

Present:

Michael Werier, Chair of the Board of Directors (Video)

Glenn Hildebrand (Video) Ranbir Dhillon (Video) Randal Smith (Video)

Jean-Guy Bourgeois (Video) Sylvia Farley (Video) Marc Lafond (Video)

Michael Bereziak (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 (LCCS)

Heather Baete, Recording Secretary

Candace Crossland, CEO Office Liaison

Regrets:

Richard Deacon, President & CEO (ex officio)

Yvette Milner, Director

In Attendance for Specific Items:

Leslie Anne Hurley, Vice President & Chief Financial Officer (CFO) (Video)

Brent Buydens, Chief Investment Officer (CIO) (Video)

Call to Order

The meeting was called to order at 1:31 p.m. The agenda was confirmed as circulated.

The Chair noted the later start time to permit some members to attend the ICD educational session on Digital Transformation from the Boardroom.

The Chair noted regrets were received from Yvette Milner as well as from the President & CEO.

Conflict of Interest Declaration

A potential conflict was noted.

Minutes of Previous Meeting

The Chair presented the minutes from the December 15, 2022 meeting of the Board of Directors.

On motion duly made and carried,

BE IT RESOLVED THAT the minutes of the December 15, 2022 Board of Directors meeting are confirmed as a reasonable record.

The Chair presented the minutes from the January 25, 2023 meeting of the Board of Directors.

On motion duly made and carried,

BE IT RESOLVED THAT the minutes of the January 25, 2023 Board of Directors meeting are confirmed as a reasonable record.

Business Arising

Funding Ratio: The Board noted the response provided. They asked that information be prepared for the next meeting to demonstrate the impact of the Digital Transformation project on the Funding Ratio.

Digital Transformation Committee: The Board provided feedback on their expectations for the composition, role and frequency of meetings for this proposed Committee. Information will be provided to the Board regarding various ways they can provided oversight to the Digital Transformation project.

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

For Decision

2022 Annual Report Narrative, including Five Year Plan

(Board Order No. 03/23)

The Vice President, LCCS introduced discussion noting the Annual Report and Five Year plan are required under statute, to be delivered to the Minister Responsible by April 30. She reviewed the process and the timing of the various components. The Board made some suggestions about content.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approve the narrative sections of the 2022 WCB Annual Report and 2023-2027 Five Year Plan and authorize the Chair or the President & CEO to approve any further necessary changes.

Application under Section 60.9 of the Act

(Board Order No. 04/23)

The Vice President, LCCS introduced discussion. She outlined the purpose and process of the Reconsideration under Section 60.9 of the WCA. She provided an explanation as to the error in the Appeal Commission's decision.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors set aside Appeal Commission decision 33/22 and order a re-hearing.

Application under Section 60.9 of the Act

(Board Order No. 05/23)

The Vice President, LCCS provided an explanation to the Board as to the error in the Appeal Commission's decision.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors set aside Appeal Commission decision 23/22 and order a re-hearing.

Application under Section 60.9 of the Act

(Board Order No. 06/23)

The Vice President, LCCS introduced discussion on this item noting the Appeal Commission erred in their decision, as they ruled on an issue that had not previously been adjudicated by the Workers Compensation Board. This is a clear error and contrary to both the Act and the Commission's Rules of Procedure.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors set aside Appeal Commission decision 150/21 and order a re-hearing.

Committee and Chair Appointments

(Board Order No. 07/23)

The Chair thanked the Board members for providing their committee preferences. He noted the learning curves involved in the various committees.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approved

1. The following appointments to Committees:

- Audit Committee: Ranbir Dhillon
Sylvia Farley
Yvette Milner
- Investment/Finance Committee: Ron Koslowsky
Marc Lafond
Randy Smith
- Governance Committee: Jean-Guy Bourgeois
Glenn Hildebrand
Michael Bereziak

2. Appointment of the following Committee Chairs:

- Audit Committee Ranbir Dhillon
- Investment/Finance Committee Ron Koslowsky
- Governance Committee Jean-Guy Bourgeois

For Information

Committee Reports

The Board of Directors received the following Committee reports as information:
Audit Committee Meeting - February 15, 2023

Conflict of Interest Declarations

The Vice President, LCCS noted members have received their annual declarations.

The Board received the report for information.

The Board took a 5 minute break.

Program Presentation: Investments and the Accident Fund

The CFO and CIO joined the meeting. They provided information on how the WCB system is funded, including the financial stability of the Accident Fund as well as the sources of funding for the Accident Fund.

The Board received the report for information the program presentation on Funding the WCB System.

The CFO and CIO left the meeting.

Penalties for Aggressive Return to Workers Compensation Board of Manitoba

The Vice President, LCCS noted this paper responds to questions raised at the fall Strategic Planning meeting regarding aggressive return to work programs and the penalties applied for these types of infractions. The Vice President reviewed statistics noting it is believed they are not reflective of what is truly happening because if claims suppression and other discriminatory actions are successful, the WCB would never know about them. The Compliance department continues to refine their tools and investigative techniques for identifying these types of claims.

The Board of Directors received for information the report on Penalties for Aggressive Return to Work Practices.

Prevention Rebate Program Audit - Final Report

The Board of Directors received the report for information.

Administration Report

The Board of Directors received the report for information.

Title of President & CEO

The Board of Directors received the report for information.

Corporate Secretary Report

The Board of Directors 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 3:47 p.m.

The next meeting will be held on Wednesday, April 19, 2023 at 12:00 noon.