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PUTTING PEOPLE FIRST

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March 31, 2026

Lawrie Cherniack, Chair
The Workers Compensation Act
Legislative Review 2025-2026
PO Box 309
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Winnipeg, MB R3C 2H6

Dear Mr. Cherniack,

The Manitoba Government and General Employees' Union (MGEU), proudly represents over 33,000 members, who provide services in all areas of the public sector including government departments, crown corporations, health care, education, child welfare, social services, and arts and cultural organizations.

The MGEU is unique in the labour movement by employing a full-time Workers Compensation Specialist, who assists its members when they have issues with the Workers Compensation Board's (WCB) management of their injury claim, and provides professional representation in their appeals to the WCB's Review Office as well as the Appeal Commission. In providing this resource, the MGEU has gained an unparalleled understanding of the WCB's interpretation of *The Workers Compensation Act* and its application of its own policies.

On behalf of the members of the MGEU, we are pleased to provide recommendations to *The Workers Compensation Act* Legislative Review committee, which are based on their real-life experiences.

We thank each member of the Committee for sharing their time and expertise, and for hearing our concerns. We would be pleased to offer additional clarification or insight into our recommendations.

Sincerely,

Kyle Ross

Kyle Ross
MGEU President

Att.

1. Legislate the WCB as the "first payer" of compensation for workplace injuries

The preamble to the Act confirms that compensation for injured workers is one of several "*historic principles of workers compensation.*" Despite this acknowledgement, the WCB had for a period of time engaged in a practice of paying only a residual wage loss benefit when it was necessary for an injured worker to rely on income from another source while their claim was still unadjudicated by Compensation Service, or while it was under appeal.

The WCB has thankfully acknowledged its responsibility to be the first payer, and has implemented internal changes that addressed their practice, which simplified the administrative burden for injured workers.

Nonetheless, the MGEU asks that the Committee recommend that the Act be amended to enshrine the WCB's responsibility as first payer of compensation for workplace injuries.

2. Ease restrictions on the definition of an "accident" in relation to psychological injuries

Without question, enhancement of coverage for work-related psychological injuries is the highest priority MGEU members have with respect to this review of the Act.

Too many Manitobans suffer psychological injury solely because of their work yet are denied support by the WCB because their circumstance does not fit the required criteria.

While the Act's definition of an "accident" is broad, the restrictions under 1(1.1) are even more so and put in place unreasonable and unjustifiable limitations on what can cause a compensable injury.

Policy 44.05.30 puts additional specific restrictions in place baring injuries caused by "*daily pressures of work and life*" and "*everyday workplace events between an employer and a worker.*" The Board interprets these exemptions extremely broadly such that claims made by MGEU members for injuries - clearly caused by their work - are unjustly denied.

We call upon the Committee to acknowledge that work and workplaces have changed. Employers are already required to maintain psychologically safe working environments, and it's time when they fail to do so, that their employees receive the support they need when they suffer a psychological injury due to their work.

To do so, we ask the Committee to recommend that 1(1.1) of the Act (Restricted meaning of "accident") be repealed entirely or revised such that all psychological injuries caused by work are considered compensable.

3. Eliminate the term "accident" from the Act

MGEU members who suffer an injury at work due to a physical assault, a series of traumatic events, bullying or harassment, object when their experience is described as an "accident."

In recognition of the fact that workplace accidents are not unavoidable chance events, the Government of Manitoba removed the term "accident" from the *Workplace Safety and Health Act* and Regulations and replaced it with "incident."

The MGEU recommends that the Act be revised by replacing "accident" with "incident," which is the preferred term.

4. Eliminate “Dominant cause” test for Occupational Disease claims

Enforcement of the “dominant cause” test set out in 4(4) results in the denial of claims even when the evidence establishes that a worker’s occupation had a material impact on the development and/or course of their disease; we submit this threshold is unfair and unjustifiable.

The threshold for determining the compensability of a disease in British Columbia is “causative significance,” which we submit is a reasonable compromise between recognizing that diseases occur independent of work, but also acknowledging that even when occupational exposures are not the dominant cause of a disease, workers should be entitled to support when their work contributed to their disease in a material way.

Regardless of what threshold is preferred by the Committee, we submit that it ought to be decided based on the “balance of probabilities” standard of proof.

5. Update the definition of “medical aid”

The definition of medical aid includes “vocational and rehabilitative services,” which are distinct from healthcare services and warrant their own definition(s).

Medical aid should also be broadened to include compensation for the time away from work required to attend for medical assessments and for treatment of a compensable injury. The WCB routinely “encourages” injured workers to make appointments outside of their working hours, which expands what is reasonably considered their workday, and unreasonably reduces time they would otherwise have tending to personal and family responsibilities.

6. Update the definition of “health care provider”

The WCB does not financially support, or endorse, massage therapy as “medical aid” for treatment of a compensable injury. In doing so, the WCB has justified its position on the basis massage therapy is not an “active” form of treatment, asserting its efficacy is not evidence based, and citing the fact that massage therapists are not yet a regulated healthcare profession in Manitoba.

However, MGEU members have reported that they have relied on massage therapy as treatment of their injury, or used it in conjunction with another treatment modality supported by the WCB to expedite their recovery. In doing so, MGEU members have paid out of pocket to cover their treatment, or relied on benefits plans for reimbursement.

The MGEU asks the Committee to broaden the definition of “health care provider” so that workers can choose who they see for management of their recovery, and not incur costs for treatment of a compensable injury.

7. Improve compensation paid by the WCB upon the death of a worker

In its submission to the Committee, the Manitoba Federation of Labour illustrated significant inadequacies in the compensation paid by the WCB of Manitoba when a worker dies as a result of a workplace accident.

It is unfathomable that compensation paid to the widow or widower of a deceased worker be limited to 60 months, when the emotional and financial impacts of their death will undoubtedly be permanent.

On behalf of the families of MGEU members who suffer the loss of a loved one due to a workplace accident, we urge the members of the Committee to amend the Act to enhance and extend the benefits payable upon the death of a worker.

8. Enshrine "balance of probabilities" as the standard of proof

Policy 22.00, *Decision Making*, provides that the standard of proof used in workers compensation claims is the "balance of probabilities" yet it is not reflected in legislation.

The MGEU recommends that the Act be amended to confirm the "balance of probabilities" as the standard of proof used in the adjudication and management of all WCB claims.

9. Introduce progressive notice when there are discretionary changes in benefits

Policy 44.30.60, *Notice of Change in Benefits or Services*, provides that injured workers will normally receive seven (7) days' notice when a discretionary decision is made to terminate or reduce their wage loss benefits.

In our experience, seven days' notice is nowhere near sufficient for a worker to secure alternate income, especially when they have been off work for an extended period of time. In such cases, the worker no longer meets the eligibility criteria for Employment Insurance Sickness Benefits, or private long-term disability benefits, and may be forced to rely on Employment and Income Assistance benefits, which involves a weeks-long application process.

The right to notice, with additional time allocated depending on how long a worker has relied on wage loss benefits as their sole source of income, should be enshrined in the Act.

10. Expand the definition and provide stronger deterrents to claim

Subsection 19.1(1) prohibits claim suppression, which is described as an employer taking action that prevents or discourages a worker from applying for compensation.

In the MGEU's experience, an employer's failure to respond to, or cooperate in, the WCB's investigation can in a systemic way cause the suppression of a worker's claim, as well as have a chilling effect on the workplace in general.

As such, the MGEU recommends that the definition of claim suppression be expanded to state that "*No employer or person acting on behalf of an employer shall take any action, <u>or allow any inaction</u>, that prevents or discourages or attempts to prevent or discourage a worker from applying for compensation…*" (Emphasis added).

Additionally, the MGEU endorses the MFL's call to increase the minimum penalty for claim suppression, along with an escalating penalty for repeat offences, which are based on a percentage of the employer's payroll.

11. Remove limits to compensation for workers 61 years of age and older

Subsection 39(3) of the Act prohibits the WCB from paying a worker, who is injured after the age of 61, wage loss benefits beyond a 48-month period.

Due to the ever-increasing cost of living, and improvement to our longevity, more Manitobans are working beyond the age of 65, which has long been considered the normal age of retirement. At the same time, as workers age, they can have an increased risk of injury in the workplace.

In our view, a legislated end to a worker's entitlement to financial support - which is strictly based on age - is discriminatory and unjustifiable.

We ask the Committee to recommend that "*for a period of not more than 48 months following the date of the accident*" be removed from subsection 39(3) and replaced with language that enables the WCB to compensate all injured workers "*until their loss of earning capacity ends.*"

12. Annual indexing of average earnings

Subsection 40(2) provides that a worker's average earnings (which determines their wage loss benefit rate) will be indexed annually after the second anniversary of their accident.

Without annual indexing, an injured worker will experience a needless erosion of their income, which reduces the amount of their wage loss benefits in perpetuity.

The MGEU recommends that subsection 40(2) be amended so that the earnings are indexed annually, beginning with the first anniversary of an accident.

13. Discontinue deduction for Canada Pension Plan (CPP) and Employment Insurance (EI) premiums from workers' average earnings

Subsections 40(3)b and 40(3)c require the WCB to deduct the amounts of probable CPP and EI premiums from workers' average earnings to determine their net loss.

While working, a worker's net income is reduced by CPP and EI deductions that are remitted to the respective federal government programs, which contributes to their retirement income and provides financial protection from unemployment.

However, while on receipt of wage loss benefits from the WCB, these deductions serve to reduce the income payable to injured workers, without any corresponding benefit. As no monies are remitted to the respective federal government programs, injured workers may have less retirement income, and reduced eligibility to claim EI benefits.

The MGEU asks the Committee to recognize that many injured workers already experience significant financial strain while off work and in receipt of wage loss benefits, discontinue the seemingly punitive practice of notional deductions.

14. Clarify and reduce the "qualifying period" for annuities

Subsection 42(1) provides that a worker will be entitled to a retirement annuity if they have a loss of pension contributions when they have been in receipt of wage loss benefits for 24 months, which is considered the "qualifying period".

The WCB has interpreted "qualifying period" strictly as a point in time only, meaning the worker is only entitled to a retirement annuity if they have a loss of pension contributions on the 2nd anniversary of the accident only.

However, some injured workers will not have a loss on that specific day but subsequently incur a loss of pension contributions, which can significantly reduce their post-retirement income. Examples include:

- A worker returns to work following an injury, but suffers a recurrence after the second anniversary of their initial accident and remains off work permanently.
- A worker who is initially paid wage loss benefits by their employer, but begins to be paid wage loss benefits directly by the WCB after the second anniversary of their accident.

Also, it's well known that the longer a worker is off work, the less likely they are going to successfully return. For injured workers to have a loss of pension contributions for two (2) full years before the WCB will acknowledge and compensate for that loss is in our view excessive. We recognize that it would be an administrative challenge to compensate all injured workers for any and all loss of pension contributions regardless of the length of their absence from work, but submit that 12 months is already a significant loss.

To reduce the impact on the retirement income of workers who have experienced significant workplace injuries, the MGEU recommends that the qualifying period under subsection 42(1) be reduced from 24 to 12 months.

Additionally, the MGEU encourages the Committee to clarify the "qualifying period" to mean any 12-month period during which a worker is in receipt of wage loss benefits and has a loss of pension contributions.

15. Employers required to maintain pension contributions after injury

Many injured workers miss contributions to their pension plan while off work. Depending on the type of pension plan, reduced contributions can reduce income at retirement.

Although the Act enables the WCB to mitigate a portion of pension income lost by workers with significant or permanent injuries through the retirement annuity, some workers may not have any compensation for the loss of contributions their employer would have made to a retirement pension had they not been injured.

The MGEU recommends the Act be revised to require employers, whose pension plan allows them to do so, to maintain payment of their contribution to an injured worker's pension, when the worker is in receipt of wage loss benefits for a period of 12 months or less.

Otherwise, if the pension plan does not permit contributions while an injured worker is in receipt of wage loss benefits from the WCB, the Act should be revised to require such employers to make a payment to an RRSP, or alternative pension or saving vehicle.

16. Employers required to maintain benefit premiums after injury

When a worker has an employer-paid, or co-paid, benefits program or group insurance plan at the time of their injury, the MGEU recommends that the Act be amended to require employers to continue to pay their portion of the associated premiums while a worker is away from the workplace due to injury for a period less than 12 months.

When a worker has access to an employer-sponsored benefits program or group insurance plan at the time of their injury, where the worker is required to pay all premiums, the MGEU recommends that the Act be amended to require employers to maintain coverage for those workers for a period less than 12 months.

17. WCB to establish a benefit program or group insurance plan for workers in receipt of wage loss benefits for more than 12 months

Subsection 43(1) enables the WCB to establish a benefit program or group insurance plan, but the WCB has never done so, leaving many workers without access to the benefits they and their families rely on had they not been injured.

The MGEU recommends that subsection 43(1) of the Act be amended to require that the WCB establish benefit programs and group insurance for injured workers and their dependents who have lost access to valuable employment-based benefits and have been in receipt of wage loss benefits for a period of at least 12 months.

18. Average earnings to be reassessed for Educational Assistants

Subsection 45(1) provides that the WCB "*shall calculate a worker's average earnings before the accident on such income from employment and employment insurance benefits, and over such period of time, as the board considers fair and just.*"

Average pre-accident earnings of Educational Assistants (EA) typically include both wages and Employment Insurance (EI) benefits, which reduce the rate of their wage loss benefits.

Where an EA is injured during the school year, and returns to work during the same school year, inclusion of EI benefits in their average earnings reduces their wage loss benefits, and results in an uncompensated loss of earnings. In these instances, EI should not be included.

In some cases, EAs represented by the MGEU that have been unable to return to work before the end of the school year have had their wage loss benefits suspended on the basis their loss of earnings at that time was deemed to be unrelated to the injury. As they had been off work, they did not work sufficient hours to be eligible for EI benefits, leaving them without any source of income. In other cases, MGEU members who had worked sufficient hours to qualify for EI benefits, were still considered ineligible because they had not recovered sufficiently from their injuries to claim they were "*ready, willing and capable of working.*"

The MGEU urges the Committee to revise subsection 45(1) to ensure that average earnings calculations for seasonal workers, such as EAs, equitably and consistently reflect the true loss of earnings attributable to their compensable injury.

19. Remove the cap on insurable earnings

Subsection 46(2) sets an arbitrary limit on the earnings of an injured worker that will be considered insurable, and compensated by the WCB.

Manitoba led the country in 2015 when it became the first province in Canada to eliminate the cap on the insurable earnings. In that year, the WCB was able to compensate nearly 150 injured workers for almost the entire loss of earnings incurred as a result of their workplace injury.

The previous government's decision to reintroduce the cap on insurable earnings was wrong and undermines the legitimacy of the workers compensation system in general.

Employers benefit from the hard labour of high-income earners and the MGEU urges the Committee to remove the cap on insurable earnings because employers should not be entitled to a "discount" off the true cost of a claim when these workers are injured.

20. Eliminate arbitrary cap on indexing or give the Board authority to increase rates

Subsection 47(4) sets a cap of 6% on the increase in the probable earnings for some workers, while 48(4) sets a cap of 6% on the indexing of workers' wage loss benefits.

There is however no cap on inflationary pressures experienced by injured workers, who – especially in the cases of serious or permanent impairments – have little capacity to increase their earnings otherwise. To ensure injured workers' financial stability is not eroded by inflation, the MGEU recommends that the legislated caps be removed entirely from the Act.

While the Act allows for caps to be raised by regulation, if the Committee determines caps are still necessary, the MGEU recommends that the Act be amended to give the Board authority to adjust caps so that the matter does not have to go before government.

21. Expand the mandate of the WCB to include public education on workers compensation.

54(1) of the Act requires the WCB to engage in promoting awareness of workplace safety and health, injury and illness prevention, as well as "*an understanding of and compliance with this Act and The Workplace Safety and Health Act.*"

However, in our experience, MGEU members, and presumably most Manitobans, have very limited knowledge of how the WCB works. Campaigns that suggest "Work shouldn't hurt," may be helpful in promoting the existence of the WCB, but can heighten expectations without providing sufficient knowledge for injured workers to know their rights and responsibilities under the Act.

We urge the Committee to expand the mandate of the WCB to expressly include promoting understanding of the Act distinct from education on injury prevention.

22. Expand the WCB's "Exclusive Jurisdiction" to ensure it undertakes independent investigations

Subsections 60(1) and (2) set out the WCB's power to investigate and adjudicate a myriad of issues.

Despite this broad authority, the MGEU has found that when investigating and adjudicating claims for psychological injury due to bullying or harassment in the workplace, Compensation Services will often rely on the outcome of the employer's investigation into the matter without access to the evidence obtained by the employer, without scrutiny of their process, and without considering differences in policy or definition. Not only is this practice prejudicial, but it is also contrary to policy 22.00, *Decision Making*.

The MGEU urges the Committee to refine sections 60 and 99 to ensure that the WCB not only has the authority, but also the responsibility to acquire all evidence possessed by both workers and employers that is considered relevant and necessary to independently adjudicate claims.

23. Remove power of the WCB to set aside decisions of the Appeal Commission

In the event the WCB disagrees with a decision of the Appeal Commission, and believes it has not properly applied this Act, the regulations or a board policy, subsection 60.9(1) gives the Board of Directors authority to stay a decision and require the Appeal Commission rehear the appeal.

Authority by the WCB's lawyers and Board to oversee the Appeal Commission implies that the WCB has power to enforce its interpretation of the Act and WCB policy, and undermines independence of the Appeal Commission. Should the WCB have cause to believe the Appeal Commission made an error in law, the matter should be decided independently by the courts. As such, we urge the Committee to repeal subsection 60.9(1).

24. Mandate the WCB to develop a comprehensive Prevention Plan every three years

Although the WCB is legislatively mandated to "*promote safety and health in workplaces and to prevent and reduce the occurrence of workplace injury and illness,*" Manitoba's prevention outcomes demonstrate that the current approach is insufficient with:

- Stagnated time-loss injury rate.
- Exceptionally high injury rates in the public sector and healthcare.
- An epidemic of workplace violence.
- Persistently elevated injury rates among vulnerable workers.
- Prevalence of workers affected by psychological hazards.

The MGEU asks the Committee to amend the Act to require the WCB to, following consultation with labour and employer stakeholders, develop a prevention plan that addresses the issues outlined above, and establishes clear, measurable targets for each priority area, outline specific actions and resource commitments, and require annual public reporting on progress, with detailed performance metrics.

25. Develop and lead a comprehensive Violence Prevention Strategy

Grounded in the experiences of frontline workers and unions, the WCB should develop a violence prevention strategy that includes:

- Specific, evidence-based prevention actions.
- Dedicated resources to support implementation.
- Clear accountability and reporting mechanisms.

Workplace violence has become one of Manitoba's most urgent and widespread occupational hazards. WCB data shows violence-related claims have tripled over the past decade, including a 40% increase between 2022 and 2024. Workers in healthcare, education, retail, hospitality, social services, public transit, and other sectors face this hazard daily.

While the causes of workplace violence are complex, workers have a fundamental right to protection. The WCB, as the steward of Manitoba's prevention mandate, must play a leadership role in addressing this crisis.

26. Conduct an evaluation of the SAFE Work Certified program

SAFE Work Certification has been central to WCB's prevention strategy, offering employers recognition and potential premium rebates based on the quality of their safety and health programs. The program intends to shift incentives away from claim suppression and toward genuine prevention efforts.

However, significant concerns have emerged regarding program administration and eroding stakeholder confidence. These concerns include:

- Insufficient worker and union representation in oversight and quality assurance.
- A lack of independence in the assignment of auditors, potentially creating systemic conflicts of interest.
- Potential bias toward auditors who have a greater likelihood to certify employer programs.
- No transparent mechanism for raising concerns or complaints about audits or auditors.
- Skepticism regarding quality assurance activities.

The MGEU recommends that the WCB conduct an evaluation of the SAFE Work Certified program, addressing:

- Governance and oversight structures, including worker and union participation.
- Auditor assignment processes and the need for independence.
- Mechanisms for reporting concerns or complaints.
- Transparency and public reporting of quality assurance activities.
- Any systemic issues undermining trust and program integrity.

27. Increase core funding to Safe Workers of Tomorrow (SWOT)

SWOT delivers foundational safety and health education to young and new workers across Manitoba, helping ensure new workers understand their rights and responsibilities. SWOT wishes to expand its reach to deliver mandatory safety and health curriculum to Grade 9 and 10 students. As young people increasingly enter the workforce, it is critical that we equip them with the knowledge and skills necessary to work safely, prevent injuries and contribute to a culture of safety in their workplaces.

The MGEU recommends that the WCB increase core funding to SWOT and collaborate with SWOT and the Department of Education to ensure programming reaches all Manitoba students and schools.

28. Enhance financial support of the Occupational Health Centre (OHC)

The Occupational Health Centre (OHC) provides vital services to injured workers and delivers specialized safety and health education, particularly for newcomers and vulnerable workers. Federal funding cuts have jeopardized key programs, including the Cross-Cultural Health and Safety Program, which supports workers from 25 cultural communities through more than 60 trained community educators.

In alignment with the WCB's Five-Year Plan commitment to support newcomers, the MGEU recommends that the WCB provide stable funding for the OHC's Cross-Cultural Health and Safety Program and explore additional partnership opportunities to advance shared prevention goals.

29. Incentivize Public Sector Safety Certification

The MGEU recommends that incentives for safety certification be extended to individually assessed public-sector employers. This would promote consistent safety standards and encourage stronger prevention practices across sectors.

For Class B, C, and D employers in Manitoba, the incentive to become safety certified is mainly to reduce injury and claim costs due to improved safety system.

A similar argument exists for Class E employers who pay regular WCB premiums based on their payroll and industry risk:

- Lower time-loss injuries → fewer WCB claims
- Fewer claims → lower premium costs over time

However, Class E employers may also qualify for a prevention rebate for becoming safety certified.

The application of the prevention rebate only to Class E employers seems like a disproportionate advantage.

30. Limit the role of WCB's Healthcare Services in the adjudication and management of claims

Adjudicators and case managers rely far too heavily on, and defer to too often, the opinions of the WCB's healthcare consultants when denying claims and terminating workers' entitlements. Most often this is done by file review alone, with no transparency in process, or participation from the worker or their trusted healthcare providers.

We acknowledge there may be a legitimate role for the WCB Healthcare Services when, for instance, there is conflicting or complex medical information on a worker's file, or when there is delayed or incomplete reporting from the worker's treating healthcare providers.

However, Compensation Services can and should solicit information and opinions directly from those healthcare providers who are directly responsible for the medical management and treatment of a worker's injury. Compensation Services should only be permitted to consult with WCB Healthcare Services when reliance on healthcare providers' reporting would be detrimental or cause undue delays in the adjudication or management of a claim.

31. Establish a Medical Advisory Committee

The Board, and its subcommittees, has authority to adopt policies that interpret the Act, however, in recent years they appear to have divested responsibility for oversight of medical matters to WCB Healthcare Services.

The WCB has acknowledged its relationship with the broader medical community is strained, and this is exacerbated by the perception that WCB healthcare consultants can override the recommendations of a worker's healthcare provider.

We ask the Committee to establish a "Medical Advisory Committee," to be comprised of members of the Board, WCB Healthcare Services and external representatives of the medical community. This committee would be responsible for monitoring developments in the medical field and providing oversight in the Board's control and supervision of claim-related medical issues. In our view, a Medical Advisor Committee would introduce transparency to how medical matters are considered by the WCB and give voice to the broader medical community.

32. Undertake a review of the Medical Review Panel (MRP) process

Section 67 of the Act provides for medical review panels (MRP) to address differences in medical opinions that impact a worker's entitlement to benefits.

Only two MRPs have been convened in the last decade, and in each case, the process took about two years, far too long to be considered a viable process.

The MGEU urges the Committee to recommend that the WCB undertake a comprehensive review of the Medical Review Panel process and implement any necessary changes to ensure it is an accessible and effective way for injured workers to resolve a difference in medical opinion.

33. Require consultation with stakeholders before adoption of significant policy changes

Section 115 requires that a comprehensive review of the Act be done at least every ten years. Historically, this review process has involved solicitation of comments from the public and stakeholders before consensus-based recommendations are presented to government.

The WCB, however, has sole authority and discretion to implement policies that dictate how the Act is interpreted, and they can do so at any time, without notice, and without any consultation.

Changes to policy can have significant impact on past, current and future benefit entitlements, and so injured workers, their representatives, their employers, as well as other stakeholders, should have the right to comment on proposed changes before they are implemented.

We urge the Committee to amend the Act to require the WCB to conduct stakeholder consultation before implementing policy changes that have material impact on workers or employers.

34. Require review of the Act every 5 years

Subsection 115(1) requires a comprehensive review of the Act at least once every 10 years.

Other related legislation are reviewed more frequently, such as *The Workplace Safety and Health Act*, and *The Pension Benefits Act,* which are both reviewed every five (5) years.

A decade in between public consultation periods is far too long, especially given that there is no formal mechanism for stakeholder input to policy changes, and given the pace of changes to work and workplaces in general.

The MGEU recommends that the Act be revised to require it be comprehensively reviewed at least once every five (5) years.

35. Direct resources to unmet system needs and deficiencies instead of employer rebates

The MGEU, along with the MFL, have been repeatedly disappointed when the WCB issued rebates of premiums paid to employers. As highlighted in the MFL's submission, this includes $122 million refunded in 2025 and over a half billion dollars refunded in the past five years.

At the same time, the MGEU and its members have encountered a noticeable decline in the timeliness and quality of services provided by the WCB in general. Calls and emails go unanswered, and inquiries are not addressed in a timely fashion. Confidentially, WCB staff have expressed concern over staff shortages, frequent turnover, and a lack of adequate coverage and resources, which has resulted in delays in, and deterioration of, services they wish to provide professionally and compassionately to injured workers.

Specifically, MGEU members have too frequently experienced extended delays in reviews undertaken by the WCB's healthcare services department, and its payments department. To be clear, the MGEU appreciates how under resourcing impacts front line staff, and wants to be clear that the union is not critical of the staff working in these areas. Rather, the MGEU is highlighting these areas as examples where support is most urgently required.

Consistent with the ask of the MFL, the MGEU encourages the Committee to make recommendations to government that allocate resources in a way that prioritizes the provision of services to both injured workers and their employers over rebates.