

From: [REDACTED]
To: <info@wcbactreview.com>
Date: 21/11/2016 10:02 AM
Subject: RE: THE WORKERS COMPENSATION ACT REVIEW

To; Michael Werier, Chris Lorence, Anna Rothney, Ken Sutherland

I am forwarding this information to you based on the advertisement you had placed in the Saturday Winnipeg Free Press on Nov 19, 2016. You have asked Manitobans to help steer the direction of The Worker's Compensation system into the future. I have a lot to say on this matter.

Currently, Legislation under the Province of Manitoba has produced two Bills I believe Bill 25 and Bill 65 under the Province of Manitoba. These Bills, in essence, provide some degree of protection for an injured worker and the rights and responsibilities of the Employer to accommodate an injured worker back to work without a loss of wages. What are the penalties assessed to the Employer if they do not accommodate an injured worker such as in my case.

I had a very good Manager at W.C.B. his name was [REDACTED]. He was very good at explaining the process to me and was very supportive. When I had to inform him that 4 months prior to my knee replacement surgery I had been terminated he was stumped and said normally you should have been accommodated back to work and thereby on a declining scale my income from WCB declined as I would have been incorporated back to my job. I had 2 Arbitrations scheduled and canceled and at no time did anyone even mention Accommodation. It was obvious that to the employer I was a liability and claim suppression and when I thought we were going to fight at Arbitration the rug was pulled out from under me and the Union [REDACTED] pulled my grievance telling me to take a settlement or get nothing. What I thought logically would happen did not. The employer, [REDACTED] hospital did this to me in my 22 year thereby placing my pension at risk.

I was injured at work in 2005 and in 2012 I required a total knee replacement. I was a front-line worker at a community hospital, [REDACTED] hospital. I had been outfitted with a medial unloader brace to reduce the pain I was experiencing. I worked in the OR for the [REDACTED] and now I was in need of knee replacement. The Employer, [REDACTED] Hospital 4 months prior to my scheduled surgery date terminated me on trumped up charges for not being remorseful. I was shy of my Magic 80 date of only 3 years and therefore this put my pension in peril. I was in my 22nd year as a senior employee and the employer, particularly Mr. [REDACTED] [REDACTED] came after me twice once in 2010 with an Ultimatum letter stating I would have no recourse to Disability and Rehab and therefore I was terminated in 2010 and 2012 by the same individual, Mr. [REDACTED] then

Human Resources Director of [REDACTED] Hospital. I have been fighting for 4 years since my termination of 2012 and this would include a difficult convalescence of my total knee replacement of June 19, 2012. Because I was not accommodated back to work thereby creating a gap in my wages and pension of 14 months. This is the background information.

How does this relate to The Worker's Compensation Act? My employer only came after me when I was injured. A temporary disability such as mine should not impact economic or wage loss.

If the employer is assessed a premium based on injuries of workplace accidents and they want to lower those costs or premiums they would come after the injured worker who is vulnerable to reduce or eliminate those costs. There is no reason why anybody should be standing with a plack card on the street asking for money because they have not been looked after by their respective employer or WCB claim if injured at work. This would include firefighters, ambulance, front-line workers, heavy construction industry or any job whereby an injury occurs. Let's face it nobody wants to get injured and face surgery. We must protect those who are vulnerable and injured and ensure their safe return to work and accommodate them back into the workforce without any economic loss. There should be no individuals on the street begging for hand-outs when they are injured if the system is working correctly. If a facility such as the one I was employed with [REDACTED] Hospital which I was told had the highest premiums assessed of \$600,000.00 and this is reflective in their total budget as expenditures then in order to lower these premiums they would come after the worker who is injured and terminate them such as in my case. Therefore the middle man must be eliminated. As your ad states now report your injury directly to the WCB, then get help and report it to the WCB. In my case, I heard numerous stories from other employees who were injured they were encouraged not to fill out a Critical Incident report because then the facility would be liable and subject to a premium for an injured worker.

Any injured worker in this Province deserves the respect and support of WCB and the Province and not add stress by deleting their job. I am a victim of Claim Suppression. When I was injured twice during my 22 year-career this employer came after me. I had slipped and fell outside on exiting my shift and had a concussion, and then I injured my knee transporting a patient on broken equipment that should have been fixed by the employer in a timely fashion as well as trying to prevent a dementia patient from that broken stretcher from falling from it as she was agitated and confused and was flaying about. I was working alone and that is how I was injured, this transport required at minimum 2 people. Whenever I initiated a WCB claim which was twice in my 22-year career [REDACTED] starting harassing and intimidating me. Each time the employer came after me.

I am currently unemployed at age 55. I would like this Committee and its Board to review and revamp The Worker's Compensation Act to ensure what has happened to me will never happen to anyone again. If a Claim suppression is suspected, then a severe fine must be imposed to prevent any Employer in this Province from coming after an injured worker who is already vulnerable. Without such a penalty, Employer's will continue to do this. It is a win-win situation for the Employee and Employer to ensure that the employee returns back to work, economically, financially and to the well-being of the injured worker.

I strongly urge the Committee embark on tightening the Legislation in this regard. If Employers continue to do Claim Suppression, really the statistics that are produced by the WCB would truly be invalid and incorrect.

I can be reached at [REDACTED] or [REDACTED] or cell [REDACTED] if you have any further questions.

Thank you for allowing me to input my suggestions.

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