

December 4, 2008

Minister of Labour,
The Honourable Peter Fonseca,
400 University Avenue,
Toronto, Ontario

Dear Minister Fonseca:

We are the injured workers who came today to the Ministry of Labour, to bring to you and your government our urgent call for justice.

We came from Hamilton, Thunder Bay, Mississauga, London, Oshawa, Toronto and many other parts of Ontario. For many of us, this was a difficult trip – because of the pain we suffer every day and the lack of funds to travel. There are many who couldn't come today for those reasons. They are anxiously awaiting our report on what you said today.

We have been injured or gotten sick in many different kinds of workplaces – offices, hospitals, stores, factories, mines and construction. Those injuries and occupational diseases were all preventable, and not enough has been done to prevent those injuries. We commend your government for hiring 200 new inspectors, but this still means only 430 inspectors for all of Ontario. This is just not enough. Your Ministry has the responsibility for occupational health and safety – and we call on you to strengthen enforcement, to hold employers accountable for providing a safe and healthy workplaces. You must support all workers, but especially immigrant and young workers, in exercising their right to refuse unsafe work. And you must take a strong role in reducing and eliminating toxic chemicals in our workplace – and expanding recognition of the cancer and other disease which these chemicals are causing.

Some of us came because our families have paid the ultimate price – the loss of a loved one to a workplace fatality or occupational disease. Unfortunately, after suffering from injuries and illnesses, we have not received the compensation and support that we needed from our workers' compensation system.

So we came a long way to hear your remarks today. You are the one who is responsible, as part of the Ontario government, to make the reforms which we so urgently need. Being the son of parents who have suffered injuries on the job, you yourself know how terrible the impact can be on the family. You also mentioned that you have met many injured workers in your constituency office. So you have had the chance to learn directly about the very difficult situation which injured workers face.

Very fortunately, your own parents were able to return to work. As you know, many injured workers are too disabled to return to work, or are shut out of the labour market due to discrimination. This leaves us to suffer a lifetime of poverty and unemployment. Many of us have to turn to food banks, or go onto social assistance, just to survive. This places a burden on the taxpayers rather than on the employers, who should be responsible for all the costs from work injuries and diseases.

Your government has made strong public declarations about reducing and eventually eliminating poverty. Yet in the recent poverty report, injured workers are not even mentioned. In fact, even cost of living adjustments from WCB are clawed back from those of us who are on social assistance. We call on you to ensure that injured workers are fully included in your government's anti-poverty strategy, and to end the claw-backs.

Mr. Minister, we believe that you take our concerns seriously. We appreciate that, after eight years of cuts and frozen benefits, your government has provided some cost of living adjustments. This has meant a lot to us. But nothing has been done to make up for the huge reduction in our benefits which took place under the Mike Harris government. We need changes in the law to give back what was taken away by Harris – and to guarantee annual full cost of living adjustments in the future.

You also did not address any of the other issues which urgently need reform. While your government did make some amendments to the law to try to eliminate deeming, the Board is still using deeming to reduce benefits to injured workers who have not been able to return to work. And you have left in place the privatization of vocational rehabilitation, which has led to expensive and ineffective Labour Market Re-entry programs. We call on you to bring vocational rehabilitation back inside the Workers' Compensation Board, so that the Board can advocate strongly for re-employment of injured workers.

You did not mention eliminating experience rating, which has such a negative impact on our workplaces by providing an incentive to employers to suppress injury claims and force injured workers into premature and unsafe return to work.

And you did not mention another vital issue: the many gaps in coverage of our workers' compensation system. Some of us who came today to the Ministry have been denied any benefits whatsoever because we were injured in workplaces which were not covered – such as banks, private schools, insurance companies and non-profit employers. Other workers are not covered because our employers say we were “independent contractors” rather than workers. Mr. Minister, you have taken some positive steps toward full universal coverage by promising to cover all workers in construction – but you need to go all the way, by extending workers' compensation protection to all workers in Ontario.

There are a number of other urgent issues which we could mention, but we wanted to focus on those which we consider the most important.

We are worried that you will be getting pressure from employers, in these current economic hard times, to cut benefits. We urge you to resist those pressures. We have suffered so much already. We and our families have paid a very high price. We need you to commit strongly to a reform of our worker's compensation system that will fully compensate us for our losses, and support us in being full, respected members of society, and in the workforce if we are able to return to work.

We are asking that you work with us to bring justice to injured workers. We would like to meet with you as soon as possible, to talk about how to move forward with positive reforms.

Thank you for speaking with us today, and we hope to see you again soon.

Yours truly

<i>Doris Coulson</i>	<i>Sgt. MS</i>	<i>Constance D.</i>
<i>Eddie Tella</i>	<i>Fatima P. S.</i>	<i>Wendy Kneen</i>
<i>Marya Stroukalis</i>	<i>Peter Poon</i>	<i>Margam Bozemi</i>
<i>Bob Covert</i>	<i>Melanie Seiferow</i>	<i>John McKinnon</i>
<i>Michelle</i>	<i>John</i>	<i>P. Vinnicom</i>
<i>Brenda Kooze</i>		