

19 April 2007

Honourable Steve Peters
Minster of Labour
400 University Avenue
14th Floor,
Toronto, Ontario
M7A 1T7

Dear Minster Peters:

Re: Bill 187 – workers compensation changes

The Bright Lights Injured Workers has met with you and Minister Bentley before that to outline the need for changes in workers' compensation law. Improvement has been a long time coming and we were very pleased to see that you have begun to take action on issues we have raised. In our meeting today, we started to look at the Bill. This Bill addresses the cost of living and deeming, two of the areas in most need of reform. For that reason we see it as a step in the right direction, we are proud to have been able to raise these issues with you and to have a response.

But many questions and concerns were raised in the discussion, and we did not finish yet. These are some of the points that were raised:

Cost of Living

- What are you going to do about the last ten or twelve years, we have lost more than 22% of the small benefits we used to receive? Even if we don't lose more, we can't survive on what we have now.
- What will happen to us after January 2009? The 25% MPP pay increases were done very quickly and they are permanent. How can we make sense of temporary changes? After the next election, any government can do anything but we are injured for life.
- Government clawbacks mean that the poorest injured workers will not see any improvement. Injured workers on social assistance and those in subsidized housing see every increase in workers compensation taken back by the government. Many in our group are on social assistance as are thousands of injured workers in Ontario.

Deeming

- Our group studied Bill 162 when it came into effect in 1990. The word “available” was in the law but deeming still happened as it does today. The Board just said these jobs are available somewhere, and our circumstances were ignored. A quick survey found that 7 people in today’s meeting were deemed to be working full time under the pre 1998 law with “available” in it. None of them have been employed since their accident. The majority are living on social assistance.
- If the goal is to stop poverty of injured workers there has to be a minimum level of benefits that is above the poverty line.
- When a doctor declares an injured workers unable to go back to work, why is the injured worker forced back or deemed?

Changes in Benefits after 72 Months

- What worries us is that we don’t see anything stopping benefits from going down. Our experience with workers compensation has been that every opportunity to reduce our benefits is used against us.

Board of Directors

- Our experience has been that the Board of directors has nothing to do with injured workers. Will you make sure all the new members come from the injured worker community?

Thank you Minister for having taken steps to address some of the issues injured workers have raised with you. We ask that you listen to injured workers’ comments on Bill 187 to make sure that it will do what needs to be done.

Sincerely,
Bright Lights Injured Workers