



Office of the Employer Adviser

Annual Report

2015-2016

Annual Report
2015 - 2016

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A Message from the Director

I am pleased to submit this report on the OEA's activities for 2015-2016.

The OEA continues to be second to none in providing advice, education, and training to Ontario employers. Our clients remain highly satisfied with our services, and close to one hundred percent of our clients were willing to recommend the OEA to other employers.

During this reporting period we continued to build on our efforts to provide service to employers with fewer than 50 workers who were accused of an employment reprisal under the Occupational Health and Safety Act. We also continued with our commitment to educate employers through webinars and personal presentations.

The OEA endeavours to provide the best professional advice and representation services we can, and offer more comprehensive and current information on our website and through our electronic bulletins. Our Employer's Guides for the construction and non-construction sectors are regularly updated so they remain relevant, making critical information more accessible to employers. And we continue to speak at numerous conferences and workshops on a variety of WSIB issues to ensure that employers have the current and necessary information they need to help them manage their WSIB obligations.

I wish to express my continued appreciation to our stakeholders whose ongoing support is critical to our success, and to my staff for their dedication and commitment to serving the employers of Ontario.

A handwritten signature in black ink that reads "Michael Zacks". The signature is written in a cursive, flowing style.

Michael Zacks
Acting Director

Part 1 OEA Mandate

The mandate of the Office of the Employer Adviser is established by Section 176(2) of the Workplace Safety and Insurance Act, 1997 (“the WSIA”),

... to educate, advise and represent primarily those employers with fewer than 100 employees, in issues arising under the WSIA.

In addition, in 2011, the OEA mandate was increased, under the Ontario Occupational Health and Safety Act, Section 50, to include

... providing advice to Ontario employers facing reprisal charges at the Ontario Labour Relations Board (OLRB) – i.e. worker allegations that they have been unfairly treated by their employer after raising a health and safety issue - and representation at the OLRB for employers with fewer than 50 employees.

The OEA vision and mission flow from these legislative mandates:

OEA VISION

An Ontario in which small and medium-sized businesses operate safe, fair and high-performing workplaces that contribute to a vibrant, competitive economy.

OEA MISSION

The OEA’s mission is to be the premier organization for providing representation, advice and education to Ontario employers regarding workplace safety and insurance matters and health and safety reprisal issues.

The Director of the OEA is an Order-in-Council appointment. Michael Zacks, OEA General Counsel, was appointed by Ministerial letter, in 2004, to act in this position until an Order-in-Council appointment was made.

Part 2 Overview of WSIB Program and Activities

Advisory Services

The OEA provides advice to help Ontario employers address workplace safety and associated costs, and meet their obligations under the WSI (Workplace Safety and Insurance) system in a timely and cost effective manner. It is critical for employers to understand a very complex program, avoid errors and safeguard their workplaces and their workers; and OEA advisory services are targeted to help them. Clients, using OEA services, get timely access to accurate information, make better business decisions, operate safer workplaces and avoid appeals.

Personnel from the OEA call centre provide just-in-time counsel to all Ontario employers who have WSI questions or concerns; representation services are constrained by the OEA mandate to primarily serve employers with fewer than 100 employees. Since the agency is funded by the WSIB (Workplace Safety and Insurance Board), no fees are payable by employers using OEA services, thus ensuring the ready availability of expert and confidential advice. This is especially important for small employers, since they typically do not have such expert resources available in-house. Access to the Advice Centre's trained staff provides all employers with an equal playing field, enabling good decision-making and avoiding costly mistakes and unnecessary penalties.

The OEA Advice Centre is staffed by three Intake Advisers located in its Toronto head office, who take calls from Ontario employers about their workplace safety insurance concerns. Since the Advice Centre also accepts e-mail enquiries, employers can raise their issues, at their convenience, outside business hours; where warranted, these queries often result in a return phone call from an Intake Adviser to discuss the matter in greater depth.

The agency's trained Intake Advisers provide advice that is detailed, thorough and tailored to the business requirements of each employer. Ranging in time from a couple of minutes to hours, depending on the complexity of the issue under consideration – e.g. from providing access to a WSIB form to in-depth assistance with a classification or premium issue – all employers' calls are dealt with as soon as possible. Clients appreciate the Advice Centre's emphasis on answering calls live – i.e. answering employers when they call in, with the goal of minimizing 'telephone tag' – with the advisers working to the employer's schedules, providing prompt and timely advice.

Client satisfaction with services provided by the Advice Centre, as measured through random telephone surveys, is 100% for this fiscal year. Clients willing to recommend the services of the OEA to other employers is also 100%. These numbers are the same as last year and continue to exceed target levels set at a high 90%. The OEA is very proud it can annually report this high level of satisfaction and is very pleased that clients value the services being provided.

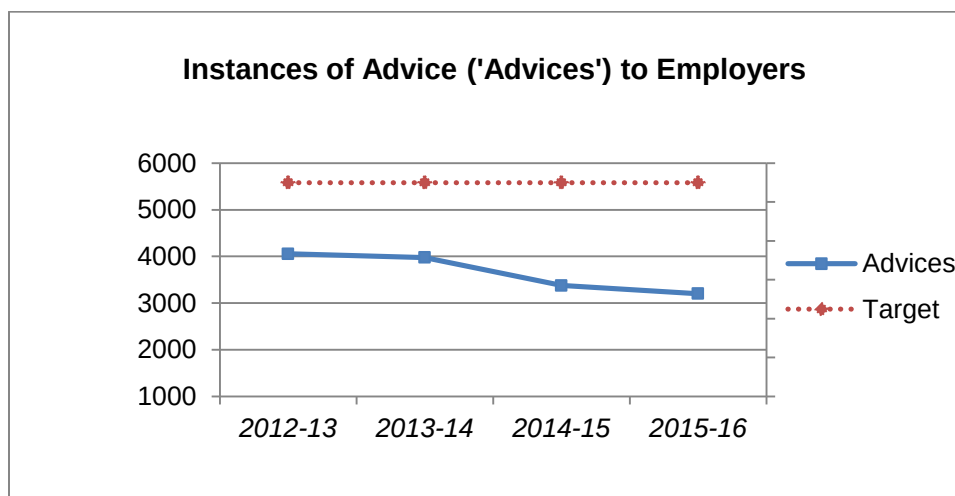
Critical to these high satisfaction levels, we believe, is the agency's ongoing focus on dealing with employer queries as quickly as possible. During this reporting period 79.7% of all incoming calls went directly to an adviser, with the remainder responded to within one business day – most usually within an hour of the incoming call. The comparable figure for 2014-15 was 84.5%; both are significantly higher than the 70% target for 'answering calls live'. Getting such immediate access to expert advice means time saved for employers, and ensures their concerns are discussed – and resolved – efficiently. Similarly, e-mail enquiries are responded to on a priority basis, within one business day.

The OEA's sixteen regionally-located Employer Specialists are also available to provide advice. Many employers have come to know their local specialist through referrals from the WSIB, the Workplace Safety and Insurance Appeals Tribunal (WSIAT), health and safety associations, community and business groups, or existing and former OEA

clients. As well as providing targeted advice, Employer Specialists routinely provide educational presentations for local community groups. Employers regularly establish on-going relationships with their regional representatives; as in other years, regional contact and increasing local presence has been a priority for the OEA.

Fiscal 2015-16 saw the instances of advice provided to Ontario employers decrease year over year – i.e. 3,202 this fiscal year versus 3,379 for last year. This year's 5.2% decrease follows last year's decline of 15%; we are pleased to note that year to date numbers for the 2016-17 fiscal year appear to be reversing this downward trend. Because the call centre and OEA staff are dealing with incoming problems and queries, it is difficult to predict service demand or maintain consistent/stable numbers. The OEA continues to focus on gaining and sustaining public awareness of the availability of its services, so an employer's paralegal solution of choice, re workplace safety insurance issues, is the agency.

Figure 1



The OEA is able to provide this valued service to Ontario employers through the professional, dedicated efforts of its staff. Staff training is ongoing in order to ensure that everyone is current with Board policies and procedures and on top of workers'

compensation practices, and therefore can provide expert and up-to-date advice to OEA clients.

One alternative way that we have used to measure the delivery of 'advice' to Ontario employers – rather than calling in to the Advice Centre itself - is a 'web advice', which was tracked through the use of Google analytics for the OEA website. This statistic reflected the use of the website by employers seeking comprehensive information about the WSI system and their obligations and rights. Always available, the website delivered 3,049 'web advices' last fiscal year. Because of technical issues, we are unable to provide a comparable number for this reporting period. We hope to have this statistic available for 2016-17, on at least a partial year basis. We rely on the website to provide timely information to Ontario employers whenever they are looking for it, 24/7.

But sometimes website users have unique, personal issues for which they don't recognize a straightforward answer among the many site pages. In such instances, the website facilitates users sending in e-mail queries using an online form. E-mail queries sent to the Advice Centre were essentially double in 2015-16, up to 187 from last year's report of 94. The year before had been stable at 95, so this year's number represents a significant improvement in this service delivery method. We will be monitoring this method more closely over the upcoming fiscal to try to understand some of the underlying variables affecting usage. Previously we have hypothesized that the website was very comprehensive, and that there were few reasons for personal communication about an individual situation. This year's figure is perhaps an indication of an overall greater usage of the site or that the site is not as user-friendly as it might once have been. Or there may be other underlying reasons. We hope to be able to address these underlying reasons/variables in the next reporting period.

The OEA website organization into construction and non-construction focused portals, plus the user-friendly, searchable, organization of information within those divisions, appears to be working for Ontario employers. The website, in conjunction with the

availability of live Advice Centre services, ensures that employers have ready access to the information they need, as and when needed, to meet their WSI responsibilities.

As noted in previous reports, a small employer typically ‘needs’ advice services only once every seven or eight years or so. Within such intermittent need, it is an ongoing challenge for the OEA to be and remain ‘front-of-mind’ as a primary resource for Ontario employers with regard to their workers’ compensation issues. Increasing awareness across all business sectors of our free, expert and confidential services and sustaining that awareness among our client community, remain the most significant outreach challenges for the OEA.

In 2015-16 the OEA continued its focus on informational sessions for stakeholder groups covering such things as WSIB’s appeal processes, work reintegration and other topics, such as mental stress, as they became relevant; webinars remain our primary delivery vehicle. We note that 8.6% of all advices provided by the OEA in 2015-16, where the referral source was available, arose from contact with OEA personnel – through presentations or webinars – or the website itself.

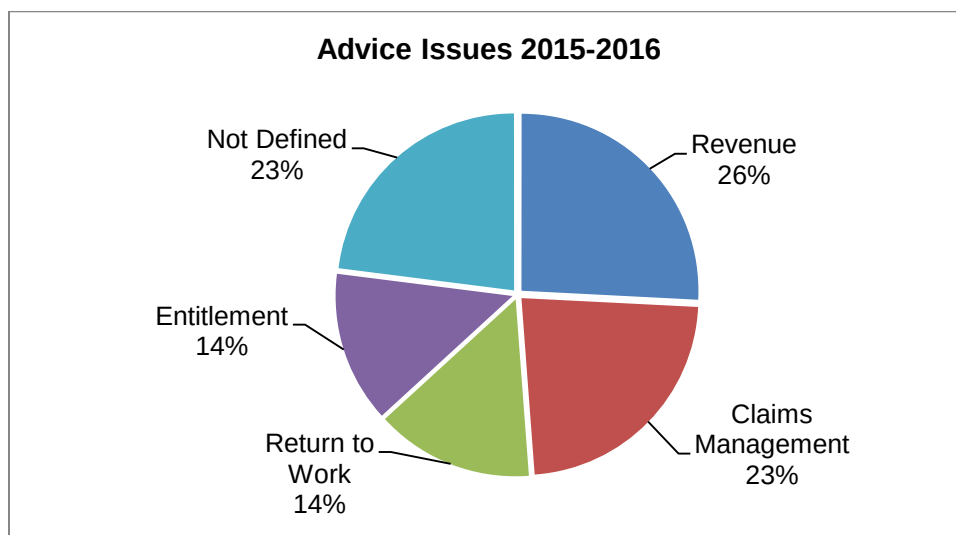
And Twitter has become a significant adjunct to our outreach activities – the year saw an increase of 46% in the number of OEA Twitter followers, following last year’s 20% reported increase. The OEA continues to evaluate other social media opportunities as a cost effective means to increase our marketing ‘reach’. Additional detail about these efforts is contained in the “Value to Clients” section of this Report.

Analysis of the subject of the advice being provided shows that more inquiries continue to be about Revenue issues than anything else; at 25.8%, this is significantly less than last year’s 36%. However, ‘not defined’ has increased from 9% to 23%, which reflects a change in our method of collecting this data that occurred when upgrading our customer relationship management system midyear; we will be taking steps to try and decrease this undefined number for subsequent reporting periods. As with previous fiscal

reports, the second most important focus was Claims Management, at 23%, which is similar to last year's reported 26%.

Return to Work continues in third place and Entitlement is the fourth most common area of inquiry, a consistent placement year after year. Figure 2 shows the workplace safety and insurance issues facing Ontario employers and their business priorities, as derived from our advice statistics. It specifically reflects such employer concerns as the premiums they are being charged to fund the system – including issues such as the rate group where they have been classified, the Board's remittance practices, independent operator status, etc. - and their need for additional knowledge about their obligations within the system.

Figure 2



As noted, our clients are generally very satisfied with the services provided by the OEA, and it is felt that at least part of that satisfaction is due to the high percentage of Advice calls that are taken 'live' - which means that an Intake Adviser answers the phone when the employer calls the Advice Centre. By answering live, the employer does not end up leaving a voice-mail and waiting for a return phone call at a time that may not be as convenient for them, or perhaps even after the problem has resolved itself (either positively or negatively). The answer live rate was 79.7% for 2015-16, down slightly

from last year's 84.5%. The Advice Centre continues to significantly exceed its target of answering 70% of calls live.

Workplace Safety and Insurance Representation Services

According to the OEA's mandate, the agency primarily represents employers with fewer than 100 employees in disputes arising under the WSIA, at both the WSIB and at the WSIAT (see Figure 5, page 18). At the WSIB operating level, representation services involve negotiation, which is provided by an Intake Adviser or by an Employer Specialist, by means of telephone calls and/or correspondence. At the two appeal levels (WSIB Appeals Branch and WSIAT), as well as in return-to-work or work re-integration negotiations, Employer Specialists provide the representation services. At this level, representation involves a range of activities, from negotiation to appearing at mediations or hearings with the employer and managing the case on their behalf.

The OEA, through its representation services, plays an important role in reducing conflict in the WSI system. OEA Intake Advisers and Employer Specialists maintain good working relationships with staff at the WSIB. Agency staff work with their WSIB counterparts to ensure that Ontario employers have high quality representation within the system. The agency's focus on reaching unrepresented employers continues; staff work with the Board to have referrals made to the OEA where appropriate. Staff involvement in such things as RTW (return to work) plans and negotiations ensures an equal footing for both workplace parties, and supports a solution that returns employees to the job in a timely, cost-effective manner, removing some strain from the system. Similarly, agency staff works closely with the WSIB Collections Branch, to facilitate the payment of premiums that are due and to ensure that employers pay their share in a way that complements their on-going business needs.

Negotiations continue to be a preferred interim resolution step, since they usually offer a more timely, more efficient solution. Because employers need to, and have a preference for, spending their resources on activities associated with direct contributions to their profitability, an appeal is usually the second-choice dispute

resolution alternative. In response to this employer bias, the OEA continues to promote the early resolution of disputes. Performance Measure A1 (see Appendix A) reflects the agency's achievement in this effort: in 2015-16 the OEA resolved 70% of disputes without a hearing, considerably higher than last year's 61%, and well over the 65% target level. Since OEA staff have no direct control over whether an employer and/or worker agrees to a negotiated settlement, the agency is pleased with the way it has been able to contribute to the lessening of conflict within the WSI system through the resolution of so many disputes without an associated hearing.

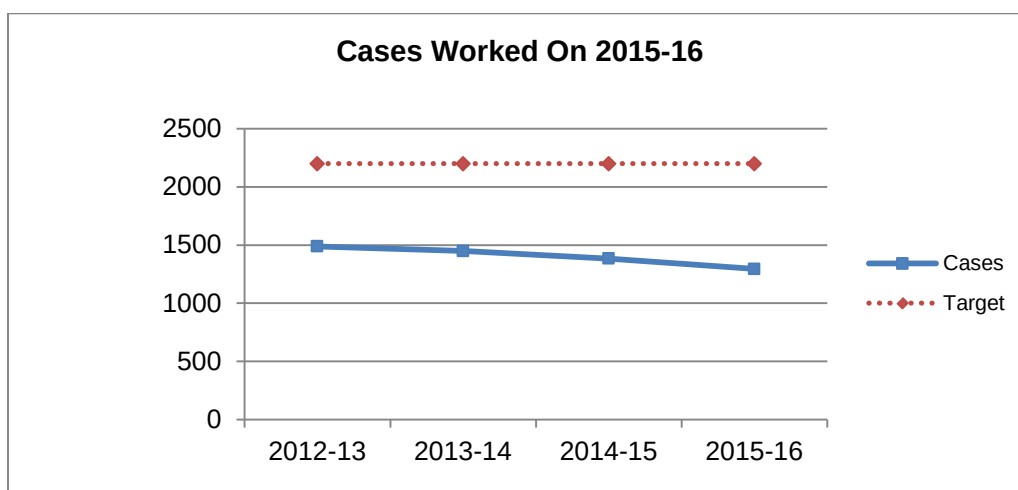
While these efforts often successfully conclude cases at the Board operating level, many cases do proceed to appeal. Also, some employers do not learn of the availability of OEA (free) services until their case has progressed to the appeal stage. Of the 1,295 cases worked on in 2015-16, Employer Specialists represented employers in 179 cases that involved mediations/negotiations – a higher percentage than in previous years. Whether cases proceed to appeal or not, agency staff always strive to resolve matters as quickly as possible. In a system where 95% of appeals are worker-driven, OEA involvement improves balance in the system, ensuring that employers' perspectives and needs are being both represented and respected.

Further analysis of the 1,295 cases worked on during the 2015-16 reporting period reveals the following:

- 477, or 37%, were resolved, identical to last year;
- 436 cases, or 34%, were new in-year, the same as last year, meaning that the carry-over of cases year over year remained constant also. Backlogs and slow processing continues to be an issue in the WSI system;
- 21.5% of all cases worked on in year had 'successful' or 'mixed' outcomes. This compares favourably with the 19.4% reported for 2014-15.

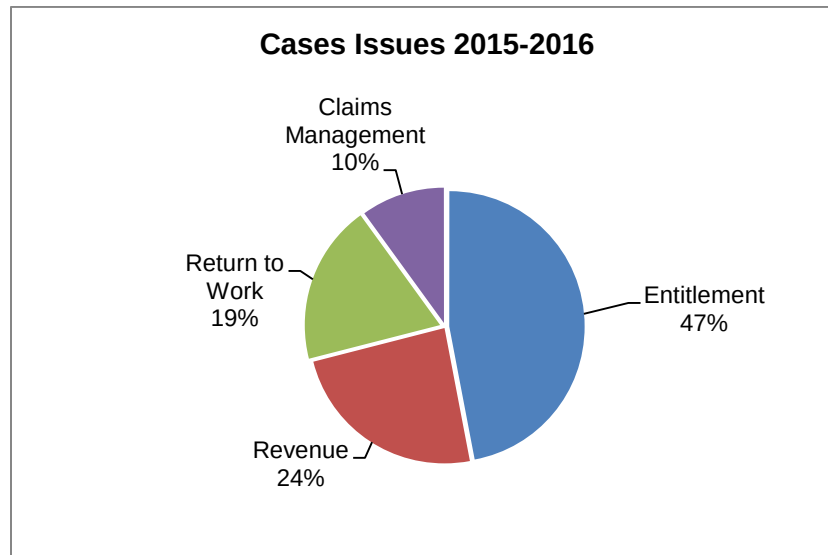
With regard to client satisfaction, 98% of employers surveyed indicated that they were satisfied with their OEA representation, very similar to last year's report of 100%; 98% also said that they would recommend our services to others, compared to last year's 100%. All continue to be significantly higher than the target level of 90% and indicate a client community that is very aware and appreciative of the work done on their behalf by agency staff.

Figure 3



In comparison with the data for instances of advice, analysis of the representation issues is marked different. As last year Entitlement is the number one concern for employers represented by the OEA. Revenue is in second place, as the primary issue for 24% of employers, basically the same as last year's reported 25%. Return to Work (19%) and Claims Management (10%) are in third and fourth place respectively, the same as reported last year. These statistics are reflective of the areas currently having the largest impact on employers and where agency assistance can be of the most benefit.

Figure 4



Education of Employers

On average, a small employer has a workplace injury occur only once every seven or eight years. At the time of the injury, the employer's need for information about claims management and return to work is acute. Chances are, however, that most small business owners do not have the requisite information at their fingertips, since most of their time and resources are of necessity focused on business growth and profitability. Compounding this lack of information is the fact that few small employers have the time or available staff to attend seminars or education sessions, either when a need arises or on a pro-active basis.

Accordingly, the OEA's educational strategy has evolved from one historically based on having employers attend intensive adult-education workshops, to the current multi-channel approach which makes information available to employers in a format that is timely, relevant and accessible. The focus of the agency's education strategy in recent years has been to ensure that employers expand their understanding of the WSI system as part of the representation process; posting useful information and tools on the OEA website; assisting stakeholders with their education initiatives where appropriate; and,

for the last 4 years, providing webinars directly to interested parties, with registration available via the OEA website. The agency is also using Twitter to good advantage, tweeting educational information, reaching out to stakeholders directly. Other social media channels continue to be evaluated as opportunities and resources present themselves.

In 2015-16, the OEA continued to meet the need in the employer community for additional information about Work Reintegration and Claims Management and various other topics. The OEA also presented on as guests speakers for different stakeholder groups, such as SCIP. Updating employers about what's happening at the Board, and changes in the mental stress policies continued as 'hot draws' in 2015-16. In 2015-16, 73 such presentations were provided, and staff participated in 2 trade shows and symposia.

With the agency's focus on providing webinars directly to users as a primary education-delivery vehicle, 27 were provided in-year – with a total of 2,471 attendees. 2015-16 webinar topics included Appeals, Work Reintegration, Claims Management, and SIEF (Secondary Injury Enhancement Fund). Webinars on WSIB Classification, Mental Stress and the proposed Rate Framework were new this fiscal year. In addition, 'basic' informational webinars were provided to meet an ongoing need in the employer community – “Guide to Completing a Form 7” and “Introduction to WSIB” webinars continued to be well attended. Webinars have proven to be an ideal way to fulfill the OEA education mandate, directly providing relevant information to employers at locations convenient to them, and with the least time commitment from them. It is a very good way for the OEA to disseminate information about upcoming issues, such as changes in policies or procedures, to affected employers in a timely fashion. Once a particular 'live' webinar topic has been exhausted – i.e. it is no longer so timely for employers, or registration has waned - a recorded version is posted on the website, ensuring the availability of that information when and as needed by Ontario employers.

Webinars also have the advantage of being cost and resource effective for the OEA. Building on our past success, 2017-18 will continue to see an expansion of the subjects addressed to broaden the information/education available to employers about WSIB policies and procedures, although we intend to reduce the number of 'live' webinars presented, overall. I.e. it is our intention to focus on new content in our schedule of broadcasts, relying on the archived store available on the website 24/7 for education on routine topics.

The OEA has continued to provide 'live' presentations to stakeholder/employer groups, although its emphasis has shifted to restricting such participation to those with larger registrations. In all, the OEA had more than 1,922 attendees at an agency presentation/briefing/workshop (i.e. excluding webinars) during the 2015-16 fiscal year, a slight decrease from the previous year's total of 2,035. This is to be expected, given that the agency decreased the number of such events to 27 from 30. The agency is reaching a significant number of Ontario employers, on an on-going basis through a mix of webinars and 'live' presentations and will continue to use both as opportunities arise and are considered appropriate.

One of the goals of the agency's representation services is to build self-reliance for employers within the WSI system, by making sure that they understand their roles and responsibilities under the Workplace Safety and Insurance Act. This includes teaching employers how to improve their claims management and return-to-work procedures, and how the WSIB's experience rating system works, so that employers will be more independent and knowledgeable in the future. Performance Measure A2 (see Appendix A) shows the proportion of OEA clients who used agency services for the first time in 2015-16. Last year, the OEA reported new clients at the 54% level; the comparable figure for 2015-16 is 57%. It would appear that our outreach efforts continue to be somewhat successful in bringing new clients to the OEA. The agency will continue to try and improve the impact of its outreach and education efforts, and bring as many Ontario employers as possible to the OEA to address their WSI system needs.

In addition to the 'hands-on' education provided through casework, the OEA strives to meet the needs of its broad customer base by providing WSIB-related information through a variety of access/delivery mechanisms:

- Current content and notices of webinars, presentations and other meetings are maintained on the www.employeradviser.ca website.
- 'Director's Message' updates are posted on the OEA website.
- E-bulletins continue to go out to the OEA client database on a reduced schedule on an ad hoc basis, whenever there is anything deemed worthy of communicating to our employer database.
- E-bulletins continue to be archived on the OEA website, with current e-bulletin content showcased as the most recent website updates. Employers using the site can sign up for e-bulletin subscriptions while visiting.
- While the OEA has phased out the hard-copy distribution of its very popular Employer's Guides: two separate guides specifically targeted for Non-Construction and Construction employers are available in both English and French, they are readily available as downloads from the website. A small tri-fold glossy brochure outlining the services available from the OEA has been substituted as a handout and has proven to be a very popular handout – printed in both English and French, 8,780 were distributed in 2015-16.

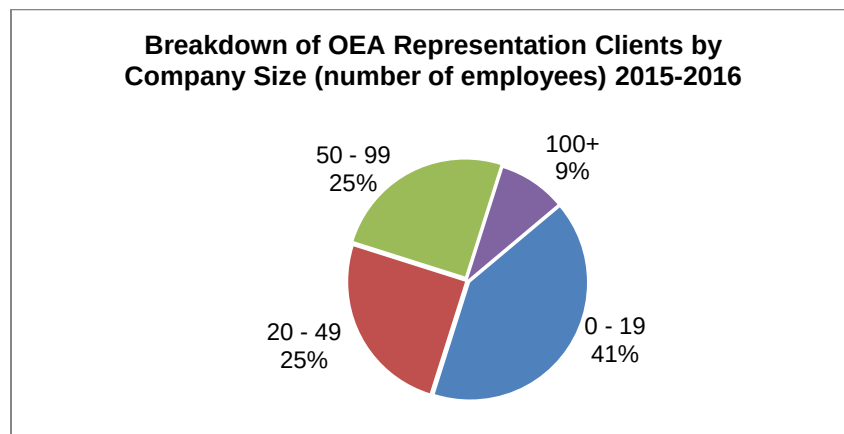
Part 3 OEA Clients

Since the OEA's mandate is to serve primarily those employers with fewer than 100 workers, the merit review undertaken before the OEA represents an employer includes determining their size. In fiscal 2015-16, 9% of clients provided with agency representation had more than 100 employees, slightly higher than last year's reported figure of 7%.

It is not administratively viable to screen employers contacting the call centre in order to deny advice to those with more than 100 employees; and permitting access to advice to all Ontario employers is also accepted as beneficial to the system, overall. Thus 9% of all advices for 2015-16 were provided to employers with 100 plus employees. This is well down from last year's figure of 16%.

The OEA will continue to provide advice services to as many Ontario employers as contact us.

Figure 5



The sectorial analysis below is based upon WSIB classifications. The breakdown is consistent with the prevalence of small to medium sized employers in the different

industry sectors. The construction industry continues to be the agency's largest client group at 35%, comparable to last year's figure of 31%, reflective of the significant impact of Board policies on this sector. Other sectors are little changed from previous reporting periods – although manufacturing was up to 20% from 15% last fiscal - mirroring the overall business distribution of Ontario employers.

Figure 6

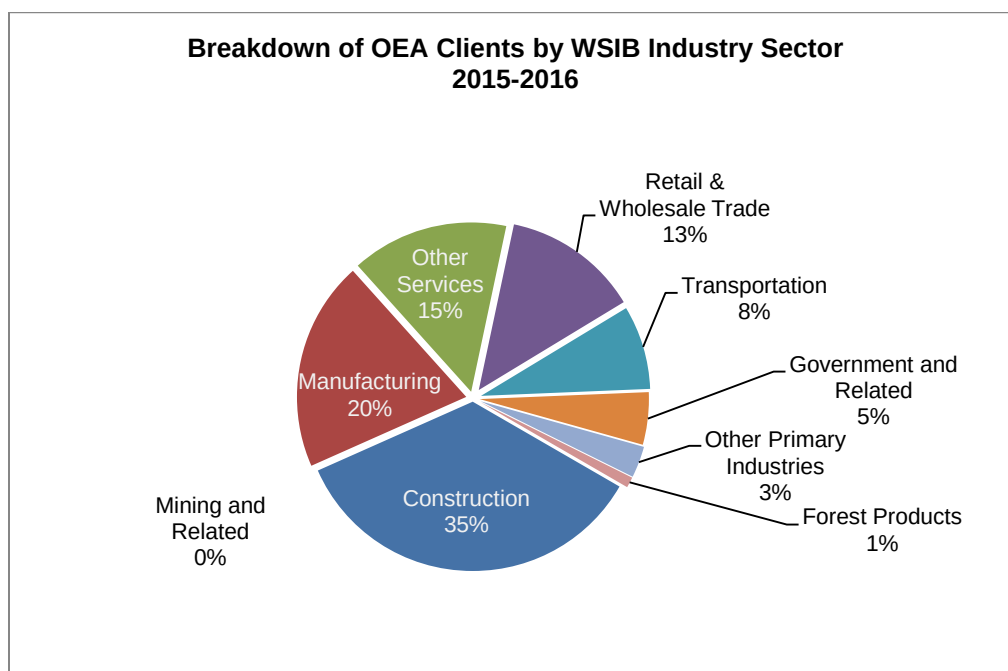
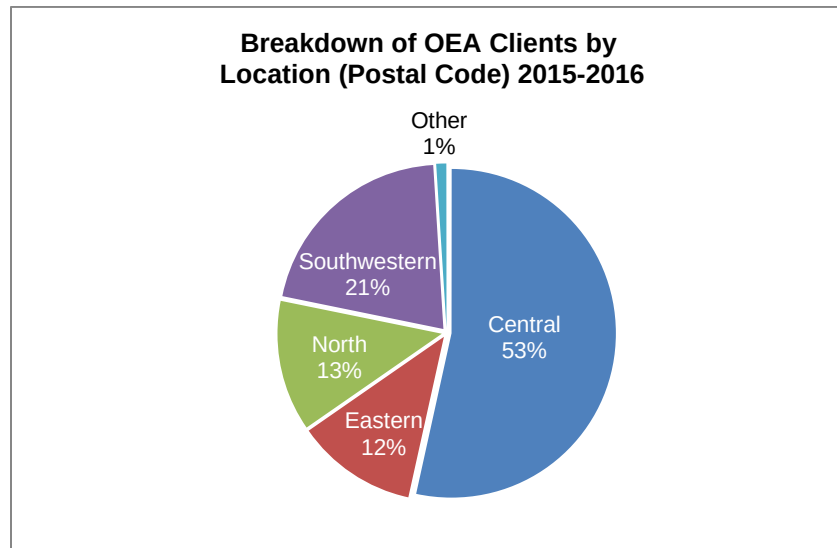


Figure 7 provides the breakdown of the regional distribution of OEA clients for 2015-16. Service delivery appears to reflect the population and business demographics of the province, with the Central area, which includes the Greater Toronto Area, comprising the largest client group. The distribution is very similar to last year, although 'Central' has increased to 54% of clients, from last year's 47% figure. The agency's location of Employer Specialists around the province facilitates the provision of representation services to employers in their local area, as appropriate.

Figure 7



Value to Clients

Ensuring that Ontario employers are aware of existence of the OEA and the availability of free advice and representation services – within size constraints – continues to be a significant challenge. There is no doubt, given our high satisfaction ratings, that the services being provided by the agency are valued. Providing that satisfaction to a larger number of employers is our focus and goal.

Outreach and marketing is therefore a constant and ongoing effort. For the 2015-16 fiscal year, the OEA reports the following activities:

- Although no print ads were commissioned in 2015-16, the OEA did experiment with web ads, placing two during the period. It is not clear whether we will continue with a web-based ad strategy, since evaluation is still underway.
- The agency continued to distribute articles on workplace safety and insurance related topics to employer groups, to be shared with their membership. Articles were provided to 31 groups such as retail, trade and professional associations, as well as major franchisors in 2015-16, compared to 38 in the previous year.

- The OEA participated in two trade shows and symposia, down from six the previous year, although the number of attendees was half those from the 2014-15 fiscal year. Trade shows and symposia are not significant to the OEA outreach efforts, because attendance tends to be too generic – they do not focus on employers with a need for assistance with workplace safety insurance matters, and therefore have a poor overall return, given the resources that are required for us to participate.
- In total, more than seventy-three presentations on such topics as work reintegration, claims management, the WSIB Rate Framework, Mental Stress, and SIEF – as well as introductions to both the WSIB and OEA - were provided to various stakeholder and employer groups by OEA staff. These live presentations complemented our full complement of webinars, to balance our educational outreach. In order to qualify for a ‘live’ staff presentation, the audience has to be guaranteed to be more than 20 attendees, although exceptions occur for specific, targeted locations and groups. Still, more than 1,622 employer representatives were able to attend OEA staff presentations this year, compared to last year’s reported attendance of 1,465.
- Distribution of more than 2,500 OEA ‘Appeals’ bookmarks. These bookmarks outline the services available from the OEA with regard to the WSIB appeals process. They are primarily used by the WSIAT as an insert in mailings to employers about their upcoming Appeals. This is consistent distribution, year after year.
- The OEA services overview brochure has proven to be very popular. 8,780 pamphlets were distributed in 2015-16, its third year of production, compared to 2,410 the previous year. It continues to be a much cheaper alternative handout (versus the printed Employer’s Guides) and has the advantage of not losing currency as Board policies and procedures change. The Employer’s Guides continue to be updated and are available on demand, as downloads from the OEA website.

- The OEA handed out 3,235 webinar bookmarks, first introduced in 2014-15, when 610 were distributed. A simple listing of the webinar schedule, the bookmark was produced for staff to disseminate to employers whenever they interacted, and for distribution at trade shows, etc. Distribution is contingent on the webinar presentation strategy, currently under review for 2016-17.
- The number of OEA hosted webinars was basically static in 2015-6. Twenty-seven webinars were presented in-year, similar to the 30 offered the year before. The topics were: Mental Stress (7), Guide to Form 7 (3), Work Reintegration (3), Claims Management (3), SIEF (3), Director's Forum (2), WSIB Appeals (2), WSIB Rate Framework (2), Introduction to WS&I (1), and WSIB Classifications (1) with a total of 2,471 participants. Although the number of webinars went down slightly from last year, the attendance overall was up a staggering 38.5% (to 2,471 participants). The Director's Forum – which features the OEA Director, Michael Zacks, giving an update and overview of what's current and in the offing the WSI world – continues to be especially popular. It is not often the employers are provided with access to such a high level resource, able to ask questions that will help them understand what is happening with the system. Webinars have significantly increased the number of clients we educate, in a very cost effective way. Additional, new topics are under consideration, although we are re-evaluating our scheduling for the next fiscal period. Taped versions of webinars, archived on the OEA website, become a valuable online resource for employers, accessible to them 24/7.
- The OEA Twitter presence continues to grow. Since starting on Twitter in January 2013, the OEA has gained 2,479 followers – 2,330 English and 149 French. 2015-16 alone saw an increase in followers of 46%. Tweets are posted daily and include updates on changes in WSIB policy, 'did you know' facts from the OEA guidebooks and special tweets when the Board issues news releases on such things as premium changes for the upcoming year. Followers include employer associations and organizations, as well as individuals. Social media

continues to be evaluated as a means to effectively extend the agency's reach to the Ontario employer community.

Finally, in 2015-16, the agency continued to track OEA 'savings' - i.e. money saved by a client employer as a direct and immediate result of OEA staff involvement. Savings include such things as a favourable appeal outcome which reversed a decision of original entitlement; or a change to a classification ruling made in an employer's favour, etc. Savings amounted to more than \$2,371,409 in fiscal 2015-16, significantly higher than was reported last year. The agency believes this level is a more accurate reflection of the actual benefit accruing to OEA employers.

These savings represent a significant contribution to the bottom-line for Ontario's small-employer community. Note that these amounts are straightforward totals of one-time savings from rebates or credits or charges not-incurred. They do not include any projection of future or ongoing savings based on these favourable outcomes, so the ongoing savings are far in excess of the numbers being reported.

The OEA will continue to monitor its effectiveness with regard to its clients' out-of-pocket costs and savings.

Part 4 Overview of Section 50 Program and Activities

Advisory and Representation Services

Since April 2012, the OEA has been responsible for the provision of advice and representation services for Ontario employers facing Section 50 complaints under the Ontario Occupational Health and Safety Act.

There are 2 Employer Representatives at the OEA responsible for delivering on this mandate. In addition to the information and guidance provided on the OEA section 50 website, employers can call the Advice Centre for assistance. Referrals for representation services come through those two sources or through a direct referral from the OLRB (Ontario Labour Relations Board).

The OEA provided the following services to the employer community in 2015-16

- 7 general informational calls were taken.
- 32 case-specific enquiries (advices) were provided.
- 20 representations (cases) were undertaken.
- 16 of the 20 representations were either settled or withdrawn, in year. Settlements range from the simple provision of a Letter of Employment to a (usually small) monetary payment. In most settled cases, the employer got a full and final release of any and all claims arising from employment or the termination thereof. The average saving for employers represented by OEA staff was 1/3 of the initial exposure; i.e. settlements averaged 66% of the amounts requested in the filing documents.
- No cases went to a full hearing as of the end of the current reporting period.
- Geographically, the case distribution ranged across the province as follows – Northern 8; Southwestern 13; Eastern 10; Central 28.

The demand for Section 50 representation is intermittent and variable. Any representation is extremely time sensitive, because of the stringent time limits imposed by the OLRB for responses to complaints. The OEA is staffed to provide advice and representation as and when requested.

Part 5 Client Testimonials

We are pleased to provide the following excerpts from communications received from OEA clients, commenting on the services they received from its staff; note that no spelling amendments have been made to the quotes:

"... extend our thanks to you and the Office of the Employer Advisor for your role in working with XXXX to resolve the issues we had with the audit findings. You gave us great advice on next steps throughout and we were able to receive a positive outcome. This would not have happened without your help and support. Thank you very much!"

T.G.

Toronto

"We met with [WSIB staff]...We owe you a huge thank you for helping us get to the right resources."

D.P.

Ottawa

"Thanks for your great work on this long-winded file! It is a credit to the WSIB system that an Employer Advisor office even exists and that it funds great advocates like yourself. Best wishes for continued success."

J.C.

Cambridge

"...firms that have participated in your presentation ...really like it, there was lots of information that firms were not aware of, also being bilingual in Hearst it help a lot. ... Thank-you for your help to make it a very interesting meeting."

G.B.
Hearst

"Thank you all three files have be[en] resolved 100% to our satisfaction. You were very helpful and instrumental in this matter."

S.G.
North York

"Thanks for the up date. It's encouraging to know that there are Davids (being you) in the world to take on the Goliath Monopolies like the WSIB. May your stone hit home. Cheers and thank you."

G.B.
Ottawa

"Thank you so much for coming down today and presenting. I can honestly say, it was a great seminar and once you read the comments you'll see that attendees agreed."

J.B.
Newmarket

"Great to see we won our case. ..We appreciate everything that you did for this case."

S.V.S.
Niagara on the Lake

"I'd just like to thank you again for allowing the presenters to present at our recent round of Safety Group meetings! [They] were all very professional and knowledgeable with the RTW/WR material they presented on. We really appreciated it. Thank you!"

H.D.
Mississauga

"...I would like to express my deepest gratitude for the assistance you have provided me in rectifying the situation with my account. Your professionalism and empathetic approach has made this situation bearable to endure."

M.L..
Toronto

"Through this letter, we wanted to congratulate you and your team for the invaluable assistance we received from the Office of the Employer Adviser. This free and very professional service that your institution offers to the employers, has provided us with an excellent experience."

M.R.
Toronto

In addition the OEA was pleased to be recognized by the Council of the Ontario Construction Association. As described in their newsletter [March 2016]: 'the Industry Ally Award was presented to Michael Zacks of the Office of the Employer Adviser for the outstanding service the agency provides to employers with their WSIB issues'.

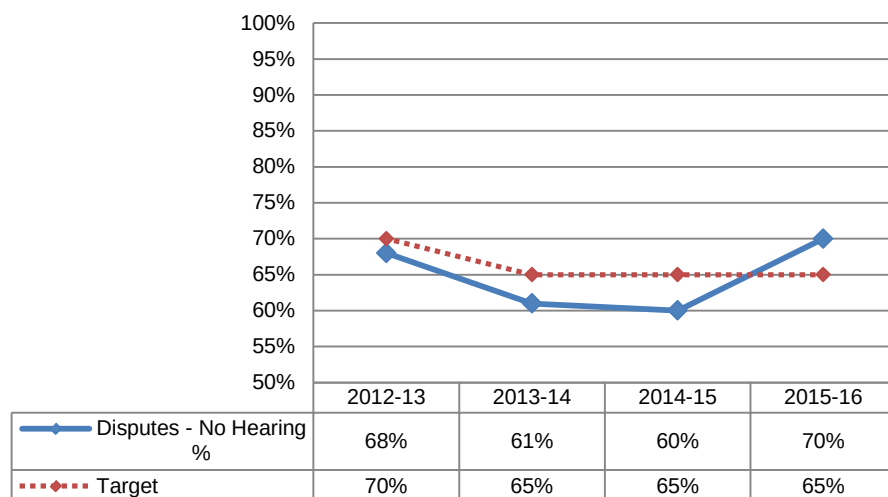
Appendix A: OEA Performance Measures 2015-2016

Key Activities: Advice and Representation Services

A1

Performance measure for 2015-2016: Percentage of disputes resolved without a hearing

Percentage of Disputes Resolved without a Hearing



Agency Contribution

OEA staff employs alternate dispute resolution strategies such as negotiation and mediation to help employers resolve disputes at an earlier stage.

In revenue matters where the dispute only involves two parties (i.e. the WSIB and the employer), every effort is made to resolve matters at the operating level. However, 95% of appeals are worker-driven and employers often contact the OEA for assistance after the dispute has proceeded to the appeal level. This limits the target that can realistically be achieved.

What does the graph show?

While the OEA consistently contributes to the reduction of adversity in the workplace safety and insurance system and helping employers to manage disputes more efficiently and effectively, the measure is not directly controlled or controllable by the OEA. Ultimately, since most appeals are worker-driven and employers have the final decision on whether or not to settle prior to a hearing, this measure will fluctuate according to employer climate and issues in any given year. This year the agency exceeded its target. The OEA continues to help a substantial number of employers prior to the hearing stage.

2015-16 Commitments

The commitment for 2015-16 was 65% of disputes resolved without a hearing, which the agency exceeded.

Long-term Target

The long-term target is 65%

Proposed for Publication

Internal Use Only

☒ Existing Measure

☐ New Measure

Appendix A: OEA Performance Measures 2015-2016

Key Activities: Advice and Representation Services		A2																
Performance measure for 2015-2016: Percentage of clients served in year that used OEA services for the first time																		
Percentage of New Clients Served <table><thead><tr><th></th><th>2012-13</th><th>2013-14</th><th>2014-15</th><th>2015-16</th></tr></thead><tbody><tr><td>—◆— New Clients</td><td>59%</td><td>55%</td><td>54%</td><td>57%</td></tr><tr><td>....◆.... Target</td><td>50%</td><td>50%</td><td>50%</td><td>50%</td></tr></tbody></table>			2012-13	2013-14	2014-15	2015-16	—◆— New Clients	59%	55%	54%	57%	◆.... Target	50%	50%	50%	50%	Agency Contribution Client feedback consistently calls on the OEA to ensure that more employers are aware of our services. The OEA also strives to ensure that employers become more self-reliant through casework. This measure helps to determine whether the agency is expanding its reach to those eligible employers who are paying for OEA services in their WSIB premiums, but who have not previously accessed our services.	
	2012-13	2013-14	2014-15	2015-16														
—◆— New Clients	59%	55%	54%	57%														
....◆.... Target	50%	50%	50%	50%														
What does the graph show? We continue to try and inform as many employers as possible of our no-charge, confidential, services. While we have exceeded our target level, by 7%, much work remains to be done to ensure that more Ontario employers are aware of, and avail themselves of, the OEA and its services.		2015-16 Commitments The commitment for 2015-16 was 50% new clients served in year. This target was met. Long-term Target The long-term target is 50%.																
Proposed for Publication	Internal Use Only	☒ Existing Measure	☐ New Measure															

Appendix A: OEA Performance Measures 2015-2016

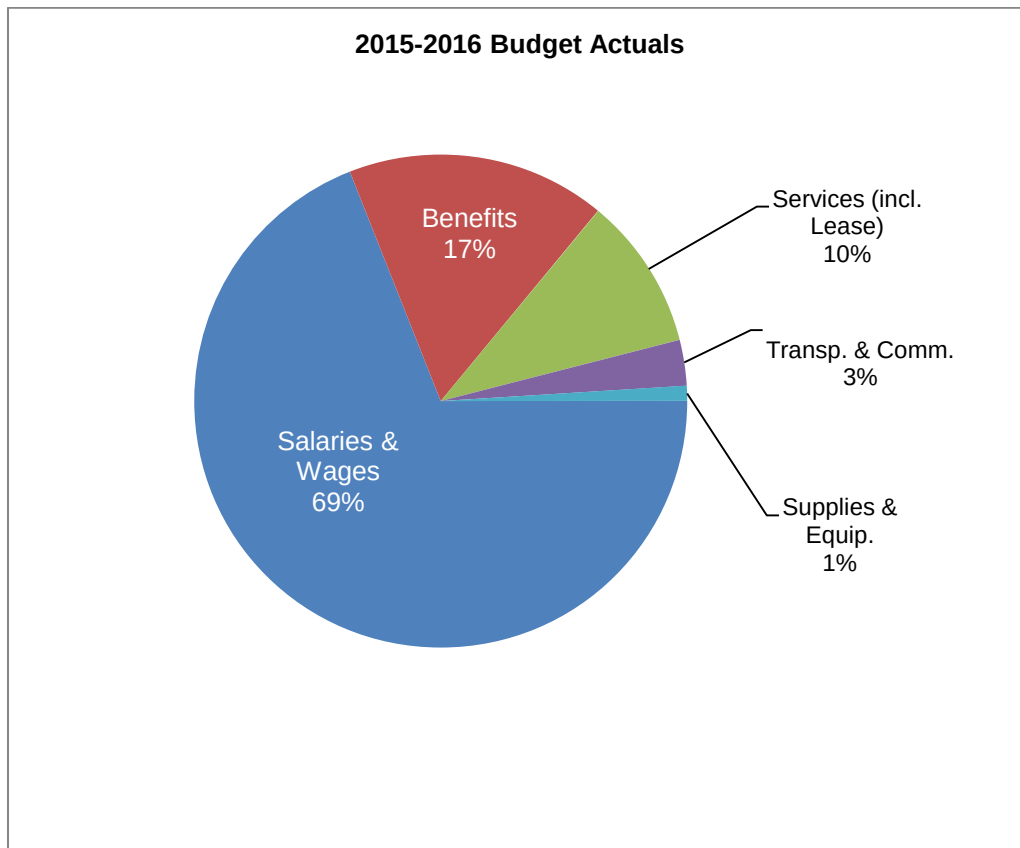
Key Activities: Advice and Representation Services		A3																
Performance measure for 2015-2016: A customer satisfaction rate of 90% or higher																		
Percentage of Satisfied Clients <table><thead><tr><th></th><th>2012-13</th><th>2013-14</th><th>2014-15</th><th>2015-16</th></tr></thead><tbody><tr><td>—◆— Satisfied Clients</td><td>99%</td><td>98%</td><td>100%</td><td>99%</td></tr><tr><td>....◆.... Target</td><td>90%</td><td>90%</td><td>90%</td><td>90%</td></tr></tbody></table>			2012-13	2013-14	2014-15	2015-16	—◆— Satisfied Clients	99%	98%	100%	99%	◆.... Target	90%	90%	90%	90%	Agency Contribution The primary complaint heard by agency staff is that employers were not aware of its services sooner. Most employers using the agency's services are very satisfied with the services they receive. In addition to OPS customer service standards, the OEA has a number of internal standards, policies and performance measures, including those for telephone services and for file review, client follow up, etc., to maximize the service experience of OEA clients. The OEA's case management system was designed to provide tools to OEA staff that help them monitor and meet these expectations.	
	2012-13	2013-14	2014-15	2015-16														
—◆— Satisfied Clients	99%	98%	100%	99%														
....◆.... Target	90%	90%	90%	90%														
What does the graph show? OEA clients are very satisfied with the service they receive. Note that this graph shows the combined rate for both OEA WSI business streams – Advice Centre and Employer Representation.		2015-16 Commitments The commitment for 2015-16 was a 90% client satisfaction rate. This target was exceeded. Long-term Target The long-term target is 90%.																
Proposed for Publication	Internal Use Only	☒ Existing Measure	☐ New Measure															

Appendix B: OEA Financial Report 2015 –2016

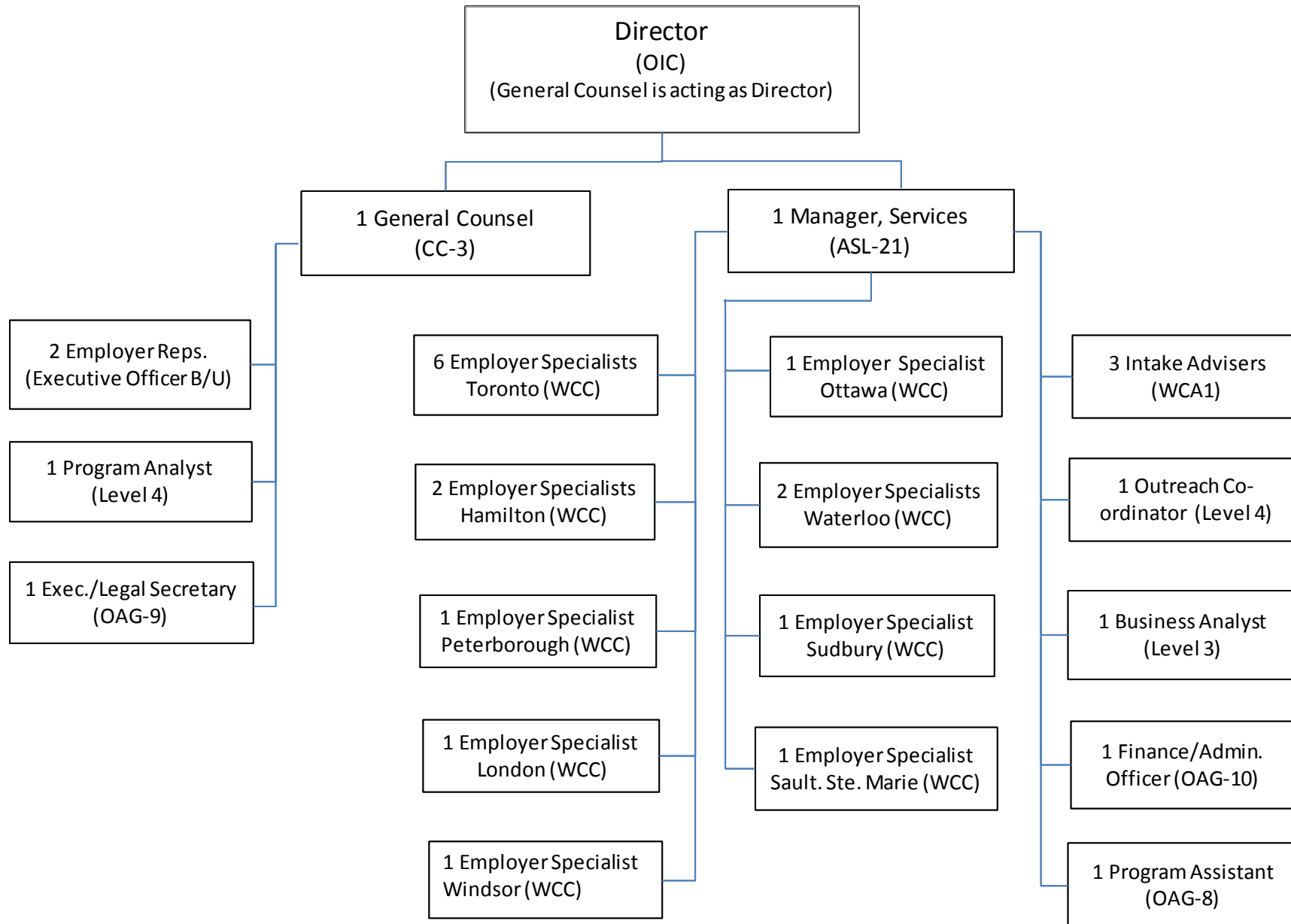
All Figures in \$000.0 thousand (except “% of Variance” column)

Account	Year-end Budget including Lease	Year-end Actuals	Variance	% Variance
Salaries & Wages	2,582.7	2,530.7	52.0	2.0%
Benefits	594.1	619.2	(25.1)	-4.2%
ODOE:				
Transportation & Communication	154.3	115.0	39.3	25.5%
Services	354.6	384.1	(29.5)	-8.3%
Supplies & Equipment	39.8	22.8	17.0	42.7%
Total ODOE	548.7	521.9	26.8	4.9%
Total	3,725.5	3,671.8	53.7	1.4%

Figure 8



Appendix C: OEA Organization Chart



An OIC appointment has not been made to the OEA and the General Counsel is currently acting as the Director.

Office of the Employer Adviser

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