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**Board of Directors**

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**THE WORKERS' COMPENSATION BOARD  
MEETING OF THE BOARD OF DIRECTORS  
M I N U T E S**

**DATE:** April 17, 2018

**PLACE:** The Workers' Compensation Board  
12th Floor Board Room  
Jarvis Building  
9925 - 107 Street  
Edmonton, Alberta

**TIME:** 9:00 a.m.

**BOARD MEMBERS**

James Kindrake, Chair  
Erna Ference, Member  
Philip Hughes, Member  
Ivana Niblett, Member  
Mary Phillips-Rickey, Member  
Grace Thostenson, Member

**EXECUTIVE**

Guy Kerr, President & Chief Executive Officer \*\*  
Ron Helmhold, Chief Financial Officer ♦\*  
Wendy King, Vice President, Operations & Chief Information Officer ♦\*  
Pieter Lambooy, Vice President, Operations ♦\*  
William P. Ostapek, Secretary and General Counsel ♦\*  
Roxy Shulha-McKay, Vice President, Employee & Corporate Services \*

**ALSO PRESENT**

Sheila Szabo, Executive and Board Liaison ♦\*  
Hon. Christina Gray, Minister, Alberta Labour ♦  
Lenore Neudorf, Assistant Deputy Minister, Alberta Labour ♦  
Mustafa Farooq, Ministerial Assistant, Alberta Labour ♦

♦ attended for presentation on Implementation of WCB Review Panel Recommendations

\* excused for item 12

\*\* excused for item 12 (part 2)

### 6.3 Policy 01-10, Interim Relief

The initial draft policy was open for online consultation for 60 days, from January 2, 2018, to March 6, 2018. A total of 30 submissions were received. In addition to the online consultation, two stakeholder feedback sessions were held in late February, as well as a special pre-consultation session attended by self-selected members of Labour Coalition and Industry Task Force.

Following consultation, most of the suggestions were implemented and the draft policy was updated to (among other things):

- Clarify the adjudicative criteria for determining eligibility for interim relief to focus more on financial need.
- Eliminate the time limit to hold a hearing.
- Provide more consistency in the relative requirements for workers and employers to demonstrate hardship.

Some employers also felt that if the issue under review or appeal relates to a lost-time claim, that claim should not appear on their record until the decision is finalized. WCB could not support this suggestion as the panel recommendation is focused solely on direct financial hardship during the appeal process, not on the many potential impacts following a decision change.

**Cost Impact:** Costs are difficult to forecast as this is a new policy. Based on historical overturn rates and appeal cycle times, the total impact is not expected to exceed \$1.0 million per year.

**MOTION**

2018/02/16

It was moved that,

"The Board of Directors approve draft Policy 01-10, Part I, and Policy 01-10, Part II, Application 1, which reflect revisions as a result of stakeholder consultation.

1. This is a new policy in response to the Bill 30 requirement that workers and employers be provided with interim financial relief during review or appeal, if in serious financial need.
2. The draft policy provides for interim relief to be available in unusual circumstances where a worker or employer is

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placed in *necessitous circumstances* while waiting for a decision on their review or appeal.

3. Workers and employers are required to apply for interim relief and to demonstrate clearly the financial hardship that would occur without relief.
4. Relief can be provided by WCB (at the Dispute Resolution and Decision Review Body) or the Appeals Commission. Both bodies are required to ensure sufficient facts of an arguable case are provided to support the review or appeal.
5. If a worker review or appeal is unsuccessful, the employer's account is not charged with the costs of interim relief.
6. Interim relief for workers is based on minimum wage for full-time earnings (about \$28,000/yr. for 2018) or their actual annual gross earnings, whichever is lower. Interim relief for employers is provided by suspending invoices pertaining to the disputed amounts.

**Effective date:** September 1, 2018, applying to all *requests for review or applications for appeal* on or after that date."

CARRIED