

Submission No.: 11

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Status of Submission:	Individual
Date Received:	April 07, 2004
Location:	Winnipeg

Here is my presentation that I will be presenting before the meeting on April 14, at 7:15 PM.

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Presentation to Workers Compensation Board, April 14, 2004

Main Points:

1. Based on my personal experience with WCB, a much better process needs to be in place to IDENTIFY and then ASSIST the genuine injured worker.
2. Have a team made up of a counselor at WCB, the injured worker, the employer or representative from the worker's workplace. This would require a WCB person actually meeting an injured worker in person and getting all of the facts straight, rather than only relying on forms filled out by employers, medical personnel, and the injured worker. As a former injured worker, I can relay that your work-related illness can be so overwhelming that the desire to talk to a knowledgeable person about the seriousness and duration of your injury/illness and its effect on your ability to work and your finances can be extremely, extremely beneficial. This team would work with the injured worker to accomplish the following things: a) nature of injury to the injured worker, b) workplace accident that caused the injury. Related to this – was this the first injury to this worker? Has this worker had other injuries in this workplace? Have other workers had similar injuries? C) What type of medical help does the injured worker require to re-enter the workforce and resume a normal home life as soon as possible?

3. As part of the team, the injured worker would be required to co-operate fully with his/her employer, medical personnel and the WCB counselor. This teamwork would enable the injured worker to become familiar with the process of obtaining WCB benefits and decrease the use of the appeal process in processing claims. Any reluctance to co-operate would be interpreted as a sign that this is not a genuine injured worker and so WCB benefits would be terminated. This kind of proactive approach should maximize the number of clients rightfully gaining WCB benefits.
4. WCB, even before benefits have been approved for an injured worker, needs to assist the worker in finding appropriate medical help as soon as possible after the accident or the injured worker leaves work. In my case, it took 6 months to get my case through Level 1, 6 months through Level 2, and two years after I left work to get a medical review panel. This panel seemed unfamiliar with the occupational medicine literature on the health effects of a solvent overexposure and continuing exposure to low levels of solvents afterwards; I also was unable to ask the panel any questions. This medical literature is available at the Occupational Health Centre library at the Manitoba Federation of Labour building on Broadway Ave., as well as the Canadian Centre for Occupational Health and Safety in Hamilton, ON. Being as no doctor in this province was knowledgeable in the area of health and solvent exposure, WCB and not myself should have found out of province medical personnel to assist in determining the validity of my claim.
5. As part of the Review process of the Workers Compensation Act, mechanisms must be laid in place to allow total impartiality on the part of WCB to determine the validity of an injured workers claim. This is necessary, as we have all heard stories of people falsely claiming WCB benefits. But there is the other side of the coin, people such as myself who were injured on the job and find WCB has immediately decided that my claim is false without personally talking to me or sending me to a doctor of WCB's choice.
6. Another mechanism also needs to be in place regarding the medical community and its role in assisting WCB in validating injured worker's claims. I found that WCB referred my claim to doctors that were in another area of specialty than the area of my injury. Why did these doctors not return the file to WCB and suggest other specialists that would be more appropriate? In addition, at Level 1, when a worker's GP writes to WCB that they need to refer the worker to a WCB doctor, why is this referral not taken care of immediately and an appointment set up. Also, when a WCB counselor informs an injured worker that an appropriate

doctor for their injury is not available in Manitoba, why would arrangements not be made to find knowledgeable medical help out of province? All this must happen while the workers' claim is still under consideration for benefits. I also suggest that WCB employees be allowed to gain knowledge and expertise in a certain area of work injury, e.g.. solvent exposure, back injuries, etc.

7. A WCB open to all claims presented by injured workers will also be better able to assist in preventing future injuries in the workplace. This type of investigation would help both the employer and co-workers realize the value of accident prevention, as it would hit "close to home". In my case, this was not the first time the building engineers had shut the fumehoods off without notifying staff, plus staff in the building were not aware of a connection between power failures and the exhaust fans on the fume hoods shutting down. Only by knowing me and seeing my health decline were my co-workers made aware of these problems.
8. WCB needs to have in place a "work-hardening" program to assist injured workers to re-adjust to employment. This program would take the worker from a part-time position and slowly bring them back to full-time employment.
9. In summary, if a WCB counselor had discussed my claim face-to-face with me in the initial months after my workplace injury, I would have received WCB benefits, medical assistance, and assistance returning to work. This would have been far more beneficial to the Manitoba economy than the small savings to WCB by refusing my claim. It is difficult to re-enter the workforce after a long absence, coupled with a career change as well as desiring part-time work until you feel ready to manage full-time work.
10. Workers Compensation Board exists to help injured workers, not their employers. Perhaps this point got lost in the era of cost-cutting in the 1990's. It is now time for WCB to return to helping workers, as skilled workers are now fewer and are needed in the economy.