

Thanks to those that have come before me

We have struggled for Justice for over 100 years

Ontario Network of Injured Workers Groups (ONIWG)

- Founded in 1991
- 22 local groups from Ottawa to Thunder Bay
- Umbrella organization to support local groups and strengthen our voice with government
- Volunteer driven – annual budget \$4,000 – 12,000
- Helps bring positive changes for injured & disabled workers

My Story (or a bit of it anyway)

- Injured in 1978 working construction – amputation
- Healing & return to work
- Thunder Bay Injured Workers Support Group 1984
- 1988 – Manager – March of Dimes
- 1991 – appointed to Board of Directors of ON WCB
- Chair – Research Action Committee – ONIWG

Workers Compensation

The first part of our social safety net –

Over 100 years old!

What lessons can we learn?

Sir William Meredith's Royal Commission

- June 10, 1910, Conservative government of Sir James Whitney appoints Sir William Meredith to head commission
- Meredith holds public hearings in Ontario (over 1,300 pages of testimony)
- Meredith travels to provinces and American states, England & Germany
- April 1, 1913, submits draft bill; October 31, 1913, submits final report



Sir William Meredith

1915 Ontario Workmen's Compensation Act

Principles:

- Δ Compensation as long as disability lasts**
- Δ Collective Liability / Employer pays**
- Δ No fault**
- Δ Independent Agency**
- Δ Non-adversarial**

1915 Ontario Workmen's Compensation Act

Limitations:

- Δ Coverage - applied almost solely to male occupations**
- Δ Occupational Disease – restricted definition & coverage**
- Δ Compensation - 55% of wages with \$2,000 ceiling**
- Δ Right of Action - workers lose right to sue employer**

Present Situation

- 15 – 20,000 serious injuries & diseases resulting in permanent disabilities each year in Ontario
- 45% unemployed
- 20% in poverty + 25% in near poverty
- Only 20 % receive long term benefits from WSIB/WCB
- 45% facing mental health challenges

● “I feel sometimes like I'm in a shell, like a little nut in a shell, because it's so hard. You don't want to burden anybody, complain about pain. You don't want to. They don't understand sometimes. They're tired of you to complain - pain, pain, pain, pain. I know if they had paid me my money, I would have taken care of my body, my health. I would be at the company working today if they had given me the right medical care. Maybe I would be there, who knows? Maybe I would be in a ... better field, or different field. I wouldn't be sitting here today in this kind of agony. Because they made my condition worse by not paying me my money, by not allowing me medical care.”

● – Beryl Brown, Injured Worker, February 11, 2005

What can be done differently? Strategies & Issues

- Working with academic researchers to understand the problems and look for solutions.
- Tracking long term outcomes (economic, employment & health) of workers with a permanent disability.
- Develop the framework for proposed improvements.
- Using this knowledge to put public pressure on decision makers.

Injured Workers Platform for Change – 2004 - amended in 2015

Workers' Compensation:



- Rename to Workers' Compensation Board
- Collective employer liability
- Primary purpose to compensate injured workers & survivors
- Inclusive no fault coverage of all workers
- Eliminate experience rating



Compensation shall be:

- Compensation that reflects full income loss
- Eliminate deeming
- Full Cost of Living
- Protect injured workers' retirement benefits

Vocational & Social Rehabilitation:



- Rehabilitation in partnership with the injured worker
- Hands on help locating opportunities & providing accommodations for suitable employment
- Quality public rehabilitation service

Who says fighting doesn't help?

Their On



Supreme Court Victory! Dec. 2003

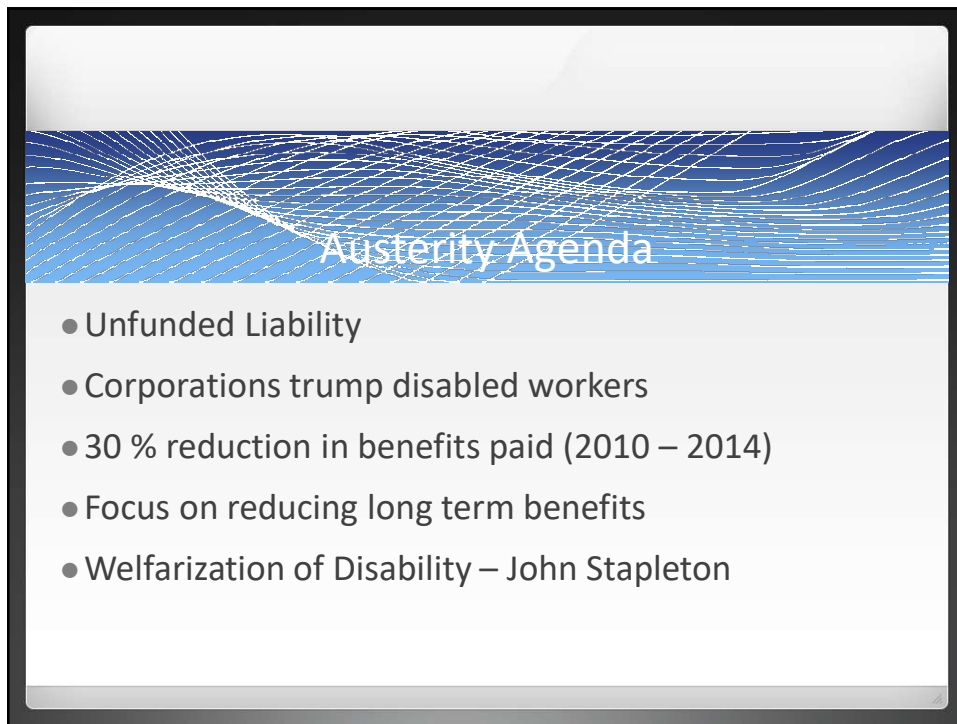
Who says fighting doesn't help?

- ✓ Maintenance Therapy (Dec. 2005)
- ✓ WSIB reconsiders RTW Policies (2006)
- ✓ Bill 187: (2007)
- ✓ * Deeming Amendment
- ✓ * 3 Year Re-introduction of COLA

Who says fighting doesn't help?

- ✓ Research Action Alliance on the Consequences of Work Injury (RAACWI)
- ✓ Survivor's benefits improved (2015)
- ✓ Cost of Living restored (2015 – 2018)
- ✓ United Nations Convention on the Rights of People with a Disability

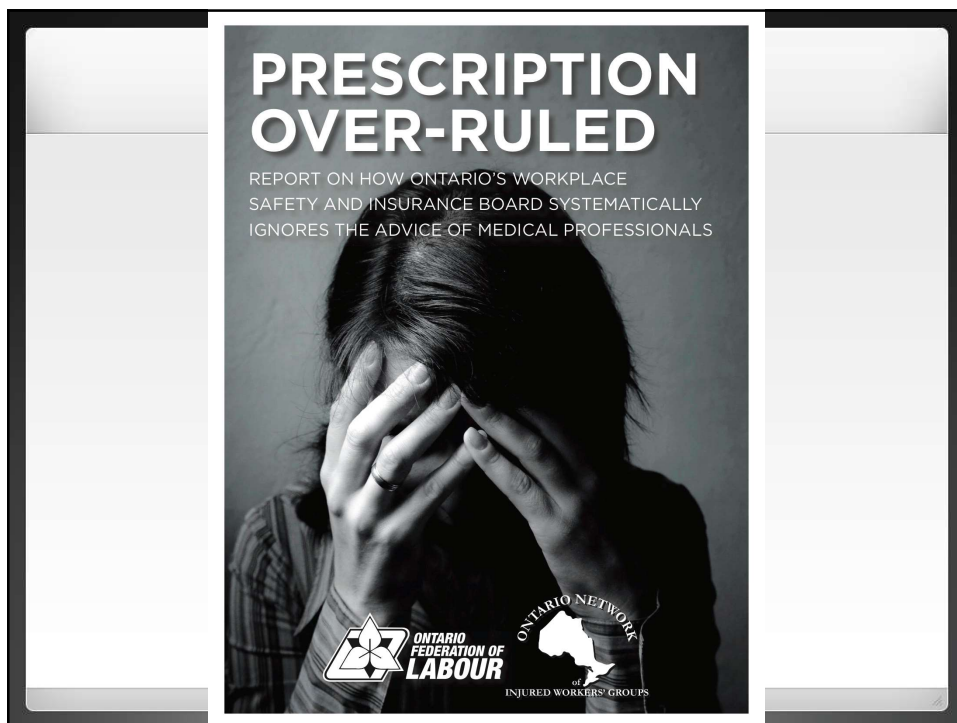




A slide titled "Austerity Agenda" with a blue and white wavy background. The title is centered in white text. Below the title is a list of five bullet points.

Austerity Agenda

- Unfunded Liability
- Corporations trump disabled workers
- 30 % reduction in benefits paid (2010 – 2014)
- Focus on reducing long term benefits
- Welfarization of Disability – John Stapleton



A report cover titled "PRESCRIPTION OVER-RULED" with a black and white photograph of a person covering their face with their hands. The text is white on a dark background. At the bottom are logos for the Ontario Federation of Labour and the Ontario Network of Injured Workers' Groups.

PRESCRIPTION OVER-RULED

REPORT ON HOW ONTARIO'S WORKPLACE SAFETY AND INSURANCE BOARD SYSTEMATICALLY IGNORES THE ADVICE OF MEDICAL PROFESSIONALS

ONTARIO FEDERATION OF LABOUR

ONTARIO NETWORK OF INJURED WORKERS' GROUPS

How Health care practitioners can help

- Understand the system
- Write clear reports – links to workplace exposure
- Identify disease clusters – cancer registries – public health
- Be patient – high rate of mental health issues
- Speak out

“To tell the truth, you never can believe how an Injured Worker can feel to out of the workforce. You feel destroyed by society, you feel like nothing in the family because, you know, at the beginning, the wife, the children, they have compassion; they say, ‘Oh, poor daddy. Poor my husband.’ But when the story is too long, if he is disabled for life, there the problem comes because, you know, the wives, at the beginning, they do a lot of things but, then, they finish the patience. The wife has to shoulder everything and run the house; the children, they have to stop school to help the family. So, everybody gets nervous.”

- Rosario Agosta



Resources

<http://thunderbayinjuredworkers.com>

<https://www.crwdp.ca>

<http://injuredworkersonline.org>

<http://injuredworkersonline.org/resources/papers-and-presentation/>

<http://www.consequencesofworkinjury.ca>



Thank you!

**Since 1999 I have been left in the land of
assumption
No one ever asks me how I would survive
The Who I am has traveled in time as my case has
been a puzzle on countless minds
While I am left to wonder why society has moved
on and left me behind
I feel invisible, like a box locked away without a
key
No need to worry about what you cannot see.**

- Barbara Stewart Fisher, "WSIB, How Invisible Can I Be?"