



WSIB Releases Work Reintegration Policies

To help improve return to work outcomes for injured workers, the Workplace Safety and Insurance Board (WSIB) has released interim Work Reintegration policies. These interim Work Reintegration policies (and the draft Work Reintegration NEER policy), which came into effect on December 1, 2010, were developed to support the WSIB's new Work Reintegration Program which integrates Early and Safe Return to Work (ESRTW), Re-employment and Labour Market Re-entry (LMR).

The new Program will improve sustainable employment for injured workers — either with the original employer or in the general labour market. Under this new approach, the WSIB will phase out the use of external LMR case managers and replace them with qualified WSIB staff which will manage an injured worker's pathways to re-employment. Injured workers will be provided with an assessment and, if needed, training that will equip them for return to work.

The new Work Reintegration Program was based on a comprehensive internal review of the LMR and RTW programs, consultation with worker and employer stakeholders, international best practices, and recommendations contained in the 2009 KPMG LMR Value for Money Audit.



The WSIB claims that it has received strong support for the new program from a number of worker and employer stakeholders and maintains that it is committed to continue “engaging stakeholders in meaningful dialogue and receiving feedback to inform the policies and refine the new Work Reintegration Program as it matures.”

The WSIB further stated that it “will ensure quality, work transition services and cost management by using community colleges and registered private career colleges with Ministry of Training, Colleges and Universities approved vocational programs.”

ICI Building Permits Up in September



After two straight months of declines, the value of building permits in the I.C.I. and Residential sectors saw an increase, across Canada, of 15.3% in the month of September. In particular, ICI permits were up 26.7% in the month after a decline of 24.2% in August.

According to reports, Ontario, Quebec and British Columbia's commercial intentions were the primary driver for these increases with the commercial sector leading the ICI sector with a 37.8% increase, due primarily to office building construction intentions. An increase in construction intentions for medical facilities and religious buildings in Ontario were credited for a 23.4% increase in Institutional permits where this activity in Ontario offset decreases in seven other provinces. Industrial permits values increased marginally (0.3%) as intentions for manufacturing plants were offset by declines for utilities and transportation buildings. Residential permits were up 8.3% with Ontario and British Columbia responsible for most of the growth.

With government infrastructure stimulus beginning to wind down as the March 31, 2011 deadline approaches it will be interesting to see, from these reports, if ICI intentions continue to increase, marking the private sector's return into Ontario's economy as the Province emerges from the recession.

The Mathews Dinsdale Minute



Happy holidays to everyone. At this time of year, almost everyone looks to slow down just a little bit and take some time for family and friends. The workplace is no different, as most businesses organize a party or get together of some kind. These events are an opportunity to build moral, socialize without the day to day pressures to get the job done and to generally say thanks to everyone for the hard work of the entire year. They also take all kinds of different forms, ranging from lunches, to cocktail parties, to full dinner events.

While we hate to rain on the parade, when your company holds one of these events have you taken steps to try to insulate yourself from potential liability that may arise? In 2002, the issue of host liability, both in a the employment setting and in the social host context, gained significant publicity arising out of a pair of Ontario Court cases where people who attended at events and consumed alcohol, drove under the influence and were involved in catastrophic car accidents inflicting permanent injuries on themselves and/or others on the road. When the best intentions go wrong, sooner or later people look for someone to blame and claims of liability follow.

So, the practical question is, what can you do to protect yourself from liability when hosting your holiday event. While no scenario is perfect, and sadly, nobody can prevent someone from trying to sue, the following are a few simple suggestions that should help insulate your organization should tragedy strike:

- ◆ If you are serving alcohol, hire a caterer with an endorsement to serve alcohol, or host your event at a restaurant, bar or event hall where the owner has insurance.
- ◆ Be careful with “open bars”. A useful alternative may be drink ticket policies. Always ensure that there are ample non-alcoholic alternatives.
- ◆ Designate people to stay sober and assist in observing and monitoring alcohol consumption, approach people and confront them if there are concerns about consumption. Don’t be afraid to seize car keys from intoxicated employees and/or to call the police if necessary.
- ◆ Provide transportation, carpools or taxi vouchers for a safe trip home. Well in advance of the event, advise employees of the Company’s “no drinking and driving” policy and inform them of the options available.

It is important that in your efforts to generate good will and improved moral, you ensure that you don’t expose your organization to liability which can be avoided. These steps are designed to try to protect your employees and your business. We hope that they help you have a successful, safe and fun holiday season.

