Submission to Bill 27

Working for Workers Act 2021

By

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Section 6 of Bill 27 - Working for Workers Act 2021 needs to be removed before passage of the Bill is enacted. The unilateral decision to distribute any so-called surplus funds being held by the WSIB is a violation of the agreement reached by workers and employers under the Workman’s Compensation Act 1914.

In 1910, a judge by the name Sir William Meredith was appointed by a Conservative government to investigate workers compensation. Over the ensuing four years he was able to eventually bring the two opposing sides together and had them agree to a compromise. The compromise between workers and employers resulted in the creation of the Workman’s Compensation Act of 1914 (WCA 1914) which came into effect on January 1, 1915. Sir William Meredith was the government’s representative in establishing the Act

The WCA 1914 was made possible because of a compromise, often referred to as the “great compromise”, between the workers and the employers. This compromise meant that workers gave up their rights to sue their employer, in a civil court, for injuries or illnesses that occurred as a result of their employment at the workplace and in exchange employers agreed to provide compensation to workers injured or made ill in their workplace and to widows or widowers of workers killed in the workplace.

As stated earlier, the WCA 1914 was an agreement between two parties, the workers and employers, and I believe that any changes to that agreement should have to be negotiated between the two original parties to the agreement.

In order to manage the day to day functioning of the agreement and to ensure that both sides abided by the agreement, the government of the day created the Workman's Compensation Board (WCB). The WCB was created to ensure that funds/premiums paid by employers were administered properly and that these funds were paid out properly and fairly to killed, injured or ill workers

Today the Workman's Compensation Act 1914 is called the Workplace Safety and Insurance Act (WSIA) but its intent to provide compensation to workers killed, injured or made ill in the workplace was never to have been changed.

Over the ensuing years since 1915, governments, abetted by the WCB, abrogated their responsibilities to killed, injured and ill workers by manipulating regulations to reduce or deny proper and fair compensation to these workers, thereby violating the original agreement.

The latest violation of the agreement is Section 6 of Bill 27 which outlines a proposal for the Workman's Compensation Board, now called the Workplace Safety and Insurance Board, to give surplus funds/premiums to employers. There was no consultation with employers and workers to determine how these surplus funds should be distributed. This I believe is a clear violation of the agreement that was reached in 1914 and written into law in the Workman's Compensation Act 1914.

The most disgusting part of this violation in Section 6 of Bill 27 is that the surplus that is to be given to the employers has been accumulated by denying workers proper compensation. The WSIB has created a system of denying workers compensation by deeming them able to be work when in fact they either can't work because their injury or illness is too severe or there is in fact no job available for them to be deemed to be working.

As I stated earlier this is only one of the many violations of the intent of the original Workman's Compensation Act 1914 that this government and previous governments have committed over the years and it is time that these violations cease.

I suggest that this government do the right thing and withdraw Section 6 of Bill 27 and that the government immediately hold discussions with worker and employer representatives to determine the proper dispersal of the surplus funds.