

ALLIANCE CANADIENNE DES VICTIMES D'ACCIDENTS ET DE MALADIES DU TRAVAIL

CANADIAN INJURED WORKERS ALLIANCE

Focus on Canada Pension Plan

We are pleased to bring you our Spring 2000 Newsletter. There has been a lot happening across the country (and around the world) and we hope to give you the Highlights.

The special focus of this issue is on Canada Pension Plan - Disability (CPP-D) benefits and how they fit with WCB benefits. A number of the provincial and local injured workers organizations have CPP-D as a priority issue and are working with their partner organizations to address this issue.

As well, we have facts on disability, tips on running a good meeting and letters to the editor. Last but not least is a wonderful poem by an injured worker describing his feelings at one of our past conferences. We hope the information in this newsletter proves useful to you.

Please read on.

Our next issue of Highlights will feature Repetitive Strain Injury (RSI) with a focus on women's working conditions.

We love to hear from you. Please send us your experiences with RSI for the next newsletter.

Visit our Web-site at <http://www.ciwa.ca>

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HIGHLIGHTS

**Spring
2000
Printemps**

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THANKS for Your SUPPORT`

Editor's Note

This newsletter is for sharing and exchanging information. The views and opinions expressed here are those of the individuals or groups making submissions. We take no responsibility for their accuracy or opinions.

PROVINCIAL REPS TO THE STEERING COMMITTEE

BC ... **Craig McLachlan**, North Vancouver
COMPONET
AB ... **James Burke**, Calgary
Alberta Network of Injured Workers
SK ... **Robert Lindsay**, Regina
Western Injured Workers Society.
ON... **Joan Crevar**, Hamilton
Ontario Network of Injured Workers Groups
QC... **Liane Flibotte**, Montreal
l'ATTAQ

NF... **Patricia Dodd**, Mount Pearl
NLIWA
Phil Brake, Labrador City
USWA
NB... **Wendy McGee**, Saint John
St. John Labour Community Services Inc.
NS... **Dave MacKenzie**, Pictou County

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Andy King, Occupational Health Clinic for
Ontario Workers
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News & Happenings

*Thanks to the Social Development
Partnership Program of HRDC for the
funding necessary to produce this
newsletter.*

We sure appreciate your help !!!

Upcoming Events

APRIL 28, 2000.

NATIONAL DAY OF MOURNING

Check with your local Injured Worker Group
and join in the events.

May 19 - 21, 2000

International Injured Workers Conference,
Niagara Falls, NY

Contact: IwonyMary@aol.com

November 17 - 19, 2000.

"Disability & Human Rights" Conference

hosted by the CLC
The Queen Elizabeth Hotel,
Montreal, Quebec

WORKERS WIN ONE

**Florida Supreme Court puts dent in workers'
comp shield employers have had since 1987.**

*Excerpt from the Miami Daily Business Review -
March 17, 2000*

Almost 15 years ago, the late Florida Supreme Court Justice James C. Adkins warned the states workers' compensation laws were being applied so unfairly that employers enjoyed "a license to maim and kill."

This month, a new Supreme Court moved to revoke that license by allowing the widow of a Gainesville area chemical worker to take his tort lawsuit to a jury. The March 2 opinion reversed a 1st District Court of Appeal decision and receded from decades of previous ruling by Florida judges.

"It is a very important decision," Miami lawyer Ramon Malca said. "It opens up the opportunity for plaintiffs to go forward in similar cases in greater numbers."

Editor's note: We are seeing more and more injured workers and family members pursuing a remedy in the courts. It may be time our legislators take note and restore some Justice to Injured Workers.

NEWS FROM AUSTRALIA

Workers' Compensation VIC: The Labour Government has proposed a new crime of Industrial Manslaughter, with fines for corporations of up to \$5 million as well as jail terms for Directors and Senior Executives of up to 5 years. Courts will also be able to order Corporations undertake community service projects as part of the sentencing disposition.

**INDUSTRY MINISTER INVITES URBAN
COMMUNITIES TO SUBMIT PROPOSALS FOR
PUBLIC INTERNET ACCESS SITE FUNDING**

John Manley, Minister of Industry, invites urban and rural communities across Canada interested in establishing public Internet access sites to submit proposals to the Community Access Program (CAP) on or before Wednesday, May 31, 2000.

Canadian organizations - such as educational institutions, public libraries, community organizations, and municipal and territorial governments - are encouraged to submit proposals. CAP offers matching funds of up to \$17,000 per site to successful applicants. The community funds can include cash as estimates of the value of "in kind" contributions such as facilities, equipment and staffing of their public access sites.

For more information, please contact:

Community Access Program
Industry Canada
1-800-268-6608
E-mail: comaccess@ic.gc.ca
Web Site: <http://cap.ic.gc.ca>

**LE MINISTRE DE L'INDUSTRIE INVITE LES
COLLECTIVITÉS URBAINES À PRÉSENTER DE
DEMANDES DE FINANCEMENT DE CENTRES
PUBLICS D'ACCÈS À INTERNET**

M. John Manley, ministre de l'Industrie du Canada, a invité aujourd'hui les collectivités urbaines et rurales du Canada souhaitant établir des centres public d'accès à Internet à présenter des demandes en ce sens au Programme d'accès communautaire (PAC) d'ici le mercredi 31, Mai 2000.

Les organismes canadiens, tels que les établissements d'enseignement, les organismes communautaires, les bibliothèques publiques, les administrations municipales et territoriales, sont encouragés à présenter de propositions. Le PAC versera des fonds de contrepartie maximums de 17 000 \$ par centre aux groupes dont les demandes seront retenues. La part de la collectivité peut comprendre de l'argent comptant ou des contributions no financières telles que des installations, du matériel et du personnel.

Renseignements:

Programme d'accès communautaire
Industrie Canada
1 800 268 6608
Courriel: comacc@ic.gc.ca
Site Web: <http://pac.ic.gc.ca>

CORRECTION

In our last issue, an error was discovered in the
PROVINCIAL WORKERS' COMPENSATION
BENEFITS - PRESENT COMPARISONS (Chart) /
PRESTATIONS D'INDEMNISATION DES
TRAVAILLEUSE ET DES TRAVAILLEURS
PROVINCIAUX - COMPARAISONS ACTUELLES

**THE BASE RATE / TAUX DE BASE FOR
QUEBEC SHOULD READ 90%**
AND NOT 95%.

PLEASE ACCEPT OUR APOLOGIES FOR THIS ERROR.

The "How To" Guide for setting
up **Peer Support Groups** is now
here!

"People Helping People"
Order yours today.

Call Toll Free: 1-877-787-7010

CIWA/ACVAMT Projects

INJURED WORKERS COMING TOGETHER IN NEW BRUNSWICK

The New Brunswick Federation of Labour gave injured workers in the province of New Brunswick a much-needed boost in March. On March 19, injured workers and family members from the Fredericton area, met to discuss the problems they are having with workers' compensation. After the meeting, they formed a Steering Committee to plan their future. There is a distinct possibility that they will start a new injured workers' group because of this meeting.

For the following two days, March 20 and 21, the Federation of Labour held a seminar on injured worker's issues. Union leaders from around the province gathered to hear presentations on the "*Plight of the Injured Worker*", "*Deeming*" and "*Where do we go from here?*" The seminar is a direct result of the Resolutions passed at the CLC convention held in Toronto last year. It is safe to say that organized labour in the province has a better picture of what it is like to be on compensation. It is not as easy as some workers think!

Wednesday, March 22, the Union Centre in Moncton graciously allowed us to use a meeting room. We had a meeting that evening similar to the one we had in Fredericton. This time, twenty-three people were present. Again, they formed a Steering Committee with plans to have a follow-up meeting.

The CBC Radio, the local radio stations and newspapers were all interested in our story. We did receive good press coverage.

Injured workers are on the move in New Brunswick!
We are Coming Together!

Editor's note: Our visit to N.B. was part of our current project, "Coming Together". One project goal is to help start more provincial injured workers organizations.

LES VICTIMES DU TRAVAIL S'UNISSENT AU NOUVEAU- BRUNSWICK

La Fédération du travail du Nouveau-Brunswick a donné en mars un bon coup de pouce aux victimes d'accidents et de maladies du travail de la province. Le 19 mars, des victimes du travail et des membres de leurs familles de la région de Fredericton se sont rencontrés pour discuter de leurs problèmes touchant l'indemnisation des travailleurs et travailleuses. À la suite de cette rencontre, ces personnes ont mis sur pied un comité d'organisation pour planifier leur avenir. Il est possible que ces gens fondent un nouveau groupe de victimes d'accidents et de maladies du travail à la suite de cette rencontre.

Au cours des deux jours suivants, soit les 20 et 21 mars, la Fédération du travail a tenu un colloque sur les problèmes touchant les victimes du travail. Des dirigeantes et dirigeants syndicaux de toute la province se sont réunis pour entendre des présentations sur le sort des victimes d'accidents et de maladies du travail, sur leur système d'évaluation et sur leur avenir. Ce colloque découle directement des résolutions adoptées au congrès du CTC tenu à Toronto l'année dernière. On peut dire que le mouvement syndical de cette province a une meilleure idée de ce que c'est que d'être prestataire de la CAT. Ce n'est pas aussi facile que certains travailleurs et travailleuses croient.

Le mercredi 22 mars, le Union Centre à Moncton nous a autorisés à utiliser gracieusement une salle de réunions. Nous avons organisé ce soir-là une rencontre semblable à celle que nous avons tenue à Fredericton. À cette occasion, 23 personnes y ont participé. Là encore, elles ont mis sur pied un comité d'organisation pour donner suite à cette rencontre.

Radio-Canada, les stations de radio locales et les journaux se sont tous montrés intéressés par notre situation. Nous avons reçu une bonne couverture médiatique.

Les victimes d'accidents et de maladies du travail passent à l'action au Nouveau-Brunswick. **Nous nous unissons!**

REPORT FROM THE CLC WINTER SCHOOL

On behalf of Ken Kawchuk and myself we thank CIWA for the sponsorship to attend the Canadian Labour Congress (CLC) Winter School Training Classes. The weeklong course was held in Port Elgin, Ontario, from February 13 to 18, 2000. We both were enrolled in the Leadership Training Course. It is not often enough that Injured Workers get sponsorship for anything. We must take advantage of these opportunities.

It was great to see my brother Ken once again. We met a couple of years ago at a CIWA Speaker's Bureau Workshop in Orillia. We didn't room together this time but we spent a lot of time together outside the classroom. If you are ever in Port Elgin stop by and visit Ralphies - Live Bait Shop, it was a favorite of Ken's. Ken sure likes that live bait.

Anyway, the CLC instructors were great. I always enjoy listening to the instructor's insight on the issues and topics of the courses. The course content is always good but the instructors sure can add to the

classroom setting. There is something about Port Elgin that is conducive to learning. Sure they feed you well, but there is something else. Actually, there are a number of things that inspire you to seek knowledge and share conservation with everyone while you are there. ***I am much more confident in myself as I gain knowledge and I am better able to pass it on others.***

I was also very impressed with Ken. Ken is very active with the Thunder Bay Injured Workers Group, in particular with the peer-helping project. We talked a lot about the project and the progress being made in reaching out and assisting our injured brothers and sisters. Ken Kawchuk is an inspiration to all and an example that Injured Workers have a great deal to offer if given a chance. Great work my brother, and keep your head held high and who knows maybe a Ralphies will open up in Thunder Bay. Again thanks to CIWA.

Mike Lawson, Windsor Injured Workers

Editor's note: The CLC provided us with scholarships so four injured worker activists could attend a weeklong course at the CLC Winter Schools. Our thanks go out to the CLC and Hassan Yussuff, Exec. Vice-President, for their support.

FACTS ABOUT DISABILITY IN CANADA

- ❑ In 1997, direct payroll costs for disability in Canada - including workers' compensation and short and long-term disability - were \$11 billion.
- ❑ In B.C. alone, direct and indirect costs of workers with disabilities being displaced from the workplace total \$3.6 billion a year.
- ❑ This translates to about nine cents of every dollar earned, representing an annual cost of about \$2,500 per working person in B.C.
- ❑ If left unchecked, it's estimated that direct and indirect costs of disability in Canada could rise to \$30.5 billion by the year 2006.
- ❑ Studies reveal that employers pay 35 percent of the total direct and indirect costs of disability, while workers and their families shoulder 27 percent of the total.
- ❑ The financial loss to workers is profound. For example, for a worker who is disabled at age 35, previously earning \$50,000 per year and forced to go on social assistance, the loss-of-earnings to retirement age is estimated at \$799,000.
- ❑ Last year, persons with disabilities represented a 2.3 percent participation rate in Canada's labour force, a further decline from an already low 2.7 percent the year before.
- ❑ In a 1999 study of one of the nation's primary industries, the direct cost of disability to employers in the pulp and paper industry was more than \$2,000 per employee.
- ❑ That figure translates directly to the bottom line adding between \$4.50 to \$7.25 per tonne in disability-related costs to pulp and paper products.
- ❑ Studies show that without intervention, there is only a 50 percent chance of a person with a disability returning to the job after a six-month absence, declining to 20 percent after a year and to just 10 percent after a two-year absence.
- ❑ At any given time, depending on the occupation involved, 8 - 12 percent of the work force in Canada is off the job due to injury and is receiving either worker's compensation, long-term disability or weekly indemnity. Billions of dollars are lost

each year in benefit payments and lost

productivity.

INTEGRATION OF CANADA PENSION PLAN AND WORKERS COMPENSATION BENEFITS

There has been both confusion and controversy about the overlap of the two main disability programs for injured and disabled workers in much of Canada. Both the Workers Compensation Boards (WCB) and the Canada Pension Plan (CPP) provide benefits to workers who become disabled. There are similarities in both programs but there are many differences as well. Many workers have struggled to understand how these two systems work in conjunction with each other.

As the pro business/global trade agenda has swept North America, both systems have come under attack as “expensive social programs.” This has resulted in pressure to reduce costs to business and the shifting of these costs on to others. There has been a significant shift of costs from the WCB to CPP and to the disabled worker and their family.

In the big picture, WCB premiums have been going down while CPP premiums are going up and fewer injured workers are receiving long term benefits from WCB.

Workers Compensation is a provincial program and each

province has responded to these pressures in different ways. The Alberta WCB has declared that they are the first payor and do not deduct CPP from a worker’s WCB benefits. B.C. and the Yukon likewise don’t deduct CPP (with some exceptions.) As we move across the country, we see that some provinces like Saskatchewan and Nova Scotia subtract 50% of CPP benefits while Newfoundland deducts 75% of net CPP benefits.

It becomes even more complex as we look at the CPP child benefit.

In the big picture, WCB premiums have been going down while CPP premiums are going up and fewer injured workers are receiving long term benefits from WCB.

Some provinces see that this has nothing to do with WCB and allow the family to keep these benefits. Others like Ontario and Manitoba want to extract every dollar possible from any source and deduct dollar for dollar from the WCB benefits paid.

In Ontario it has reached the level of ridiculous. Permanently injured workers who are unemployed are subject to “deeming.” This is the

process where the worker is deemed to be able to do a certain job and that deemed wage is subtracted from the disabled workers pension. She/he also qualifies for CPP-Disability benefits and is determined to be unable to work. The WCB then reduces the workers pension further by the amount received from CPP. She/he is deemed to both be able to work – benefits reduced – and deemed to be unable to work – benefits reduced a second time. Is this the opposite of double dipping?

As governments continue to shift the costs of workplace injury and disease from employers and the Workers Compensation systems to other social programs and to the individual disabled workers, we wonder about the founding principles of Workers Compensation. It seems the “Historic Compromise” is being broken. This is leading more workers to pursue legal action in the courts. Is this the type of system Canadians want? We think not. What ever happened to Justice Speedily Delivered?

The charts on the following pages deal with CPP-D and how they are integrated with WCB benefits. The information in the charts was gathered as part of an interactive workshop that CIWA/ACVAMT hosted in St. John's, Newfoundland on March 6, 2000.

PROVINCIAL CPP - PRESENT COMPARISONS

NF	NS	PEI	NB	QC	ON	SK	AB	BC
1. Is WCB offset by CPP (RRQ in Québec)								
Yes, by 75% of net	Yes, by 50%	Yes	Yes {WCA Sec.38.10(1)}, ¹	No, it's the RRQ that won't give benefits if full comp by WCB	Yes	Yes, by 50 %	No	No
2. Exceptions								
Yes, children's portion not clawed back; prior to 1984, no clawbacks	No	None that we know of	Yes: a). CPP child benefit; b). CPP benefits received for a personal medical condition NOT related to the work injury.	Yes, when reduced comp is received from (WCB)—CSST—IW can receive RRQ	Yes, before 1990. Not dollar for dollar.	Yes, child benefits are not deducted	N/A	Yes, part reduction for widows
3. WCB's source of authority (re: CPP/RRQ)								
Prov. Gov. legislation. WCB and employers lobbied to reduce employer's premiums.	IW's give the right to the WCB	A policy was enacted called collateral benefits; ²	Legislation and policy {WCA 38.10(1) and Policy #21-230}	N/A	The Act and Board Policy	Legislation	Themselves (WCB)	Workers' Comp legislation
4. Does WCB compensate for decrease in CPP (RRQ)?								
Only if the injured worker can prove loss of pension at 65 years old	Yes	Not sure	Yes {WCA 38.21- Guaranteed Supplement)} ³	No	No	Yes, 10% of WCB benefits placed into annuity for age 65	No	No
5. Does WCB insist that injured workers apply for CPP (RRQ) benefits?								
No, but they continue to send letters to recommend it	No	Yes	⁴	No	Yes	Yes	Yes	N/A
6. If lump sum from CPP (RRQ) is received, must IW pay back WCB?								
⁵	Yes	Yes	Yes. However, IW only pays back proportion related to workplace injury. ⁶	No, but the opposite will be done directly by the WCB	No	Yes	Yes	N/A
7. Ceiling on WCB benefits? If so, what?								
Yes, \$39,300	Yes	Yes,	Yes, in 1999 it was	Yes, 50,500\$	Yes,	Yes--	Yes,	Yes,

¹ NB WHSCC will reduce benefits by same proportion that IW receives from CPP **with respect to the workplace injury.**

² PEI Also an exchange of information policy was put into place giving both WCB and CPP and other government agencies the right to exchange this information. Whether this is legal depends on this policy being taken to court.

³ NB IW's receiving loss of earnings benefits who suffer a reduction in their CPP retirement benefits at age 65, because of time spent on compensation, are covered by a 5% Guaranteed supplement. An actual loss of CPP retirement benefits, because of time spent on compensation, must be demonstrated (Policy 21-240).

⁴ NB No, but WHSCC insists you keep them informed of any changes in your income, including CPP benefits.

⁵ NF Yes, in full, or over 3 years – if IW can prove hardship, WCB will consider a longer repayment

⁶ NB If an overpayment situation is established, WHSCC will correct the situation by either withholding or reducing benefits.

NF	NS	PEI	NB	QC	ON	SK	AB	BC
		\$36,200	\$44,600; in 2000 it is \$45,100	in 1999	\$59,200	\$48,000	\$48,500	\$57,000
8. Who pays tax on retro CPP (RRQ) benefits paid to WCB?								
Injured Worker, but Revenue Canada will adjust the tax return to reflect the retro period	Pro-rated back 2 years	Yes. However, IW only pays back proportion related to workplace injury.	If retro CPP benefits are paid back in lump sum to the WHSCC, ⁷	N/A	Injured Worker	Injured Worker	Injured Worker	N/A
9. What excuses are given to support integration of CPP (RRQ) and WCB benefits?								
⁸		Legislation	⁹	¹⁰	¹¹	¹²	¹³	¹⁴
10. What do you think of integrating CPP (RRQ) and WCB?								
¹⁵		Not sure	¹⁶	¹⁷	¹⁸	¹⁹	²⁰	²¹

⁷ NB WHSCC will reimburse the IW an amount which, in the opinion of the Commission, is equivalent to the income tax paid by the worker on the retro CPP benefits paid to the Commission (Policy 21-235). If paid back in installments, the IW must take responsibility for the income tax.

⁸ NF Incentive to go back to work; employer funded as well so claw-back is justified.

⁹ NB Injured Worker should not earn/receive more than what they were when they were working

¹⁰ QC Arguments from RRQ: no double compensation, no stacking, over compensation

¹¹ ON Stacking, over-compensation is disincentive to return to work

¹² SK Stacking/earning an income

¹³ AB Can't take more money than you earned as a worker

¹⁴ BC Injured Workers should not receive more \$ from compensation than from wages

¹⁵ NF CPP paid by employee & employer. Should be provided to the IW to compensate for loss of holiday pay, pension, raises, not being able to return to work only to list a few.

¹⁶ NB Meredith's "Historic Compromise" stated employers pay seeing as they are protected from lawsuits. The burden was not to fall on the injured worker, their family or society overall. CPP and WCB should not be integrated!

¹⁷ QC Two different systems; different contribution structure

¹⁸ ON The fact they have already lost all their other benefits, pensions, and wages, etc. Plus, CPP is a separate plan. All costs of injuries should be paid by employers.

¹⁹ SK It's 2 different entities

²⁰ AB Should not be touched—separate entities. WCB: employer pays to insure employees. CPP: worker pays.

²¹ BC Separate plans—injured worker supported (CPP) vs. employer funded (WCB). CPP evens out the incidental losses not covered by WCB.

RRQ/CPP PROVINCIAUX - COMPARAISONS ACTUELLES

Terre-Neuve	N.-É.	Î.-P.-É.	Nouveau-Brunswick	Québec	Ontario	Saskatchewan	Alberta	C.-B.
1. WCB/CSST compensée par RPC (RRQ au Québec)								
Oui, 75 % du montant net	Oui, 50 %	Oui	²²	²³	Oui	Oui, 50 %	Non	Non
2. Exceptions								
²⁴	Non	Aucune à notre connaissance	Oui : a) prestation RPC pour enfants; ²⁵	²⁶	Non, avant 1990, lésions, non \$ pour \$	Oui, les prestations pour enfants ne sont pas déduites	S.O.	Oui, réduction partielle pour les veuves; %/année
3. Source d'autorité de WCB/CSST (a.s.d. RPC/RRQ)								
²⁷	Les victimes du travail donnent le droit à la WCB.	²⁸	Législation et politique {LAT 38.10(1) et politique n° 21-230}	Législation	Législation et politique de la Commission		Intervenant-e-s (WCB)	Loi sur l'indemnisation des travailleurs et travailleuses
4. La WCB/CSST compense-t-elle pour la réduction du RPC/RRQ?								
²⁹	Oui	Incertain	³⁰	Non	Non	³¹	Non	Non
5. La WCB/CSST insiste-t-elle pour qu'on demande les prestations du RPC/RRQ?								
³²	Non	Oui	³³	Non	Oui	Oui	Oui	S.O.
6. Si la victimes du travail touche un montant forfaitaire du RPC/RRQ, doit-elle rembourser la WCB/CSST?								
³⁴	Oui	Oui	³⁵	Non, mais le contraire sera fait directement par la	Non	Oui	Oui	S.O.

²² NB Oui {LAT, Art. 38.10(1)}, la CSSIAT réduira les prestations dans la même proportion que la victime du travail reçoit du RPC **en ce qui concerne la lésion professionnelle**

²³ QC Non. Le RRQ ne donne pas de prestation s'il y a pleine indemnisation par la CSST.

²⁴ TN Oui, la partie pour les enfants n'est pas récupérée; avant 1984, aucune récupération

²⁵ NB b) Prestations RPC reçues pour condition médicale personnelle SANS LIEN avec la lésion professionnelle.

²⁶ QC Oui, quand une indemnisation réduite est fournie par la CSST, la victime peut recevoir le RRQ.

²⁷ TN Législation provinciale; pression exercée sur la WCB et sur les employeurs pour réduire les cotisations des employeurs.

²⁸ I.P.É Une politique a été promulguée : prestations accessoires; on a également promulgué une politique d'échange d'information, accordant à la WCB, au RPC et à d'autres organismes gouvernementaux le droit d'échanger cette information. On saura si cette politique est légale si elle est contestée devant les tribunaux.

²⁹ TN Seulement si la victime du travail peut démontrer la perte de la pension à 65 ans

³⁰ TN Oui {LAT 38.21-Supplément garanti} Les victimes du travail qui touchent des prestations pour perte de revenu et qui subissent une réduction de leurs prestations du RPC à 65 ans à cause de l'indemnisation sont couvertes par un supplément garanti de 5 %; il faut démontrer la perte réelle de prestations du RPC **par suite de l'indemnisation** (politique n° 21-240).

³¹ SK Oui, 10 % des prestations WCB déposés dans une rente jusqu'à l'âge de 65 ans

³² TN Non, mais on continue d'envoyer des lettres pour recommander cela.

³³ NB Non, mais la CSSIAT insiste pour qu'on la renseigne sur **tout changement** dans votre revenu, y compris les prestations du RPC.

³⁴ TN Oui, au complet ou sur 3 ans; si la victime peut démontrer des difficultés, la WCB prendra en considération un remboursement prolongé.

³⁵ NB Oui, cependant la victime ne rembourse que la proportion reliée à la lésion professionnelle. Si on démontre qu'il y a eu versement en trop, la CSSIAT corrigera la situation en retenant ou en réduisant les prestations.

Alliance canadienne des victimes d'accidents et de maladies du travail Canadian Injured Workers Alliance								
Terre-Neuve	N.-É.	Î.-P.-É.	Nouveau-Brunswick	Québec	Ontario	Saskatchewan	Alberta	C.-B.
				CSST.				
7. Y a-t-il un plafond pour les prestations WCB/CSST; si oui, de combien?								
Oui, 39 300 \$	Oui	Oui, 36 200 \$	Oui ; en 1999 : 44 600 \$; en 2000 : 45 100 \$	Oui, 50 500 \$ en 1999	Oui, 59 200 \$	Oui, 48 000 \$	Oui, 48 500 \$	Oui, 57 000 \$
8. Qui paie l'impôt sur les prestations rétroactives du RPC/RRQ versées à la WCB/CSST?								
³⁶	Répartition sur les 2 années précédentes	La victime du travail doit les réclamer.	³⁷	S.O.	Victime du travail	Victime du travail	Victime du travail	S.O.
9. Quelles excuses donne-t-on pour justifier l'intégration des prestations du RPC/RRQ et de la WCB/CSST?								
Motivation à retourner au travail; l'employeur est également financé, de sorte que la récupération est justifiée.		Législation	La victime du travail ne doit pas toucher plus que ce qu'elle recevait quand elle travaillait.	Arguments du RRQ : aucune indemnisation double, aucun cumul des indemnités	Le cumul des indemnités est une démotivation pour retourner au travail.	Cumul et gagner un revenu.	On ne peut pas toucher plus d'argent que ce qu'on a gagné au travail.	Les victimes du travail ne doivent pas toucher plus d'argent de l'indemnisation que du salaire.
10. Que pensez-vous de l'intégration du RPC/RRQ et de la WCB/CSST?								
³⁸		Incertain	³⁹	Deux systèmes distincts; une structure de cotisation distincte	⁴⁰	Il s'agit de deux entités distinctes.	⁴¹	⁴²

³⁶ TN La victime du travail, mais Revenu Canada ajuste la déclaration d'impôt pour tenir compte de la période de rétroactivité.

³⁷ NB Si les prestations rétroactives du RPC sont **remboursées en montant forfaitaire** à la CSSIAT, la CSSIAT rembourse la victime du travail une somme qui, selon la Commission, correspond à l'impôt payé par la personne sur les prestations du RPC versées à la Commission (politique n° 21-235). Si le **remboursement se fait par versements**, la victime du travail assume la responsabilité de l'impôt.

³⁸ TN Le RPC est payé par les employés et par l'employeur. Il doit être versé à la victime du travail pour compenser la perte de congés payés, de la rente de retraite, des hausses de salaire et pour ne pas pouvoir retourner au travail, pour ne nommer que ces raisons.

³⁹ NB Dans « Historic Compromise » de Meredith, il est dit que les **employeurs paient** puisqu'ils sont protégés contre les poursuites judiciaires. Le fardeau ne doit pas reposer ni sur la victime du travail ni sur sa famille ni sur la société dans son ensemble. Le RPC et la CAT **ne doivent pas** être intégrés!

⁴⁰ ON Le fait que ces personnes ont déjà perdu toutes les autres prestations, rentes de retraite, salaires, etc. Le RPC est un régime distinct. Tous les frais reliés aux lésions doivent être payés par les employeurs.

⁴¹ AB Il ne faut pas toucher à cela.— Ce sont des entités distinctes. WCB : l'employeur paie pour assurer les employés. RPC : les employés paient.

⁴² C.B. Ce sont des régimes distincts : le RPC qui est financé par la victime du travail par rapport à la WCB qui est financée par les employeurs. Le RPC compense les pertes fortuites non couvertes par la WCB.

FEDERATION OF LABOUR HOSTS CONFERENCE IN NEWFOUNDLAND

LA FEDERATION OF LABOUR ORGANISE UN COLLOQUE A TERRE-NEUVE

The Newfoundland & Labrador Federation of Labour hosted a conference in St. John's, NF on March 10-12. The agenda was prepared around Occupational Health & Safety and Workers' Compensation as a training session within the labour movement.

The Newfoundland & Labrador Injured Workers Association (NLIWA) was incorporated in 1993 as a non-profit peer group to provide peer support and information to enable injured workers to help themselves.

At that time, the impression was that Labour was not a necessary link that injured workers needed. Varied opinions steered the group that injured workers had to face it alone. Our group quite quickly recognized our mandate had to expand & include major lobbying of government.

As of our last executive election in November, 1999, we decided it was time to refocus! At that time we approached Labour and we realized the goal was the same ... ensure the rights of injured workers.

The invitation to attend the conference on behalf of the NLIWA enabled us to see first hand the interest from the Labour in attendance. The welcome was overwhelming!

During the conference, we realized there were many opportunities to provide ongoing information through our shared concerns and experiences. We had many hands & hearts extended to continue contact with the individuals there for needed changes. There were many expressions of interest to attend our monthly meetings, where injured workers come together, to support our efforts.

This has been one of the most positive experiences of our groups' existence and the people we met and information shared brought new life to the importance of working with Labour.

We are committed to the injured workers of Newfoundland & Labrador and will continue to build this bridge with Labour and it is an experience we now look forward to.

La Newfoundland & Labrador Federation of Labour a organisé un colloque à St. John's du 10 au 12 mars. Le programme prévoyait une session de formation à l'intérieur du mouvement ouvrier sur la santé-sécurité au travail et sur l'indemnisation des travailleurs et travailleuses.

La Newfoundland & Labrador Injured Workers Association (NLIWA) a été incorporée en 1993 en tant que groupe affinitaire sans but lucratif afin de fournir de l'entraide et de l'information permettant aux victimes d'accidents et de maladies du travail de s'aider elles-mêmes.

À cette époque, on avait l'impression que le mouvement syndical ne constituait pas un lien nécessaire pour les victimes du travail. Plusieurs étaient d'avis que les victimes d'accidents et de maladies du travail devaient se débrouiller par elles-mêmes. Notre groupe a vite compris que notre mandat devait s'élargir pour inclure des pressions politiques majeures sur le gouvernement.

Depuis notre dernière élection du conseil d'administration, en novembre 1999, nous avons décidé qu'il fallait repenser notre action. Nous avons alors abordé les syndicats pour constater que le but était le même, soit protéger les droits des victimes d'accidents et de maladies du travail.

L'invitation de participer au colloque au nom de la NLIWA nous a permis de constater directement l'intérêt des syndicats. L'accueil fut extraordinaire!

Au cours de ce colloque, nous avons compris qu'il y avait beaucoup d'occasions de fournir de l'information continue par le biais de nos préoccupations et expériences partagées. Il y avait beaucoup de bras et de cœurs ouverts prêts à maintenir le contact avec les personnes qui étaient là pour opérer les changements qui s'imposent. On a manifesté beaucoup d'intérêt pour participer à nos rencontres mensuelles où des victimes du travail se réunissent pour appuyer nos efforts.

Cette expérience fut parmi les plus positives de toute l'existence de notre groupe; les gens que nous avons rencontrés et l'information qui a été partagée ont donné un nouveau sens à l'importance de collaborer avec les syndicats.

Nous nous sommes engagés envers les victimes d'accidents et de maladies du travail de Terre-Neuve et du Labrador, et nous continuerons de bâtir ce pont avec les syndicats. C'est une expérience à laquelle nous aspirons.

Letters to the Editor

(from our Web Site)

WCB cuts 1999 employer premiums rates 20 percent.

Winnipeg - For the "third" year in a row, Manitoba employers will pay less for their WCB coverage. CEO Pat Jacobsen said "For 1999, the premium cut will result in cost savings for Manitoba will be (\$28) million. (WCB of Manitoba news release.)

Dear Editor,

I'm responding to the above press release.

Don't need a PhD to figure out where all the savings come from? All these CEO's and people in senior positions at the WCB, the Review Board and Appeal Commission are mostly ex-company people, put in their positions to serve the best interests of the Corporations and Businesses who pay WCB premiums. The company that I worked for in Manitoba have been abusing and lying to the WCB of Manitoba for decades, they threatened and abused hundreds of Injured Workers not to report injuries that happened on the job or to claim WCB benefits.

My wife is a Filipino and I spent almost three years living in the Philippines, not lying on sunny beaches but travelling around and watching. Canadian Mining Companies (Placer Dome) destroyed enormous areas of land and rivers with deadly chemical spills. It was documented in the Canadian press, then forgotten and covered up. It's easy to bribe government officials in Third World countries. Many other Canadian and foreign companies operate in the Philippines, the clean, friendly image they like to project is all PR and pure rubbish.

Big companies in Canada, especially in the mining industry, commit enormous environmental and safety abuses of their workers. These companies are so powerful and influential and have so many pals and cronies in the Government and Media that their acts of destruction and abuse go on

year in year out without any real action being taken against them. Token fines are handed out to abusers to appease unions and media people, the WCB Act is abused and broken on a regular basis.

WCB boards across the country are stacked like the senate with Corporation and Company cronies and lap dogs. Workers in general are intimidated and threatened not to report work place injuries or claim WCB benefits. Most workers are afraid to lose their jobs and will do as they are told. In the Global Casino, workers are used and abused and dumped when the profits don't meet the expectations of the Corporate Elites.

The federal government, as corrupt and rotten as the one before them, line their own pockets and reduce and scrap all systems and programs that made Canada the greatest country in the world. We now have a four year dictatorship, scraps are thrown to the people in the form of tax cuts at election time and the game goes on once more. Sorry to ramble on! It's the nature of the beast!

Yours Truly

Raymond George Hughes

Editor's note: We received a series of correspondence from Raymond Hughes. His experience certainly gives one pause to reflect on the connections and struggles workers face at home and abroad.

HOW TO RUN A GOOD MEETING

Here are some tips on how to run a meeting:

- ❑ **Don't compete** with group members. Give their ideas precedence over yours.
- ❑ **Listen to** everyone. Paraphrase, but don't judge.
- ❑ **Don't put** anyone on the defensive. Assume that everyone's ideas have value.
- ❑ **Control the** dominant people without alienating them.
- ❑ **Realize that** your interest and alertness are contagious.
- ❑ **Keep all** participants informed about where they are and what's expected of them. Keep notes on flip charts or a board that everyone can see.
- ❑ **Check with** the person who owns the problem to find out if an idea is worth pursuing or if a proposed solution is satisfactory.
- ❑ **Give others** a turn at running the meeting. Those who learn to lead, learn how to participate.

USE YOUR BRAIN TO CUT STRESS

Relieve stress by understanding which brain hemisphere is stressed.

If you feel depressed or emotionally overwrought, your stress is in the right hemisphere - the creative, emotional, holistic side.

What to do: Switch to your matter-of-fact left hemisphere by doing math, writing factual prose

or organizing. The emotional right brain will calm down.

If you feel time-stressed and overburdened, the left hemisphere is involved. Switch to your right brain by singing or playing a sport.

Introducing the

**National Awards
of Excellence in
Disability
Management**

The National Institute of Disability Management and Research (NIDMAR) has established a new National Awards program recognizing outstanding achievements of organizations and individuals who have championed disability management. To receive a nomination form or for more information, visit www.nidmar.ca or call 250 724-4344/8745 or 613 260-2951. Deadline for nominations is May 31, 2000.



National Institute of Disability
Management and Research™



AWARD OF EXCELLENCE
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disability management
gestion de l'incapacité au travail

A POEM

WRITTEN BY FRANCISCO BRAVO, AN INJURED WORKER AT OUR CONFERENCE IN 1992

Different accents and injuries have met.
In the hard nest of reality,
In the struggle for recognition...
Some with a funny way of walking.
Others have been guided by the immaculate
white of a metal cane.
Because, in a work place their vision has died. -
In Silence

Few are moaning, because their pain is alive.
Many tears, women and men have let go
Because of a dictatorial system not there to care.
Yes, indifferent to **"human legitimacy"**.

And they were created to Help!!!

Huge hotel rooms, "Our convention"
Filled with love, understanding and care
Not forgetting compassion.

"Relations with Labour", "Politics and funding",
"Immigrants", "First Generation Canadians", "The
Voice of the Marginalized", "Rehabilitation"
But in the place, Human beings limping their way
to meetings ...

So many condemned for life, to the silence of a
cold wheelchair.
Missing some innocent game that a little one in
their lives wanted to play ...
Difference arms or hands that someone has to
welcome with,
because of some advanced machinery
A dirty trick has been played in their lives.

How about the brother or sister that can not even
breathe because of some toxin in the air,

Others looking healthier
because their injury is hidden deep.

With sadness and frustration I have seen,
How, some so called counselor,
behind their fancy oak desk,
with authority have said:
"Come on its all in your head"
and remember we are also workers ...

Many, many times

We were the ones to build up their offices,
Also their homes ...

World of Progress! World of love ...

Carpenters, Plumbers, Electricians, Mechanics,
Nurses, Life-guards, Labourers
Yes, the list is long ...

But Remember
"It is in your mind" ...
"You are born that way" ...

Painkillers, muscles relaxers, inhalers
Only God knows what else ...
Our true bread

With deep sadness I can say
Many, many injured workers have ended their
lives
Because the Law in this system
Has its door closed ...

They were brothers and sisters
As we all here are
Just workers as you and I ...

Injured workers of Canada
Its time to join hands,
Yes, join what's left of our strength.
Let's change our pain and frustration
Into a very strong voice,
Voice to yield loud,
**"The truth one more time has been raped!"
...It is time for changes!**

We are not the black sheep of society!
We are human beings that not long ago
Part of society we have built...

Let's Keep Together, that
With our love and understanding
With our hands as one
A New System we can create
**Yes, a better road
For the new worker to come ...**

CIWA/ACVAMT IS ABOUT

SUPPORT

We are a national network of injured worker's groups (IWG's) and we exist to strengthen and support the work of local and provincial IWG's across Canada.

INDEPENDENCE

We believe that injured workers should be in control of their own destinies & Injured Workers Groups must be democratically controlled by injured workers.

PARTNERSHIPS

We believe that we can best assist these objectives by providing training and educational resources in partnership with provincial or territorial organizations of injured workers and the trade union movement at all levels.

INFORMATION SHARING

We believe that by sharing our stories and our experience we can learn from each other and become better educated and exert more control over our lives.

OUR GOALS

- ✓ To work towards a just system of compensation, rehabilitation and re-employment in all of Canada.
- ✓ To provide a national forum for debating issues concerning injured workers at national conferences and board workshops.
- ✓ To gather and share information with groups across Canada.
- ✓ To improve the Occupational Health & Safety of workers across Canada.
- ✓ To identify and make available, educational and training resources produced by the union movement and other agencies, that focus on organizing and maintaining effective injured worker groups.
- ✓ To enhance the local base of the injured workers movement through all our activities.
- ✓ To form partnerships that will achieve common goals.

PUBLICATIONS AVAILABLE

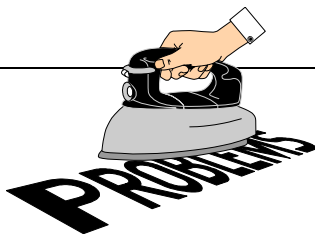
- ☐ The VOICE OF INJURED WORKER
- ☐ PLAIN TALK
- ☐ HOW TO IMPROVE RELATIONS BETWEEN INJURED WORKERS & ORGANIZED LABOUR
- ☐ REPORT ON RELATIONS WITH LABOUR SESSION AT CIWA NATIONAL CONFERENCE, REGINA 1992
- ☐ RETURNING TO WORK
- ☐ VOC REHAB & RE-EMPLOYMENT FROM THE INJURED WORKER'S PERSPECTIVE
- ☐ INJURED WORKERS ... ON THE MOVE

VIDEOS & WORKBOOKS

- ☐ SURVIVORS, 1997
- ☐ TOGETHER WE CAN WIN, 1997
- ☐ PEER HELPER TRAINING MANUAL, 2000
- ☐ LE COMBAT QUOTIDIEN DES VICTIMES DU TRAVAIL, 1999

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Connect with an injured workers group near you.

Check out our web site at: www.ciwa.ca

and click on "Who to Contact"

.... OR

Call our office at (807) 345-3429 or Toll Free at 1-877-787-7010

This Newsletter is intended to share information of interest to injured workers, union activists and their supporters.

It provides a forum for sharing our experiences - so we can learn from each other - in order to improve the lives of injured and disabled workers and the system that is there to assist them.

Please help - by sharing your story with us.