

COPY

Bright Lights Injured Workers' Group

Bright Lights Injured Workers' Group
c/o Mrs. Emma Osso
75 Furrow Drive
Whitby, Ontario
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November 26th, 2010

Mr. David Marshall
President WCB/WSIB
200 Front St. West
Toronto, Ontario
M5V 3J1

Dear Mr. Marshall,

Our group had a meeting at which we spent a considerable amount of time reading and comprehending your letter of October 27th, 2010 which was sent in reply to the copy to you of our letter to Hon. Dalton McGuinty of October 14th, 2010.

Mr. Marshall, we note your efforts to assure us that the "focus of the review is to ensure that injured workers benefits are protected," and that "the interests of injured workers are very much central to the Review . . ." We regret, however, to say that we do not feel assured.

It is not possible to include all the points raised in the discussion of your letter in this reply, however we will attempt to highlight a few of them:

- When you say that the purpose is to protect injured workers benefits, what benefits are you speaking of? The already reduced Bill 99 benefits? The benefits we receive after being deemed to have jobs we don't have or won't likely manage to keep? The downward spiraling value of benefits not protected by cost of living adjustments?
- You indicate that the Meredith Principles are front and centre of the review. Where?
- What do you understand to be the Meredith Principles?
- Why did Justice Meredith recommend a funding system based on current account with a cushion?

the average rate down for all employers. Ontario employers would have lower rates if there was full coverage. Why has the issue of coverage not been included in the mandate for the panel? We assume this is the choice of your government and yet it prevents the panel and Ontario from addressing a key funding issue. Furthermore, Mr. Marshall's claim that employers pay a 43% surcharge "to pay for past benefit claims which have not been adequately funded," places a spin on the issue which does not make clear the issues at hand. It is true, that had employers rates not been so dramatically reduced by your predecessor government, the compensation fund would not have an actuarial "unfunded liability." However the surcharge is placed there for the purpose achieving full-funding. The system does not need to be fully funded (it never has been over the past 95 years, it was not intended to be, CPP a similar system is funded at a 29% level). Thus, there does not need to be a surcharge. That surcharge is a discretionary increase which the WCB/WSIB can terminate at any time.

Hon. Premier McGuinty, we sense that there is little we can hope for from this review. We hope that your government will prove us wrong and take clear and timely steps to actually protect injured workers. We are not fooled by the claim that this review will is to help protect our future benefits. The last time the "unfunded liability" was raised as an issue the Harris government reduced injured worker entitlements. Protecting injured workers at present leaves us in the same place as the Jackson Report and Bill 99. We do not consider that protection. Furthermore, the Board continues apace with deeming injured workers to have income that they do not have; to be more reluctant to recognise permanent impairments; to deny time to heal and to abandon injured workers to the long-term consequences of the labour market flush with healthy workers seeking work. That is not protection. We have read Mr. Marshall's remarks to the Standing Committee on Public Accounts of last January in which he makes it very clear [1440] that "we have to reduce duration," and that "that you can't recover this amount of money without some sort of pain somewhere in the system."

What increased pain will injured workers be expected to take on? Why focus on "duration"? Too many injured workers are already on the avails of their families and on welfare because "duration" has already been reduced too much.

Once again we remind you of the points raised on our letter of October 14th, 2010 (copy enclosed). Please note that injured workers of Ontario still have not received a letter from the Board telling them of the Funding Review with special arrangements to ensure that they are able to present in person. Please note, that we did request a meeting with you and your staff to discuss our concerns and our ideas for a compensation system which will truly serve and protect the people of Ontario.

Yours Sincerely,
The Bright Lights Group of Injured Workers

P. Khan - ~~Jamie Henderson~~

Betty Campbell - Alldis

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