



Top Story

Comparative Benefits Adequacy and Equity of Three Canadian Workers' Compensation Programs for Long-Term Disability

Study by Emile Tompa, RAACWI Academic Lead

Workers permanently impaired by a job injury often earn less than they did before they were hurt. This loss of earnings is due not only to their physical impairment, but also to career disruption, a weaker relationship with their employer, and sometimes the stigma attached to being an injured worker.

Provincial workers' compensation agencies in Canada are responsible for providing adequate compensation to disabled workers to make up for lost earnings. In Ontario, permanently impaired workers account for about 10 per cent of all claimants.

A new Issue Briefing summarizes research by the Institute for Work & Health (IWH) that explored how well workers' compensation benefits programs replaced lost earnings among permanently disabled workers. The research looked at three programs: two in Ontario, and one in British Columbia. The Briefing is based on a study led by Dr. Emile Tompa, the RAACWI Academic Lead. The full Issue Briefing can be found at: www.iwh.on.ca/issue-briefings.

Reflections on the Study

By Steve Mantis, RAACWI Community Lead

I have a personal relationship to this study and its lead, Emile Tompa. Emile and I met in the late 1990's as the result of efforts by the Ontario Network of Injured Workers Groups (ONIWG) to

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gather data on long-term labour-market outcomes of injured workers. I had met with Glen Wright, then Chair of the WSIB, asking for this information. He encouraged me to talk to people at the Institute for Work and Health (IWH).

Emile had just started working at IWH. He had come from Statistics Canada and was quite familiar with some of their databases. He suggested linking WSIB claims information with the Longitudinal Administrative Databank (LAD) at Statistics Canada. The LAD has income tax data on 20% of the Canadian population. The concept was that if we could see the income tax records of disabled workers from a number of years after their injury, we could see who was able to recover financially in terms of labour-market earnings and who could not.

The findings from that early work were what one might have guessed: the higher the level of disability/impairment, the higher the wage loss. But with data on group averages, one could not see how many injured workers were doing well and how many were not doing so well. To dig deeper, more detailed data on injured workers' (continued on next page)

claims was needed, as well as a new linkage. Constructing this new data linkage took a couple more years to complete.

Once the new linkage was completed, Emile suggested dividing the sample of injured workers claims linked to the LAD into four parts to provide more details on the distribution of experiences in the labour market after work injury. This technique worked wonderfully. The paper Emile and his team prepared - *Comparative Benefits Adequacy and Equity of Three Canadian Workers' Compensation Programs for Long-Term Disability* - (Working Paper 350) - clearly shows the experiences of injured workers post injury in terms of their wage loss and earnings replacement by WSIB benefits. Whether one looks at the system in Ontario pre 1990, which was a pension system based on level of impairment, or the more recent wage loss system in Ontario, between 34-37% of workers with a permanent impairment were able to earn close to what they would have made if not injured, that is 75% or more of their uninjured counterpart earnings. The good news from the new study is that when we add together the injured workers' wages and their WSIB benefits, between 64 to 69% of these workers receive 75% or more of their uninjured counterpart earnings. But this means that about 31% of the 10,000 to 16,000 workers who sustain a permanent disability from a work injury each year in Ontario do not fare so well. That amounts to between 3,000 and 5,000 disabled workers who have inadequate benefits. Some have particularly low earnings and low benefits.

I am touching on only a small part of all the data that was collected and analyzed by Emile and his team. Here are some other data that stood out for me from the working paper:

- The distribution of labour-market earnings recovery is very polarized.

- Claimants in the 0 to 5% impairment stratum experience an earning loss substantially greater than 5%. For this group it is approximately 20%. Claimants in the 5 to 10% stratum experience losses in the 30 to 40% range. The 10 to 20% stratum experience wage loss in the 40 to 60% range. For the 20 to 50% stratum, it is 40 to 70%.
- Data on the proportion of injured workers with wage loss shows that more than 80% experience some wage loss.
- A large fraction of injured workers show significant wage losses both before and after adding on their compensation benefits.

Overall, the study does a great job of providing an understanding of how well the system is serving those it was designed to serve: injured workers. 🌀

Research to Action

"Blue Sky Discussions" on Return to Work

The Return to Work (RTW) Blue Sky Discussion group is a joint WSIB-RAACWI collaboration formed to discuss Return to Work issues with the involvement of multiple parties: WSIB, injured workers, researchers, and worker representatives. Meeting semi-monthly since the fall of 2009, the group's discussions have been guided by various scientific papers on RTW.

The last few meetings were focused on the topic of building trust between parties in RTW and this led to discussions on transparency and procedural fairness.

The RAACWI members involved in this initiative are Patricia Reilly, Ellen MacEachen, Laura Lunasky, Iggy Kosny, Constanza Duran, Karl Crevar and Basil Boolis. This summer representatives from the WSIB Customer Experience Office will join the discussions. 🌀

RAACWI Offers Input to the WSIB Funding Review

As many of you know may know, the WSIB is undertaking a year-long funding review, being headed by Dr. Harry Arthurs. The mandate of the review is to look at how the WSIB's unfunded liability developed, how serious a risk it represents, and what might be done to minimize or eliminate that risk. The Funding Review panel has been gathering input on six specific issues relating to the WSIB's financial situation from the public, stakeholders and researchers. The six items are 1) funding, 2) premium rates, 3) rate groups, 4) employer incentives, 5) occupational disease claims, and 6) benefits indexation. Many injured worker groups and representatives have submitted position papers on the various items covered by the review. RAACWI sent a letter directly to Dr. Arthurs offering to meet with him and/or provide additional information about RAACWI activities, to which he graciously responded with an open invitation to submit a briefing or research studies. 🌀

Upcoming RAACWI Stakeholder Symposium

Mark your calendar for RAACWI's 2011 Stakeholder Symposium, which will be held on November 17th and 18th.

The 2011 symposium will include stakeholders invited from across the country. Though workers' compensation is a provincial-level jurisdiction, its organization and administration are similar across the country. The national symposium will provide a platform for sharing research knowledge, creating joint learning opportunities, and developing dialogue across the country, which we think would be more powerful than continuing to restrict our activities to the provincial level. Injured worker communities and disability-related organizations could benefit from sharing their knowledge and experiences with their counterparts in other provinces. The

symposium will serve as a platform for identifying opportunities for cross-provincial and national-level collaborations.

Several recent developments have substantiated the value of expanding the reach of RAACWI's activities to the national level. For example, a RAACWI presentation of the "Injured Worker Stigma Project" at an Association of Workers' Compensation Boards of Canada (AWCBC) conference in 2010 resulted in several requests from provincial boards for more information on the project. The initiative has had several requests from outside Ontario about training materials for its Speakers' School. More generally, academics and injured worker communities across the country have expressed interest in participating in the initiative.

The first day of the two-day symposium will profile RAACWI research, capacity building and knowledge mobilization activities from the last few years. The second day will be focused on presentations of research and experiences from across the country. The presentation of RAACWI's successes in research, capacity building, and KTE from the last few years will serve as a platform for strengthening existing relationships with stakeholders and developing new ones. 🌀

Academic Researcher Profile

Liz Mansfield

Researcher, Legislation Theme

Liz Mansfield recently completed her PhD in the Social Science and Health Division of the Dalla Lana School of Public Health at the University of Toronto.

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Her research interests include the sociological analysis of media communications, health and safety in small workplaces, and prevention policy and program evaluation in occupational health and safety.

Dr. Mansfield's dissertation is a qualitative analysis of a safety campaign that used personal accounts of serious workplace injuries and fatalities to encourage prevention efforts. Of particular interest to Mansfield is stakeholder participation in workplace health and safety initiatives and how participation affects outcomes. Her research explores how prevention practices are shaped by both physical and cultural aspects of work.

Mansfield is currently involved in a RACWII project on experience rating. She is also participating in several other research studies—a qualitative project on temporary work agencies, an evaluation of an educational tool for prevention, and a mixed methods study on changes in firm safety performance. 🔄

Partner Profile

Industrial Accident Victims Group of Ontario (IAVGO)

IAVGO is a community legal clinic incorporated in 1975 and funded by Legal Aid Ontario to assist injured workers and their families with their workers' compensation problems. It provides summary advice and representation to injured workers and their survivors, and offers resources to other advocates from the private bar, organized labour, the Office of the Worker Advisor and other legal aid clinics.

In striving for justice and dignity for all injured workers, IAVGO partners with other legal clinics such as the Toronto Injured Workers Advocates


Group (TIWAG), the Ontario Network of Injured Workers Group (ONIWG), Justicia for Migrant Farm Workers (J4MG) and the Ontario Legal Clinics' Workers' Compensation Network.

To keep injured workers, caseworkers, and advocates informed about issues relating to workers' compensation legislation, IAVGO publishes the *IAVGO Reporting Service Newsletter* and together with Community Legal Education Ontario (CLEO), IAVGO published *Workers' Compensation: A Manual for Workers' Advocates*. To reach IAVGO call 416-924-6477, 1-877-230-6311 or visit their website: www.iavgo.org. 🔄

Building Community Capacity

Highlights from the Injured Worker Speakers' School

- In February, 10 community members from across Ontario participated in a three-day train-the-trainer session on how to deliver an Injured Worker Speakers' School in their own communities. The retreat was held on Toronto Island.
- The Toronto Speakers' School held its graduation ceremony for its most recent graduates on March 22rd. MPP Michael Prue attended the event and recounted the graduates' stories the following week at a debate of the Ontario Provincial Parliament.
- The Thunder Bay Speakers' School had their graduation on June 6th.
- This spring a Speakers' School started in Bracebridge under the leadership of the local community legal clinic.
- Speakers' School volunteers are busy fundraising, building partnerships and organizing new schools in Sarnia, London and Niagara.

Anyone who would like more information can contact RAACWI's Community Lead, Steve Mantis at smantis@tbaytel.net. 

Update on Community Forums

Five Community Forums were held since last November. In December, Bryan Evans from Ryerson University shared his insights as a former policy advisor, and Peter Smith from the Institute of Work & Health presented his recent research on trends in reported claims.

The January Community Forum was held in partnership with the Toronto Injured Worker Advocacy Group (TIWAG) and featured WSIB work re-integration policies and practices.

The Economics of Workers' Compensation Boards was presented by WSIB lawyer Dave Wilken in February. The March Community Forum was held in conjunction with the Labour OHCOW Academic Research Collaboration (LOARC) - a group of activists, OHCOW practitioners, and researchers interested in improving worker health and safety. The theme for the forum was "Prevention and Compensation – What's in it for workers?"

In May, Agnieszka Kosny and Marni Lifshen from the Institute for Work & Health presented two research projects: "The Injured Immigrant Worker Study" and "Prevention is the Best Medicine". The latter is a study to develop training modules for newcomers to Canada (see Research Update, below).

The last Community Forum of the season was held on June 13th. It dealt with leadership within social justice movements in partnership with the Ontario Network of Injured Workers Groups. 🌱

Research Update

Settlement Agency Pilots Training and Information Modules for Newcomers

Principal Investigator: Agnieszka Kosny
Co-investigators: Marni Lifshin, Peter Smith, Curtis Breslin and Ron Saunders

Dr. Agnieszka Kosny and her team have found that information provided to new immigrants about occupational health and safety or workers' compensation is often informal and fragmented. To address this, Kosny and her research team have developed information and training modules to increase immigrant worker knowledge on these important topics.

While a RAACWI post-doctoral student, Iggy (as Agnieszka is known to RAACWI members) undertook research that highlighted difficulties that new immigrants experienced after they had sustained a work injury. In addition to challenges navigating the workers' compensation system, these workers reported never receiving any information about employment standards, their occupational health and safety rights or the workers' compensation system during the settlement process.

At a RAACWI Community Forum in May, Iggy and Marni Lifshin described their recently published work on a national scan they had conducted this year on safety resources currently available online to recent immigrants entering the Canadian workforce. They discovered some unique ways that information on OHS and workers' compensation is communicated to newcomers. For example, the British Columbia WCB has links in a variety of languages on their main web page and the Manitoba Immigrants Safety Initiative has developed a guide for workers and English as a Second Language teachers on how culture impacts health and safety. However, despite a few great examples, most of the resources offered information only on employment standards and few focused on workers' compensation.

Fuelled by the lack of available information to newcomers, Kosny and her team began working with community-based organizations in Ontario to determine how to best teach new immigrants

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about health and safety in the workplace and what to do in the event of an injury.

The result is two training and information modules: one on workplace health and safety, rights and responsibilities; and another on workers' compensation. Kosny believes that this information should be included in material received by newcomers, as well as in job-search and language-training classes offered through settlement agencies. "The modules have been piloted with clients and facilitators at a large settlement agency called Skills for Change and will be available through the IWH website in the early fall.

More information on the national scan of health and safety resources available for immigrants can be found at: <http://www.iwh.on.ca/other-reports>.

Initiative Updates & News

Building the Future

As RAACWI's funding from the Social Science and Humanities Research Council comes to an end, participants have been actively planning the future of the initiative. A subcommittee was established over a year ago to plan for the future. Plans include identifying new sources of funding to continue and expand upon the initiative's activities. The 2011 Symposium will also serve as a basis for future activities.

The last RAACWI full team meeting, held in December 2010, was dedicated to planning for the future. Specifically, a brainstorming exercise was held to identify several future themes. Participants broke into four thematic groups: 1) workplace incentives, 2) societal impact, 3) financial security, and 4) health. The groups developed the details of these themes and identified what could be accomplished through

the knowledge mobilization activities supporting them. This work will be of great value for planning the future of RAACWI.

RAACWI Successes Featured at CUExpo

RAACWI members led three presentations at the Community University Expo in Waterloo, Ontario from May 11th to 14th. Emile Tompa, Steve Mantis and Pat (an injured worker) shared their perspectives on building and sustaining the RAACWI partnership and ongoing efforts to build capacity and inform policy.

Joan Eakin, Steve Mantis, Marion Endicott and Maura Murphy presented the process of translating research into action using the Blue Sky Injured Worker Stigma project as a case study. They shared the various materials on stigma now available through the WSIB.

The third RAACWI session was presented by Kate Lushington, Orlando Buonastella, Heather von Atzingen and Soo Garay. They used the play called "Easy Money" to show how theatre can generate interest and engagement in complex issues— in this case workers' compensation policy and injured worker outcomes.

Research Action Alliance on the Consequences of Work Injury

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