

The OEA E-Bulletin

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September 11, 2007

WSIB is Bringing Accreditation to Ontario Workplaces

Accreditation is coming to Ontario workplaces. Accreditation refers to a process to recognize that an employer's occupational health and safety policies and programs meet a specified standard. The primary purpose of an accreditation program is to promote the adoption of a health and safety management system that includes world-class policies, programs and practices in Ontario workplaces. The program will recognize employers that have superior health and safety programs and performance, and who encourage others to achieve similar results.

The WSIB is continuing with its development of an accreditation model. The underlying principles and goals are contained in the WSIB's consultation document, which can be found at: [http://www.wsib.on.ca/wsib/wsibobj.nsf/LookupFiles/DownloadableFileAccreditPaper/\\$File/AccreditationConsultPaper.pdf](http://www.wsib.on.ca/wsib/wsibobj.nsf/LookupFiles/DownloadableFileAccreditPaper/$File/AccreditationConsultPaper.pdf).

The WSIB held a meeting with stakeholders on August 23, 2007 to provide an update on the development of the program's design. The accreditation program would be based on several crucial principles, including:

- demonstrated workplace health and safety leadership;
- a continuous improvement process;
- evidence of the internal responsibility system;
- exceeding health and safety legal requirements; and
- validation by an independent third party auditor.

These principles will be the basis for an accreditation process that includes the following criteria:

- an initial orientation workshop for the

- employer's senior management team to obtain buy-in;
- a written employer commitment to pursue an accreditation audit;
- formal registration with a third party independent auditor;
- ongoing second- and third-year reviews to update and maintain standards;
- a revocation process for employers who breach the program requirements; and
- reconfirming accreditation in the third year of participation in the program through a subsequent audit.

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The WSIB will be coming back to employers in October to provide more details on the program, particularly the financial incentive aspect for employers who qualify. Several other issues that also need to be resolved include:

- fleshing out the proposed third party audit principles;
- a process to ensure consistency with other management systems, such as ISO;
- adapting the model for small business and sector specific concerns; and
- how the WSIB will implement its right to revoke accreditation if the employer fails to continue meeting the standard.

The WSIB will pilot the program to get practical information on how it is working.

The OEA will keep you informed of the development of the accreditation program as more information becomes available.

For more information on this process and to download a copy of the WSIB's "Accreditation for Ontario Workplaces Consultation Paper," visit the WSIB's web site at:
<http://www.wsib.on.ca/wsib/wsibsite.nsf/Public/PreventionAccreditationConsultation>.

WSIB Releases its Report Summarizing Stakeholder Feedback from the Second Round of Consultation on the Revised Draft Early and Safe Return to Work Policies

The second round of stakeholder consultations on the WSIB's revised draft Early and Safe Return to Work (ESRTW) policies ended on February 15, 2007. The WSIB is still in the process of consolidating all of the input received from stakeholders, in addition to analyzing the results of the pilot testing, and plans to integrate its analysis with other initiatives such as its Service Delivery Team Roles Review. The WSIB apparently plans to share its proposed revisions to these revised draft policies with stakeholders later this year.

For a copy of the WSIB's report summarizing the stakeholder feedback from the second round of consultations, a copy of the August 27, 2007 letter to stakeholders with an update on this consultation process, and/or a copy of the October 2006 version of the revised draft policies, visit the WSIB's web site at:
<http://www.wsib.on.ca/wsib/wsibsite.nsf/public/ESRTWconsult>.

WSIB is Developing a System for Employers to Complete and Submit Form 7s Electronically

The WSIB is in the process of developing a new eService for employers called, "Business to Business Form 7 (B2BF7)." This will enable large employers to complete and submit an Employer's Report of Injury/Disease (Form 7) to the WSIB over the Internet, through their Human Resources Management System or similar Occupational Injury/Incident/Disease Management and Reporting software. The WSIB expects to have this service in place by the end of 2007. For more information, visit the WSIB's web site at:
<http://www.wsib.on.ca/wsib/wsibsite.nsf/public/B2BF7Project>.

WSIB Warns Employers Not to Buy WSIB Posters from Third Parties

The WSIB is warning employers that several individuals who are not affiliated with the WSIB have been approaching businesses across Ontario to "aggressively" attempt to sell fake WSIB posters by providing employers with incorrect information about legal requirements and potential fines. While it is true that employers are required to display the "In Case of Injury - 1234" poster in their workplaces, the WSIB provides these posters directly to employers, free of charge. Employers can call the WSIB to order these posters at 416-344-1016 or 1-800-663-6639. For a copy of the WSIB's notice, visit its web site at:
[http://www.wsib.on.ca/wsib/wsibobj.nsf/LookupFiles/NewsReleaseNR082107e/\\$File/News082107e.pdf](http://www.wsib.on.ca/wsib/wsibobj.nsf/LookupFiles/NewsReleaseNR082107e/$File/News082107e.pdf).

Schedule 1 Employers Can Submit Changes to the WSIB About General Business Information Through ServiceOntario

The Ontario Ministry of Government Services operates ServiceOntario and has an online Change Of Business Information (COBI) application that is accessible to the public 24 hours a day, seven days a week. It allows users to submit changes to existing information to federal and provincial government programs, and that now includes the WSIB.

Schedule 1 employers can now use ServiceOntario to submit changes to the WSIB for:

- three types of business addresses (account, general mailing, payroll records and organization);
- two types of business names (legal and trade); and
- contact information (business telephone and/or fax numbers).

For more information about ServiceOntario and the COBI application process, follow the links from the WSIB's site at:

<http://www.wsib.on.ca/wsib/wsibsite.nsf/PublicPrint/ServiceOntario>.

Ontario Professional Fire Fighters Association "Laying the Foundation" for Lou Gehrig's Disease in its Members

An article in the July 21, 2007 edition of the *Globe and Mail* called, "Smoke, Fire and Lou Gehrig's Disease" discussed the higher than usual incidence of Amyotrophic Lateral Sclerosis (ALS), commonly known as Lou Gehrig's disease – an incurable neurodegenerative disease – among Ontario firefighters. Statistically, only one to two people in 100,000 get ALS but, according to this article, at least seven of Ontario's 10,500 full-time firefighters have recently developed ALS. Of these seven cases, two firefighters were diagnosed with ALS in each of two fire stations.

While the cause of ALS is still unknown, Dr. Lorne Zinman, Director of Sunnybrook Hospital's ALS Clinic in Toronto, believes ALS is caused by a combination of genetic predisposition (approximately 10% of cases are attributed to genetics) and environmental exposure. No major studies have investigated the link between firefighters and ALS, but there are an increasing number of firefighters who feel there may be a link to the toxic chemicals to which they are exposed on the job.

Presumptive legislation for certain cancers contracted by firefighters was passed last spring with Ontario Regulation 253/07, which also created the possibility of having additional diseases added to the Schedule at a later date. Two occupational disease representatives at the Ontario Professional Fire Fighters Association had spent seven years collecting cancer claims from Ontario firefighters to submit to the WSIB to establish a recorded pattern of sickness, with the long-term goal of having presumptive legislation passed. They are now turning their attention to ALS. Whenever they hear about a firefighter receiving a diagnosis of ALS, they are asking the family to file a claim with the WSIB, knowing it will be denied, to "lay a foundation" with the hope that future claims will eventually be accepted as certain listed cancers now are. As of the time this article was written, seven firefighters with ALS had submitted claims to the WSIB, and all had been rejected.

To get a free copy of this *Globe and Mail* article, go to:

<http://www.theglobeandmail.com/servlet/story/RT.GAM.20070720.wals0721/BNStory/specialScienceandHealth/home>. For a copy of Ontario Regulation 253/07 "Firefighters," visit the Ontario e-laws web site at: http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_070253_e.htm.

WSIAT Releases New "Notice of Appeal for Employers"

The WSIAT has revised the "Notice of Appeal for Employers" form, which is available on the WSIAT's web site at:

<http://www.wsiat.on.ca/english/resources/forms/index.htm>.

WSIAT Will Require All Representatives to Provide Information About Their Licensing Status After October 31, 2007

As of May 1, 2007, paralegals representing parties before the WSIAT are governed by licensing requirements of the *Law Society Act*, its Regulations and the Law Society of Upper Canada. In response to this legislative change, the WSIAT has announced that:

By October 31, 2007 representatives who are not exempt from the licensing requirement and who do not intend to apply for a paralegal licence should have completed work on existing files or transferred ongoing files to representatives (lawyers or paralegals) in good standing with the Law Society, or paralegals who are exempt from the requirement to have a licence.

After October 31, 2007, the WSIAT will require all representatives to provide information about their licensing status in order to represent parties before the Tribunal.

Staff of the Office of the Employer Adviser and the Office of the Worker Adviser are exempt from this licensing requirement.

For more information about the WSIAT's procedure, visit the WSIAT's web site at: <http://www.wsiat.on.ca/english/news/consumerAdvisory.htm>. For more information about the Paralegal Regulation in general, visit the Law Society of Upper Canada's web site at: <http://www.lsuc.on.ca/paralegals/>.

WSIB's 2006 Annual Report Available

The WSIB's 2006 Annual Report is now available on-line at: [http://www.wsib.on.ca/wsib/wsibobj.nsf/LookupFiles/AnnualReports2006AnnualReport/\\$File/AnnualReport06ENG.pdf](http://www.wsib.on.ca/wsib/wsibobj.nsf/LookupFiles/AnnualReports2006AnnualReport/$File/AnnualReport06ENG.pdf). The cover of this document reflects the WSIB's new approach to preventing workplace injuries with a graphic photo of an injured worker.

WSIAT's 2006 Annual Report Available

The WSIAT's 2006 Annual Report is now available on-line at: <http://www.wsiat.on.ca/english/resources/publications/AnnualReport2006.pdf>.

Potentially Compensable Mesothelioma Cases May Be Under-reported

An article in the April - June 2007 issue of the *International Journal of Occupational and Environmental Health* called, "Canada's Asbestos Legacy at Home and Abroad" by James T. Brophy, Phd, Margaret M. Keith, Phd, Jenny Schieman, RN, discusses the findings of a recent study about asbestos-related cancers in Canada. According to a July 14, 2007 article in the *Globe and Mail*, the WSIB told the *Globe and Mail* that most people with mesothelioma don't submit a claim to the WSIB and of those who do, 90% are compensated. The authors of the study, however, say the low compensation rate is explained by:

- Ontario doctors not being required to notify the WSIB about mesothelioma cases,
- some individuals having contracted the disease by living with workers who brought traces of asbestos home on their work clothes and those individuals are not covered under the WSIA; and
- others having a hard time proving they worked with asbestos for 2 or more years.

To download a free copy of the *International Journal of Occupational and Environmental Health* article, visit the Journal's web site at: http://www.ijoe.com/pdfs/IJOEH_1302_Brophy.pdf. To purchase a copy of the July 14th article by Martin Mittelstaedt called, "Many victims of asbestos-caused cancers left uncompensated, study says," visit the *Globe and Mail's* web site at: http://www.theglobeandmail.com/servlet/Page/document/v5/content/subscribe?user_URL=http://www.theglobeandmail.com%2Fservlet%2Fstory%2FLAC.20070714.CANCER14%2FTPStory%2F%3Fquery%3Dmesothelioma&ord=135374&brand=theglobeandmail&force_login=true.

Study Finds Emissions from Some Laser Printers Are Equivalent to Cigarettes

A recent study of office laser printers led Australian researchers to conclude that some laser printer emissions are as bad for the lungs as a lit cigarette. The study suggests that some toner and printer combinations release emissions of small particles, when used under regular office conditions, which are potentially harmful to respiratory health. The lead researcher said, "Inhaling the particles could lead to respiratory irritation, and even more severe illnesses like cardiovascular problems and cancer." Larger particles could also be unhealthy, even without going deep into the lungs, because they carry more toxins. The study raises questions about the specific types of particles being emitted, and the types of chemicals they contain. Please click on the link below to purchase a copy of the Australian study called, "[Particle Emission Characteristics of Office Printers,](#)" at the [Environmental Science & Technology web site](#).

New Book Published: *How Doctors Think*

Jerome Groopman, M.D., affiliated with Harvard Medical School and the Beth Israel Deaconess Medical Center in the USA, recently published a book called *How Doctors Think*. He draws on research, extensive interviews with some of America's and Canada's best doctors, and his own experiences as an oncologist and as a patient, to identify the thought processes behind the decisions doctors make. He reveals the "warning signs of erroneous medical thinking" and "sources of faulty diagnosis and treatment" to provide both doctors and patients with important information required to make better joint judgments about medical diagnosis and care.

This book may help readers understand how and why one patient with a specific set of symptoms can end up with multiple diagnoses after being examined by different physicians, and even after having various types of "objective" high-tech testing such as x-rays, MRIs and EEGs completed. For the same reasons, the

author seems to feel it can be helpful for patients to seek out multiple practitioners in search of an appropriate diagnosis and treatment plan, particularly in more complicated cases where current treatments are not effective in improving the patient's health status. To read more about this book, visit the Chapters / Indigo web site at: <http://www.chapters.indigo.ca/books/How-Doctors-Think-Jerome-Groopman-M-d/9780618610037-item.html?ref=Search+Books%3a+'jerome+groopman'>.

Tip of the Month

Gain a better understanding of how WSIB decisions should be made by reading the WSIB's "Adjudication Support Documents"

The WSIB has a variety of "Adjudication Support Documents" that have been written to help WSIB decision-makers interpret and apply certain WSIB policies consistently and efficiently.

"Adjudication Advice" documents provide information about more challenging issues such as clarifying an employer's initial accident reporting obligations, determining maximum medical recovery, the protocol for decision-makers to obtain outstanding medical information, determining initial entitlement in disablement situations, adjudicating recurrence claims, and dealing with workers who have multiple claims. "Best Approaches Guides" were developed to help WSIB staff apply key adjudication principles such as writing decisions, assessing a "timely and safe" return to work, reconsidering decisions, returning workers with psychological and chronic pain conditions to work, and weighing medical evidence. "Training in Policy Summary (TIPS)" newsletters outline practical examples for specific policies and address issues such as re-employment obligations, LMR expenses, aggravations, reporting obligations and late filing.

To download copies of all of the Adjudication Support Documents available on the WSIB's web site, go to: <http://www.wsib.on.ca/wsib/wsibsite.nsf/public/AdjudicationSupportDocuments>.

All information is correct at time of publication. For specific questions, please call the Office of the Employer Adviser Advice Centre at 1-800-387-0774.

To review earlier e-bulletins please click [here](#).

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