

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

DATE:	November 30, 2021
PLACE:	Zoom Video Conference
TIME:	8:30 a.m. to 11:25 a.m.

BOARD MEMBERS

Erna Ference, Chair
Mike Boyle, 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 & Innovation *
Marcela Matthew, Vice President, Millard Health & Special Care Services *
William P. Ostapek, Secretary and General Counsel *
Roxy Shulha-McKay, Vice President, Employee & Corporate Services *

ALSO PRESENT

Leslie Henkel, Board of Directors' Secretariat
Laurent Charron, Corporate Controller, Financial Management (items 9-10)
Donna Emsley, Senior Manager, Treasury and Investments (items 9-10)
Nadia Mursky, Senior Manager, Financial Performance & Risk (items 9-10)

* excused for item 14

** excused for item 14 (part 2)

COMMITTEE REPORTS**8. Policy Committee**

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

8.1 Policy 05-02, Part II, Application 1, General and Policy 07-02, Part II, Application 6, Third Party Recoveries

Policy 07-02, Part II, Application 6, indicates WCB will pursue recovery of claims costs for MVAs where the other driver was at fault. If the action for recovery results in a settlement or judgment then the claims costs will be relieved from the employer's experience record, either in the amount of the settlement or the percentage of liability.

In cases where the third party is uninsured or is unknown, WCB has little chance of recovering claims costs from a third party. As such, these costs remain on the employer's experience record.

Providing cost relief for these situations ensures that employers are treated in the same manner as employers with MVA claims where the other driver is known and insured.

MOTION

2021/06/22 It was moved that,

The Board of Directors approve the draft policies. The policy revisions provide:

- A statement in Policy 05-02, Part II, Application 1, that cost relief will be provided for motor vehicle accidents (MVAs) where the other party is unknown or uninsured, when WCB is satisfied that third party recovery would have had a reasonable likelihood of success.
- A statement in Policy 07-02, Part II, Application 6, that costs will be relieved from the employer's experience record where the other party is unknown or uninsured, when WCB is satisfied that third party recovery would have had a reasonable likelihood of success.

Effective Date: January 1, 2022.

CARRIED