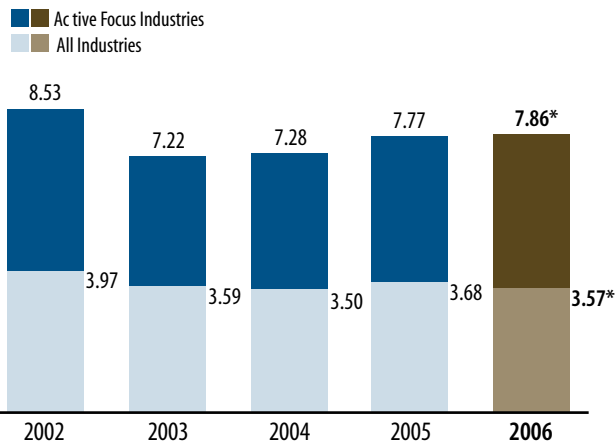
The accident frequency rate is calculated by dividing the number of claims by the number of full-time employees in a given year. A full-time employee or full-time equivalent (FTE) is defined as an employee who works the equivalent of 35 hours per week for 50 weeks of the year.



Note: Certain figures have been restated to reflect more up-to-date information.  
\*Projected

### WHSCC Active Focus Industries Accident Frequency Rate

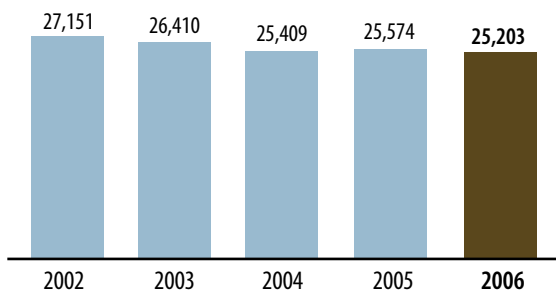
#### Rate per 100 FTEs



\*Projected

### WHSCC Reported Accidents

#### Number of claims reported



Note: Certain figures have been restated to reflect more up-to-date information

## HIGHLIGHTS

- ⇒ The WHSCC conducted 7,104 workplace inspections and wrote 5,960 orders under the *OHS Act*.
- ⇒ The WHSCC worked with the following focus industries: forestry operations, sawmills, nursing homes, and fish processing. Commission staff met with employer associations in these industries to discuss accident prevention, recommend improved practices, and encourage active promotion of health and safety. Health and safety officers increased their visits and inspections to these industries, and Commission staff were available to help them develop and enhance health and safety programs. The WHSCC also continued its work with focus firms (companies with poorer accident and cost records).
- ⇒ In addition to the focus industries and firms, the WHSCC continued to concentrate prevention and compliance efforts on residential construction.
- ⇒ The WHSCC mounted a new social marketing campaign – Injuries are no Accident. The campaign was launched at the health and safety conference, and garnered much media attention. The campaign included television, radio and newspaper ads, newsletter stories, and direct mail of two posters.
- ⇒ The WHSCC continued to actively promote youth safety. Close to 55,000 students received some form of health and safety orientation in the 2005-06 school year. Significant activities included distribution of Stella the Safety Skunk program into elementary schools, introduction of Passport to Safety within French high schools, continued free access of the Passport to Safety program in high schools (7,000 students since 2004), and the launch of a student video contest through the Department of Education. These programs will continue in 2007.
- ⇒ The WHSCC developed a strategy to address the high number of MSIs; this strategy will be implemented in 2007.
- ⇒ The WHSCC redefined its 5\*22 health and safety program for smaller businesses – those without sufficient resources to implement a full safety program. The campaign is designed to educate small businesses in New Brunswick on their legislative responsibilities and to help them identify

## HIGHLIGHTS, CONT'D:

⇒ ...and control workplace hazards. The WHSCC partnered with the Canadian Federation of Independent Business (CFIB) to promote the program.

⇒ In 2005, the WHSCC developed a strategy to aggressively promote and enforce zero tolerance in areas that saw a marked increase in fatalities, injuries and near misses – trenching, lockout and tag, and fall arrest. The first phase of the strategy was launched in May, with a campaign directed at promoting trenching safety, and continued into 2006. In January 2006, the Commission launched its lockout and tag campaign, and rolled out its fall arrest campaign in July.

⇒ The WHSCC implemented a new financial penalty program (demerits) for those employers in violation of zero tolerance, or who are guilty of any violation more than once in a year. These penalties can reach as high as \$25,000.

⇒ The WHSCC's education consultants conducted 546 workplace health and safety workshops around the province, on topics including due diligence, worker/employer responsibilities, accident investigation, developing health and safety programs, trenching, and fall protection.

⇒ WorkSafe Services hosted a variety of public workshops throughout the province, which attracted 1,391 participants. Focus continued to be on the three-day Joint Health and Safety Committee (JHSC) Core Training workshop. Other workshops covered topics such as due diligence, supervisor roles and responsibilities, WHMIS, ergonomics, workplace accommodation, and claims management.

⇒ The 26th Annual Health and Safety Conference was held October 22-24 in Saint John, attracting more than 500 registered delegates. The conference offered a selection of 19 workshops and a plenary session on pandemic planning. Keynote speaker was Maureen Shaw, president and CEO of the Industrial Accident Prevention Association. Survey results for the conference overall were very positive.

## STATISTICS, CONT'D:

### Prosecutions: *Occupational Health and Safety Act*

Number of:	2004	2005	2006
<b>Charges</b>	19	42	20
Employers charged	17	16	8
Owners charged	–	2	–
Supervisors charged	–	2	3
Contractors/subcontractors charged	–	–	2
Workers charged	2	–	–
<b>Convictions</b>	5	13*	19*
Charges dismissed	2	–	–
Charges withdrawn	10	17	21
Charges outstanding	15	28	13
<b>Value of fines</b>	\$30,225	\$35,715	\$85,600**

\*This number is not the number of individual counts that a defendant was found guilty of. An employer convicted of three counts shows up here as one conviction.

\*\*This includes fines levied in cases begun earlier but only concluded in 2006.

### Complaints\*: *Occupational Health and Safety Act*

Number of complaints:	2004	2005	2006
<b>Filed</b>	71	12	9
Allowed	1	2	1
Dismissed	7	68**	9
Resolved	17	1	4
Withdrawn	3	3	–
Outstanding	65	4	–

\*Note that the number filed reflects those filed in 2006 while the other number includes cases filed earlier and only concluded in 2006.

\*\*65 complaints were individual complaints against the same employer based on the same facts.

# Service

*We will provide prompt, effective, efficient, just, fair, and caring services to each of our clients.*

## MEASURE

The client satisfaction result will be at least as high as the most recent five-year average by client group.

## RESULTS SUMMARY

### Client Satisfaction Index: Injured Workers

In 2006, 81% of injured workers indicated that they were satisfied with the Commission's delivery of service. This was a small decline from the 2005 level, and slightly below the five-year average, but still at a high level of performance.

### Client Satisfaction Index: Employers

In 2006, 84% of registered employers reported that they were satisfied with the Commission's service delivery. This was unchanged from the 2005 level, and slightly below the five-year average.

\*Note: The Client Satisfaction Index examines injured workers' and employers' satisfaction with the Commission's delivery of service specifically as it relates to professionalism, willingness to listen, level of understanding, accuracy of information provided, amount of benefits, communications, timeliness of handling claims, promptness of service, respect, fairness, competency, and effective problem solving.

The WHSCC strives continuously to improve its services. To this end, in early 2006, the Commission introduced a shorter and simpler Form 67, the accident report that must be filled out and submitted to the WHSCC whenever there's a workplace injury. This improved Form 67 was developed in consultation with several employers across the province.

And while the new form did simplify the reporting process, employers asked us to further improve the service by offering it electronically. The WHSCC has responded to this request, and, in 2006, began developing the capability.

"We're very excited about the service. It's a lot faster, and it will relieve some of the pressure off the mandatory three-day reporting deadline for employers," says Sandra Blagden, WHSCC's assistant director of Claims Processing. And while the service will simplify things for employers, it will also allow for quicker adjudication. "The electronic form is user-friendly and designed so that all essential information is in mandatory fields. It eliminates the possibility of incomplete forms. Currently support clerks spend about 35% of their time on the phone, tracking down missing information," she says.



### Stakeholder profile

Sandra Blagden  
Assistant Director,  
Claims Processing  
WHSCC

Also, depending on how a question is answered, the user will not have to fill out unnecessary information, as they will be prompted to the next appropriate field.

The service is currently being tested internally, where staff are troubleshooting the basic issues of functionality. But because, as an employer, the WHSCC does not typically have many accidents to report, the Commission will pilot the service with other New Brunswick employers, Blagden explains. This pilot phase is expected to begin in late spring.

*"We continually work to enhance our prevention, compensation and assessment services in our unwavering commitment to providing the highest quality service possible to New Brunswick's workers and employers. Our client satisfaction surveys tell us the areas in which we need to improve, and we concentrate our efforts in those areas."*

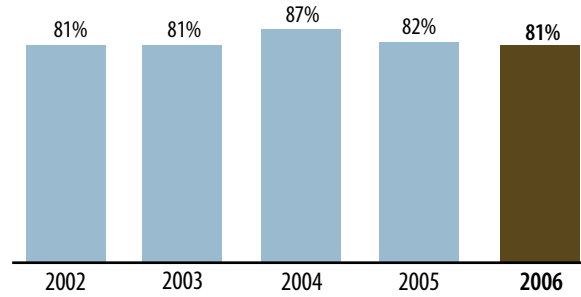
~ Doug Stanley, President and CEO.

## HIGHLIGHTS

- ➔ The WHSCC processed 25,203 claim files. Of the 13,042 claims adjudicated, 11,918 were accepted; 6,026 involved lost-time of at least one day (a 4.2% reduction from 2005), and 5,892 were no lost-time claims (medical costs only).
- ➔ To improve the timeliness of decisions, the WHSCC simplified the annual review process of claimants receiving benefits.
- ➔ Vocational rehabilitation services were reviewed to ensure injured workers receive timely, appropriate services.
- ➔ We continued our program to educate new employers to the province on their responsibilities under the *OHS Act* and the *WC Act*, and advise them of our many services.
- ➔ We continued to communicate appropriate and successful standards of care with our health care service providers.
- ➔ To ensure the best care possible for our injured workers, the WHSCC continues to audit our health care service providers.
- ➔ The WHSCC continued to maintain a network of six family physicians (one in Edmundston, two in Moncton, one in Saint John, and two in Fredericton) to provide continuity of care for claimants without family physicians, and assist other family physicians and the Commission to develop holistic care plans. The Commission provides training to these physicians on employment-related health issues that most other family physicians may lack.
- ➔ The Assessment Services Department hosted 14 information sessions with employers, employer associations and groups.
- ➔ The WHSCC produced and distributed to employers a new Form 67, for reporting workplace accidents and occupational diseases. This shorter and simplified form ensures that the Commission effectively captures the necessary information to adjudicate claims more quickly.
- ➔ We designed and began testing an online claim registration form.

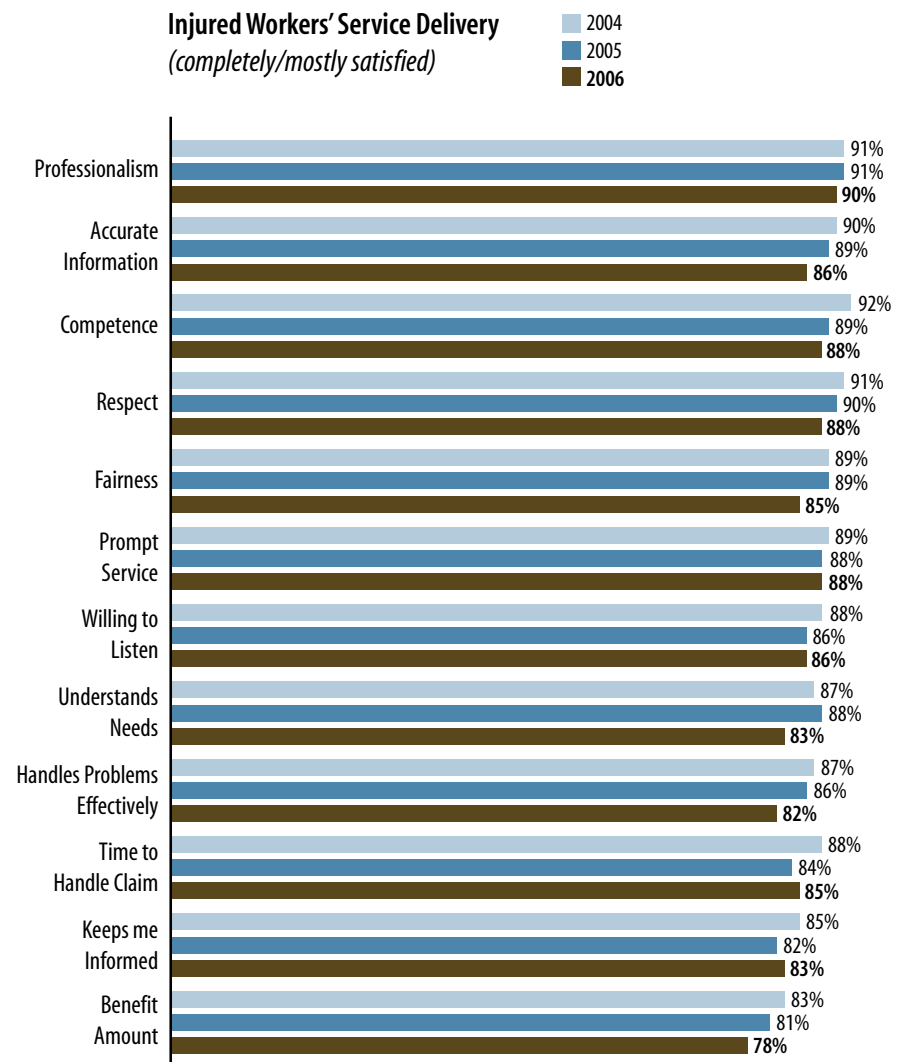
## STATISTICS:

### Injured Workers' Satisfaction Index (weighted for importance)

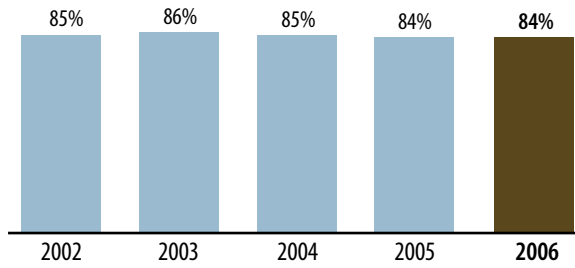


*Note: The Client Satisfaction Index (CSI) is a composite measure of the overall average satisfaction with the key service attributes believed to contribute to client satisfaction. The level of importance rating of each service attribute is factored into the calculation.*

### Injured Workers' Service Delivery (completely/mostly satisfied)

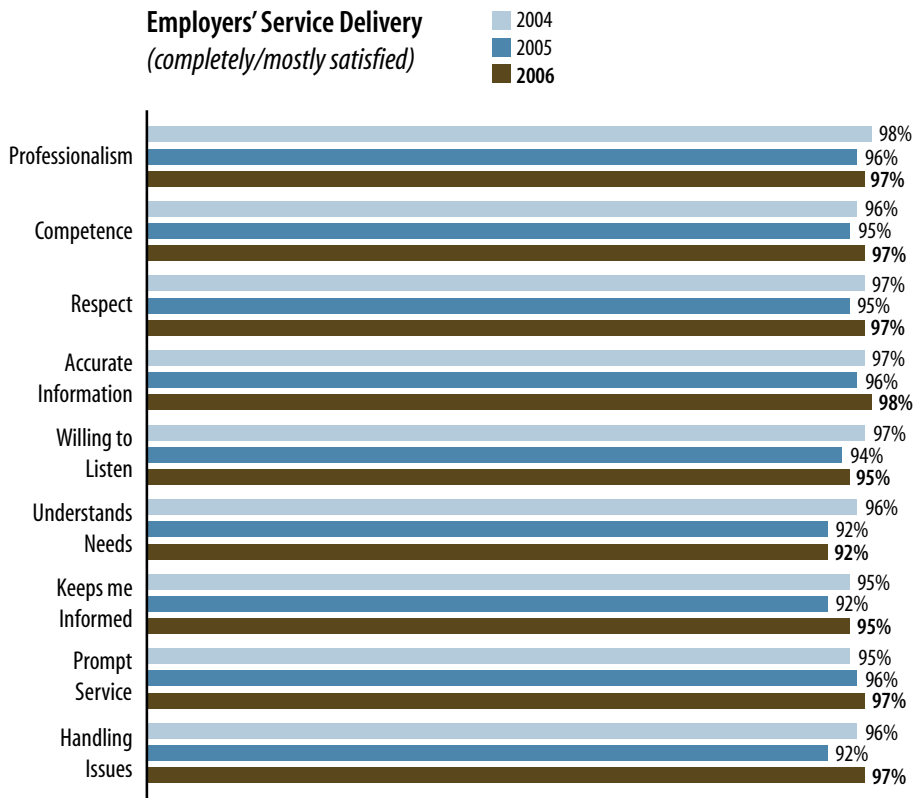


**Employers' Satisfaction Index**  
(weighted for importance)

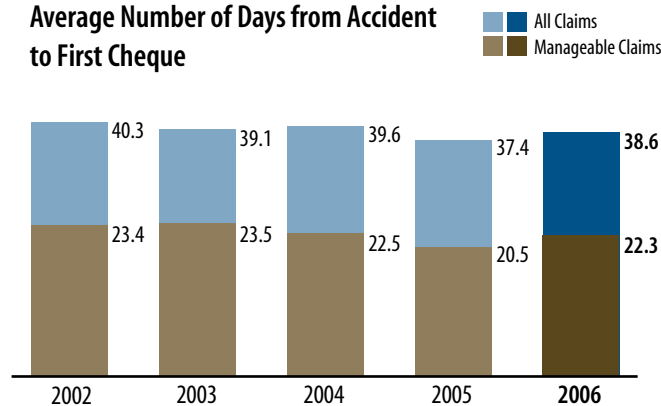


*Note: The Client Satisfaction Index (CSI) is a composite measure of the overall average satisfaction with the key service attributes believed to contribute to client satisfaction. The level of importance rating of each service attribute is factored into the calculation.*

**Employers' Service Delivery**  
(completely/mainly satisfied)



**Average Number of Days from Accident to First Cheque**



# Return to Work

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

## MEASURE

A five-year comparison of the percentage of all injured workers who lost time from work and:

- Return to work within a range of days.
- Were fit to return to work within a range of days but were not working.

## RESULTS SUMMARY

Results show that, over time, 97% of injured workers return to work or are fit to work at time of claim closure; 3% are unable to. Half of that number (1.5%) withdraw from the workplace, die or leave the workforce for personal reasons other than the injury. This number remains largely unchanged over the past five years, but there is improvement (to 3.0% from 3.8%) in the latest period for which complete data is available (2003 accidents).

When a doctor told Jeanne Brideau, an elementary school bus driver, that she would most likely be unable to return to work in that profession, she was determined to prove him wrong.

“It just made me push myself harder,” Brideau says.

At this point she had already undergone a few years of intense pain and physical therapy.

Brideau’s troubles began in September 2000, when she was given a new model bus to drive; it proved to be an ergonomic nightmare for Brideau and resulted in snapping hip syndrome, forcing her to stop work. It was determined she could return to work with modifications to the school bus, and with kinesiotherapy and physiotherapy.

With much difficulty, Brideau resumed her bus run and was travelling three times a week to Bathurst (a two-hour return trip) for physiotherapy. In constant pain and physically exhausted from the travel, Brideau lost control of her vehicle after a session in Bathurst and sustained multiple fractures to her left ankle. Following surgery and several castings, her orthopedic surgeon questioned a return to work as a bus driver.



### Stakeholder profile

Jeanne Brideau,  
Injured worker

Her health began to deteriorate. She was unable to bear any weight and was forced to go down her stairs on her behind. She recalls with a laugh how she had to prop herself on the kitchen counter beside the stove to cook supper and caught fire – twice! And although Brideau laughs about it now, her eyes begin to well as she relates her painful journey on the road to recovery. A previously healthy, energetic and athletic woman who had never taken so much as an Aspirin, Brideau became a recluse in her home. The pain was unbearable, and frequent nightmares affected her sleep.

No longer able to stand seeing Brideau in such a state, two friends, both nurses, forced her to go to Moncton with them to see a second orthopedic surgeon. She was referred to a pain clinic in Campbellton, and subsequently to the WHSCC’s Workers’ Rehabilitation Centre (WRC), where she was diagnosed with complex regional pain syndrome, Type 1.

*“The impact of a workplace injury can be severe. The best thing is to avoid being injured in the first place. When an injury does occur, the WHSCC has a range of programs and services to help the worker, from wage replacement to vocational rehabilitation. We strive to improve on these services every year.”*

~ Dave Greason, Vice-President, WorkSafe Services Division



## PROFILE, CONT'D:

Once again she was told she might not be able to return to work as a driver.

Unwilling to accept this, Brideau took on her rehabilitation at the WRC with dogged determination.

In her first week, Brideau was unable to tolerate wearing a sock or shoe on her injured foot, but within a few days she was able to stand both a sock and shoe for the full day. Her rehabilitation was painful, she suffered bouts of nausea and other complications with medications, but the light at the end of the tunnel, in the shape of a yellow school bus, drove her on. After nine weeks she was discharged, with the condition she continue physiotherapy. Brideau says that without the unconditional support of her family physician, who has always believed

in her, as well as her friends, she could not have gotten through it.

Today, Brideau still suffers pain, but is ecstatic to be back at work. "I love the children, and I love driving. In the bus, with the kids, I completely forget my pain."

Brideau appraises her ordeal philosophically.

"I learned a lot, and I discovered a strength within myself I never knew existed," she says.

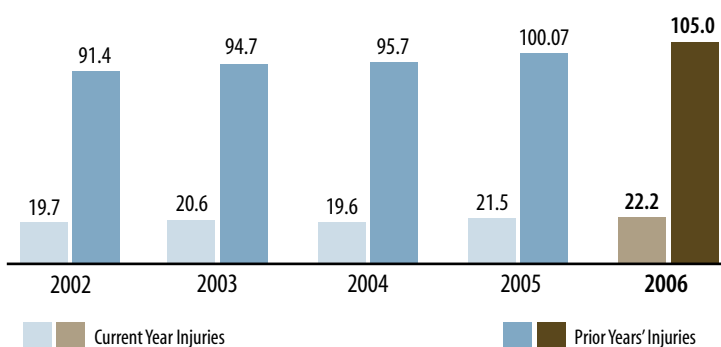
Claudette Roussel, Brideau's case manager, praises Brideau's efforts. "She proved to us that with positive thinking and resolve, you can attain your goals. She worked very hard, and succeeded," Roussel says.

## STATISTICS:

**Average Payment per Claim**



**Benefits Payments (in millions)**



## HIGHLIGHTS:

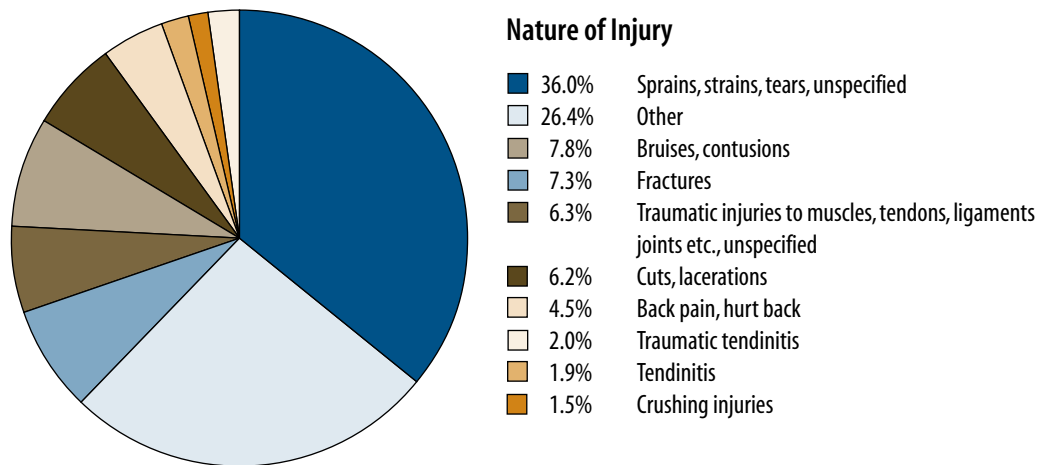
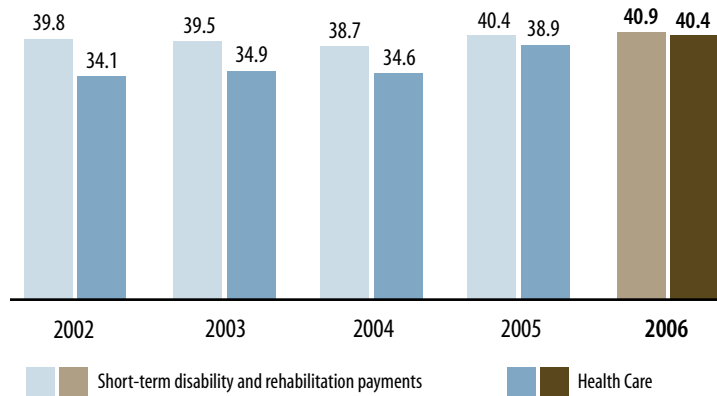
- ⇒ Some injured workers require more comprehensive support from the WHSCC to help them recover from their injuries and return to employment. This assistance is provided through case management teams located in the regional offices, and may last for several months or, in the most severe cases, several years. In 2006, 4,620 claimants received these services.
- ⇒ To ensure quality of services and to identify opportunities for improvement, the WHSCC conducted audits on physiotherapy clinics, gradual return-to-work services, chronic pain service, and work capacity evaluation services. The Commission also began a review of case management and vocational rehabilitation services.
- ⇒ The WRC completed a review of best practice for assessing and treating clients with mild traumatic brain injury (MTBI). This resulted in the development of an MTBI assessment and treatment protocol, including a focus on work assessments and return-to-work strategies.
- ⇒ The WRC offered a pilot multidisciplinary Augmented Work Conditioning service from November 2005 to December 2006. Its purpose was to increase return-to-work rates and decrease claim duration and costs by effectively addressing psychosocial barriers to return to work, using a cognitive behavioral approach combined with individualized treatment.
- ⇒ The WRC completed a review of best practice for assessing and treating clients referred for work hardening, with an emphasis on a biopsychosocial approach to address the complex issues associated with workplace injuries and chronic pain. To help facilitate an effective return to work, the Commission developed the pamphlet Employer Guidelines to Symptom Management Strategies.

STATISTICS, CONT'D:

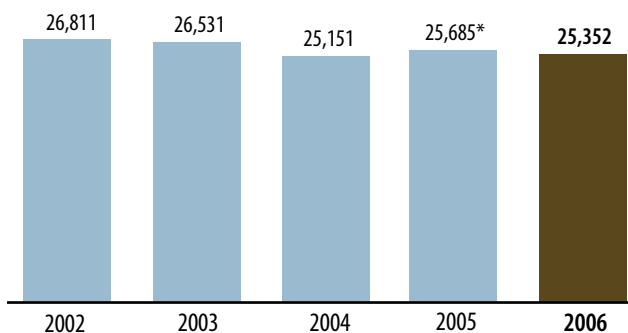
Summary of Injured Worker Benefits for 2006:

When claiming:	Maximum Annual Earnings	Maximum Weekly Earnings	Percentage Rate for Determining Benefits	Maximum Weekly Benefits	Effective Date
No Dependants	\$51,900	\$998.08	85% of net	\$608.17	01-Jan-06
Dependent Spouse or Equivalent	\$51,900	\$998.08	85% of net	\$637.83	01-Jan-06

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



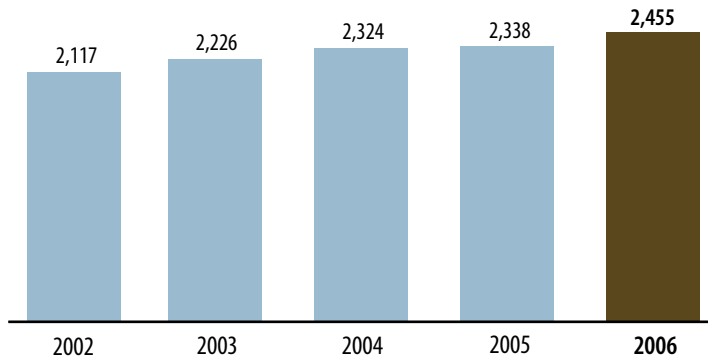
Number of Claims Created



\*This figure has been restated from previous publications to reflect new information.

## STATISTICS, CONT'D:

### Number of Injured Workers Receiving Long-term Disability Benefits at December 31

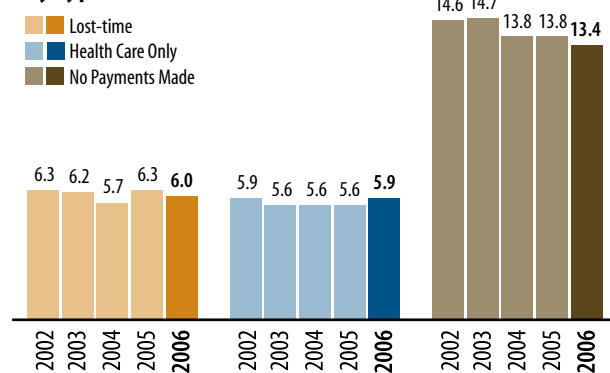


### Injured Workers with Lost-time Claims

	2002	2003	2004	2005	2006
% returning or fit to return to work within:					
20 days	60.6%	58.8%	59.0%	61.2%	61.6%*
80 days	80.3%	79.0%	79.6%	80.8%	78.1%*
130 days	87.3%	88.4%	87.7%	88.2%	82.9%*
260 days	93.9%	94.6%	94.3%	94.3%	N/A
520 days	96.4%	96.9%	96.9%	N/A	N/A
% not fit to return after more than:					
520 days	3.6%	3.1%	3.1%	N/A	N/A

\* Some claims are still in treatment and rehabilitation as of December 31, 2006.  
 N/A indicates that sufficient time has not elapsed for claims to mature for the specified time frame.  
 Note: Certain figures have been restated to reflect more up-to-date information.

### Number of Claims Created by Type (in thousands)



Note: Certain figures have been restated from previous publications to reflect new information.

## HIGHLIGHTS, CONT'D:

- ➔ The WHSCC partnered with the Human Rights Commission and the Department of Post-Secondary Education, Training and Labour to develop new literature on workplace accommodation and the right to return to work. The resources include a comprehensive 25-page guide detailing workers' and employers' rights and obligations under New Brunswick's *Human Rights Act*, *Employment Standards Act*, and *Workers' Compensation Act*, and two pamphlets – one for workers, and one for employers – with frequently asked questions.
- ➔ The WHSCC continued to offer workplace accommodation training and implementation assistance to New Brunswick workplaces.
- ➔ The WHSCC provided accredited training for New Brunswick physicians on treatment of injured workers.
- ➔ The WHSCC developed an incentive program to encourage and assist injured workers to return to work.
- ➔ The WHSCC developed a program to identify potential long-term claims to ensure timely and effective services to facilitate a safe return to work.

# Efficiency

*We will hold the assessment rates to employers at the lowest level possible, consistent with the best possible benefits to clients.*

## MEASURE

At a minimum, we will maintain a fully-funded liability.

## RESULTS SUMMARY

Assets held to meet future benefit obligations for past injuries reached \$1.035 billion at the end of 2006, representing a 111.0% funded liability. The WHSCC investment portfolio produced an annual return of 13.3%.

The provisional assessment rate decreased by \$0.05 from 2005, to \$2.14. This represents the second consecutive year that the assessment rate decreased. In 2006, New Brunswick's rates continued to remain the lowest in Atlantic Canada.

The WHSCC derives its revenue from two primary sources – assessment income and investment income.

Assessment revenues are invested and managed by independent, external investment managers, based on a long-term investment strategy and policies set out by the WHSCC's board of directors.

“Managing the investment fund is a challenging balancing act. The board of directors is trying to ensure the security of benefit payments for many years into the future while trying to keep the assessment rates for employers as low as possible; it means maximizing the probability of meeting return objectives over the long term at an acceptable level of risk,” says Mike MacFarlane, WHSCC treasurer.

The board of directors believes one of the most important factors affecting risk and return is asset mix. To ensure that the investment strategy remains appropriate, the board of directors conducts, with the help of an independent consultant, periodic asset liability studies. A study was conducted in 2006 to help the board determine an appropriate asset mix based on the Commission's financial position, its current funding policy, the nature of its liabilities, and the board members' risk tolerance, he says.

As a result of the study, the board made some changes to the long-term strategic asset mix.



### Stakeholder profile

Mike MacFarlane  
Treasurer,  
WHSCC

The target allocations will move to 60% equities, 25% fixed income, 10% real estate and 5% real return bonds.

“The most significant change in the asset mix is the addition of liability-hedged investments, specifically real estate and real return bonds,” MacFarlane says. “These were added because, in a large part, the return they provide changes with the rate of inflation. The majority of the Commission's liabilities are indexed to inflation. As inflation rises, so do our payments, so it makes sense that we should increase the allocation to assets that serve as inflation hedges,” he says.

The study also resulted in a change in the funding policy. The previous funding goal (ratio of assets to liabilities) of 105% was raised to 110%, with any surplus or shortfall amortized over eight years, he explains. “For example, if the Commission was 115% funded, the board would take the additional 5% and reduce the annual assessment rate by 1/8th of the surplus each year, in order to try and return to the

*“The WHSCC is committed to sustaining fiscal stability and accountability. We do this through sound strategic planning, fair policy development and transparent financial reporting. From rate setting to investments, our results are all based on informed and disciplined decisions.”*

~ Peter Murphy, Vice-President, Corporate Services Division

## PROFILE, CONT'D:

110% target over eight years.” At December 31, 2006, the WHSCC was fully funded, at 111%.

These changes reduce the probability of the Commission becoming underfunded and they reduce the volatility in the annual assessment rates.

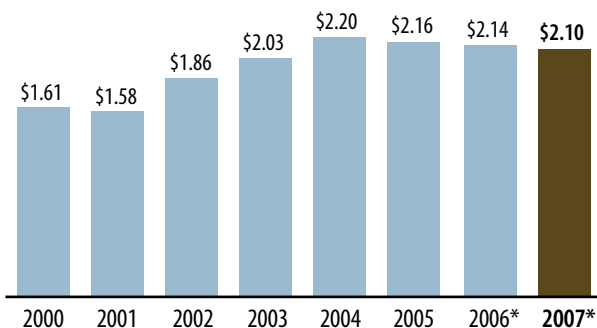
“The board takes a disciplined approach to managing its investments, based on sound governance practices and risk control. One of the best ways to minimize risk is diversification. The Commission’s portfolio is diversified among asset classes, geographic locations, individual securities and industry sectors.” The external investment managers that manage the Commission’s investments are monitored regularly, and are subject to a rigorous selection and review process, he says.

So what does all this mean to the province’s workers and employers?

“By maintaining a fully-funded liability, and prudently managing our investment portfolio, the WHSCC can reduce the volatility in its operating income and employer assessment rates while maintaining the funds needed to secure benefits for injured workers.”

## STATISTICS:

**New Brunswick Actual Average Assessment Rates**



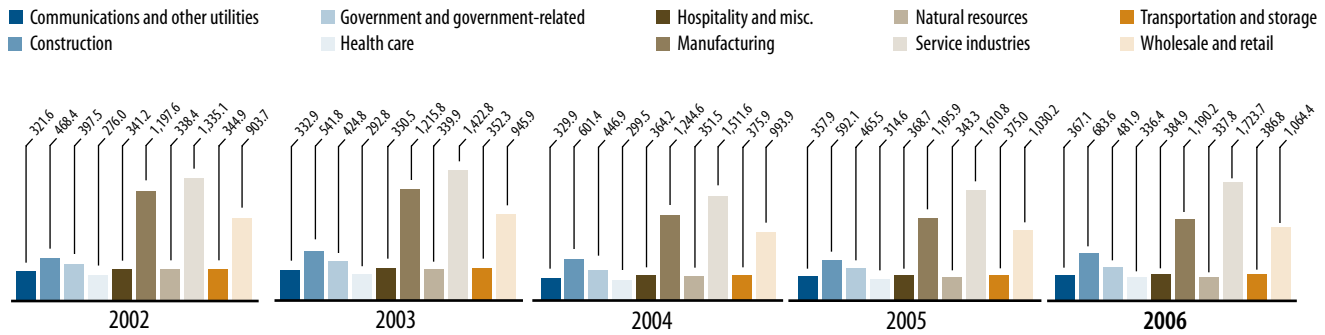
\*Provisional average assessment rate

## HIGHLIGHTS:

- ⇒ Payments to injured workers or third parties on their behalf increased 4% to \$127 million.
- ⇒ Investment income rose 57.7%, from \$64.6 million in 2005, to \$101.9 million.
- ⇒ Third party recoveries provided cost relief to employers of approximately \$1.3 million, with injured workers receiving \$307,104 in addition to compensation benefits. The cost relief provided is equivalent to the revenue generated by \$0.02 on the average assessment rate.
- ⇒ 207 fraud and abuse investigations resulted in present and future claim cost savings in excess of \$1 million.
- ⇒ A person having committed a fraud against the WHSCC entered a plea of guilty and was sentenced to 20 months, as well as being ordered to pay restitution to the WHSCC in excess of \$30,000.
- ⇒ In a case involving fraud exceeding \$23,000 against the WHSCC, the accused was sentenced to nine months and ordered to pay restitution to the WHSCC.
- ⇒ The WHSCC enhanced assessment payment options; businesses can now pay assessments through Service New Brunswick online, in person at one of SNB’s 36 service centres, or over the telephone.
- ⇒ The Planning and Policy Department worked with the board of directors to develop and publish the *2006-2011 Strategic Plan and Risk Assessment*. This results-focused document states the Commission’s long-term goals, identifies measures so that stakeholders know that the Commission is achieving those goals, and identifies eight strategies that focus staff efforts on achieving them.

STATISTICS, CONT'D:

Payrolls by Sector (in millions of dollars)



Note: Certain figures may have been restated to reflect new information.

Canada Average Assessment Rates  
In 2007 Ascending Order

	Actual 2002	Actual 2003	Actual 2004	Actual 2005	Provisional 2006*	Provisional 2007**
Alberta	\$1.64	\$1.94	\$1.96	\$1.83	\$1.67	\$1.43
Manitoba	\$1.49 <sup>3</sup> \$1.56 <sup>4</sup>	\$1.62	\$1.71	\$1.72	\$1.68	\$1.68
British Columbia	\$1.88	\$1.94	\$1.99	\$1.99	\$1.92	\$1.69
Northwest Territories & Nunavut	\$1.28	\$1.45	\$1.82	\$1.96	\$1.87	\$1.71
Saskatchewan	\$1.65	\$1.81	\$2.00	\$1.99	\$1.84	\$1.84
New Brunswick	\$1.86	\$2.03	\$2.20	\$2.16	\$2.14	\$2.10
Prince Edward Island	\$2.34	\$2.42	\$2.39	\$2.34	\$2.23	\$2.22
Quebec <sup>1</sup>	\$1.85	\$1.93	\$2.15	\$2.29	\$2.32	\$2.24
Ontario <sup>1</sup>	\$2.13	\$2.19	\$2.19	\$2.23	\$2.26	\$2.26
Yukon <sup>2</sup>	\$1.28	\$1.38	\$1.54	\$1.79	\$2.16	\$2.64
Nova Scotia	\$2.50	\$2.58	\$2.59	\$2.63	\$2.65	\$2.65
Newfoundland and Labrador	\$3.50	\$3.36	\$3.41	\$3.30	\$2.75	\$2.75

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. Therefore, extreme caution should be exercised in how average WCB assessment rates are used.

\* Rates estimated except Quebec

\*\* 2007 estimated rates projected as of January 2007 except Quebec. In Quebec the rate represents the decreed rate set at the beginning of 2007.

<sup>1</sup> Provisional rates set at the beginning of each year.

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

<sup>3</sup> January 1, 2002 – June 30, 2002

<sup>4</sup> July 1, 2002 – December 31, 2002

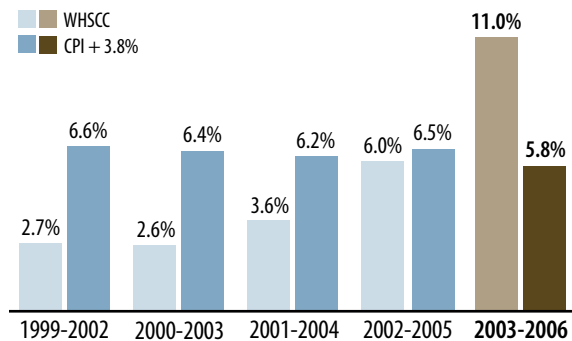
Source: Association of Workers' Compensation Boards of Canada

Certain figures may have been restated to reflect more up-to-date information

## STATISTICS, CONT'D:

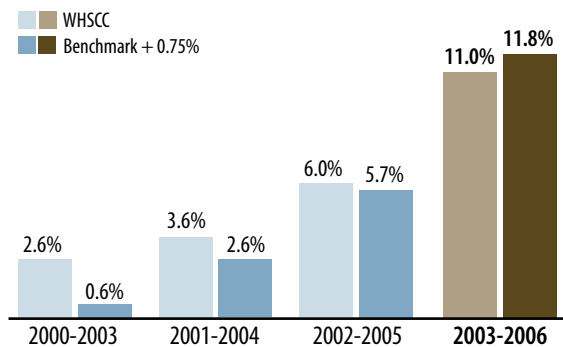
### Performance Objective 1:

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



### Performance 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.



## HIGHLIGHTS, CONT'D:

- ➔ In 2006 the board of directors commissioned an independent governance assessment. The assessment included a review of the governance framework for compliance with legislation, a review of current practices to determine compliance with the framework, and the identification of areas for improvement. The review made recommendations to ensure the board of directors meets its governance obligations. The board has adopted these recommendations, and they are being implemented by the Commission.
- ➔ The Planning and Policy Department worked with the board on the following policies: Entitlement to Benefits, Benefit Payments, Occupational Health and Safety, and Governance.
- ➔ The WHSCC completed a project with the Atlantic Health Sciences Corporation (AHSC), one of eight regional health authorities in the province, enabling the Commission to receive all medical aid invoices from the region's hospitals electronically. Once the invoices are processed, the Commission sends the status on claims being invoiced and electronic cheque vouchers for invoices paid back to the AHSC. The AHSC imports this data into their systems. Plans are underway to include a second regional health authority.

### Investment Returns by Asset Class

For the Year Ended December 31, 2006

	WHSCC	Benchmark index return	Benchmark index
Canadian Bonds	4.0%	4.1%	SCM Universe Bond
Canadian Equities	17.2%	17.3%	S&P TSX Composite
U.S. Equities	14.7%	15.4%	S&P 500 (CS)
EAFE* Equities	25.3%	25.9%	MSCI EAFE* (CS)
Emerging Market Equities	27.9%	32.1%	MSCI EM (CS)

\*Europe, Australia and the Far East

**STATISTICS, CONT'D:**

**Third Party Actions**

*For the Year Ended December 31, 2006\**

Cases under management	Cases finalized	Legal fees on finalized cases**	Worker benefits paid	WHSCC recovery	Excess paid to workers	Employer cost relief
75-90***	39	\$382,997	\$1,257,148	\$1,318,657	\$307,104	\$1,318,657

\*Statistics represent actions that were settled during the period January 1, 2006 to December 31, 2006.

\*\*Legal fees for settled actions were paid over the life of the action and not solely in 2006.

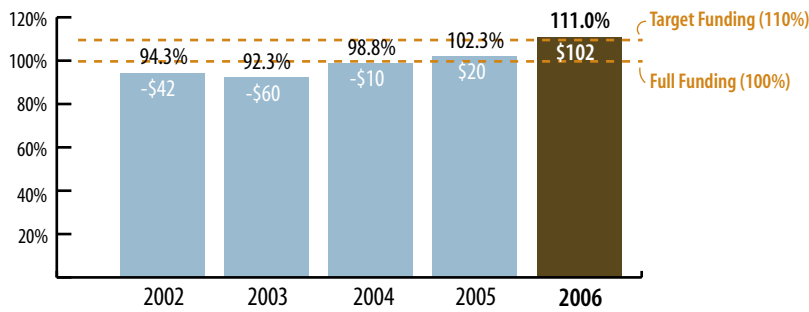
\*\*\*The Office of the General Counsel manages 75-90 third party actions annually.

During the period for which the statistics are provided, the total recovered was \$1,318,657. In addition to compensation benefits, injured workers received \$307,104 from the monies recovered by the Commission from the at-fault party. The cost relief provided to employers is equivalent to the revenue generated by \$0.02 on the average assessment rate.

Since the \$2,500 general damage insurance cap was instituted on July 1, 2003, the number of settlements subject to the cap has increased, lessening the excess amount payable to the worker.

**Funding History**

*Percent funded and dollar amounts (in millions)*





# Staff Satisfaction

*Our employees will consider the Commission a good place to work.*

## MEASURE

When compared to the most recent three-year average, the employee annual satisfaction survey will produce a consistently high rating. In addition, other indicators that will be measured in support of the goal and compared to the most recent five-year average include:

- Absenteeism
- Internal promotions
- Health and safety
- Staff turnover

## RESULTS SUMMARY

The employee satisfaction survey results indicate 91% of our employees find the WHSCC a “good place to work”. The response rate was 86%.

### Absenteeism

On average, employees were absent from work 8.31 days. This is an increase over 2005, and slightly higher than the five-year average of 8.21 days. Absences were affected by factors such as long-term health issues and labour disputes. Fifty-nine employees (14%) were recognized for their perfect work attendance in 2006. Ten employees demonstrated this accomplishment two years in a row, while 17 were three years in a row.

The WHSCC is committed to its vision of ‘healthy and safe workplaces in New Brunswick.’ “In promoting this vision, we must set an example for other workplaces and show them that we practise what we preach,” says Heather Cossaboom, director of Human Resources. “And, since health and safety is an indicator of staff satisfaction, it’s especially important in staff retention – employees who feel we care about their safety and well-being will be happier and more productive.”

The WHSCC set out to prove its commitment when it launched the 5\*22 program in 1999, which is based on five fundamentals of health and safety (health and safety responsibility, management commitment, employee involvement, hazard and risk management, and health and safety education) and 22 health and safety topics, including policy, hazard and risk identification, control and reporting, communication, inspections, accident and injury analysis, and health and safety education delivery and effectiveness.

“By defining the five fundamentals we start to give meaning to the words health and safety,” Cossaboom says. “Understanding the five fundamentals and demonstrating commitment to the 22 topics provides everyone with the basic information and all the tools required for success,” she says.

*“Leadership development, career advancement, wellness and a healthy and safe work environment were key to the activities this past year. Results from the staff satisfaction and 5\*22 surveys demonstrate both management’s and employees’ commitment to the Commission’s goals and the culture of a good place to work.”*

~ Heather Cossaboom, Director of Human Resources.



### Stakeholder profile

Heather  
Cossaboom,  
Director of  
Human  
Resources  
WHSCC

When it launched the program in 1999, the WHSCC surveyed its employees and found there was much work to be done. “The survey results demonstrated gaps in our knowledge and the lack of tools for an effective health and safety program.”

Monique Comeau, a WHSCC health and safety consultant, is charged with helping focus firms (firms with an accident record higher than their industry average) develop and sustain health and safety programs until they become successful and self-sufficient. Comeau was assigned to the Commission.

“As a WHSCC employee I didn’t know if I would have the same leverage as I do with the focus firms, and if I would have access to all levels of the organization,” Comeau says.

## RESULTS SUMMARY, CONT'D:

### Internal promotions

In 2006, 108 competitions were opened and completed, and 17 of these were cancelled. The vacancy rate in unfilled positions was 7.92, the lowest since 2000. From the 61 completed competitions for regular positions, 22 staff (34%) were promoted from within. Of the 22, 13 were bargaining employees and nine were non-bargaining.

### Health and Safety

The 2006 Health and Safety Plan was launched in January. The focus was on continuous improvement and developing an organizational "mindset" for improving awareness of all health and safety activities.

The number of accepted claims in 2006 was 16, resulting in two lost-time claims for a total of 59 days. The cost of these two claims was just over \$13,000, the lowest cost of claims for the Commission in several years.

### Staff turnover

At 6.22%, staff turnover is higher than the five-year average of 5.2%. Twenty-seven employees left the organization, including nine retirements (33.3%).

## PROFILE, CONT'D:

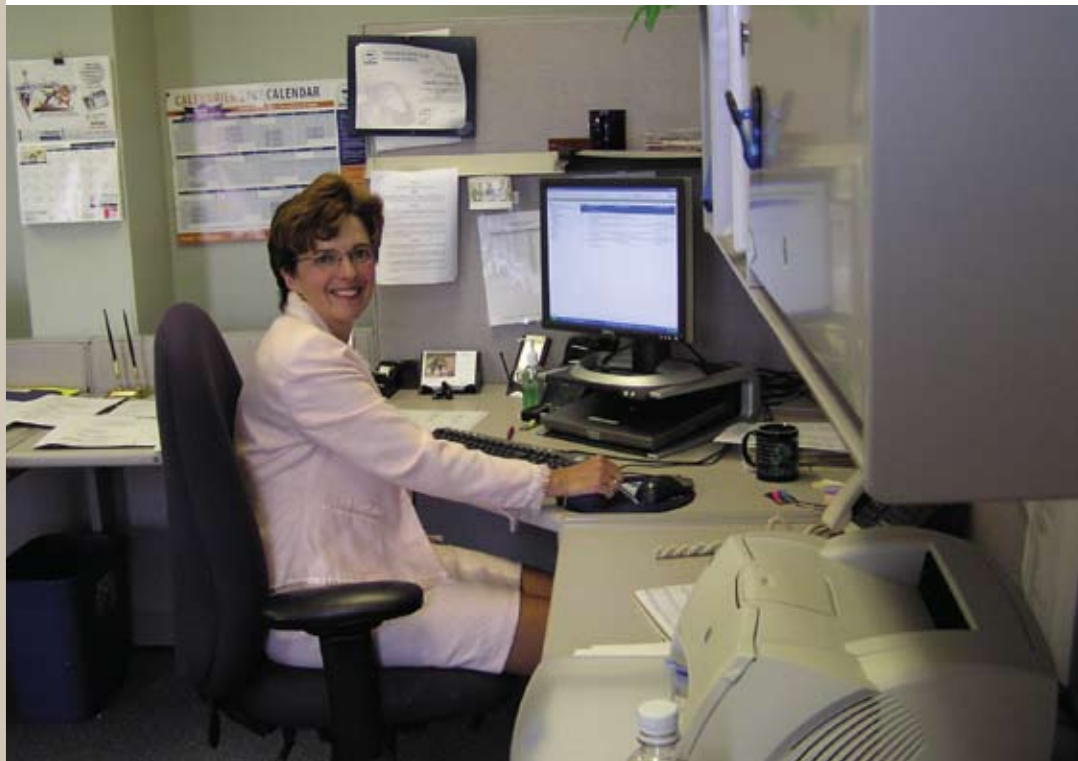
But Comeau's reservations were put to rest when Doug Stanley, the WHSCC's president and CEO directed her to treat the WHSCC as any other company. "He told me, 'Don't give us any special treatment; treat us just as you would any other company,'" Comeau says. "I was given the mandate to help the WHSCC develop a program that would be the paragon for all other New Brunswick workplaces. To do that, you have to have buy-in from the top."

So Comeau, together with the WHSCC executive and human resources, developed a yearly action plan, and reviewed and developed health and safety policies, procedures and directives. In 2003, employees were resurveyed; the results showed a significant improvement over 1999, but still identified areas that could be further developed.

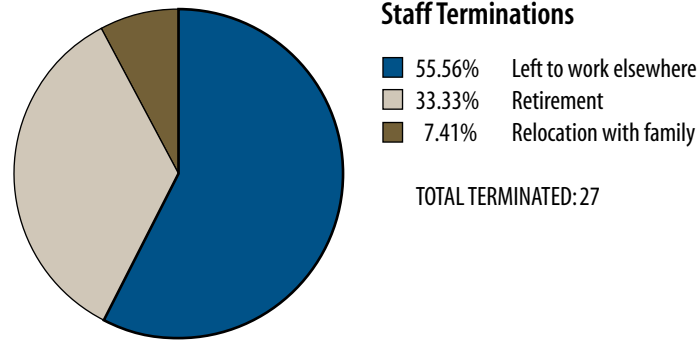
"We continued on the journey and developed an overview plan, broken down into quarters, which defined objectives with deadlines, and assigned delegates. We've worked diligently with our health and safety consultant and officers, our JHSC and our SWATs (special workplace action teams) on identifying job hazards and their controls; investigating, documenting and reporting all incidents; writing, reviewing and updating directives; and educating staff – all aimed at exceeding legislative standards," Cossaboom says.

Another health and safety survey in 2006 showed the gaps had been closed. "We're extremely pleased with the results, but we're still not perfect," Cossaboom says. "With these results, the WHSCC has changed its approach, so that the managers and their departments would now drive the process, rather than the executive. We will continue to monitor and strive for continuing improvement."

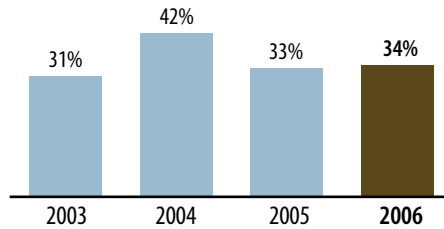
So the WHSCC is not perfect, but how about self-sufficiency, the goal Comeau sets for her focus firms? "If it was any other workplace yes, but since we strive to be the flagship, our benchmark is different. We've achieved our measure of best practices, but there is still room for improvement," Comeau says.



**STATISTICS:**



**Internal Promotions**  
*Percentage of internal promotions based on the annual competitions held.*



**EMPLOYMENT MILESTONES AND RETIREMENTS:**

In 2006, the WHSCC recognized 66 employees for their years of public service.

**Those with 5 Years of Government Service**

Amanda Atherton, Angela Chaisson-Beaudin, Rose-Anne Comeau, Denise Doiron, Micheline Drisdelle, Jacinthe Gagné, Nancy Graham, Tanya Gray, Rachel Guay, Lise Minville, Janice Oliver, Jocelyn Ouellette, Claude Roy, Linda Theriault, Tanya Vanier.

**Those with 10 Years of Government Service**

Angela Acott-Smith, Martine Bélanger, Richard Blais, Gayle Brown, Rachel Cyr, Lorraine Drapeau, Marilyn Hall-McMillan, Peter Jensen, Darren McCarthy, Michael McGovern, Anne Walker.

**Those with 15 Years of Government Service**

Paul Bourque, Kim Brown, Tammy Burns, Darlene Doiron, Susan Earle, Kim Kelly, Muriel Melanson, Blair Skeldon, Maureen Stokoe, Paul Vautour.

**Those with 20 Years of Government Service**

Glenda Barrett, Katherine Calvin, Richard Grasse, Ronald Grenier, Gilles Heppell, Debbie Kay, Jean Landry, John MacDonald, Ed MacFarlane, John Phinney, Mary-Jayne Underhill.

**Those with 25 Years of Government Service**

Collette Biggins, Roger Bourque, Perley Brewer, Bill Carvell, Janet Chiswell, Kim Doucet, Marie-Thérèse Fournier, Ed Jacob, Pat MacKenzie, Bruce Messer, Tim Reicker, Lorie Richard, Lynn Spear.

**Those with 30 Years of Government Service**

Donna Berube, Marg Emery, John LeBlanc, Nancy Ouellet, Val Parks.

**Those with 35 Years of Government Service**

Leo McPhee

**Those who retired during 2006**

Pat Beck, Roger Bourque, Laurette Charron, Robert Covey, Alana Crawford, Wanda Cross, Barb Foran, Susan Lagacy, Omer Robichaud.

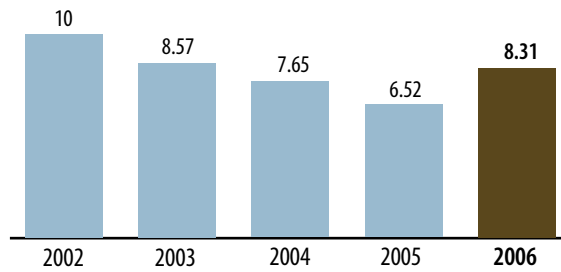
## HIGHLIGHTS:

- ⇒ Budgeted \$867,863 for educational and professional development.
- ⇒ The department sponsored 38 workshops, as well as six French language programs, with a total of 313 participants.
- ⇒ Supervisors conducted performance reviews with 99% of the staff.
- ⇒ Reviewed and revised 21 human resources related directives or procedures.
- ⇒ Reviewed and updated 90 job descriptions, which included identifying the appropriate job hazards and their controls. These were reviewed with the incumbents and posted to the Commission's intranet site.
- ⇒ The wellness program provided employees with a variety of activities in support of the four global objectives of physical, nutritional, psychological and basic health.
- ⇒ The Commission changed its employee assistance program provider, and the new services and tools were communicated to staff.
- ⇒ The disability management program helped eight employees. Six employees returned to work during the year with the assistance of a gradual return to work program, and two employees remained at work, thanks to workplace adjustments through the disability management program.
- ⇒ Following the first survey in 2003, the WHSCC resurveyed under 5\*22. The results were very positive and reflect the efforts made by the leadership, employees, and the Joint Health and Safety Committees to improve and maintain our program.
- ⇒ The annual staff meeting and recognition banquet was held in April, honouring 66 employees and five retirees.

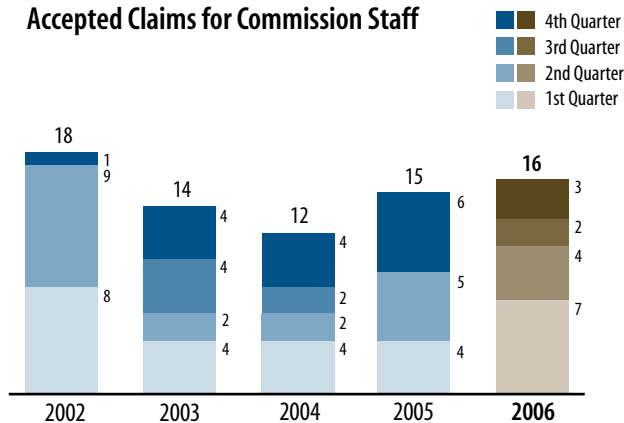
## STATISTICS, CONT'D:

### Absenteeism (days/person)

Absenteeism is equal to total days absent divided by actual yearly budgeted positions, minus vacant positions at the end of the year.

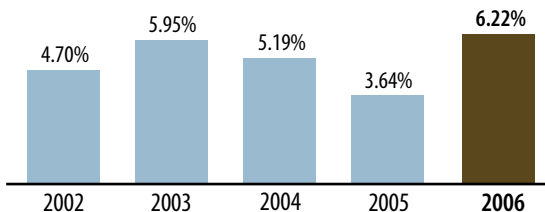


### Accepted Claims for Commission Staff



Note: The number of accepted claims reported in any quarter can change because accidents are not always adjudicated within the quarter they occur. Any claims accepted outside the quarter they occur will be noted in the next quarterly report.

### Staff Turnover



# Appeals Tribunal

*The goal of the Appeals Tribunal is to deliver the highest quality services possible, and the fair and timely resolution of appeals.*

## TARGET FOR 2006:

Continue to reduce the overall average processing time for appeals.

## RESULTS SUMMARY

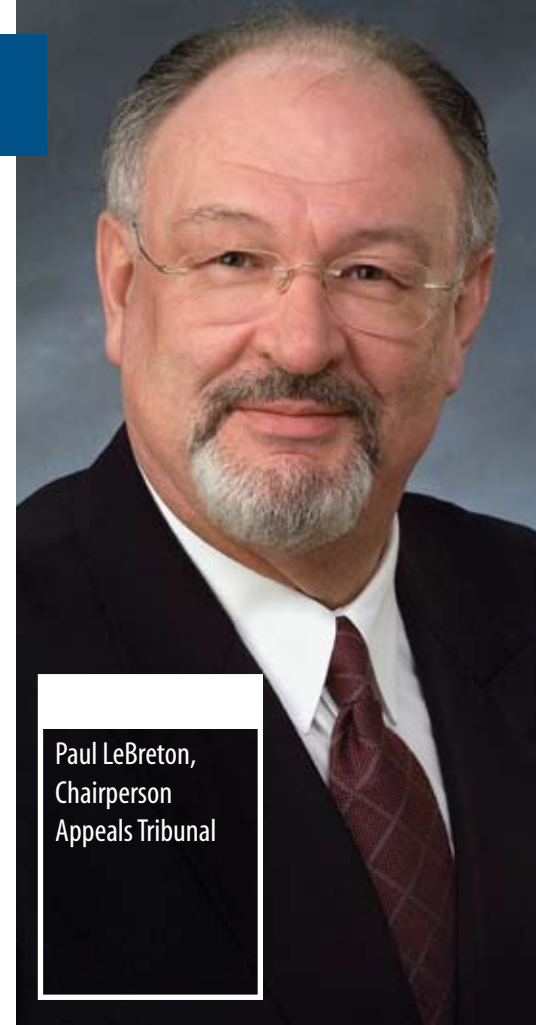
Although the overall processing time for appeals increased by 3% in 2006, the processing time from the hearing to the decision being mailed was reduced by 11%.

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

The Appeals Tribunal consists of the following:

- Chairperson: reports to the board of directors on the administrative operation of the Appeals Tribunal. He also acts as a chairperson for appeal hearings.
- Vice-chairpersons: at the present time, we have seven 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 20 part-time members.
- Staff members: In support of the activities of the Appeals Tribunal, 13 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, and supportive legislation and policies.



Paul LeBreton,  
Chairperson  
Appeals Tribunal

Workers, dependants, and employers can appeal decisions of the WHSCC. 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.

*"The continuing rise in the number of appeals initiated along with the changes in vice-chairpersons continues to be the major challenge in making a significant improvement in the processing time for appeals."*

~ Paul M. LeBreton, Chairperson of the Appeals Tribunal

**HIGHLIGHTS:**

→ The amount of appeals received increased by 18.5% from 2005, when we had an increase of 5.5% from the previous year. Since we were unable to process as many appeals as were being submitted, our inventory of appeals increased during the year. This led to the slight increase in the overall processing time.

→ The average processing time for appeals from the hearing to the decision being mailed was reduced by 11% in 2006.

→ The amount of postponed appeals decreased by 7.8% over last year's level, as compared to an increase of 26% in 2005. This area was a concern to us as postponed appeals remain in our inventory of appeals to be scheduled. Last year, we indicated that we would monitor postponed appeals to determine if a trend was developing and to take appropriate measures. One step that was taken was to withdraw appeals in lieu of postponing when it is determined that an appeal was not ready to proceed. This happens most often when the party requesting the appeal is looking for additional information to be added to the Appeal Record. As this may take some time and the information has to be reviewed by the original decision-maker, these files are withdrawn from our active list of appeals while this process runs its course.

→ A tool called the Monitoring and Feedback Process was developed and implemented. This tool was created in order to provide Appeals Tribunal members with information on their performance while discharging their duties, as well as giving the member an opportunity to provide feedback to the chairperson on professional development requirements.

**APPEALS, CONT'D:**

**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.

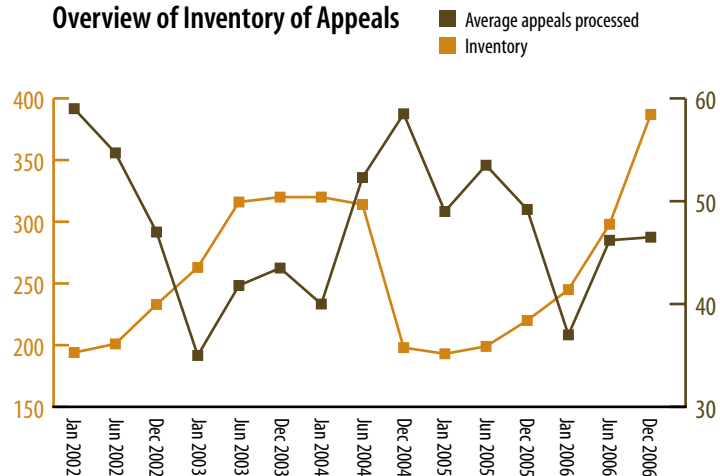
**Single-Person Panel**

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

**STATISTICS:**

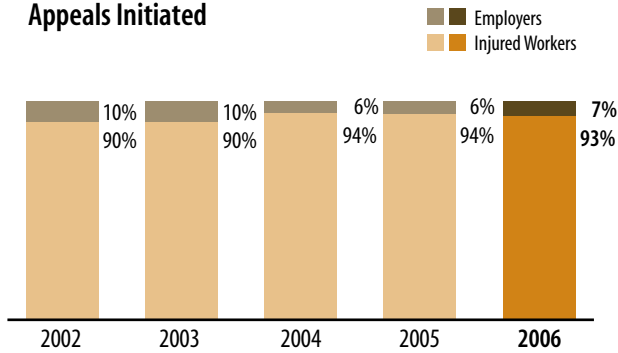
Appeals Results					
	2002	2003	2004	2005	2006
Accepted	58%	50%	59%	62%	68%
Partial	8%	13%	6%	7%	3%
Denied	32%	34%	33%	30%	28%
Withdrawn	2%	3%	2%	1%	1%

**Overview of Inventory of Appeals**

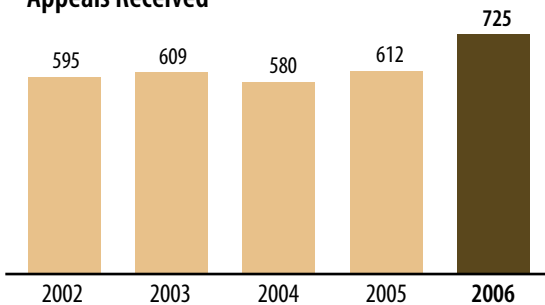


**STATISTICS, CONT'D:**

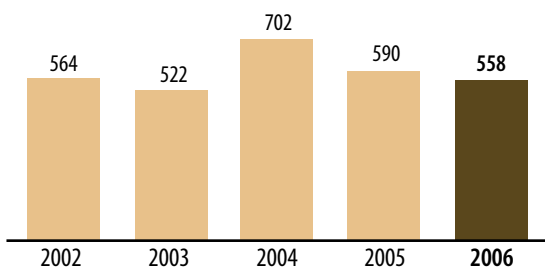
**Appeals Initiated**



**Appeals Received**



**Appeals Resolved**



**HIGHLIGHTS, CONT'D:**

- ➔ A new position of decision examiner was filled late in the year. This position will complement the position of quality coordinator in ensuring that a timely review of all decisions is completed prior to decisions being finalized and mailed to the parties to the appeal.
- ➔ The number of appeals to the Court of Appeal of New Brunswick from Appeals Tribunal decisions was significantly reduced during 2006. The Court of Appeal heard only one appeal in 2006, while it heard six appeals in 2005 and 10 in 2004.
- ➔ In February 2006, the Appeals Tribunal and the Council of Canadian Administrative Tribunals co-sponsored a conference for our members as well as those from other administrative tribunals in the Atlantic Provinces. The conference was well attended and we believe was beneficial to our members, who received information on topics of interest to them and were able to share ideas with their colleagues from other tribunals.

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