

**THE WORKERS' COMPENSATION BOARD
MEETING OF THE BOARD OF DIRECTORS
MINUTES**

DATE:	February 2, 2021
PLACE:	Zoom Video Conference
TIME:	8:30 a.m. to 12:30 p.m.

BOARD MEMBERS

Erna Ference, Chair
Mike Boyle, Member
William Hnydyk, Member
Brian McConkey, Member
Shawna Miller, Member
Mary Phillips-Rickey, Member
Jane Sustrik, Member

EXECUTIVE

Trevor Alexander, President & Chief Executive Officer **
Tarick Ahmad, Chief Technology Officer ♦*
Ron Helmhold, Chief Financial Officer ♦*
Wendy King, Senior Vice President, Operations and Innovation ♦*
Marcela Matthew, Vice President, Millard Health and Special Care Services ♦*
William P. Ostapek, Secretary and General Counsel ♦*
Roxy Shulha-McKay, Vice President, Employee and Corporate Services *

ALSO PRESENT

Leslie Henkel, Board of Directors' Secretariat
Marj Langkamp, Director, Operations and Innovation (item 5.3)

♦ excused for items 9.3 and 9.4

* excused for item 12

** excused for item 12 (part 2)

COMMITTEE REPORTS

6. Policy Committee

The committee chair provided a report on the committee's recent meeting.

6.1 Policy 04-04, Part II, Application 5 – Pension Midpointing

The proposed change updates an outdated and incorrect process for determining the effective date for adjustments to pre-1995 pensions resulting from deterioration in the worker's condition, as confirmed by an updated assessment.

Current policy provides that, when there has been a deterioration in the worker's condition, the change in permanent clinical impairment (PCI) and the resulting pension adjustment are effective at the midpoint between the initial assessment and the current assessment confirming the deterioration.

This works well for the first adjustment but, with the passage of time, some workers have had successive PCI assessments and adjustments to their pensions, so that midpointing between the initial and current assessments no longer makes sense.

Each assessment provides the most up to date evaluation of a worker's clinical impairment at that point in time. The current process in policy can have the unintended consequence of setting an effective date for the latest adjustment that is actually earlier than the previous assessment – which is incorrect.

In practice, WCB has been midpointing between the previous assessment and the current one, which is consistent with the intent of the policy when first developed, and produces the most reasonable and fair outcome.

The change, supported by stakeholders, ensures our practice and policy align.

MOTION

2021/01/03

It was moved that,

Board of Directors

The Board of Directors approve the proposed revision to Policy 04-04, Part II, Application 5. The proposed revision (Question 7) corrects the process for determining the effective date of a change in a worker's pension when there is an increase from a previous assessment in the worker's permanent clinical impairment rating.

Effective Date: March 1, 2021, applying to all decisions made on or after that date.

CARRIED

7.