

March 9, 2026

Workers Compensation Act
Legislative Review Committee
PO Box 309, Station Main
Winnipeg, MB, R3C 2H6

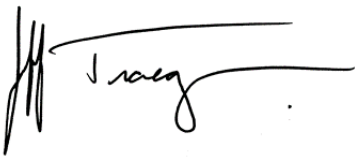
Re: 2026 Workers Compensation Act legislative review

On behalf of the more than 19,000 union members represented by the United Food and Commercial Workers Union Local 832 (UFCW), we are pleased to provide the following submission for the upcoming review of The Workers Compensation Act (WCA). UFCW is Manitoba's largest private-sector union, representing a diverse membership across virtually every sector of the workforce.

Our submission outlines suggested changes to the current compensation system. In addition, we strongly support the Manitoba Federation of Labour's January 2026 submission.

We thank you for the opportunity to provide our comments as part of this review and hope that our recommendations regarding the WCA and Workers Compensation Board practices and policies will help improve supports for Manitoba's evolving economy and workforce.

In Solidarity,



Jeff Traeger
President

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Marie Buchan
Secretary Treasurer

UFCW Local 832

2026 Workers Compensation Act Legislative Review Submission

Issue 1 – Wage Loss Age Cut-Off

In general, people are working longer than ever before. The workforce is aging and many workers are employed well past the age of 65. However, the current Act does not reflect this reality. Wage loss benefits terminate at age 65 or within 48 months post injury after age 61.

Recommendations

Compensation for loss of earnings should end at the later of:

- Age 70, if the worker was less than 65 years old at the time of injury or recurrence;
 - Five years after the date of injury or recurrence if the worker was 65 years of age or older at the time of injury;
 - Another date, if the Board is satisfied that the worker would have retired at a later date than provided above, but for the injury or recurrence.
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Issue 2 – Workers' Entitlement to Claim Information During the Decision-Making Process

Workers are generally not familiar with the compensation system in the same way employers are. They are often vulnerable and may not fully understand the process or how compensation works. During the initial decision-making process of a claim, there is frequent communication between the WCB and the employer. Information is required to make a decision on the claim and the surrounding circumstances.

However, employer-provided information may not always reflect the worker's perspective. Important details may be withheld or inaccurately presented, which can create issues for the worker and undermine the foundation of the claim. In many cases, information provided to the WCB comes from employer representatives who have little, if any, direct familiarity with the worker's specific job duties or workplace realities.

Recommendations

- Create legislation requiring all claim information provided by the employer to the WCB during the initial decision-making process be shared in a timely manner with the worker.
 - Create legislation ensuring the worker is given a meaningful opportunity to provide their perspective on the incident and any relevant workplace information in a timely manner before a decision is made.
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Issue 3 – Employer Involvement in Medical Care

Workers have the right to seek medical treatment from a provider of their choosing. Employers do not have the right to attend medical appointments, direct workers to specific providers or prevent workers from seeking medical treatment of their choosing.

Some employers interfere in medical care as a tactic to make claims more difficult, intimidate workers and suppress WCB claims. This is particularly prevalent in workplaces with large populations of new Canadian workers and temporary foreign workers.

Recommendations

- Implement public and worker-education initiatives to clearly communicate that workers may seek medical care of their choosing and that employers have no right to participate in or direct that care.
 - Adopt a zero-tolerance approach to claim suppression with stronger and more consistently applied penalties for employers.
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Issue 4 – Employer Relationships with Medical Providers and Medical Notes

Some employers maintain relationships with medical providers. While this may be permitted, it is not mandatory for workers to use those providers. Concerns arise when these providers are used to alter diagnoses or accommodation recommendations.

Workers may feel pressured to attend employer-selected providers to obtain opinions more favorable to the employer. In some cases, employers use the fear of claim denial to pressure workers into seeking additional medical opinions or working outside of documented restrictions. In some instances, workers have been told their claim will be denied if they do not obtain “appropriate” medical documentation.

Recommendations

- Require that all disputes regarding accommodations or medical providers be addressed exclusively through the WCB. Employers should have no direct communication with workers regarding the selection of medical providers or accommodation decisions beyond what has already been formally established.
 - Provide public education clarifying that where employer relationships with medical providers exist, workers’ use of those providers is entirely voluntary and at the sole discretion of the worker.
 - Enforce a zero-tolerance policy for claim suppression. If an employer disputes medical information, the proper avenue is through the WCB appeal process, just as it is for workers. Direct employer interference in medical treatment or medical aid should be deemed automatic interference with a WCB claim and subject to immediate, mandatory penalties.
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Issue 5 – Intimidation of Injured Workers: Canada Packers, Brandon

There have been numerous instances where this specific employer purposely made the claims process difficult from the outset of an injury. Supervisors, managers, security and human resources personnel are often called before the injured worker receives first aid. Investigations may begin before the worker's safety and wellbeing are confirmed.

Workers are pressured about accommodations, asked for statements while under duress or subjected to blame before even receiving basic medical attention. In some cases, injured workers with clear medical documentation supporting time off or specific accommodations are repeatedly summoned to the workplace for unnecessary meetings. Rather than being allowed to recover at home, they are pressured to attend discussions that serve no legitimate purpose and are being transported to and from these meetings in company-paid taxis.

Workplace nursing stations are also used to discourage workers from seeking independent medical treatment, thereby limiting outside oversight. These practices disproportionately affect new Canadian workers and temporary foreign workers. Workers are told they have to attend the nursing station, they have no right to outside medical attention and are put back to work with accommodations and diagnosis without even seeing a legitimate physician.

Recommendations

- Allocate dedicated compliance officers and resources to address the treatment of new Canadian and temporary foreign workers at Canada Packers.
 - Strictly enforce claim suppression penalties at Canada Packers.
 - Have the WCB work collaboratively with UFCW to empower workers to report injuries without fear of retaliation.
 - Create legislation eliminating workplace nursing stations in workplaces found guilty of claim suppression.
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Issue 6 – Claim Suppression

Current measures to address claim suppression are ineffective. For some employers, paying fines that rarely happen, at such a petty amount, remains less costly than compliance. Large, sophisticated employers may implement systemic practices that discourage claims, particularly among vulnerable workers.

Workers may fear retaliation, financial hardship, labeling or job loss if they report injuries. In some workplaces, claim suppression has become institutionalized over decades. Employers with multiple claim suppression penalties continue to focus on avoiding worker claims rather than changing their practices.

Recommendations

- Increase claim suppression penalties to a level that acts as a true deterrent. Penalties must be so significant that non-compliance is no longer financially advantageous.
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Issue 7 – Psychological Injuries

Psychological injuries are increasing at an alarming rate. Workers face growing exposure to psychological hazards in the workplace, yet these risks are not managed with the same priority as other objective physical hazards.

Claim acceptance rates remain low and the threshold for accepted claims is high. This may be one of the most significant issues in the 2026 Act review.

Recommendations

- Amend the Act to provide clear and specific provisions for coverage of all workplace psychological injuries, including not only traumatic stress but also chronic and cumulative psychological injuries.
 - Educate decision-makers on properly assessing subjective evidence rather than relying solely on objective evidence.
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Issue 8 – New Canadian Workers and Temporary Foreign Workers

Manitoba is a diverse province, and new Canadian and temporary foreign workers represent a significant portion of the workforce. Unfortunately, some employers exploit this vulnerability. Workers may be unaware of their rights and employers use immigration status as leverage to discourage reporting of injuries.

Threats related to employment status or residency may be used to deter claim reporting or create fear of job loss.

Recommendations

- In consultation with Labour, create legislation requiring employers to provide clear, written information at the start of employment to all new Canadian and temporary foreign workers, including:
 - The right to file a compensation claim;
 - The right to medical treatment of their choosing;
 - Employers to have no involvement in medical treatment decisions;
 - Employers to have no right to alter accommodation or diagnosis without WCB and/or medical confirmation;
 - Protection from retaliation or job loss for reporting injuries;
 - The right to a safe workplace; and

- Any and all other relevant information.
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Issue 9 – Access for Workers in the Gig Economy and Non-Traditional Employment

There are more people than ever working in the “gig” industry and the numbers continue to grow. Gig workers are currently classified as independent contractors but in reality, they are more akin to traditional employees, without employment protections. Gig workers face a significant risk of workplace injury, such as exposure to violence and/or harassment from passengers or customers, repetitive strain injuries from constant driving and carrying heavy loads and falls. These workers currently have little to no protection from injuries incurred on the job, leaving them vulnerable to out-of-pocket expenses. British Columbia recently amended its legislation to allow gig workers access to workers compensation coverage. Manitoba now needs to follow suit. Gig workers are a very vulnerable employee group, these workers deserve the same stable and secure financial environment other Manitoban workers currently have.

Recommendations

- Amend the current legislation to match that of British Columbia to provide essential safeguards to these workers that deserve access to the same protection that other employees in Manitoba benefit from.
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