

Present:

Glenn Hildebrand (Video)	Ranbir Dhillon (Video)	Randal Smith (Video)
Jean-Guy Bourgeois (Video)	Sylvia Farley (Video)	Marc Lafond (Video)
Michael Bereziak (Video)	Yvette Milner (Video)	Ron Koslowsky (Video)

Being a quorum of the Board of Directors under *The Workers Compensation Act*.

Also Attending:

Cathy Skinner, Vice President, Legal, Compliance & Corporate Services
Heather Baete, Recording Secretary
Candace Crossland, CEO Office Liaison

Regrets:

Michael Werier, Chair of the Board of Directors
Richard Deacon, President & CEO (ex officio)

Call to Order

The meeting was called to order at 12:00 noon. The agenda was confirmed as circulated.

Congratulations were extended to Board Members who were reappointed.

Conflict of Interest Declaration

There were no items to declare.

Minutes of Previous Meeting

The Chair presented the minutes from the November 30, 2022 meeting of the Board of Directors.

On motion duly made and carried,

BE IT RESOLVED THAT the minutes of the November 30, 2022 Board of Directors meeting are confirmed as a reasonable record.

Yvette Milner joined the meeting.

Business Arising

The Board of Directors received the information provided with the agenda.

For Decision

Revised Policy 44.10.20.10, *Pre-existing Conditions and Consequential Revisions*

(Board Order No. 40/22)

Jean-Guy Bourgeois introduced this item on behalf of the Governance Committee. He noted the proposed policy changes provide clarification around practices relating to pre-existing conditions including: that the WCB will continue to pay wage loss and other benefits if their loss is related, at least in part, to the work-related injury; that cost relief is available if the pre-existing conditions make the workplace injury more severe; that benefits other than wage loss will be paid and explains how a worker's impairment rating is determined when they have a pre-existing condition.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approve

1. The revised policies 44.10.20.10 *Pre-existing Conditions* and 44.90.10 *Permanent Impairment Rating* and Schedule A, effective January 1, 2023; and
2. The decision to archive the current policies and schedules 44.10.20.10 *Pre-existing Conditions* and 44.90.10 *Permanent Impairment Rating* and Schedule A also effective January 1, 2023.

Revised Policies 31.05.10, *Cost Relief/Cost Transfer Class E Employers* and 31.05.05, *Cost Transfer - Individually Assessed Employers*, with *Consequential Revisions*

(Board Order No. 41/22)

Jean-Guy Bourgeois introduced this item on behalf of the Governance Committee. He reviewed the proposed changes to the policies including increased transparency by better describing the WCB's cost relief and cost transfer practices; aligning the policies more closely with the Act; updating policy language to reflect the completion of the rate model transition and to better describe the concepts around cost relief and cost transfer. There were questions and discussion about the elimination of 100% cost relief for pre-existing conditions. Consequential revisions to a number of policies are required for consistency.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approve

1. Approve the following revised policies effective January 1, 2023:
 - 31.05.05, *Rate-Setting Model for Class E Employers*
 - 31.05.10, *Cost Relief/Cost Transfer - Class E Employers*
 - 31.05.15, *Cost Transfer - Individually Assessed Employers*
 - 31.05.20, *Transfer of Assessments Rates and Claim Costs Experience*
 - 35.20.15, *Associated Employers*
 - 44.10.20.60, *Recurring Effects of Injuries and Illnesses (Recurrences)*
 - 44.10.80.40, *Secondary Injury*

2. Approve the decision to archive the current policies also effective January 1, 2023:
 - 31.05.05, *Rate-Setting Model for Class E Employers*
 - 31.05.10, *Cost Relief/Cost Transfer - Class E Employers*
 - 31.05.15, *Cost Transfer - Individually Assessed Employers*
 - 31.05.20, *Transfer of Assessments Rates and Claim Costs Experience*
 - 35.20.15, *Associated Employers*
 - 44.10.20.60, *Recurring Effects of Injuries and Illnesses (Recurrences)*
 - 44.10.80.40, *Secondary Injury*

New Prescribed Temporary Indexing Factors Regulation

(Board Order No. 42/22)

Jean-Guy Bourgeois introduced this item on behalf of the Governance Committee. He reported the pre '92 legislation provides for full indexing for benefits subject to a statutory cap. As the year over year increase in the consumer price index is greater than the indexing factors prescribed in the Act, the Board may make a temporary regulation to provide full indexation of benefits. This provides injured workers and their dependents protection against the impact of inflation.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approves the new Prescribed Temporary Indexing Factors Regulation, effective January 1, 2023.

Revised Board Appointment Process

(Board Order No. 43/22)

Jean-Guy Bourgeois introduced this item on behalf of the Governance Committee. He noted that, in 2021, the Board approved the nomination package to be completed for all Board nominees. Incumbent Board members felt the process was too onerous. A revised process for incumbent board members was proposed which provided that their

names and an up to date resume would be automatically forwarded to the Minister, subject to performance issues identified by the Chair.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approved the revised Board of Directors appointment process, and consequential changes to public facing documents, with an effective date of January 1, 2023.

Board of Directors Terms of Reference

(Board Order No. 44/22)

Jean-Guy Bourgeois introduced this item on behalf of the Governance Committee and reviewed the proposed changes.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approved their revised Terms of Reference.

For Information

Committee Reports

The Board of Directors received the following Committee reports as information:

Governance Committee Meeting - December 6, 2022

Investment Committee Meeting - December 8, 2022

Board Evaluation

The Vice President, Legal, Compliance and Corporate Services advised the Board that Board and Committee evaluations are planned for early 2023. The evaluations will be conducted on-line and will provide members with an opportunity to provide feedback. She also noted that a review of the current Board and Committee evaluation process will be undertaken in late 2023.

The Board received the report for information.

Board Education Plan

The Vice President, Legal, Compliance & Corporate Services advised the Board that the education plan is provided to members to draw their attention to available education opportunities.

The Vice President noted that arrangements are being made to provide a session on the Board's Oversight of Digital Transformation. In addition, as identified in the last Board evaluation, an informational session is planned on the WCB's financials and the investment fund.

The Board received the report for information.

Board of Directors Work Plan

The Board of Directors received the information provided with the agenda.

Other Business

No other business

In Camera Discussion

The Board of Directors adjourned to an *in camera* session.

Conclusion

As all matters coming before the Board had been dealt with, the meeting concluded at 12:53 p.m.

The next meeting will be held on Wednesday, January 25, 2023 at 12:00 noon.