

Present:

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

Richard Deacon, President & CEO (ex officio)

Glenn Hildebrand (Video)

Ranbir Dhillon

Randal Smith (Video)

Jean-Guy Bourgeois

Sylvia Farley (Video)

Marc Lafond

Michael Bereziak (Video)

Yvette Milner

Ron Koslowsky

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, Technical Support

Call to Order

The meeting was called to order and the agenda confirmed at 12:00 Noon.

Conflict of Interest Declaration

Mr. Smith declared a potential conflict of interest relating to 363 Broadway. He is a member of the Superannuation Board which is the co-owner of this property with the WCB.

Minutes of Previous Meeting

The Chair presented the minutes from the June 21, 2022 meeting of the Board of Directors.

On motion duly made and carried,

BE IT RESOLVED THAT the minutes of the June 21, 2022 Board of Directors meeting are confirmed as a reasonable record.

Business Arising

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

For Decision

Worker Care Clinic

(Board Order No. 26/22)

The President & CEO provided an overview of the proposed Worker Care Clinic and what the Administration hopes to learn from the modified pilot. There was discussion about the cost of hospital visits versus clinic visits and getting claims information into the system quicker to improve timeliness for receiving treatment.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approve the Worker Care Clinic Pilot for a single clinic with a maximum duration of two years and budget of \$500,000. The goal of the pilot will be gain a better understanding on how an improved healthcare services model impacts key metrics including customer satisfaction, costs and outcomes.

For Information

Sector Analysis of Increasing Claims

The President & CEO noted after many years of experiencing a declining injury rate the last two years have seen a reversal in this trend with the time loss injury rate on the rise. As the economy moves out of the pandemic, challenges are being seen in healthcare, public administration and manufacturing. An IBSP has been established in healthcare and is expected to make significant impact on the injuries being experienced. In manufacturing, there has been a large turnover in staff, resulting in a significant number of new and inexperienced workers which has translated to a higher number of injuries. The last sector experiencing rising injury rates is public administration and in particular Corrections. This is a challenging area as there are many systemic issues that are difficult to address. The WCB consulting services continue to work with leadership to develop programs for the prevention of injuries.

The Board of Directors received for information the analysis and action regarding increasing claims in Healthcare, Corrections and Manufacturing.

Administration Report

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

The Board came out of their *in camera* session.

The Board received the Administration Report for information.

For Decision

Coverage for Psychological Injuries

(Board Order No. 27/22)

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

The Board came out of their *in camera* session.

Jean-Guy Bourgeois introduced the motion on behalf of the Governance Committee.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approve

- the revised Policy 44.05.30, *Adjudication of Psychological Injury Claims*, with an effective date of May 1, 2023; and
- the decision to archive the current policy 44.05.30, *Adjudication of Psychological Injuries*, also effective May 1, 2023.

Policy 44.05, Arising Out of and in the Course of Employment

(Board Order No. 28/22)

Jean-Guy Bourgeois introduced this item on behalf of the Governance Committee. He noted the proposed changes provide clarification to adjudicative staff on how to apply the legal test to determine if an injury is related to employment and therefore compensable.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approve the amended policy 44.05, *Arising Out of and in the Course of Employment* with an effective date of January 1, 2023.

Repeal of Policies in Section 44, Adjudication and Compensation

(Board Order No. 29/22)

Jean-Guy Bourgeois introduced this item on behalf of the Governance Committee. He noted the proposed repeals will be accompanied by the establishment of Administrative Guidelines for Policy 44.05 *Arising Out of and in the Course of Employment*. The guidelines will provide the guidance for interpreting the phrase "arising out of and in the course of" in specific situations.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approve the repeal of the following policies effective January 1, 2023:

- Policy 44.05.20, *General Premises*
- Policy 44.10.30.10, *Drunkenness and Intoxication*
- Policy 44.10.30.30, *Serious and Willful Misconduct*
- Policy 44.10.50.10, *Transportation Controlled by Employer*
- Policy 44.10.50.50, *Travelling on the Job*
- Policy 44.10.50.60, *Special Assignment Coverage*
- Policy 44.10.60.40, *Accidents Occurring in Lunchrooms*
- Policy 44.10.70.50, *Public Interest Emergency Actions*

Policy 21.50, Information Protection, Access and Disclosure

(Board Order No. 30/22)

Jean-Guy Bourgeois introduced this item on behalf of the Governance Committee. The new policy responds to recommendations of the 2016-17 Legislative Review Committee and clarifies what information can be shared with whom and under what circumstances and focuses on information protection where access to information is limited to that which is relevant and necessary. The new policy will function as a high level principle-based policy and will be supported with robust Administrative Guidelines.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approve the new policy 21.50, *Information Protections, Access and Disclosure* with an effective date of January 1, 2023.

Repeal of Policies 21.50.10, 21.50.40 and 21.50.50

(Board Order No. 31/22)

Jean-Guy Bourgeois introduced this item on behalf of the Governance Committee. These three policies will be replaced by a new single policy 21.50 *Information Protection, Access and Disclosure* which is a clearer, more modern policy statement on information protection and disclosure.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors repeal the three existing policies and remove them from the Policy Manual. The timing of the repeal should align with the proposed effective date of the new policy (January 1, 2023):

Policy 21.50.10, *Disclosure of File Information*

Policy 21.50.40, *Disclosure of File Information - Employer Access*

Policy 21.50.50, *Release of Statistical Data*

Statement of Investment Policies & Objectives - Accident Fund

(Board Order No. 32/22)

Ron Koslowsky introduced this item on behalf of the Investment Committee. He reviewed the updates to the policy which were required as a result of the updating of the policy asset mix including: updates to the allowable ranges, updates to characteristics of the Policy Asset Mix Table, the addition of a provision to review the policy asset mix every five years, revisions to asset mix rebalancing procedures, a change to the investment manager performance evaluation period from four to five years, an update to diversification guidelines for Canadian real estate, the addition of private debt as an asset class and the removal of Investment Believe #4 relating to investing in Manitoba.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approve revisions to Policy 32.00 *Statement of Investment Policies and Objectives*, effective September 29, 2022.

Board Appointment Process - Nominations

(Board Order No. 33/22)

Sylvia Farley introduced this item on behalf of the Nominating Committee.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors agreed that the following applicants be proposed to government for appointment / reappointment for the vacancies on the Board:

1) Employer Representatives:

- Jane MacKay
- Chris Lorenc
- Yvette Milner
- Ron Koslowsky

2) Labour Representatives:

- Jean-Guy Bourgeois
- Marc Lafond
- Walter Skomoroh
- Keith Bellamy

For Information

Committee Reports

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

Nominating Committee Meeting - September 7, 2022

Investment Committee Meeting - September 15, 2022

Finance Committee Meeting - September 15, 2022

Governance Committee Meeting - September 20, 2022

2023 Detailed Assessment Rates

The CEO reviewed the 2023 Detailed Assessment rates noting the WCB is maintaining the average assessment rate for 2023, however, there is volatility in the system and it has impacted the Funding Ratio. The Board noted the year-over-year changes in assessment rate. They asked for a breakdown by industry of the firms who experienced a rate increase for 2023.

The Board of Directors received for information the 2023 Detailed Assessment Rates.

Actuarial Projects and Significant Assumptions

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

Report of the Corporate Secretary

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 1:15 p.m.

The next regular meeting will be held on Wednesday, November 30, 2022 at 12:00 noon.