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1991 - 1993 Compensation Experience -On December 17th 1991 I was pinned against a drift wall by a remote 5 yard scooptram. There was no Safety Bay.

By March 1992 a Compensation Adjudicator was pressuring me to return to work. I still had a fractured pelvis, both hips and right knee with my stomach still sensitive from the crush injury. Compensation tried to get Bbbb to bring me back to work with the above described injuries. The Company said no.

A Company doctor said I didn't need physio, so I took it upon myself to go to The Pas, where I was first admitted. There I received physio treatment at my expense of gas from Flin Flon and return.

In June 1992, a Compensation doctor set me up to go back to work on August 1st. The Compensation doctor made me do a pushup on the floor; then after my examination he measured my knees, took x-rays which showed I still had a fractured pelvis. The Compensation adjudicator told me I will not receive a PP1 award in December of 1992 because she said I had been back to work for 5 months and made up most of my lost wages. In February 1995 I was finally paid 1.5% PPI award which I felt was totally inadequate for the injuries I had received and the pain I now live with for the rest of my life. I complained to the adjudicator and my doctor of ongoing pain in my lower back, hips, and pelvis. No one cared. My doctor said the pain was in my head.

February 1st1993 - Again I had to deal with the Compensation Board. I was crushed again after a blast when a chunk of limestone rock fell. I had fractures to both hips, pelvis and right arm. Compensation met me coming out of the operating room and asked for details of my accident. They told me my mining days were over. That is when I met my Rehab Vocational Training Consultant who asked me if Compensation had paid me out for the first accident -Permanent Partial Impairment known as PPI. I said no. Compensation had said no permanent impairment award.

I had to appeal my first wage loss cheque because compensation started screwing me around by only paying me \$740 biweekly. I won the appeal and received \$1050 until the 20% pay cut started.

My Rehab Consultant booked me in for a Psychological education assessment in the summer of 1993. After the assessment, I was allowed to stay in Flin Flon until

January 1994. My Rehab Consultant then moved me to Winnipeg for upgrading.

Before upgrading began, my consultant sent me to HHH for an education background evaluation. I was offered a ride home by HH. When enroute home he asked me if I sniffed gas, glue or chemicals or drank a lot of alcohol. when I was dropped off at my apartment, I immediately phoned the Compensation Board and asked my Rehab Consultant what his people were up to with me. Am I in for an education assessment or was it a race assessment? Apologies came back to me but this has not changed anything and still leaves a scar in my mind. Was this how I was going to be treated by my Rehab Consultant? Some days later in a coffee shop, my Rehab Consultant asked me if I had a Treaty Card. I still wonder to this day why this was asked of me.

February 1995- Bbbb sent me a registered letter stating that I would be a full time employee of Bbbb & Smelting if I was able to return to work. I passed this letter to the Compensation Board. My Rehab Consultant took me out to lunch and asked if I wanted to go back to Flin Flon. I did not like living in Winnipeg. **It was agreed if I go back to Flin Flon, I would not be put in a change house job. My Rehab Consultant agreed with this.**

March 20,1995 - I moved back to Flin Flon. I was put in an office job during my probation reemployment with Bbbb. I had restrictions that were permanent The restrictions were - not to walk on uneven ground, slopes, hills, bending, twisting, sitting too long and standing too long; but at times these seem to be flexible depending on what work is available. My Rehab Consultant visited me at the Foundry where Modified was set up to check the vent tubing job I was doing and okayed this heavy work imposed on me. The vent tubing was 50 feet long, 54 inch diameter that was stored at a dump at Trout Lake Mine. I was sent to Trout Lake to roll it up into bundles to be sent to Flin Flon. This type of work was well beyond my restrictions.

December 1998 - I missed work due to the recurring pain to back and hips. My doctor advised me to stay home for a week. My doctor wrote Compensation a letter explaining that I should receive a proper seating chair to help with my pain at work. Compensation Vocational Rehab Consultant phoned me at home and asked if I was holding a gun to their heads for a chair that I would not be receiving because of the work I was doing. I was also informed that I would not be receiving pay for those days that I missed because the Modified Shop was in place for people like me. To this day I have not been paid for this set of days that my doctor instructed me to take off

January 1999- Bbbb and Compensation Rehab Consultant decided that I would become a Change house Man.JJ, Loss Control Co-coordinator, read my restrictions to me and told me that cleaning a change house was within my restrictions. I was appalled at this and felt this was a way the Compensation Board and Bbbb was

going to close the book on my claims in regard to training. After all this took place, I did 6 months in pain, cleaning about 4000 square feet of floors every day.

June 1999 I met with the Loss Control Co ~Coordinator, and was told to move back to the Modified Shop to reload fire extinguishers.

Through all this time, since 1991, I have had to live with having permanent pain throughout my whole body. I kept asking my adjudicator how to deal with the pain and fix my problem. In the summer of 2001 my adjudicator set me up to see a compensation doctor who reviewed both my claims with me.

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July 2001 - The compensation doctor saw problems with my case and told me he will make a final report to my adjudicator on what to do with my file. Almost 3 years has now gone by. My adjudicator kept this doctor's report to herself, telling me all along that this compensation doctor had quit and not finalized my report. February 7th 2003 - I AWOL'd because my boss was pushing me to do the work of 4 people. My boss would order me to mop the floor by myself, which was causing more pain to my body. On the day that I AWOL'd, a compensation Adjudicator vacation fill in, called me at home asking me about my claims. I got very upset. I asked who this adjudicator was and was told my adjudicator was on vacation. I thought this was a time to ask if a July 2001 doctor's report was in my file I was told - yes. I requested it be sent to me. This was the report my adjudicator told me all along did not exist. This report was important to me as the compensation doctor instructed my adjudicator that a Muscular skeletal PPI Award be given to me. To this date, May 3rd 2004 this has not happened. Because of this experience that I have had with the Compensation Board and some Bbbb personnel, I have lost all trust and believe that I was not treated fairly or justly. Sometimes discrimination enters my mind when I observe the special treatment other modified workers have received as compared to me.

In 1994 and 1995 Compensation took my vacation pay and special pay, about \$4000, back as an overpayment. I believe this to be wrong as I had no vacation from 1993 until 1996. I also think the 20% pay cut rule is a form of punishment. Starting in 1995 I have grossed \$39,000 with \$48,000 as my maximum amount. It has taken me 9 years to reach \$46,000 with the wage loss included to regain lost income. The compensation worker has a long struggle to be fairly paid a decent living. You cannot have overtime wages as Compensation will take back any money you make over your wage.

In May 2003, total frustration with the Compensation board and the loss control coordinator led me to the decision that perhaps working underground where I came from would be the best way to get away from all the hassle. The Compensation Board was very quick when I made the call to set up a Functional Capacity Evaluation (FCE) in October to see if I could do my old job. A compensation representative went underground with me, took pictures of me on mining

equipment - that is all. When we got back to surface, in the Modified Work Center, 4 hours later, the compensation representative told me that it was going to be hard for compensation to cover past injuries should I hurt myself again. I am in receipt of a monthly living allowance. The compensation representative told me that the living allowance would make it difficult for compensation to decide that I could go back underground to work unless I refuse accepting the living allowance. I told her to keep her living allowance. I also told her the reason I am doing all this is that my workload in the Modified Shop keeps going up but I get paid less than a delivery driver does. The company includes my wage loss as part of my earnings.

To make sure I was doing the right thing or not, I consulted my union and worker adviser to study the Compensation Board letter I had received stating the Compensation Board would change my restrictions so that I could do the type of work I do. This did not happen. Also Compensation Board letter I received stated the Compensation Board changed my restrictions so that I could do the type of work I do.

This did not happen. Also the Company stated there would be a 6 month probation period underground. If I could not complete the probation, the company said they would accommodate me with a similar wage job within Bbbb but the Compensation Board stated that should I not make the probation, they would not make up wage loss difference. I did not take the chance of losing another \$7000 a year in income. My worker adviser recommended that I was running myself backwards if I accepted the job underground.

My adjudicator was not happy with the worker's adviser suggestion that I stay in Modified and asked me why. I told her that the person who did my FCE did not perform the FCE properly. I was supposed to operate mining equipment. This did not happen. My restrictions were supposed to change to do this job but they did not change when cross referencing old restrictions. My worker adviser is now waiting for results of the May 13, 2004 medical examination to be complete and see where the compensation board takes me from there.

Changes this has brought to my life - Since I have suffered these injuries, the changes have been so restrictive. I can no longer play hockey. I sold my motorcycle because I could no longer ride it. I am unable to do any yard work at home ie cut grass or shovel snow. I now have to hire someone to do mechanical work on my car (which used to be my hobby). I am unable to enjoy many things people take for granted with their children. No one knows the many different pain killers I have taken over the years. I am now at the end of my rope with the painkillers I have been using. The next step could be narcotics. I am unable to sleep many nights because of the excruciating pain. Many times I took vacation time because I was in such intense pain I could not go to work. After losing one week's pay when my doctor advised me to stay home and I was not reimbursed for by compensation, I therefore use my holidays to cover any more days. I don't talk about my pain and suffering to others. I try to pretend things are normal even

though they are far from that. This prevents me from attending most social functions.

What do I want changed - I want to be able to earn a decent living; not to be held to 80% of a maximum that **did** not come close to my real wages in the first place.

I want honesty from all people in Compensation.

I want Workers' Compensation to quit abusing Modified Work. Quit using it for an excuse to not retrain. Quit using it as a dumping ground just to get injured workers off Workers' Compensation.

I want this whole system to be simple and open.

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