

Employers must get more involved in WHSCC system in this province NLEC now able to represent employers throughout external review process

--FOR IMMEDIATE RELEASE

October 9, 2008, St. John's, NL – Employers need to get more involved in the Workers Compensation system in this province. The Workplace Health, Safety and Compensation Commission (the Commission) administers a fully employer-funded no fault insurance system for injured workers in Newfoundland & Labrador. The Commission makes decisions to determine benefit entitlement for workers when injured in the workplace. Statistics show that employers are not fully utilizing the system to challenge decisions made by the Commission that they feel are invalid. The NLEC wants employers to understand the need for their involvement, and now has resources to help them engage in the appeals process.

Currently, a disproportionate amount of workers versus employers are appealing decisions. According to the Workplace Health, Safety & Compensation Review Division (WHSCRD) Annual Performance Report, of the 334 appeals brought to external review in 2007-08, only 27 were put forward by the employer – meaning a whopping 92% of all appeals were brought forth by workers. Additionally, when workers appeal employers often do not appear at the hearing to represent themselves.

Of all cases brought to external review last year 63% were overturned or referred back to the Commission for further review. This is an extremely high percentage and the NLEC feels this is largely due to the fact that WHSCRD is not getting the full picture at appeals hearings. According to Richard Alexander, Executive Director of the NL Employers' Council (NLEC): "Employers are not participating nearly as much as they should and this leaves a huge imbalance in the system. There are two major stakeholders in each case, the worker and the employer. If both stakeholders are not participating equally in the appeals process and having their opinion heard, then how can the system operate effectively?"

The NLEC is now better equipped to help employers engage in the appeals process. Allison Engbrecht, LLB has just assumed the role of Employer Advocate with the organization. This new role will allow Engbrecht to represent NLEC members at external review, guiding them through the entire appeals process. This is an exciting new development for the NLEC. "As a former Employers' Advisor in British Columbia, I have noticed considerable imbalance in participation in the system in Newfoundland & Labrador in comparison to the system in BC." says Engbrecht. "I am very pleased to help address this by assisting employers with the appeals process in this province."

Engbrecht will also be hosting a workshop on Workers Compensation Claims Management & Appeals on Thursday, October 16th. This full-day workshop is open to both NLEC member or non-member employers and will provide them with effective claims management techniques to reduce the frequency, duration and costs of claims and provide them with an overview of the formal appeal process. For more information and to register, employers should visit www.nlec.nf.ca.

-30-

Media contact: *Jaelyn Sullivan* 368-6573 or jsullivan@nlec.nf.ca.