

2. *Alignment of the Act with workplace illness and injury prevention initiatives outlined in Manitoba's Five-Year-Plan for Workplace Injury and Illness Prevention.*

Question for discussion: How can the Act be amended further to fulfill the Plan and further reinforce its prevention mandate?

Our response: Amend the Act by putting more responsibility on the workers to adhere to the training and PPE provided by the employer. Workers must be held more accountable to follow company policies and procedures in regard to safety and health initiatives.

3. *Provisions in the Act respecting the approach to addressing mental health in the workplace.*

Question for discussion: What do you see as the main challenges of compensating for injuries to mental health in the workplace, and how do you think they should be addressed?

Our response: Mental health issues must be treated as an illness. One of the challenges is to properly diagnose the cause of the mental health issues and determine whether the mental health issues are work related or non-work/lifestyle related. While work related mental health issues should be addressed as other workplace illnesses, mental health issues which are NOT related to the work environment should be handled externally by the worker.

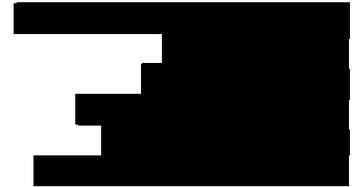
7. *Consideration of the creation of an Employer Advocate Office.*

Question for discussion: Should the Act provide for an employer advisor office?

Our response: Definitely YES! Individual cases often need individual attention. To our knowledge there is no mechanism in place to permit a case-by-case investigation to a claim where the employer is prepared to provide the necessary compensation for the worker even though the worker violated the company's policies and safe work procedures. In such cases the employer should not to be penalized for Lost Time Days.

In many cases for a construction company, this can greatly affect their ability to bid for and potentially acquire work. A means by which a review can be undertaken when the actions of a single worker who is not following company policies and safe work procedures, which can seriously impact the whole workforce, needs to be developed.

Possible case scenario: We do a full day orientation complete with WHMIS 2015 training. We provide them with PPE. A new worker (two weeks into the job) is cutting with a dull banana



knife, cutting towards himself and not wearing the new gloves we provided to him. He ended up his hand requiring surgery and being off for physio and accumulating weeks off of work.

Possible scenario: The company is COR Certified, MSI programs in place, 10 years of their own safety conference, ISNetworld, Complyworks, CN and CP ERail Safe complainant. There is a huge financial and time commitment in order to comply with these various programs. To incur possible lost time injury days in the hundreds decreases the ability to be awarded the work thus impacting the company as a whole.