

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

DATE:	March 22, 2021
PLACE:	Zoom Video Conference
TIME:	12:05 p.m. to 1:10 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

* excused for *in camera* sessions during items 5.1, 5.2 and 7

** excused for *in camera* sessions during items 5.1, 5.2 and item 7 (part 2)

4.6 **Fairness Review Mandate**

Under Bill 47, the external Fair Practices Office (FPO) will close. All the services of the Fair Practices Office are transferring to other existing agencies including WCB and the Appeals Commission. To replace FPO services, Bill 47 enacted new sections 23.1 and 23.2 of the *Workers' Compensation Act (WCA)*. Section 23.1 requires the Board of Directors to designate an employee of the WCB as the Fairness Review Officer, and to define the role and mandate for that position.

The mandate of the FRO is to investigate issues of fairness in service delivery to workers, employers, or dependants (including their authorized representatives) who feel they have been treated unfairly in their interactions with WCB. Thorough and timely investigations will be completed through additional staff in the designated Fair Process Review Centre (FPRC) in order to recommend solutions to the FRO.

If the FPRC finds that applicable standards of fairness were not met, the FRO will make recommendations for action to WCB on a specific claim or account and, if necessary, will raise a systemic-level recommendation to the BoD or WCB management. The FRO's recommendation function helps to continually improve administrative processes for all stakeholders of the system.

The mandate also gives a comprehensive overview of:

- the legal **jurisdiction** of the FRO, including its limitations;
- the **independence** of the FRO and how their reporting relationship to the BoD ensures that the FRO and FPRC can fulfill their mandate in a neutral, impartial and independent manner;
- the **goals** for service delivery and improvement of the workers' compensation system; and
- clear definitions for the **roles** of members of the system, specifically the BoD, FRO and the staff who will investigate fairness concerns.

The FRO will report functionally to the BoD and, much like the Chief Internal Auditor, the FRO will maintain an administrative reporting relationship with the CEO.

Board of Directors

MOTION

2021/02/11

It was moved that,

That the Board of Directors approve:

- the Mandate of the Fairness Review Officer and the Fair Process Review Centre, which will operate under the supervision of the Fairness Review Officer pursuant to s.23.1 of the *Workers' Compensation Act*, and
- the non-substantive revisions to the Code of Rights and Conduct.

CARRIED