

Presentation by the
**Association of
Manitoba
Municipalities**



to

The Workers Compensation Act

Review Committee

April 14, 2004

The Association of Manitoba Municipalities (AMM) is pleased to appear before the Workers Compensation Act Review Committee today and would like to take this opportunity to present our views on the Workers Compensation Act. As the AMM represents all 199 municipalities in Manitoba, we feel it is important that a municipal perspective be considered and we appreciate the opportunity to do so.

Currently, the AMM has two standing resolutions related to the Workers Compensation Act, both dealing with municipal emergency service providers. The first issue is the Workers Compensation Board (WCB) policy on collateral benefits. WCB legislation provides for a maximum wage loss benefit of only 90 per cent of net income for all workers disabled on the job, including volunteer firefighters and ambulance attendants. However, disabled firefighters and ambulance personnel are prohibited from acquiring private “top-up” benefits because WCB regulations provide that for each dollar of private benefits obtained, there is a reduction of WCB benefits of an equivalent dollar. While the principal of encouraging return to work by paying only 90 per cent of net income is generally good, it is not appropriate to penalize persons who provide volunteer service to their communities. It is unfair that emergency service volunteers should risk a ten per cent loss of income in the case of injury or accident in the volunteer provision of these critical services.

Volunteer emergency service workers provide important functions within their communities and are often over-worked and under-appreciated. Furthermore, municipalities are finding it more and more difficult to attract and retain volunteers. The AMM is concerned that the Workers Compensation Benefits policy on collateral benefits creates yet another disincentive for volunteers willing to provide help to their communities. The AMM believes this policy should be changed to ensure that municipalities attract volunteers in the future, and retain those currently volunteering for emergency services.

The AMM discussed this issue on several occasions with the Province and it still remains a priority concern for Manitoba municipalities. However, a possible solution to this problem

exists; the AMM's municipal insurance program could provide "top-up" insurance to cover this ten per cent income loss and other associated losses. This solution would have no negative affect on WCB payouts, and would reflect a fairer system to the volunteers providing a critical service in their communities.

Nevertheless, this solution requires amendments to *The Workers Compensation Act*. In the past, the Province has expressed support for such a change and explained that it could be explored when the *Act* is open for amendments. The AMM believes that a change to the *Act* is necessary to ensure that volunteer firefighters and ambulance attendants are not penalized in respect to wage loss and other benefits when disabled.

The second issue of importance for AMM members in relation to the Workers Compensation Act is the concern of equal workers compensation benefits for volunteer firefighters related to occupational diseases. In 2002, the Provincial Government passed the Workers Compensation Amendment Act, which reflected the findings of recent scientific and medical studies that showed a strong association between the occupation of full-time firefighting and certain diseases. Manitoba was the first Province to pass legislation to make firefighters automatically eligible for compensation for brain, bladder, or kidney cancer, leukemia or non-Hodgkin's lymphoma.

However, the AMM is concerned that this amendment is limited to full-time members of a fire department that have served for a minimum period of time. This is despite the fact that many members of municipal volunteer fire brigades respond to at least as many incidents as their full-time counterparts, and therefore face a similar carcinogenic risk as a result of their volunteer work. The AMM supports the benefits that full-time firefighters receive now under the amended *Workers Compensation Act*, but believe these benefits should be extended to the approximately 3500 volunteer firefighters in Manitoba.

The AMM would like to thank the Workers Compensation Act Review Committee for considering these proposed amendments and wishes the Committee much luck in its review of the Workers Compensation Act.