



Government  
— of —  
Saskatchewan

**From:** Ray Deck  
Chair

**Date:** December 23, 2021

**Phone:** 306-787-7552

**To:** Workers' Compensation Act Committee of Review

**Re:** **Government of Saskatchewan Response to the Workers' Compensation Act Committee of Review**

Thank you for the opportunity to participate in a review of *The Workers' Compensation Act* and the Saskatchewan workers' compensation system. The Public Service Commission (PSC) is pleased to provide this feedback on behalf of Executive Government as an employer, for your consideration (see Appendix for detailed comments).

We look forward to being involved in continued opportunities for engagement in the future. We also welcome the opportunity to continue building relationships and work together with the WCB to support injured workers.

Thank you,

A handwritten signature in blue ink, appearing to read 'Ray Deck'.

Ray Deck  
Chair

cc: Nancy Gardner, Acting Executive Director, Corporate Services Division, PSC  
Maria Latukhina, Senior Advisor, Strategic Management Branch, PSC  
Carrie Bjola, Executive Director, Integrated Health, Safety and Wellness, PSC  
Karah Mayes, Manager, Integrated Health, Safety and Wellness, PSC

## Appendix

### 1. WCB Case Management and Standardized Processes

- We would encourage the Workers' Compensation Board (WCB) to continue to implement the principles of continuous improvement to WCB case management.
  - WCB acceptance letters for work injury claims could be standardized to include timeline expectations for all involved, estimated recovery time, action plan, contact, reason(s) for acceptance/denial (not limited to a policy quote).
  - We would welcome an opportunity to update the Executive Government contacts for the WCB case management files, i.e., update the Employer Report of Injury (E1) to reflect employer and employer contact as these are often different.
  - We would encourage providing electronic copies of notifications and documentation rather than mailed correspondence to assist employers in receiving timely information. We suggest the possible use of the WCB Online Account for letter correspondence and as one-point of access for receiving information.
  - Coordination between the WCB's Claims Department and Executive Government payroll teams is generally collaborative and effective. One area for improvement is ensuring timely follow-up for payroll inquiries. There are circumstances where Executive Government payroll provides the required payroll information to the WCB and the WCB connects in again for confirmation regarding the payroll information. We would like the WCB to explore opportunities to streamline processes to eliminate this confirmation and reduce duplication of effort and increased workload for larger employers.
  - We would like to recognize the WCB for being nimble and adaptable throughout COVID-19. The WCB's implementation of a centralized mailbox to submit E1 forms has resulted in greater efficiency for Executive Government.
- Case managers play an important role in assisting with an employee's successful return to work. We recommend that additional criteria and standardized processes be available to case managers and that WCB engages employers in worker's injury claims to help manage return/stay-at-work plans. It is important for Executive Government medical accommodation and vocational rehabilitation specialists and WCB case managers to work together collaboratively to ensure that employees are best supported in a successful recovery, return to work and overall management of the claim.
- Psychological injuries are complex files. We suggest WCB provides written rationale regarding all elements considered when a claim decision is made and how a claim aligns with policy criteria. This would improve clarity of decisions for the employer.
- We would appreciate the WCB's collaboration with other jurisdictions' workers' compensation systems to align practices and improve coordination of out-of-province/country coverage administration. A summary of the WCB requirements and coverage by province, or other guidance to efficiently address out-of-province/country coverage would be beneficial.
- We applaud the WCB for having a strong process in place regarding the coordination of benefits. The communication process assists the benefit and payroll teams greatly.

## **2. Appeals**

- The appeal process is an important and valued component of the workers' compensation system.
- The appeal process and changes to claim statuses can have significant implications for reconciling payroll and employee benefits. We appreciate when notification can be as timely as possible so that payroll reconciliation can begin.
- It would benefit Executive Government to have more detailed information about the appeal process. This would help understand the workers' compensation system, the WCB's decision-making process, and application of legislation and policy better.
- Employers are often not able to determine how or why the WCB has made a decision, thereby limiting employers' ability to pursue a remedy or to even know if there is a question about how a claim was adjudicated or what policy/procedure was followed to proceed to appeal. Publishing anonymized decisions of both the Appeals Department and the Board Appeal Tribunal can be one of the options to promote understanding.

## **3. Employee Advocacy**

- We would encourage the WCB to continue to review policies and procedures regarding eligible expenses to ensure they are supportive of the evolving needs of clients.
- We would encourage the WCB to continue having an impartial stance when evaluating evidence and supporting a worker's right to an advocate. Equitable representation from all stakeholders is important to consider for accurate claim acceptance, particularly where there are gaps or discrepancy.
- The WCB has done tremendous work in educating workers of their rights and holding employers accountable for putting health and safety systems in place; and it is important that this work continues. Saskatchewan WCB should consider adopting approaches taken in other jurisdictions (e.g., Manitoba WCB) to provide an incentive program that encourages employers to reduce costs by making workplaces safer and not discourage workers from reporting injuries.