



**Nova Scotia Federation of Labour  
Workers' Compensation Board of Nova Scotia  
System Review**

Background and Information  
Document

October 2023



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## MESSAGE FROM THE PRESIDENT

Sisters and Brothers,

I am writing to express the importance of unions and their members sitting at the table during the upcoming review of the Workers' Compensation Board (WCB) in Nova Scotia.

The WCB system is intended to provide fair compensation and support for injured workers. However, Boards can drift away from their founding principles of fairness and balance between workers and employers over time.

WCB needs to be seen as a system where workers receive the justice they deserve. Having unions and workers directly involved in the review process is imperative to ensure the WCB remains firmly rooted in its mission - serving the interests of injured workers.

As those most impacted by WCB policies and processes, workers have vital insight into where the system is failing and how it can be improved.

While this document outlines some pressing issues that must be raised, we understand that we may need to capture more. Our unions may have additional concerns to bring forward during the consultation. We ask that any unions providing written submissions to the review committee also share them with our Federation so we can coordinate a united worker voice.

We urge all unions and locals to make submissions to the review committee and to attend meetings to demonstrate the depth of workers' interest in reforming the system to serve injured workers better.

Together, we can improve the WCB system in Nova Scotia.



A handwritten signature in blue ink, which appears to read "Danny Cavanagh".

**Danny Cavanagh**  
President, Nova Scotia Federation of Labour



# **WORKERS' COMPENSATION SYSTEM REVIEW, 2023**

## **BACKGROUND**

The Worker's Compensation Board of Nova Scotia (WCBNS) is undertaking a System Review. A Review Committee of Worker, Employer and Board representatives has been struck and is in the preliminary stages of this process.

The System Review will include assessment of the current legislation and policy, the legal and regulatory framework, and the WCB's structure and culture. They will also be opening conversations about Harassment and Bullying, something which will soon be considered as a covered workplace incident under workers' compensation legislation.

The Review will involve public consultations across the province through November and December 2023. **These consultations are an opportunity for workers to raise their concerns about the current workers' compensation system and to call for changes they believe are necessary.**

**We must support and defend our public workers' compensation system.** Despite its flaws, It remains the best option to keep workers safe in their workplaces and to ensure they are treated fairly if they are injured or made ill by work.

In preparation for the System Review and the public consultations the Nova Scotia Federation of Labour has created this briefing document to prepare workers and their advocates to participate.

### **This document is intended to:**

- Provide information about the history and foundations of the workers compensation system in Nova Scotia.
- Explain why the workers compensation system is good for workers and why the Labour Movement continues to support it, despite its flaws.
- Highlight where the current workers' compensation system in Nova Scotia is failing workers and outline the improvements we believe are necessary to reduce the suffering caused by workplace injury and occupational disease.
- Provide information sheets to facilitate and encourage the participation of unions and workers in public consultations.

**If you have any input, questions or thoughts on this document, or if you would like more information about the public consultation process as it becomes available, please follow us on Facebook and / or contact us at:**

**Nova Scotia Federation of Labour  
3700 Kempt Road, suite 200  
Halifax, NS B3K 4X8**

**phone: 902-454-6735  
email: [joan@nslabour.ca](mailto:joan@nslabour.ca)**

## HISTORY AND FOUNDATIONS OF WCB

- Worker's Compensation is the system in Canada that provides benefits when a worker has been injured or made sick on the job.
- **Until the early 1900s a worker who was injured at work had only one recourse. They had to sue their employer.**
- Filing lawsuits was expensive and beyond the limited means of most workers. Very few injured workers managed to even start this process.
- For the few lawsuits that were filed, employers were usually prepared to defend themselves with well-paid lawyers. They also used legal defenses that assigned blame for injuries to workers or co-workers.
- Workers were rarely successful in court. Only 50% of lawsuits resulted in any judgement for the worker. The average judgement was half a year's salary.
- Even if workers won their lawsuit, employers often avoided paying. If an employer went out of business, it was impossible for workers to collect the compensation they were awarded.
- **Workers and families were being left destitute because of workplace injuries.**
- In the early 1900's, the injustice and the social costs of workplace injuries triggered the Canadian government to act.
- In 1910, an Ontario Royal Commission headed by Justice William Meredith studied options to solve the worker's compensation problem. The Commission Report identified five principles, known as **the Meredith Principles**, which continue to form the basis of the workers' compensation system that we have today.

### The Meredith Principles are:

**No Fault Compensation** - There is no argument about who is responsible for an accident. Workers are entitled to compensation for injuries or illness without regard to fault.

**Security of benefits** - An Accident Fund is established and paid into by employers, ensuring money is always available to pay benefits when an injury occurs and into the future.

**Collective Liability** – All employers share liability for workplace injuries and illnesses. Employers contribute to the Accident Fund, and this fund is used to compensate for injuries.

**Independent Administration** - Workers' compensation is administered by an organization that is separate from government, employers, and workers.

**Exclusive Jurisdiction** – Injured workers give up their right to sue employers through the courts. Workers can only seek benefits through the workers' compensation system.

**Between 1913 and 1917 every jurisdiction in Canada introduced legislation based on the Meredith Principles to provide compensation for workplace injuries and disease.** In 1915, Nova Scotia became the second province to introduce workers' compensation legislation.

## **The Historic Compromise**

**At the heart of the Meredith Principles is something known as the “Historic Compromise”.**

Workers gave up their right to sue for workplace injuries in exchange for a workers’ compensation system that is no fault, employer funded, secure, and independently administered.

Employers fund this system in exchange for immunity from personal injury lawsuits.

**Over recent years the balance of the Historic Compromise has been eroded.** Employers continue to enjoy immunity from lawsuits, but workers no longer receive fair compensation for injuries.

## **WCB Nova Scotia’s 1990s financial crisis and its consequences**

In the early 1990s, WCB revealed that it had the largest unfunded liability in Canada. They had only 28 cents for every dollar required to pay the future costs of existing claims. **The viability and stability of the worker’s compensation system was in danger.**

**The unfunded liability was caused by inadequate rates paid by employers through the 70s, 80s and early 90s** – a period during which Nova Scotia boasted the lowest employer assessment rates in Canada.

In the mid-1990s, the government responded to this crisis by making sweeping changes. They increased employer’s assessment rates, which became and remain among the highest in Canada. They also slashed benefits to workers, which since then have been the lowest in the country.

Injured workers, their families and their communities paid the price for the past failings of others.

**Since that time, the Board’s financial stability has been restored. The unfunded liability has been addressed, and in 2020 the Board achieved over 100% funding.**

## **A new era**

**Given the strong financial position of the Board, it is time to take steps to restore the balance to the worker’s compensation system.**

**History has taught us that a public workers’ compensation system is the best solution for workers. But the balance in the system must be restored.**

**The workers’ compensation system’s first priority must be to meet the needs of workers. This will require:**

- **Universal Coverage**
- **A justice system, not an insurance company**
- **Full and Fair Compensation**
- **Return to work processes based on clinical research and that prioritize the best interests of workers**

**Nova Scotia Federation of Labour**  
Workers' Compensation Board of Nova Scotia  
2023 System Review  
**INFORMATION SHEETS**



## UNIVERSAL COVERAGE

- Nova Scotia is one of the few jurisdictions in Canada that does not have Universal Coverage for all workers in the province. Employers with fewer than 3 employees or in specific industries are not required to have workers' compensation coverage.
- **Only 73% of Nova Scotian workers** are covered by the *Workers' Compensation Act*. This is among the lowest percentages in Canada.
- **Approximately 100,000 Nova Scotian workers are without coverage in the event of a workplace injury or disease.**
- Without workers' compensation, **workers' rights remain in the 19<sup>th</sup> century**. Their only recourse is to pay a lawyer to sue their employer. History has taught us most workers will never receive fair compensation through the courts.
- **Employers without coverage are also at risk.** In many cases, they are one injury related lawsuit away from financial ruin.
- The social costs of uncompensated workplace injuries and illnesses impact us all. **Without workers' compensation the burden of workplace injuries falls to the taxpayers.** Health care costs are paid through the public system. Income is replaced by Employment Insurance or social assistance.
- Universal, compulsory coverage, with all workers eligible for the same benefits, is a foundational principle of workers' compensation in Canada. The Meredith Report specifically recommended mandatory coverage, particularly for smaller and less stable employers.
- Over the decades, there have been repeated recommendations from both workers and employers for Nova Scotia to move toward universal, compulsory coverage. In 2002, a Review Committee also recommended universal coverage. This recommendation was never acted upon.
- Employers may protest Universal Coverage. The additional expense of WCB coverage will likely overshadow its long term benefits. **Workers' compensation is by nature only appreciated when it's needed.**
- Estimates show that most uncovered employers are in industries that pay lower assessment rates. **Moreover, the costs of coverage will be minimal for employers who maintain safe and healthy workplaces.**
- Studies have suggested Universal Coverage will be either cost-neutral or a financial benefit to the Accident Fund.
- Universal Coverage will modernize the workers compensation system, ensure justice for injured workers, protect our social safety and healthcare systems, protect employers from the uncertainty of lawsuits, and create a level playing field for businesses and workers.

**WCB must immediately implement Universal Coverage and ensure all workers and employers in the province have the protection offered by the system.**

## WCB, A JUSTICE SYSTEM

- The Workers' Compensation Board of Nova Scotia has been operating for too long as though it was an Insurance Company. For decades, WCB has focused on keeping costs low for employers and not on the needs of injured workers.
- **WCB is not an insurance company. It is a justice system.**
- In the Historic Compromise, workers gave up their right to sue through the courts. **WCB stands in the place of the courts and hold true to the principles of fairness, impartiality, equality, and independence.**
- **WCB must change its focus back to the reason it exists – to provide justice to workers who have been injured or made sick at work.**
- **This change must address:**
  - **Merits and justice of the case**
  - **Written decision letters**
  - **Accessible and timely appeal system**
  - **The high volume of overturned decisions at appeal**
  - **Interest on retroactive payments**

### **MERITS AND JUSTICE OF THE CASE**

- Section 186 of the *Workers' Compensation Act* says decisions, orders and rulings of the Board should always be based upon the real merits and justice of the case.
- **The WCB, however, has no definition of what merits and justice means.** It often seems decision makers rely on cherry-picked information, internal biases, assessments of costs, and negative attitudes toward workers rather than on the weight of the evidence.
- To function as a justice system, decision makers and stakeholders must have clear guidance on responsibilities and processes for fair, consistent, and equitable decision making.
- **Decision makers must be required to exercise their authority in accordance with the law with compassion, respect and fairness.** Decision makers must be clearly instructed to carefully consider and weigh all evidence, apply law and policy fairly and consistently, implement the correct standard of proof, be responsible to gather evidence, and have clear guidelines for when a board medical opinion may be obtained.
- Other jurisdictions have developed Policies. The Yukon Workers' Compensation and Health and Safety Board's Policy on Merits and Justice of the Case is one excellent example.

**The Board must have a Policy related to the Merits and Justice of the Case, including direction on the standard of proof, gathering, and weighing evidence, and when to seek Medical Opinions**

## DECISION LETTERS

- The Board does not have a Policy regarding when and how decision letters are to be issued.
- This is enormously problematic. Decisions are rarely documented in writing, meaning no “final decision” has ever been made.
- Without a final decision, workers and employers are left with uncertainty. The adjudicative matter is never resolved. It can be raised again, and a decision requested, at any point in the future.
- Further, written decisions are required in order to file an appeal.
- Expecting stakeholders to request written decisions is unreasonable. Stakeholders often are unaware they have the right to a written decision and to appeal. Further, many are intimidated by and afraid to antagonize case workers. Moreover, providing a decision letter is not only in the stakeholders’ interests. Decision letters provide finality and ensure the true liabilities are clear now and in the future.
- There must be minimum standards on providing written decisions.
- Such a policy must state that written decision must be provided in every case a claim is accepted or denied and in every case earnings replacement benefits are approved or concluded.

**The Board must create a Policy requiring decision letters to be issued within 30 days of the related decision. In cases where benefits are concluded, decisions must be issued before any changes in the worker’s benefits are enacted.**

## APPEALS

- **All decisions made under the *Workers’ Compensation Act* are subject to appeal.**
- There are two levels of appeal specifically for Workers’ Compensation related matters.
  1. WCB Internal Appeals in which the Board reviews its own decisions.
  2. The Workers’ Compensation Appeals Tribunal (WCAT), an external administrative tribunal that reviews the Board’s decisions
- **Over half (54%) of appeals to WCAT are successful or successful in part.** This high rate of overturned decisions raises questions about the quality and justice of the Board’s decisions.
- Each overturned decision means the parties – workers or employers - were not provided with the assistance and/or benefits they needed.
- **The Board must take immediate action to reduce the rate of decisions overturned.**
- The solution cannot be making appeals more difficult to access. This will only compound the problem. For true justice, appeals must always be accessible and encouraged.
- **The solution can only be ensuring decision makers are providing the right decision to the**

**right person at the right time.** This will require training in gathering and weighing evidence, measurement and evaluation of appeal returns, and ensuring necessary changes are made in adjudicative processes.

- Further, the number of appeals and delayed justice could be addressed by implementing a meaningful informal conflict resolution process within the Board.

**The Board must ensure appeals are encouraged and accessible. They must address the high rate of incorrect decisions and create an informal conflict resolution system.**

## **INTEREST ON RETROACTIVE AWARDS**

- In many cases, there are unnecessary delays in entitlement decisions, the appeal process, and implementing appellants' decisions.
- These delays in providing benefits result in significant hardship for workers. Workers may be forced into expensive borrowing. They may have to sell their assets, including their homes.
- **Every time a benefit payment is delayed, workers are in essence making an unpaid loan to the Board.** Yet they receive retroactive payments without consideration of inflation, borrowing costs, or lost opportunities.
- **The WCB must provide for the payment of interest on retroactive awards.**
- Paying interest on retroactive benefits goes some way toward compensating workers for the consequences of unnecessary delays.
- **Payment of interest also makes the Board accountable for unnecessary delays, encouraging prompt, complete, and accurate decision making.**

Such interest must be compounded and can be based on the average rate of return on the Board's investments each year.

**There must be provision for interest on benefits that have been delayed by more than 12 months, whether that delay resulted from staffing issues, decisions that are overturned at appeal, or failure to promptly implement appeal decisions.**

## FULL AND FAIR COMPENSATION

- **In the Historic Compromise, workers gave up their right to sue their employers for workplace injuries in exchange for a no fault, secure, independent, and employer-funded system of workers' compensation.**
- **This compromise is sustainable only when workers receive what was promised to them.** They must receive full and fair compensation in exchange for the immunity offered to employers.
- **Presently, injured workers in Nova Scotia receive the lowest benefits in the country.** Because of an injury, workers are losing enormous amounts of income and the ability to save for retirement.
- WCB also fails to reasonably compensate for the medical costs associated with injuries.
- Currently, many of the costs that are not compensated by the system are falling onto the public system to
- Employers have claimed they cannot afford to pay for such a system. **But the cost of the system must be the financial cost of the injuries or illnesses it is intended to insure.** Affordability is not enough to justify reducing the standard of living of injured workers and their families. **Employers can reduce their costs by ensuring safe and healthy workplaces.**
- **If the system is not providing full compensation, it simply shifts the economic costs of workplace injury to workers and to the public systems.**
- Failing to require employers to fund a system that provides full compensation shifts the economic cost of workplace injury to workers and taxpayers. This isn't an acceptable solution.

**To be equitable, funding from employers must be sufficient to provide the necessary support and services to fully restore injured workers to their pre-injury status and provide compensation benefits needed to replace their losses.**

### Full compensation means changes in:

- **Maximum Insurable Earnings**
- **Wage Rates**
- **CPI (Consumer Price Indexing) increases**
- **Benefits beyond age 65**
- **The Prescription Drug Formulary**
- **Independence and Home Maintenance Benefits**

### **INCREASING MAXIMUM INSURABLE EARNINGS**

- Nova Scotia has the second lowest maximum insurable earnings in Canada (\$69,800 in 2023).
- That means workers who earn more than \$69,800 per year will never receive compensation for their full loss.
- **It is unjust for workers to suffer significant financial losses because of a workplace injury.** They should not lose their savings, their homes, and everything they've worked for.

- **Manitoba, a jurisdiction of similar size and industrial make up as Nova Scotia, has no maximum insurable earnings.** Workers receive compensation for the full amount of their pre-injury income. The Manitoba system has managed this while remaining fully funded.

**WCB must eliminate the maximum insurable earnings. At a minimum, the maximum insurable earnings must be doubled.**

### **INCREASING WAGE RATES**

- WCB wage rates are paid at either 75% or 85% of net income (to the maximum insurable earnings). This represents a significant loss because of a workplace injury.
- Most other jurisdictions pay 90% net income.

**WCB wage rates must be increased to at least 90% of net income.**

### **FULL CPI (Consumer Price Indexing) INCREASES**

- The Consumer Price Index (CPI) is calculated by Statistics Canada. It is an indicator of changes in consumer prices experienced by Canadians. It is based on changes in prices, through time, of a fixed basket of goods and services.
- The CPI is used by most workers' compensation schemes in Canada to increase wage loss benefits each year. This ensures workers' income is at least keeping pace with rising costs of living.
- **In Nova Scotia, however, section 70 of the Act provides annual increases based on half of the CPI for the preceding year.** That means injured workers' benefits aren't keeping up with costs of living. These workers are falling behind every year.
- Other jurisdictions, including all of those that are comparable to Nova Scotia, provide an annual increase based on the full CPI.

**Nova Scotia must provide annual increases to earnings replacement benefits based on the full CPI.**

### **BENEFITS BEYOND AGE 65**

- Currently, WCB earnings replacement benefits are terminated when an injured worker reaches the age of 65.
- Many injured workers had every intention of working beyond that age whether by necessity or choice. It's unreasonable and unjust to terminate their benefits on the assumption they would have otherwise retired.

- Other jurisdictions have found ways to extend benefits for all or some workers beyond age 65.

**WCB earnings replacement benefits must continue beyond the age of 65.**

## **RETIREMENT BENEFITS**

- After an injury, workers are unable to save for retirement. Permanently injured workers lose pension or other savings plans that are provided through employment. They are unable to contribute to the Canada Pension Plan and lose the security this provides in retirement.
- Nova Scotia currently has a very small annuity program for permanently injured workers. This program must be improved to ensure workers are protected and have stability as they age.
- Other jurisdictions, including Manitoba and Alberta, provide compensation for the loss of workplace pension or savings plans.

**WCB must establish a benefit to compensate for a worker's loss of employment pensions or savings plans.**

**WCB must substantially improve its annuity program to ensure workers are not left destitute in their old age.**

- **WCB legislation does not allow for any support or assistance for independence and home maintenance.**
- Independence and home maintenance benefits offset many additional costs caused by the compensable injury and to ensure workers can continue to live independently with dignity.
- **Regardless of the severity of their injury, in Nova Scotia an injured worker is not entitled to assistance to care for their home** – lawn mowing, snow removal, etc.
- Workers are expected to rely on support from family and friends to take care of their basic needs. This is a huge burden to place on others and damages a workers' dignity and self-reliance. Many workers don't have access to this kind of support.
- Workers are living in unacceptable conditions because of the lack of independence and home maintenance assistance. There are literally workers who are homebound in the winter because they are unable to shovel their way out. Workers who cannot maintain their homes lose value in their property. **This is not only humiliating, but also dangerous.**
- **Many other jurisdictions including Saskatchewan, PEI, Alberta, British Columbia and Ontario, provide independence and home maintenance benefits after a serious injury.**

**WCB must provide benefits for Independence and Home Maintenance**

## RETURN TO WORK

- **We support a safe return to work as soon as is appropriate after an injury. We acknowledge this is in everyone’s best interests.**
- However, **the Board frequently insists that immediate return to work is appropriate in every case, regardless of the individual circumstances.**
- The Board claims its return to work practices are founded in clinical evidence. They refer regularly to studies suggesting the longer a worker is away from the workplace the less likely they are to return in any capacity. The specific studies they rely on, however, are not cited.
- WCB’s position is that an immediate return to work is the only way to prevent long term or permanent disability. In fact, the research evidence shows that returning to work too early is counterproductive and can result in extended disability.
- **Often, saving money is the goal of return to work practices rather than serving the best interests of the worker.**
- Preventing time loss from work at all costs, suggesting there is “no injury that can be accommodated”, and failing to use a standard approach to return to work has created conflict and unnecessary suffering.
- Additionally, **the approach contributes to negative attitudes towards injured workers and the disabled community.**
- **A worker’s pain is regularly ignored in return to work planning.** The concept of “hurt vs. harm” - that pain does not indicate damage and is never a legitimate barrier to returning to work - is repeated by the Board and their contracted service providers. **There is, however, insufficient clinical evidence that this concept applies to any injuries other than mechanical low back pain.**
- Decision makers insist on “objective evidence”, although it is often simply not available. Subjective evidence, or evidence that relies on a workers’ own statements, is not given any weight. This suggests the Board believes workers lie about their condition to avoid work.
- **The input of family physicians is routinely dismissed.** Family physicians are considered to be influenced by advocacy for their patients and are not given the respect they deserve.
- The Board regularly arranges for workers to return to work in an “extra” or “supernumerary” capacity. This means they will not be paid by their employer for their hours. They will simply continue to receive WCB benefits.
- There are no policies or guidelines for supernumerary return to work plans. These arrangements have been known to go on for years. The worker is providing unpaid labour and is losing out on CPP, EI, and other employer benefits despite the fact they are putting in hours at work.

**The Board must develop a policy regarding return to work. The policy must require that return to work be fully documented, clinically supported, and involve meaningful and productive work.**



**The return to work policy must address Supernumerary Return to Work and be clear about when such arrangements are appropriate. There must be limits on the circumstances and duration of such programs. Unpaid work must be the exception, not the rule.**

**The Board must lead a culture change regarding return to work. Workers must be respected and believed. Negative attitudes towards workers and disability must have no place in decision making.**

**Primary care providers must have input into the return to work process. The Board must eliminate the Policy statement suggesting family doctors' opinions can be dismissed as "advocacy" for their patients.**

**WCB SYSTEM REVIEW 2023  
SUMMARY OF NS Federation of Labour  
RECOMMENDATIONS**

<b>UNIVERSAL COVERAGE</b>	WCB must move toward Universal Coverage and ensure all workers in the province have the protection offered by the system.
<b>WCB, A JUSTICE SYSTEM</b>	<p>The Board must have a Policy related to the Merits and Justice of the Case, including direction on the standard of proof, gathering and weighing evidence, and when a Medical Opinion may be sought.</p> <p>The Board must create a Policy requiring decision letters to be issued within 30 days of the related decision. In cases where benefits are concluded, decisions must be issued before any changes in the worker’s benefits are enacted.</p> <p>The Board must ensure appeals are encouraged and accessible. They must address the high rate of incorrect decisions. The must create an informal conflict resolution system.</p> <p>There must be provision for interest on benefits that have been delayed by more than 12 months, whether that delay resulted from staffing issues, decisions that are overturned at appeal, or failure to promptly implement appeal decisions.</p>
<b>FULL AND FAIR COMPENSATION</b>	<p>WCB must eliminate the maximum insurable earnings, or at a minimum it must be doubled.</p> <p>WCB wage rates must be increased to at least 90% of net income.</p> <p>The Board must apply the full CPI factor to increase benefits annually.</p> <p>WCB earnings replacement benefits must continue beyond the age of 65.</p> <p>WCB must establish a benefit to compensate for a worker’s loss of employment pensions or savings plans.</p> <p>WCB must substantially improve its annuity program to ensure workers are not left destitute in their old age.</p> <p>WCB must provide benefits for independence and Home Maintenance</p>
<b>RETURN TO WORK</b>	<p>The Board needs a policy regarding return to work planning. It must require that return to work be documented, supported by clinical information, and that duties must be meaningful and productive.</p> <p>The Board needs a policy on “Supernumerary Return to Work”, confirming when and how such a return to work arrangement is appropriate. Unpaid work must be the exception, not the rule, and there must be strict limits on the circumstances and duration of such programs.</p> <p>The Board needs to change their culture regarding return to work, ensuring workers are respected and believed, and that negative attitudes towards workers and disability don’t have a place in decision making.</p> <p>The Board must involve primary care providers in the return to work process and must stop dismissing their views as “advocacy” for their patients.</p>

## COMPARISON OF COMPENSATION BENEFITS, SELECTED CANADIAN JURISDICTIONS

Upcoming conversations about the future of WCB coverage are important, because when compared to other jurisdictions, Nova Scotia's benefits regime is lower when compared to Board's in jurisdictions with a similar population and industry base.

Index Area	NS	NB	NL	MB	SK
% Workforce Covered (2019)	73%	91%	97%	79%	76%
Waiting period	2/5ths of week	No	No	No	No
CPP offset for earnings loss benefit	Yes 50%	Yes 50% is offset	Yes 75% of net	Yes 100% offset	Yes after 12 months of LOE, 50%
Percentage of earnings covered: Long-term	75% of net for first 26 weeks; 85% of net after 26 weeks	85% loss of earnings	80% of net	90% of net	90% of net
Fatality benefits other than pensions – immediate lump sum	\$15,000 at date of death	50% NB Industrial Aggregate Earnings (2023 \$24,940)	\$15,000 or 26X W's average weekly net earnings whichever is greater	\$76,530	None
Maximum Earnings Covered (2023)	\$69,800	\$74,800	\$72,870	No maximum (max assessable \$153,390)	\$96,945
Average New Impairment Award (2019)	8.15%	7.96%	14.80%	N/A	7.79%
Annuity	5% of extended earnings replacement benefit is set aside for annuity	10% of 'long term earning loss' benefit is set aside for annuity	Pension replacement benefit at age 65 if loss of a pension benefit due to injury	Up to 7% of 'long term earning loss' benefit is set aside for annuity	10% of 'long term earning loss' benefit is set aside for annuity
Indexing (CPI or AIW)	Yes, 50% of CPI	Yes, 100% of CPI	Yes, 100% of CPI	Yes, AIW (Average Industrial Wage)	Yes, 100% of CPI

*(Adapted from 2020 WSIS Annual Report)*

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<https://www.annualreport.wcb.ns.ca/>

**WSIS Year End Report, 2022**  
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**Nova Scotia Federation of Labour**  
**3700 Kempt Road, suite 200**  
**Halifax, NS B3K 4X8**

**phone: 902-454-6735**  
**email: [joan@nslabour.ca](mailto:joan@nslabour.ca)**