

Ontario Legal Clinics'

WORKERS' COMPENSATION NETWORK

Réseau d'échange des cliniques juridiques
de l'Ontario sur la loi des accidentés du travail

Reply c/o: Injured Workers' Consultants, 815 Danforth Avenue, Suite 411, Toronto, Ontario M4J 1L2
Tel: 416 461-2411 Fax: 416 461-7138

15 January 2018

WSIB Consultation Secretariat
Workplace Safety & Insurance Board
200 Front St. West,
Toronto, Ontario
M5V 3J1

Sent by email to: consultation_secretariat@wsib.on.ca

Dear Consultation Secretariat:

Re: Rate Framework Policy Consultation

The Ontario Legal Clinics' Workers' Compensation Network is comprised of legal workers who handle workers' compensation cases from Ontario's 76 community legal clinics. Our members are involved in individual representation, continuing public legal education, and consideration of law and policy reforms. Many of our members have practiced workers' compensation law for several decades and the Network is a group of the most highly experienced workers' compensation advocates in the Ontario Legal Clinics.

We share the concern expressed by the worker and injured worker communities that the rate framework ignores the problems created by experience rating systems. The WSIB continues to treat claims cost experience as if it was a proxy for measuring health and safety in the workplace and to use it for rate setting. Research shows that claims cost does not reflect health and safety practices in the workplace. As well, the WSIB continues to use a very narrow interpretation of claims suppression that does not address the full range of improper claims management activities that result from experience rating.

We adopt and endorse the submissions of the Experience Rating Work Group and the Workers Health and Safety Legal Clinic on these matters.

Yours truly,
Ontario Legal Clinics Workers Compensation Network
Per:



John McKinnon
Co-chair