2023 ANNUAL REPORT

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VISION, MISSION AND VALUES

Vision

WAO is a recognized leader in promoting organizational fairness and continuous improvement. Our actions enable access to justice, accountability and well-reasoned decision making.

Mission

We generate and share knowledge with our clients and Workers' Safety and Compensation Board (WSCB) to improve the understanding of the responsibilities and limitations each organization has towards our shared clients. We strive to demonstrate a case specific and individualized approach to each client, considering their circumstances and the merits of each case.

Values

We interact with our clients and stakeholders with compassion, based on their identified needs, considering the impact of each decision on them. We communicate with WSCB seeking to contribute towards process and system improvements. We are impartial and independent in our decision making, holding ourselves to a high standard, acting in the public interest.

GOALS AND GUIDING PRINCIPLES

GOAL
Access to justice

Guiding principle 1
Clients have timely access to thorough reviews and decisions that reflect their individual needs, and the merits of their cases.

GOAL
Fairness and compassion

Guiding principle 3
We provide services that are relationally, procedurally, and substantively fair. We also uphold and teach those principles in our work with the WSCB and clients alike.

GOAL
Process navigation and continuous improvement

Guiding principle 2
We are successful in enhancing client's ability to understand and navigate systems, resolving conflict where necessary. We work with WSCB to highlight areas for improvement based on trends, clients' rights and sharing our knowledge of the common clientele we serve.

GOAL
Organizational excellence

Guiding principle 4
Our workplace is engaged, healthy, and collaborative which is reflected in the outcomes of our work and how our team, clients and stakeholders view our programs.

FROM THE WORKERS' ADVOCATE

2023 year at a glance

During 2023, the Workers' Advocate Office (WAO) workload has reminded relatively consistent compared to past years. In 2023 WAO served 77 clients and reviewed 91 issues, compared to 82 clients and 97 issues in 2022.

We have also filed fewer reconsiderations and appeals in 2023, compared to most recent years. In 2023, we filled 10 reconsiderations and appeals, with success for workers in 5 to date, and 2 reconsiderations and 1 appeal outstanding at years end. In 2022, we filed 16 reconsiderations and appeals with success for workers in seven.

We have developed a strategic plan and program evaluation framework, in addition to assessing how we keep statistics to both evaluate and tell the story of the services we provide. In 2023, we began to track case management actions and the volume of file disclosures we review.

In 2023, WAO reviewed 23,565 pages of secure file disclosures, stemming from 80 requests for initial and updated disclosures and took 1,278 case management actions.

The Office rebranded and developed a logo to reinforce the independence of our reviews and decision making to our clients and the public. We have also developed a new WAO brochure which we will make available to the public as part of our outreach plan in 2024.

Most of our reviews result in providing advice only to workers, as opposed to representation. Of the 91 issues handled by WAO in 2023, we found sufficient evidence for reconsideration and appeal in only 10. This demonstrates that there is often inadequate evidence available to support claimed injuries having been caused at work, because of work.

In last year's report, we noted concerns with policy compliance when weighing evidence for the adjudication of some claims. As a result, in 2023 we have had some success in raising this concern to the tribunal.

Eric Stevenson
Workers' Advocate

WHAT THIS SHOWS

Overall, the demand for services of the Workers' Advocate Office is consistent year-over-year. In 2023, the office served 77 clients including 43 new clients along with 34 existing clients whose active files were carried forward from 2022. There were 91 issues handled over the year.

A client is defined as an individual who signs an authorization form requesting the Workers' Advocate review their concerns and if warranted provides advice and represents them in reconsideration or appeal. The office also deals with general inquiries, workers or employers who contact us for information on WSCB processes, procedures, the Workers' Safety and Compensation Act, or WSCB policies. General inquiries do not usually translate into new clients and their inquiries are usually handled within a few short conversations. WAO responded to 33 general inquiries in 2023, which is significantly more than in previous years.

	2019	2020	2021	2022	2023
Total clients	80	73	77	82	77
Total issues	105	81	116	97	91
New clients	50	44	49	46	43
Clients carried over from previous year	30	29	28	36	34
General inquiries	21	13	3	17	33

1278
case actions in 2023

23,565
pages of disclosure review in 2023

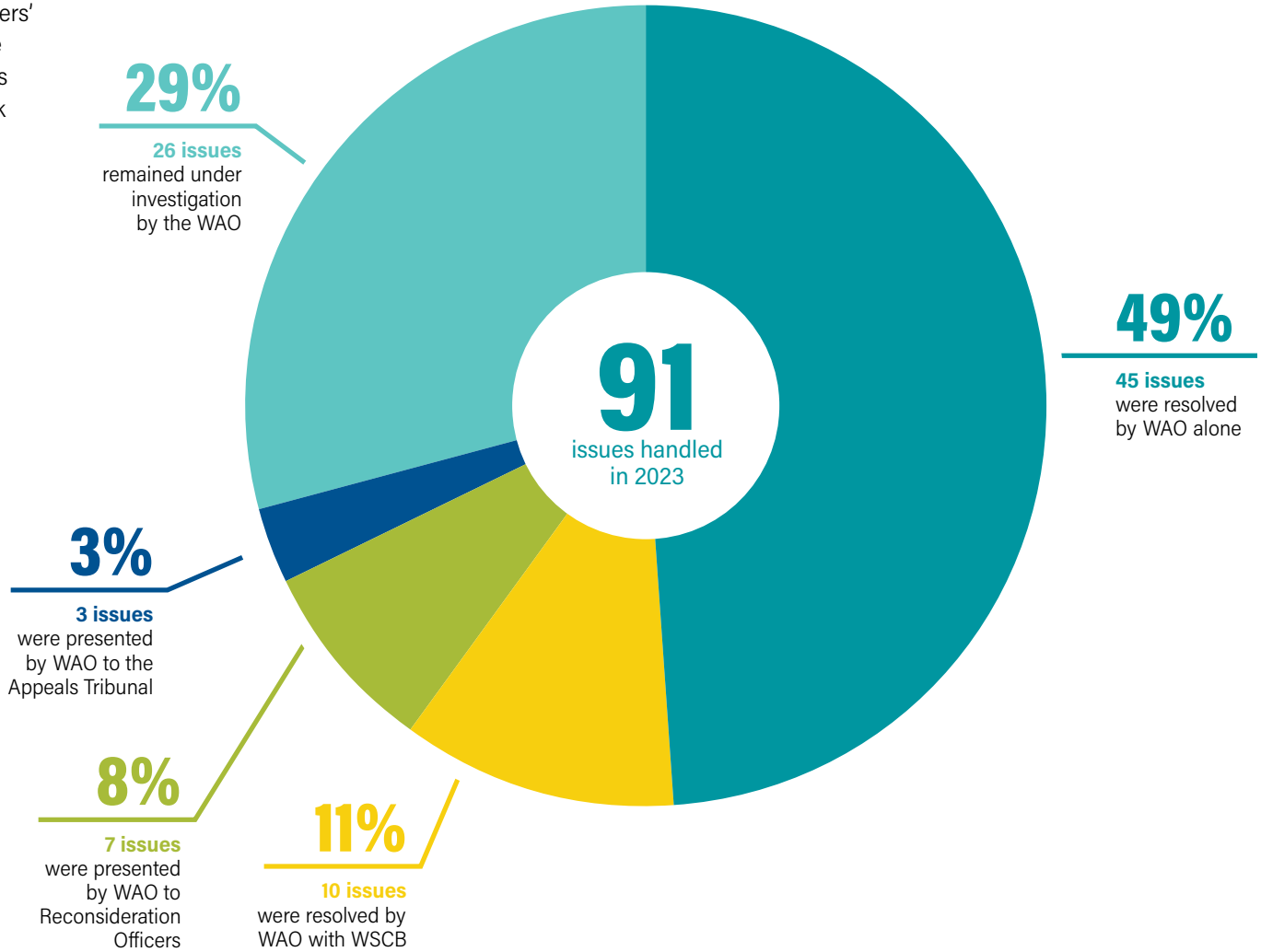
Case actions: indicates an entry in the WAO database. For example: communication (notes on an email, phone call or meeting), changes in the case status (filing or results of an appeal), our file review or investigation results, general case management activities.

Disclosure review volume: indicates the number of disclosures and pages WAO reviews from initial and updated disclosure packages from WSCB each month.

2023	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec
Case actions	105	57	144	70	129	70	75	98	120	107	184	119
Disclosure review volume	2	5	8	8	15	3	4	6	8	8	6	7
	1348	2783	941	3133	2778	618	1483	2636	3272	2162	1290	1121

RESOLUTION OF ISSUES

It is important to note that the number of clients is not completely reflective of the number of issues reviewed by the Workers' Advocate Office. We may work with one client to resolve two or three issues. This chart represents a summary of our work on resolution of issues in 2023.



WAO CASE ISSUES 2023

Issues	2023
Overall file and decision review	4
Acceptance – physical injury	15
Acceptance – Gradual Onset Musculoskeletal Disorder (GOMD)	4
Acceptance – psychological injury	10
Acceptance – occupational disease	0
Acceptance – Covid 19	1
Ongoing entitlement	26
Wage loss review	12
Return to work accommodation	5
Worsening injury	1
Permanent impairment review	2
Annuity review	1
Deeming	3
Employer appeal	1
Fraud investigation	2
Stay and rehear	1
Cross reference with current file	3
Total	**91**

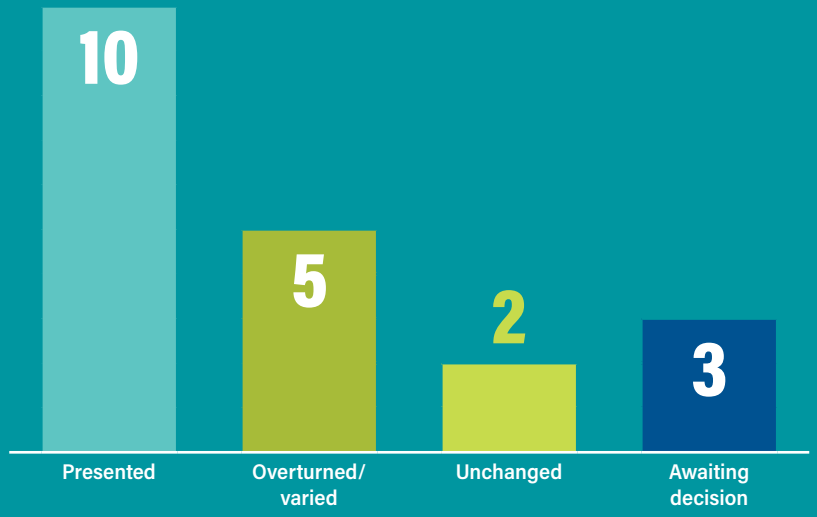
*Within each file there are often more than one issue for each.

RECONSIDERATIONS AND APPEALS

Applications for reconsiderations and appeals must be submitted within 12 months of the claim decision. The Reconsideration Officer is the first level of appeal available, and the Workers' Safety Compensation Appeal Tribunal (WSCAT) is the second and final level of appeal available to workers through the Workers' Safety and Compensation Act.

The WAO can represent workers in reviews before a Reconsideration Officer and appeals before the WSCAT, if there is merit and sufficient information.

An analysis of WAO appeals demonstrates that 50 per cent (5/10) were overturned in favor of the worker. Twenty per cent (2 of 10) were upheld, with three outstanding at year-end.



	2017	2018	2019	2020	2021	2022	2023
Reconsideration	10	12	20	8	14	13	7
Appeals WCAT	6	2	0	0	1	3	3
Success on reconsideration and appeal	7/16	12/14	14/20	2/8	6/15	7/16	5/10 *(3 pending)*

FINANCIALS

The Workers' Advocate Office is funded annually by the Workers' Safety and Compensation Board through employer contributions as outlined in the *Workers' Safety and Compensation Act*.

The figures to the right are adjusted to account for rounding and are based upon the calendar year, the fiscal year of the Workers' Safety and Compensation Board. The administration fee of $43,433 paid to the Department of Justice is not included in the budgeted amount or the actual expenditures.

The budget amount for 2024, presented and approved by the Workers' Safety and Compensation Board of Directors is **$450,925**.

	Budget	Actual Expenditures
Personnel	$370,324	$330,721
Office and Operations	$64,010	$37,890
Total	**$433,334**	**$368, 612**

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