

## 2008 claims will be soon falling off your NEER statement; but more so, SIEF utilization has really fallen

Even though we haven't officially started summer yet, for NEER companies it is time to think about the fall; September 30, 2012 is fast approaching. The end of the NEER year!

This past year has seen a number of initiatives by the WSIB to reduce the size of potential rebates (and increase the size of potential surcharges). Previously one of the tools companies could use to maximize the size of their NEER rebate was to apply Second Injury Enhancement Fund (SIEF) cost relief to reduce the cost of individual claims.

Since the advent of the SIEF team in 2009, many employers have found it extremely difficult to

gain any degree of cost reduction against their past claims. We have heard that the Board has reduced the utilization rate by 60 per cent.

To gain any degree of cost relief it is necessary to prove the following:

- a) the worker has a previous medical condition
- b) the injuries incurred with this accident were impacted and exasperated by the previous injury
- c) the recovery period was prolonged by the previous injury
- d) WSIB policy supports the granting of SIEF with respect to this claim

e) precedent has been established in similar circumstances

Gaining SIEF is a very specialized skill; many clients engage SE-GA specifically to pursue SIEF on their behalf. Even though September 30th is fast approaching there is still plenty of time for SE-GA to review your NEER, especially the 2008 claims, for SIEF cost relief.

This service is provided by SE-GA on a contingency basis. Contact us about in house NEER training and a projection of your 2012 NEER rebate/surcharge position.

## Ten questions every company should ask themselves about their WSIB Return-to-Work Program

1) Does your company have a formal Return to Work Policy?

2) Does your company have a formal Return to Work Program?

a) Have you performed a Physical Demands Analysis of the pre-accident jobs?

3) Does your company have a standardized incident/accident reporting procedure?

4) How does your company reinforce the importance and requirement to participate in return to

work?

5) Does your company offer modified work in writing and note how that work is within your injured worker's restrictions?

6) Does your company have a package at your work place or

work site that the injured worker (or their supervisor) takes to their Health Care Provider (Doctor's office, Clinic or Hospital) that provides an outline of your return to work program?

7) Does your company have an inventory of modified work duties?

8) Does the inventory of modified work jobs account for all areas of injury (back, knee, etc.)?

a) Have you completed the PDA's for these jobs?

9) Who in your company is responsible for monitoring the progress of your workers during

their modified work assignments so that they are "work hardening" back to full duties?

10) Does your company have a good understanding how providing return to work saves your company money in the long run?

## The Arthurs WSIB Funding Review

Over the past decades the WSIB (formerly the WCB) has undertaken many reviews of their funding formula. While this review was undertaken primarily in effort to reduce and eventually retire the unfunded liability it is meant to correct many inequalities in the funding system.

A summary of the key recommendations are:

- Only 50% of WSIB funding comes from premiums
- This figure will increase to 60% by 2017 and 100% by 2027
- The expectation is WSIB premiums will increase over time to meet these funding obligations

- Individual Rate Groups should be replaced Sectoral Group

- This will spread the financial risk of claims costs across many more employers

- The Unfunded Liability (UFL) allocation rules should be revised such that 5% of all premiums of all Schedule 1 (NEER, CAD-7 and MAPP) employers will go directly to reducing the cost of the unfunded liability

- Additionally poor performing rates groups that are most responsible for the growth of the unfunded liability will contribute an additional 5%

- Every employer will be required to have a designated Health, Safety and Insurance Officer who will be

responsible for compliance to the Workplace Safety and Insurance Act (WSIA)

- Companies will face even greater fines for failure to report or intentionally misreporting accident/claim information

This report, combined with the re-working of the NEER formula, the new Work Reintegration policies and the Fatal Claim Policy continue to show that the WSIB will work to balance its books. In order to do so Ontario employers should expect higher premiums and a greater requirement to participate in accident prevention and Return to Work programs.

