



# **WORKPLACE HEALTH, SAFETY AND COMPENSATION REVIEW DIVISION**

**2008-2009 Annual Performance Report**



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# TABLE OF CONTENTS

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Message from the Chief Review Commissioner .....	1
Overview .....	2
Organization Chart.....	5
Highlights and Accomplishments .....	6
2008-2009 Objective .....	8
Outcomes .....	9
2009-2010 Objective .....	12
Opportunities and Challenges Ahead.....	13
Caseload Activity .....	14
Statistical Overview .....	15
Financial Statement .....	19
Review Commissioners .....	20
Contact Information .....	21
Appendix A - Awareness Plan .....	22

## MESSAGE FROM THE CHIEF REVIEW COMMISSIONER

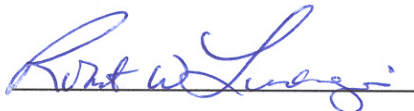
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I am pleased to present the Annual Performance Report representing the activities of the Workplace Health, Safety and Compensation Review Division (the WHSCRD) for the fiscal year 2008-2009, in accordance with the *Transparency and Accountability Act* and pursuant to the provisions of the *Workplace Health, Safety and Compensation Act* (the Act).

The Annual Performance Report covers the activities of the WHSCRD for the fiscal year 2008-2009. The WHSCRD and its Chief Review Commissioner are responsible for the preparation of this report and are accountable for the results contained within it.

In 2008-2009, the WHSCRD assessed many of its processes with a view to providing an environment where client service is a key focus. The WHSCRD will continue to monitor and refine its case management system, as well as assess and enhance its practices and procedures to assist workers and employers to effectively participate in the review process.

I would like to thank the Review Commissioners and staff of the WHSCRD for their commitment and professionalism in providing clients outstanding service throughout the review process and I look forward to our continued efforts in 2009-2010.



**Robert W. Lundrigan**  
Chief Review Commissioner

## **OVERVIEW**

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### **INTRODUCTION**

The WHSCRD is the final level of review within the workers' compensation system in Newfoundland and Labrador. The WHSCRD is responsible for the review of decisions of the Workplace Health, Safety and Compensation Commission (the Commission). The WHSCRD may review such issues as:

- ◆ Compensation benefits;
- ◆ Rehabilitation and return to work services and benefits;
- ◆ Employers' assessments;
- ◆ The assignment of an employer to a particular class or group;
- ◆ An employer's merit or demerit rating; and
- ◆ The obligations of an employer and a worker with respect to return to work and rehabilitation issues.

### **REVIEW COMMISSIONERS**

The WHSCRD has a Chief Review Commissioner and a panel of Review Commissioners. Up to seven Review Commissioners may be appointed to the WHSCRD. Review Commissioners conduct hearings in St. John's, Gander, Grand-Falls Windsor, Corner Brook, Happy Valley-Goose Bay and Labrador City.

In 2008-2009, Alex Harrold was reappointed for an additional three-year term. Mr. Robert Lundrigan remains as Chief Review Commissioner and in April 2008, Mr. E. Bruce Peckford was also appointed as a Review Commissioner.

### **WHSCRD STAFF**

The WHSCRD employs nine (female) staff in its office located in the Dorset Building, at 6 Mount Carson Avenue in Mount Pearl, NL.

## OVERVIEW (CONTINUED)

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### MISSION STATEMENT

The mission statement identifies the priority area of focus of the WHSCRD. The planning under this mission statement began in 2007-2008 and will continue to 2010-2011. The statement also identifies the measures and indicators that will assist the WHSCRD and others to monitor progress and evaluate success.

**Mission Statement:** By 2011, the WHSCRD will have implemented a client service framework that provides workers and employers with effective tools and processes to assist in their participation within the review process.

**Measure:** Client Service Framework is Implemented

**Indicators:**

- Increased information regarding the WHSCRD's role and services is provided.
- Recommendations for changes to current practices and procedures are identified.
- Increased efficiency in application turnaround time.
- Client Service Manual is available to clients.

The mission indicators listed above were originally developed in the WHSCRD's 2007-2008 Activity Plan. In the WHSCRD's 2008-2011 Three Year Activity Plan, these indicators were further expanded to include the development of a Client Service Manual. This additional indicator complements the WHSCRD's ability to achieve its mission and provide clients with the necessary information regarding the WHSCRD's practices to enhance their participation within the review process.

### MANDATE

The mandate of the WHSCRD is to review decisions of the Commission to ensure compliance with the *Workplace Health, Safety and Compensation Act* (the *Act*) and *Regulations*, as well as with the policies of the Commission. The WHSCRD is also mandated to direct appropriate remedies where necessary.

## OVERVIEW (CONTINUED)

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### VISION

The vision of the WHSCRD is an environment where workers and employers participate in an independent, timely and fair review process anchored in a culture of exceptional client service.

### VALUES

Initiatives that provide for continuous improvements in the area of client service remain a priority for the WHSCRD. The WHSCRD provides timely frontline services to its clients in an environment which is respectful, professional and free of bias. The core values of independence, respect and professionalism guide the Review Commissioners and staff of the WHSCRD on a daily basis.

### LEGISLATION

The *Workplace Health, Safety and Compensation Act*, RSNL1990 CHAPTER W-11, Part II – Appeals, Sections 21 to 37 provide the legislative provisions for the WHSCRD.

### LINES OF BUSINESS

The WHSCRD offers the following services to its clients:

#### **Review of Commission Decisions**

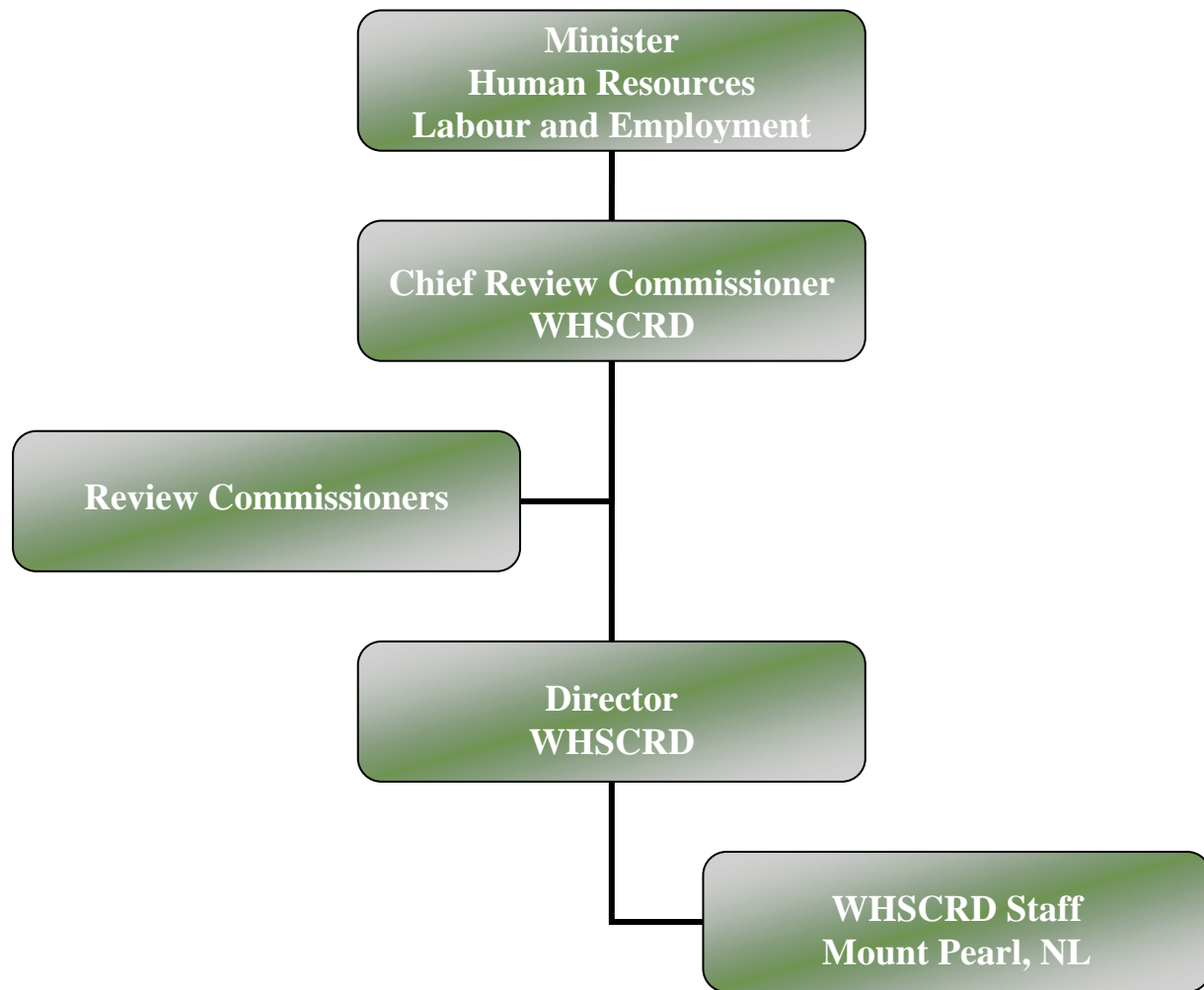
- The WHSCRD processes review applications submitted by injured workers, their dependants and employers in the province, as well as coordinates a review process that includes a hearing before a Review Commissioner concluding with a final written decision usually within thirty days.

#### **Information Services**

- The WHSCRD provides information services to its clients by providing web-based distribution of its decisions; researching workers' compensation issues and collecting and maintaining statistical information relative to the review process.

## ORGANIZATION CHART

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## HIGHLIGHTS AND ACCOMPLISHMENTS

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The WHSCRD completed the following initiatives in 2008-2009 to increase public awareness of the review process and improve service delivery for clients:

### 2008-2011 Activity Plan

- In the summer of 2008, the WHSCRD finalized its 2008-2011 Three Year Activity Plan focusing on the creation of a client service framework to provide workers and employers with effective tools and processes to assist in their participation in the review process.

### WHSCRD Website

- Clients of the WHSCRD can now explore a new and updated website available at [www.gov.nl.ca/whscrd](http://www.gov.nl.ca/whscrd). The website has been revised and enhanced providing improved accessibility to relevant information and WHSCRD forms which may be downloaded. A link to the WHSCRD's Decision Search System (DSS) provides access to recently rendered decisions along with the capability to research past WHSCRD decisions. Links to publications such as the WHSCRD's annual reports, activity plans, information brochures and to other pertinent sites are also available.

### WHSCRD Publications

- To further assist clients with their understanding of the review process, the WHSCRD in 2008-2009 re-examined its existing promotional material along with other jurisdictions' promotional material to develop a new series of brochures titled: *General Information*, *Review Process*, *Hearing Process* and *Employer Participation*. Copies of the brochures are available at the WHSCRD's office or via mail upon request. They are also contained on the WHSCRD's website.

### Practice Manual

- To provide clarification to clients on the role of the WHSCRD, as well as their role within the review process, a review and analysis of the WHSCRD's internal practices was conducted. The result was a draft Practice Manual outlining various aspects of the WHSCRD's processes. The Practice Manual will be available to the public upon request and through the WHSCRD's website in the Fall of 2009.

### Review Commissioners Code of Conduct

- A Code of Conduct for Review Commissioners was developed setting out the guiding principles for their conduct and establishing a reasonable standard of expectations governing their professional and ethical responsibilities in the review process. The Code covers the primary areas of Review Commissioner responsibility in conducting hearings, decision-making as well as the institutional responsibilities to all parties to the review process, to other Review Commissioners, to the Chief Review Commissioner and to the WHSCRD itself.

## HIGHLIGHTS AND ACCOMPLISHMENTS (CONTINUED)

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### Access to Personal Information and Protection of Privacy

- Recognizing the requirement and the necessity to protect personal and private information of clients, the WHSCRD in conjunction with the Access to Information and the Protection of Privacy (*ATIPP*) Office, has completed a review and analysis of its processes regarding compliance with the *ATIPP* legislation. Information collected via WHSCRD forms, disclosure of information for hearing purposes, the retention and disposal of personal information, as well as information provided in WHSCRD's final decisions were examined. The result of this review was to develop a Privacy Policy Directive outlining practices and guidelines respecting the handling and distribution of personal information collected by the WHSCRD. The Privacy Policy Directive will be available on the WHSCRD's website and upon request.
- As part of the work completed on the WHSCRD's compliance with the *ATIPP* legislation, all WHSCRD forms now advise participants of the purpose for collecting information and its intended use for the purpose of a WHSCRD review. The forms are available upon request and may also be downloaded from the WHSCRD website.

### Professional Development

- Review Commissioners participated in professional development sessions from June 2 – 6, 2008 which were provided by WHSCRD staff, WHSCRD legal counsel and officials of the WHSCC. The training provided great depth into the policy formulation process of the Commission and also provided updates to Review Commissioners on recent internal decisions which impact upon the review process. Continued efforts with respect to further professional development will result in additional training in the coming year as well.
- Review Commissioners and staff attended a conference held by the Canadian Institute on Decision Writing in March 2009. This session provided enhanced learning in the areas of decision writing and was noted to be very useful as continued training in the area of decision writing is a priority of Review Commissioners.
- WHSCRD staff participated in professional development opportunities in 2008-2009 through the Public Sector Leadership and Management Development Program at Memorial University's Gardiner Centre, the Management and Development Program with Centre for Learning and Development, the Case Flow Management course at the National Centre for State Courts, and Mediation Certification with the Community Mediation Services.
- Review Commissioners held a meeting of Panel Members on December 12, 2008. Agenda items included: an update on the progress of the 2008-2011 Three Year Activity Plan, Transparency and Accountability requirements, WHSCRD caseload update, Supreme Court Activity, and an overview of WHSCRD's Practice Manual. General discussion also took place regarding WHSCRD's practices and procedures, as well as the roles and responsibilities of the Panel and of WHSCRD staff.

## 2008 – 2009 OBJECTIVE

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In the 2008-2011 Three Year Activity Plan, the WHSCRD outlined as its objective for 2008-2009 the implementation of an Awareness Plan to further enhance clients' knowledge of the workers' compensation system and ensure understanding of their roles and responsibilities within the review process.

While determining how to enhance clients' familiarity with the review process, the WHSCRD examined many of its operational procedures. Workers' compensation appeal entities across Canada were also examined and an analysis was conducted on: methods of appeal, processing time frames, case management practices and advocacy groups. The outcome of this review was to develop the Awareness Plan which provides a framework to enhance client awareness and ensures fairness within the review process (see Appendix A – Awareness Plan).

In 2008-2009, the WHSCRD implemented the Awareness Plan to assist workers and employers to participate effectively in the review process. The following measure and related indicators outline the WHSCRD's endeavours for 2008-2009:

**Objective 1: By 2008-2009, the WHSCRD will have implemented an Awareness Plan.**

**Measure:** Awareness Plan Implemented

**Indicators:**

- ✓ Website Revised and Enhanced
- ✓ Information Brochures Distributed
- ✓ Information Sessions Conducted
- ✓ Improved Access to final decisions for public research

## OUTCOMES

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In consideration of the strategic direction of the Minister and the mandate and financial resources of the WHSCRD, the following table outlines the measure and the associated indicators to assist both the WHSCRD and the public in monitoring and evaluating progress and accomplishments:

INDICATORS	PROGRESS AND ACCOMPLISHMENTS
<b>Website Revised and Enhanced</b>	<p>The WHSCRD believes a more interactive and informative process is necessary to educate stakeholders and clients on the many aspects of an external review.</p> <p>In 2008-2009, the WHSCRD undertook a comprehensive review of its website with a view to delivering its services more effectively. The result of this review was a revised and enhanced website providing stakeholders relevant information and the additional tools to effectively participate in the review process.</p> <p>The newly enhanced website was launched in March 2009 and includes access to the WHSCRD's Decision Search System, WHSCRD forms, as well as information brochures outlining the various aspects of the review process and links to other pertinent sites.</p> <p>The WHSCRD website may be accessed at:</p> <p><a href="http://www.gov.nl.ca/whscrd">www.gov.nl.ca/whscrd</a></p>

## OUTCOMES (CONTINUED)

INDICATORS	PROGRESS AND ACCOMPLISHMENTS
<b>Information Brochures Distributed</b>	<p>In a continuing effort to educate stakeholders and clients on the many aspects of the review process, the WHSCRD developed a series of brochures providing information respecting its processes. Each brochure outlines the procedures for an external review and consists of: <i>General Information</i>, <i>The Review Process</i>, <i>Employer Participation</i> and <i>The Hearing Process</i>.</p> <p>The brochures have been distributed to the public and can be accessed online at the WHSCRD's website <a href="http://www.gov.nl.ca/whscrd">www.gov.nl.ca/whscrd</a> as well as by mail and upon request.</p>
<b>Information Sessions Conducted</b>	<p>While formal information sessions were not conducted in 2008-2009, the WHSCRD contacted labour and employer groups and advised of the services available to clients for their participation in the review process. In addition, these groups were advised to identify opportunities for WHSCRD attendance at various upcoming conferences or other corporate sessions. It is anticipated that the WHSCRD will participate in conferences in the fall of 2009-2010.</p> <p>Discussions were also held with representatives of the Offices of the Workers' Advisors and Employers' Advisors to further explain the services of the WHSCRD and arrange opportunities to provide information sessions. Both groups provided positive comments on this service and have indicated they will contact the WHSCRD to arrange sessions as needed. Information sessions were not conducted in 2008-2009 as specific invitations were not forthcoming.</p>

## OUTCOMES (CONTINUED)

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INDICATORS	PROGRESS AND ACCOMPLISHMENTS
<b>Improved Access to final decisions for public research</b>	<p>In 2003, the WHSCRD developed an online Decision Search System (DSS) providing the public with the capability to research past WHSCRD decisions.</p> <p>The DSS was initially accessed through a link from the Labour Relations Agency website. Through the WHSCRD's new website launched in 2008-2009, decisions can now be viewed once they become available at <a href="http://www.gov.nl.ca/whscrd">www.gov.nl.ca/whscrd</a>. The website also provides information regarding the review process leading up to a final decision and links to relevant workers' compensation legislation and policies.</p> <p>While the WHSCRD provides access to final decisions through the DSS, it has expanded this service in 2008-2009 by distributing final decisions in CD format to the public upon request, as well as providing research assistance on past decisions whenever requested.</p>

## 2009 – 2010 OBJECTIVE

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Continuing with a commitment to enhance client services, the WHSCRD in its 2008-2011 Activity Plan provides the following objective for 2009-2010. This objective is a central element of the WHSCRD's mission to implement an effective client service framework.

**Objective 2: By 2009-2010, the WHSCRD will have identified areas for continuous improvement in its practices and procedures.**

**Measure:** Areas are identified for continuous improvement

**Indicators:**

- Research and analysis of existing practices and procedures completed.
- Strengths and weaknesses of existing practices and procedures are identified.
- Stakeholders' needs are identified and prioritized.
- Summary compiled of key findings from stakeholders' input and review of practices and procedures.
- A jurisdictional research and analysis to determine best practices will be completed.
- Desired outcomes are determined.

## OPPORTUNITIES AND CHALLENGES AHEAD

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Determining clients' requirements, providing assistance to navigate through the review process and the timely processing of cases are significant in enabling the WHSCRD to provide exceptional client service. In particular, the WHSCRD will centre its future efforts on the following areas:

- Identifying and providing additional tools for workers and employers to participate effectively in the review process is ongoing for the WHSCRD as it continues to assess and build upon its current practices and procedures.
- To assist clients in their understanding of the review process, the WHSCRD will continue to explore awareness opportunities with employer and labour groups.
- The number of requests for postponements, withdrawals, etc. continues to rise annually and causes excessive delays and often unnecessary work efforts for clients, Review Commissioners and staff. Although the WHSCRD is one of the most efficient appeal entities in Canada, the WHSCRD will continue to work with all parties to ensure hearings are scheduled and processed as efficiently as possible.
- Workers have expressed concern regarding limited resources for representation. Common concerns were the lack of knowledge of the system, as well as the lack of adequate representation. The WHSCRD will continue to explore opportunities to work with all parties to ensure their effective participation in the review process by providing information services on the various aspects of the external review process.
- The WHSCRD will continue to monitor its processes closely ensuring the protection of personal information and the guidelines of *ATIPPA* are followed during the review process. Additional efforts are required in this area to ensure all parties are aware of their rights throughout the review process. This, however, must also be completed by finding the balance between the right to protection of personal information and the right to adequate disclosure of file information to other parties.
- Continued professional development is viewed as being an essential aspect of supporting the role of the Review Commissioners. More opportunities for professional development will be identified to ensure Review Commissioners have the necessary supports to ensure the decision making and decision writing processes are efficiently administered.



## CASELOAD ACTIVITY

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### 2008-2009 CASELOAD ACTIVITY AT A GLANCE

In 2008-2009, 322 Request for Review Applications were filed and 267 hearings were held. In addition, WHSCRD staff also coordinated work for an additional 135 hearings which were either postponed/rescheduled or subsequently withdrawn by the parties.

- ◆ Workers or their dependents filed 285 Request for Review Applications.
- ◆ Employers filed 37 Request for Review Applications.
- ◆ The WHSCRD provided decisions on 270 cases.
- ◆ Review Commissioners found that 54% of the Commission's decisions, which were subject to review, were either not consistent with the *Act*, the regulations and policies of the Commission, or required additional review by the Commission. In these cases, Review Commissioners allowed the appeals or referred the cases back to the Commission for further review or investigation.
- ◆ The average time to receive a decision following a hearing was 31 days. Overall processing time from application to decision was 4.9 months. This figure represents an average of cases and includes those cases where excessive delays were caused by scheduling difficulties.
- ◆ Approximately 18% of workers, who received decisions were either self-represented throughout the Review Process, or were represented by friends or family.
- ◆ There were 26 requests for reconsideration of decisions filed in 2008-2009. Four requests were granted.
- ◆ The top three issues under review were as follows: Medical Aid 12%, Extended Earnings Loss 12%, and Permanent Functional Impairment 12%.

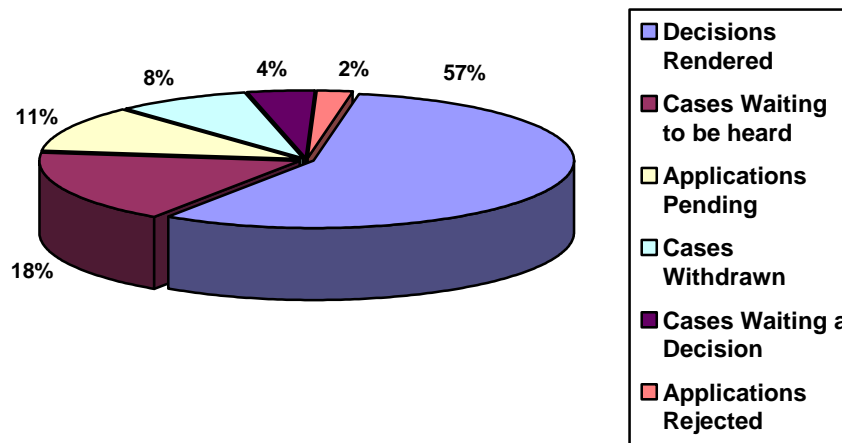
## STATISTICAL OVERVIEW

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CASELOAD BREAKDOWN April 1, 2008 to March 31, 2009		
Caseload	2008/2009	2007/2008
Appeals Carried Forward	154	132
New Applications	322	334
<b>Total Caseload</b>	<b>476</b>	<b>466</b>
Decisions Rendered	270	269
Cases Withdrawn	39	30
Cases Awaiting a Decision	20	28
Cases Waiting to be Heard	83	105
Applications Pending	*53	24
Applications Rejected	11	10

\*Note: By request, 13 cases are on hold

**Caseload Breakdown (Percentage)**  
April 1, 2008 to March 31, 2009

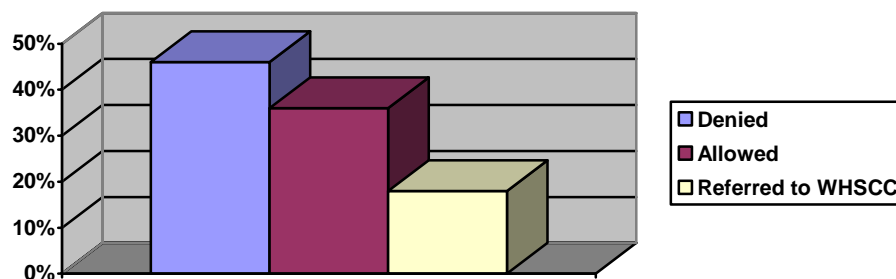


## STATISTICAL OVERVIEW (CONTINUED)

MONTHLY HEARINGS AND DECISIONS				
April 1, 2008 to March 31, 2009				
Hearings and Decisions	2008/2009		2007/2008	
	Hearings	Decisions	Hearings	Decisions
April	22	35	21	22
May	28	20	43	24
June	22	14	17	23
July	20	33	19	27
August	14	10	17	35
September	20	22	27	14
October	32	29	31	12
November	28	17	23	39
December	28	27	21	26
January	13	34	15	18
February	19	12	16	18
March	21	17	24	11
<b>Total</b>	<b>267</b>	<b>270</b>	<b>274</b>	<b>269</b>

DECISIONS BY TYPE		
April 1, 2008 to March 31, 2009		
Decisions	2008/2009	2007/2008
Denied	123	99
Allowed	98	127
Referred to WHSCC	49	43
<b>Total</b>	<b>270</b>	<b>269</b>

**Decision Breakdown (Percentage)**  
April 1, 2008 to March 31, 2009



## STATISTICAL OVERVIEW (CONTINUED)

<b>HEARINGS BY REGION</b> <b>April 1, 2008 to March 31, 2009</b>		
<b>Region</b>	<b>2008/2009</b>	<b>2007/2008</b>
St. John's	181	180
Gander	10	23
Grand Falls-Windsor	32	27
Corner Brook	40	42
Labrador	4	2
<b>Total</b>	<b>267</b>	<b>274</b>

<b>REPRESENTATIVE PROFILE</b> <b>April 1, 2008 to March 31, 2009</b>		
<b>Representatives</b>	<b>2008/2009</b>	<b>2007/2008</b>
Employer Consultant	43	30
Worker Consultant	14	21
Legal Counsel	16	25
Union	63	73
Members of the House of Assembly	91	76
WHSCC	32	114
Self (43 Workers - 28 Employers)	71	105
Other (Relative, Friend, etc.)	20	31
<b>Total</b>	<b>350</b>	<b>475</b>

**Note:** More than one representative may be involved the review process, therefore, the number of representatives may not correlate with the number of hearings held or decisions rendered.

<b>RECONSIDERATION REQUESTS</b> <b>April 1, 2008 to March 31, 2009</b>							
<b>Reconsideration Cases</b>	<b>2008/2009</b>				<b>2007/2008</b>		
	<b>Requests</b>	<b>Allowed</b>	<b>Denied</b>	<b>Outstanding</b>	<b>Requests</b>	<b>Allowed</b>	<b>Denied</b>
Employer Requests	4	0	3	1	2	0	2
Worker Requests	12	1	10	1	15	1	14
WHSCC Requests	10	3	6	1	14	5	9
<b>Total</b>	<b>26</b>	<b>4</b>	<b>19</b>	<b>3</b>	<b>31</b>	<b>6</b>	<b>25</b>

## STATISTICAL OVERVIEW (CONTINUED)

ISSUES SUMMARY BY DECISION				
April 1, 2008 to March 31, 2009				
TYPE OF ISSUES REVIEWED		OUTCOME		
Worker/Dependent Appeals	Objections	Allowed	Denied	Referred to WHSCC
Canada Pension Plan	3	1	1	1
Claim Denied	23	11	9	3
Compensation Denied	12	5	5	2
Compensation Rate	11	2	5	4
Dependency Benefits	4	1	2	1
Early & Safe Return to Work	4	2	2	0
Extended Earnings Loss Benefits	41	19	15	7
Hearing Loss	19	4	11	4
Industrial Disease	2	0	0	2
Labour Market Re-entry	23	10	8	5
Medical Aid	42	13	21	8
Other	8	0	6	2
Overpayment	1	1	0	0
Permanent Functional Impairment	41	9	24	8
Permanent Partial Disability	9	0	6	3
Proportionment	15	9	5	1
Re-employment Obligations	2	1	1	0
Recurrence	15	7	4	4
Reinstatement of Benefits	12	3	8	1
Reopening	12	5	7	0
Wage Loss Benefits	9	5	3	1
<b>Total</b>	<b>308</b>	<b>108(35%)</b>	<b>143(46%)</b>	<b>57(19%)</b>
Employer Appeals	Objections	Allowed	Denied	Referred to WHSCC
Assessment Rate	2	1	0	1
Cost Relief	6	4	2	0
Objection to a Worker's Claim	13	4	6	3
Other	2	1	1	0
<b>Total</b>	<b>23</b>	<b>10(44%)</b>	<b>9(39%)</b>	<b>4(17%)</b>
<b>OVERALL TOTALS</b>	<b>331</b>	<b>118(36%)</b>	<b>152(46%)</b>	<b>61(18%)</b>

**Note:** Review Applications may raise more than one issue for review, therefore, the above numbers may not correlate with the number of Review Applications filed or Decisions rendered.

## FINANCIAL STATEMENT

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There is no regulatory requirement for the WHSCRD to submit a separate, audited financial statement.

### Summary of Expenditures and Related Revenue for fiscal year ending March 31, 2009 (UNAUDITED)

	2008/2009		
	2008/2009 Actual	Budget	
		Amended	Original
	\$	\$	\$
<b>8.1.01. Workplace Health, Safety and Compensation Review</b>			
01. Salaries	376,084	490,700	456,100
02. Employee Benefits	3,890	4,500	2,500
03. Transportation and Communications	33,545	36,000	20,000
04. Supplies	16,630	22,500	22,500
05. Professional Services	194,133	295,000	320,500
06. Purchased Services	112,786	128,000	120,500
07. Property, Furnishings and Equipment	<u>2,362</u>	<u>8,000</u>	<u>8,000</u>
	<u>739,430</u>	<u>984,700</u>	<u>950,100</u>
02. Revenue - Provincial	<u>(1,201,986)</u>	<u>(950,100)</u>	<u>(950,100)</u>
<b>Total: Workplace Health, Safety and Compensation Review</b>	<u>(462,556)</u>	<u>34,600</u>	<u>0</u>

**Source:** *Report on the Program Expenditures and Revenues of the Consolidated Revenue Fund for the Year Ended 31 March 2009*

## REVIEW COMMISSIONERS

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### **Robert W. Lundrigan, Chief Review Commissioner**

Mr. Lundrigan was appointed as Chief Review Commissioner in January 2005. Prior to that time, he spent 27 years in the province's educational system, 20 of which as a school principal in three different communities. He began his career in education after serving three years with the Newfoundland and Labrador Housing Corporation in St. John's. Mr. Lundrigan received his postsecondary education at Memorial University of Newfoundland, graduating with undergraduate degrees in Arts and Education followed by a Master of Education degree in 1989. He was an active member of the School Administrator's Council and served as chairperson and/or a member of numerous school districts and provincial committees in the education field. Additionally, Mr. Lundrigan served as a municipal councilor up to September 2005.

### **Alex Harrold, Review Commissioner**

Mr. Harrold is a resident of Westport. He has served as a Review Commissioner since 2005. He has a Bachelor of Science degree from Southwest Missouri University and a Bachelor of Laws degree from Dalhousie University. Mr. Harrold is a former teacher who taught at Baie Verte High School and he has also worked with the Department of Justice. Mr. Harrold also been a member of the Baie Verte Peninsula Health Care Board and is a former provincial Vice-President of the Multiple Sclerosis Society of Canada.

### **E. Bruce Peckford, Review Commissioner**

Mr. Peckford is a resident of St. John's. He is a retired provincial public servant who has held several senior positions with the public service, including Deputy Minister of Social Services, Deputy Minister of Works Services and Transportation, Assistant Secretary of the Treasury Board Secretariat, and Executive Director of Finance and Administration with the Workplace Health, Safety and Compensation Commission. Mr. Peckford is the past Chair of the Eastern School District and Board member of the Historic Sites Association of Newfoundland and Labrador and a former Board member of the Canadian Cancer Society, Newfoundland and Labrador Division. He has most recently served as Chair of the Workplace Health, Safety and Compensation Commission Statutory Review Committee.

## **CONTACT INFORMATION**

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**Workplace Health Safety and Compensation  
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**WEBSITE: [www.gov.nl.ca/whscrd](http://www.gov.nl.ca/whscrd)**



**Workplace Health,  
Safety and Compensation  
Review Division**

**Awareness Plan 2008 - 2009**



## **Awareness Plan 2008 - 2009**

	<b>Page</b>
<b>I. Objective</b>	<b>i</b>
<b>II. Strategic Alignment</b>	<b>i</b>
<b>III. Background</b>	<b>i</b>
<b>IV. Deliverables</b>	<b>ii</b>
<b>V. Critical Success Factors</b>	<b>iii</b>
<b>VI. Stakeholders</b>	<b>iii</b>
<b>VII. Project Quality Management</b>	<b>iv</b>
<b>VIII. Product Quality Management</b>	<b>iv</b>
<b>IX. Communications Management</b>	<b>iv</b>

## **I. Objective**

*By 2008-09, the WHSCRD will have implemented an Awareness Plan to provide its clients with the necessary information and tools to effectively participate in the review process.*

## **II. Strategic Alignment**

Supporting the Minister's strategic direction in the areas of public awareness, education and promotion, the Workplace Health, Safety and Compensation Review Division's (WHSCRD) 2007-2008 Activity Plan identified as its goal the initiation of a plan to increase awareness of its existing services.

## **III. Background**

The WHSCRD is an independent, quasi-judicial body, responsible for reviewing final decisions of the Workplace Health, Safety and Compensation Commission (WHSCC).

The WHSCRD provides its services to many people and organizations involved in the workers' compensation review and appeals process. The primary clients of the WHSCRD are injured workers, their dependants and employers of the province. Also included as clients, are representatives such as union officials, consultants, lawyers and Members of the House of Assembly.

Often workers and employers are not familiar with the role of the WHSCRD or their roles within it. The perception of a very complex workers' compensation system has left many in need of additional support while participating in the review process. The WHSCRD will provide enhanced services to assist workers and employers in this regard by establishing a promotional campaign that provides information about the roles, responsibilities, and services within the Review Division.

#### **IV. Deliverables**

- a) Identify and prioritize clients' needs
- b) Review and identify relevant promotional material
- c) Research and identify educational awareness opportunities
- d) Examine and identify communications process

##### **a) Identify and prioritize clients' needs**

- 1. Review WHSCRD legislation and regulations
- 2. Review of other jurisdictions' processes, case management, time frames, etc.
- 3. Review the Statutory Review Committee report
- 4. Conduct roundtable discussions with clients/stakeholders
- 5. Statement of needs and priorities prepared

##### **b) Review and identify relevant promotional material**

- 1. Research promotional material in other jurisdictions
- 2. Review internal processes
- 3. Draft information brochures
- 4. Receive approval for distribution of brochures from Communications Director

##### **c) Research and identify educational awareness opportunities**

- 1. Research Development opportunities for Review Commissioners and WHSCRD staff
- 2. Conduct Labour and Employer discussion groups to identify information opportunities
- 3. Conduct awareness sessions at seminars/conventions, etc.

##### **d) Examine and identify communication processes**

- 1. Consultations with Communications branch of Dept. of Human Resources Labour and Employment
- 2. Website reviewed for enhancements
- 3. Decision Search System reviewed and recommendations made for enhancements

## **V. Critical Success Factors:**

- Availability of internal and external resources
- Executive Support
- Securing interest from worker, labour and employer groups

### **Risks:**

- Change in government priorities
- Too few groups interested in participating
- Not enough resources to complete the Awareness Plan

### **Assumptions:**

- Worker, labour and employer groups want enhanced client services
- There is a lack of awareness regarding the external appeals process
- The information gathered and submitted to the public will be relevant

### **Constraints:**

- To work within the existing budget of the Review Division
- To have the implementation of the Awareness Plan completed by 2008-09

### **Dependencies:**

- Ministerial approval
- Worker and employer groups' interest

## **VI. Stakeholders**

- Workers
- Dependants
- Employers
- WHSCC
- Unions
- Advocacy Groups
- Employer and Worker Consultants
- Members of the House of Assembly
- Legal Community
- The General Public

## **VII. Project Quality Management**

- Awareness plan finalized
- Weekly meetings with Director and Policy Planning Research Analyst
- Staff will be informed throughout the project

## **VIII. Product Quality Management**

- Information sessions to be conducted
- Website enhancements to be approved by OCIO, WHSCRD Director and Communications Director
- Brochures to be approved by Communications Director

## **IX. Communication Management**

- All communication requires consultation and feedback from the Director of Communications for the Dept. of Human Resources Labour and Employment.

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