

Bright Lights Injured Worker Group
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October 4th, 2007

Honourable Dalton McGuinty
1795 Kilborn Ave.
Ottawa, Ontario
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Dear Hon. Dalton McGuinty,

We are a group of workers with permanent injuries from workplace accidents or exposures. We meet on a regular basis to try to understand why we live in poverty despite having given up the right to sue in 1915 in exchange for a system which would protect us from poverty. We meet also to seek improvements in the system so that it will live up to its excellent basic principals which were laid out so well by Justice William Meredith almost a hundred years ago.

We have followed your campaign and we have read your party's literature and we are not able to find reference to injured workers. Are we invisible?

Every year there are well over 1,000 injuries/illnesses registered each day in Ontario. There is research which shows that registration is low compared to the actual incidence of injury. Every day there is at least one person who dies from a traumatic workplace accident or a fatal disease recognised by the compensation board.

We are many and many of us are living in poverty.

In your government's budget, Bill 187, some amendments were brought in to aid injured workers. These signalled a last-minute regard for the issues we have brought forward time and time again over the years. They are changes which may not even bring benefit to many injured workers in the end due to the policy process at the Board.

Below are four of the fundamental changes which are required to prevent poverty of injured workers. We wish to know your position on these issues.

1. **COST OF LIVING**

In the decade between 1996 and 2006 injured workers lost 20.5% of their income to inflation. In December 2006 MPPs gave themselves a 25% wage increase. Shortly thereafter injured workers received a 2.5% increase, one tenth of the raise MPPs gave themselves. Even with this change the result leaves these workers with 20% less than they received 10 years ago. The Compensation system used to provide full cost of living protection for injured workers, now we go cap-in-hand every year – usually without any raise at all.

- Will you commit to restoring full cost of living increases for injured workers and will you commit to help us regain our lost purchasing power?

2. **DEEMING**

Permanently disabled workers see their benefits reduced because the WSIB deducts from benefits money the Board alleges the injured worker could be earning from jobs that the worker does not have and jobs that may not even exist. The Board simply gazes into a crystal ball and tells the injured worker he or she could be earning some amount and they wave a magic wand and make our benefits disappear.

The Minister of Labour promised that recent amendments to the WSI Act would eliminate this absurd practice, which is called deeming but the Board continues to develop policies that will reduce injured workers benefits because the Board believes the worker has a phantom job with phantom wages.

- Will you commit to eliminating this absurd and unjust practice?
- Will you direct the Board if necessary to produce policy which will eliminate deeming using the powers conferred on you in the Workplace Safety and Insurance Act to do so?

3. **EXPERIENCE RATING**

In the compensation system, Experience Rating is a practice where employers are rewarded for low accident rates through rebates. Since 1996 the net rebates (greater than that recovered by surcharges) have amounted to more than \$2 billion. In theory, rewarding employers for safe workplaces may make sense. In practice, the system doesn't work.

Under this system, employers are also rewarded for hiding accidents and for forcing workers back to work before they are properly recovered. Hurts become harms which can become permanent. Permanent impairments get hidden.

- Will you commit to eliminating the experience rating system?

4. COVERAGE

As strange as it seems, in 2007 only two in three Ontario workers are included in the workers' compensation system. Latest statistics show that 35% of workers in the province are not covered by the workers' compensation legislation. Those without coverage face the prospect of poverty and social assistance if the consequences of their injury are long-term.

- Will you commit to extending WSIB coverage to all Ontario workers?

We also wish to know:

5. NAME OF THE BOARD

Injured workers want to see "workers" and "compensation" put back in the name of the Board.

- Will you commit to changing the name of the WSIB back to the WCB: The Workers' Compensation Board?

Thank you for your answers to these questions. We sincerely hope that we can count on your support.

Yours Sincerely,
Bright Lights Group