

In Ontario, we need a workers' compensations system that fully compensates and supports those suffering a workplace injury or illness, helps workers in returning to employment with dignity, and effectively promotes workplace safety.

As outlined in the discussion document prepared for debate at the *2004 Platform for Change conference*, Justice for Injured Workers means the following:

§ The Workers' Compensation system

- Rename the board to Workers' Compensation Board
- Publicly administered
- Collective employer liability
- Primary purpose to compensate injured workers and survivors
- Recognize and compensate all work-related occupational injuries and diseases
- Inclusive no-fault coverage of all workers
- Eliminates experience rating
- Regular public review of the Act

§ Adjudication

- Timely
- Accessible and responsive to injured workers
- Less bureaucratic
- Provided by trained and compassionate adjudicators
- In the language of the injured worker
- Provide written clear information to workers about the system and their claim
- Penalize non-reporting and underreporting of claims by employers

§ Compensation

- Full coverage that reflects full income loss into retirement and loss to quality of life
- Continue benefits by employer or established minimum provided by WCB
- Eliminate deeming
- Establish a minimum wage loss benefit
- Full cost of living
- Protect injured workers' right to CPP and eliminate CPP deduction from benefits
- Improve benefits and support for survivors of workers who die from occupational injury or disease, including non-dependent survivors
- Benefits for secondary victims of occupational disease

§ Health Care

- The same as for all Canadians
- Provide time to heal

- Worker right to choose health care provider and alternative treatment
- No employer medical exams
- Respect workers' doctors
- Board doctors and nurse case managers to have no role in adjudication

§ Vocational and Social Rehabilitation

- Comprehensive and consultative with injured worker
- Recognize and compensate for injured workers' limitations
- Hands-on by WSIB locating opportunities and providing accommodations for suitable employment
- Joint return to work committees in unionized workplaces
- Penalties for employers who refuse to continue to employ or provide phoney or unsafe return to work
- Quality public rehabilitation service
- Provide for English as a Second Language

§ Access to Justice

- The WSIB will not act on an adversarial basis
- Cases based on merit and benefit of doubt being applied
- Eliminate time limits for worker appeals
- Employer right to appeal limited to initial entitlement and return to work
- Full disclosure of all documents and information related to claim to Injured Worker
- Restricted employer information on claim access
- An independent, competent tripartite Tribunal not bound by Board policy

§ Funded Arms Length Programmes

- Sufficient funding for free representation programs such as the Office of the Worker Adviser, community legal clinics and legal aid certificates
 - Proper funding for support systems such as the Occupational Health Clinics for Ontario Workers
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