

Clunn, Karen E LBR:EX

From: Tanner, Michael A LBR:EX
Sent: Monday, July 28, 2014 9:35 AM
To: Hughes, Trevor LBR:EX
Cc: Blakely, John H LBR:EX; Clunn, Karen E LBR:EX; Rogers, Peter LBR:EX
Subject: Final RFL for Signatures
Attachments: RFL - WCA 2015 - Macatee report (FINAL).docx; RFL - WCA 2015 - Macatee report (tracked).docx

Trevor – please find attached the final RFL for the minister's and DM's final review and sign-off. Legislative Counsel comments are inserted as Appendix A and Treasury Board Staff comments as Appendix B.

I have also attached a tracked changes version that tracks the additions made following the briefing last Thursday morning with the minister, in case that is helpful for reviewing the additions with the minister.

Michael Tanner
Director
Labour Policy and Legislation Division
Ministry of Jobs, Tourism and Skills Training and Ministry Responsible for Labour
[British Columbia]
Phone: (250) 356-7264
Fax: (250) 356-5186
E-mail: Michael.Tanner@gov.bc.ca

REQUEST FOR LEGISLATION – 2015

MINISTER:

The Honourable Shirley Bond
Minister of Jobs, Tourism and Skills Training and
Minister Responsible for Labour

DATE:

July 24, 2014.

NAME OF ACT:

Workers Compensation Act

PURPOSE:

The proposed amendments to the *Workers Compensation Act* implement recommendations from Gordon Macatee's *WorkSafeBC Review and Action Plan* ("Action Plan") to improve investigations and enforcement of occupational health and safety at WorkSafeBC. This legislation will complement other organizational, policy and operational changes taking place at WorkSafeBC to implement a world-class inspection and investigation regime and to further strengthen worker safety in British Columbia.

Background on WorkSafeBC

The *Workers Compensation Act* enshrines the historic compromise in which workers give up the right to sue their employers for workplace injury/death in return for a no-fault insurance scheme funded by employers. The Act also establishes the Workers' Compensation Board (WorkSafeBC) as an independent agency to, in concert with workers and employers:

- Promote the prevention of workplace injury, illness, and disease;
- Rehabilitate those who are injured and provide timely return to work;
- Provide fair compensation to replace workers' loss of wages while recovering from injuries; and
- Ensure sound financial management for a viable workers' compensation system.

As part of its prevention mandate, WorkSafeBC conducts inspections of worksites and investigations where a worker is injured or killed in the course of employment. WorkSafeBC has the ability to write orders, impose penalties under the Act, and refer to Criminal Justice Branch cases where prosecution under the Act should be contemplated for serious breaches of the Act.

Background on the Action Plan

In 2012, explosions at the Babine Forest Products mill in Burns Lake and at Lakeland Mills in Prince George saw two workers killed at each explosion and many others injured.

In January of 2014, the Criminal Justice Branch announced that it would not be pursuing charges under the *Workers Compensation Act* against Babine Forest Products in Burns Lake despite a referral from WorkSafeBC and a report outlining that the explosion which occurred in 2012 was preventable. On January 16, 2014, Premier Clark ordered Deputy Minister John

Dyble to conduct an internal review of the decision not to lay charges. Mr. Dyble's report recommended three primary courses of action: measures to improve interaction between investigating and prosecuting agencies; improvement of policies, procedures and communications within WorkSafeBC; and enhanced training and improved working relationships between Criminal Justice Branch and WorkSafeBC.

On March 14, 2014 WorkSafeBC released its inspection results on 144 sawmill locations in BC. Despite efforts to educate employers about the risk of explosion in mills, 61 employers were issued 93 orders related to combustible dust infractions. This includes 11 employers who were issued 13 stop-work orders due to unacceptable accumulations of secondary dust and other significant violations. These results indicated that workers continued to be exposed to an unacceptable level of risk in BC sawmills despite the tragic explosions from 2012. Government acted by bringing industry, labour and WorkSafeBC together to bring about real and sustained safety improvements to protect workers in BC mills. On March 31, 2014, government, the forest industry, organized labour, and WorkSafeBC issued a joint statement to announce an aggressive co-ordinated plan to accomplish a number of specific outcomes over the following 90 days with regard to mill safety and the combustible dust strategy.

On April 14, 2014, Criminal Justice Branch announced its decision not to approve charges as well in relation to the 2012 Lakeland Mills explosion in Prince George. The Criminal Justice Branch stated that there was no substantial likelihood of conviction for any of the regulatory offences recommended following the WorkSafeBC investigations, citing the same two reasons as in the Babine case: the inadmissibility of some of the evidence gathered by WorkSafeBC's investigators, and the defence of due diligence available to both employers. This announcement confirmed the need for change at WorkSafeBC, along with improvements in worker safety.

On April 14, 2014, Minister Bond therefore took further action by announcing that the WorkSafeBC chair and board of directors agreed to appoint Gord Macatee as Administrator at WorkSafeBC to ensure that necessary reforms are undertaken. Minister Bond also provided the WorkSafeBC chair a letter on the agenda of change that Mr. Macatee would lead. The agenda included:

1. Ensuring future investigations are handled correctly by implementing recommendations from the Dyble Report.
2. Ensuring our sawmills are safe workplaces by implementing the 90-day action plan on sawmill safety.
3. Review workers' compensation boards in other jurisdictions, to understand the merits of and determine best practices in organizational structures specifically relating to the separation of enforcement vs. regulation.
4. Develop a plan for implementing a world-class inspection and investigation regime, incorporating best practices, workforce review and enhanced training.
5. Provide a single status report by July 1, consolidating the plans and reports noted in items 1 to 4 above.
6. Conduct the search for and finalize the appointment of a new and permanent CEO.

Mr. Macatee delivered his report (i.e., the Action Plan) on July 2, 2014, to Minister Bond, who released it publicly on July 15, 2014. The report contains 43 recommendations to ensure that WorkSafeBC investigations are handled correctly in the future, that sawmills are safer places to work, that best practices are employed in occupational health and safety generally and that BC establishes a world class inspection and investigation regime. Government and WorkSafeBC have accepted all of the recommendations and have publicly committed to implementing them to ensure that tragic events like those at the Babine and Lakeland sawmills, with the resulting failure of prosecution, do not happen again.

More than two-thirds of the recommendations in the Action Plan do not require legislation. Many of these changes are being acted on immediately, including a sustained compliance plan for BC sawmills and ongoing inspections of mills and other wood products manufacturers. To address the issue of investigations at WorkSafeBC leading to successful prosecutions, the Action Plan includes a number of steps to be taken, including Memoranda of Understanding between WorkSafeBC and Police Services and Criminal Justice Branch, improved communications, major case management, and a model with two distinct units for investigations.

The remaining recommendations in the Action Plan require legislation and form the basis for the legislative proposals set out in the Legislation section below.

LEGISLATION:

The background above provides the context for the requested legislation. As indicated, it is part of the overall Action Plan to ensure worker safety in BC workplaces. Legislation is necessary to implement these recommendations so that government can deliver on its public commitment to fully implement the Action Plan. The legislation has four specific objectives within the overall vision of ensuring worker safety.

1. Enhance workplace safety expertise on the WorkSafeBC board of directors
2. Provide a full hierarchy of effective enforcement tools
3. Shorten the process for issuing and confirming financial penalties
4. Ensure timely employer investigations of workplace incidents and reports

1. Enhance workplace safety expertise on the WorkSafeBC board of directors

s.12

s.12

2. Provide a full hierarchy of effective enforcement tools

s.12

s.12

s.12

s.12

s.12

s.12

s.12

3. Shortening the process for issuing and confirming financial penalties

s.12

s.12

4. Ensure timely employer investigations of workplace incidents and reports

s.12

Fiscal Implications:

s.12

CONSULTATIONS:

Internal

s.12,s.14

External and Intergovernmental

SIGNATURE(S):

Deputy Minister's signature (for consultation section)

Sponsoring Minister(s) must sign the RFL

Ministry's Instructing Officer:

Michael Tanner
 Director – Labour Policy and Legislation
 Labour Programs Division
 Ministry of Jobs Tourism and Skills Training
 and Ministry Responsible for Labour

Ministry Solicitor:

Michelle Alman
 Solicitor
 Legal Services Branch
 Ministry of Justice

APPENDICES:

Appendix A: Legislative Counsel Advice and Opinions to Cabinet
 Appendix B: Treasury Board Staff Comments
 Appendix C: Three Column Document
 Appendix D: Drafting Instructions

Appendix A: Legislative Counsel Advice and Opinions to Cabinet



Ministry of Justice

Office of Legislative
Counsel

MEMORANDUM

Mailing Address: PO Box 9280 Stn Prov Govt, Victoria, BC V8W 9J7

Location: 5th Floor - 1001 Douglas St., Victoria, BC
Phone: 250-356-5592 Fax: 250-356-5758

July 23, 2014

STRICTLY CONFIDENTIAL

To: Michael Tanner
Ministry of Jobs, Tourism and Skills Training
and Ministry Responsible for Labour

From: Susan Leslie
Legislative Counsel

Re: *Workers Compensation Act (amendments) RFL* - Legislative Counsel advice to Cabinet
s.12,s.13,s.14

- 2 -

s.12,s.13,s.14

Subject: Re: Slightly revised RFL for the Workers Compensation Act changes

24-Jul-14 05:11 PM

From: Susan Leslie
To: Michelle Alman; Susan Leslie; Michael Tanner
CC: Susan Kasendi
Attachments: None

Hi Michael,

s.12,s.13,s.14

Susan

--- ORIGINAL MESSAGE FROM: Michael Tanner(24-Jul-14 03:45 PM) ---

Hi Susan -

s.12,s.13,s.14

Thanks so much.

Michael

APPENDIX B – Treasury Board Staff Comments

| Request for Legislation Treasury Board Staff (TBS) Comments | |
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| Section 1: General Information | |
| <p>Honourable Shirley Bond Ministry of Jobs, Tourism, Skills Training and Minister Responsible for Labour Name of Legislation: <i>Workers Compensation Act Amendments</i> Draft/ID Number: Draft Dated July 24, 2014 Sent Date: July 24, 2014 Originator: Michael Tanner RFL Summary: This Request for Legislation proposes amendments to the <i>Workers Compensation Act</i> to implement recommendations from Gordon Macatee's <i>WorkSafe BC Review and Action Plan</i>. The proposed amendments include:</p> <ul style="list-style-type: none"> • s.12,s.13 • • • | |
| Section 2: TBS Comments (to be completed by TBS) | |
| <p>Financial Implications Reviewed by TBS: Yes Requires Treasury Board Approval: No s.12,s.13</p> <p>Costs/Savings Identified:</p> <p style="text-align: right;">s.12,s.13</p> <p>Funding Source(s):</p> <p style="text-align: right;">s.12,s.13</p> <p>Comments/Recommendation: These comments were prepared based on RFL documents dated July 24, 2014 and are not valid for any future date.</p> | |

Section 3: TBS Contact Information**Analyst Name:** Christopher Steinbach**Phone Number:** 250-387-3938**Date:** July 28, 2014

APPENDIX C – Three Column Document**THREE COLUMN DOCUMENT***Workers Compensation Act*

| Current | Proposed | Reasons |
|--|------------------|---------|
| <p>Section 81(1) provides for a board of directors that includes seven voting directors appointed by the Lieutenant Governor in Council (LGIC) including:</p> <ol style="list-style-type: none"> 1. One director representative of workers 2. One director representative of employers 3. One director who is a professional providing services to people with disabilities 4. One director who is an actuary 5. Three directors who represent the public interest, including one who is also appointed as chair. <p>Directors 1 through 4 must be selected from a list of at least three people nominated by relevant organizations as set out in section 81(2).</p> | <p>s.12,s.13</p> | |

| Current | Proposed | Reasons |
|---------|-----------|---------|
| N/A | s.12,s.13 | |

| Current | Proposed | Reasons |
|---|-----------|---------|
| <p>Section 196 permits WorkSafeBC to impose an administrative penalty of up to \$607,300 on an employer if the employer has failed to take sufficient precautions to prevent work related injuries and illnesses; has not complied with the <i>Workers Compensation Act</i> (Part 3), the Occupational Health and Safety Regulations or a WorkSafeBC order; or the employer's workplace or working conditions are not safe.</p> <p>WorkSafeBC must not, however, impose an administrative penalty if the employer exercised due diligence to prevent the circumstances described above.</p> | s.12,s.13 | |

| Current | Proposed | Reasons |
|---|-----------|---------|
| <p>Currently, the <i>Workers Compensation Act</i> provides no authority for WorkSafeBC to impose a financial penalty against a worker for contraventions of the occupational health and safety laws and regulations. Section 196 only provides authority for WorksafeBC to impose an administrative penalty against employers for safety violations and unsafe work practices.</p> <p><i>NOTE: This proposal is subject to consultation. If consultation and further review advise against this change, the ministry will not include it in the legislation at this time.</i></p> | s.12,s.13 | |

| Current | Proposed | Reasons |
|---|------------------|---------|
| <p>Section 191(1) provides that WorkSafeBC may order work at a workplace to be stopped if WorkSafeBC has reasonable grounds for believing that “an immediate danger exists that would likely result in serious injury, serious illness or death to a worker”.</p> | <p>s.12,s.13</p> | |

| Current | Proposed | Reasons |
|--|------------------|---------|
| <p>If the employer defaults in the payment of an assessment (including an unpaid administrative penalty that is levied by way of assessment), section 46 provides authority for the Supreme Court of BC, on application from WorkSafeBC, to restrain the employer from carrying on an industry until all assessments are paid.</p> | <p>s.12,s.13</p> | |
| <p>Under section 198 and on application from WorkSafeBC, if the Supreme Court of BC is satisfied that a person has contravened or has not complied with the <i>Workers Compensation Act</i> (Part 3), the Occupational Health and Safety Regulations or a WorkSafeBC order, the court may grant an injunction restraining a person from continuing or committing a contravention, or requiring the person to comply.</p> | | |

| Current | Proposed | Reasons |
|--|------------------|---------|
| <p>Section 239(2)(e) establishes that a decision of a review officer relating to an order imposing an administrative penalty may be appealed to the Workers' Compensation Appeal Tribunal.</p> | <p>s.12,s.13</p> | |

| Current | Proposed | Reasons |
|---|-----------|---------|
| <p>Section 96.2(3) provides that a request to have a review officer review a WorkSafeBC decision or order must be made within 90 days after the decision or order was made.</p> <p>Section 96.4(6) provides that a review officer must make a decision on a review within 150 days after receiving the request, or within a shorter period if a policy of the board of directors establishes a shorter time period.</p> | s.12,s.13 | |

| Current | Proposed | Reasons |
|---|------------------|---------|
| <p>Section 173 requires that an employer must immediately undertake an investigation into the cause of certain accidents or other incidents – generally those involving more serious injury or death or potential injury. The Act does not provide any timeframes for what is meant by immediate.</p> <p>Section 175 of the Act requires the employer to prepare an incident report as part of an investigation and to provide a copy of the report to WorkSafeBC. The Act does not provide a timeframe for completing and filing the report.</p> | <p>s.12,s.13</p> | |

APPENDIX D – Drafting Instructions

ITEM 1 - Enhance workplace safety expertise on the WorkSafeBC board of directors

Problem and Background:

- WorkSafeBC's existing board of directors model provides the board with good expertise to oversee the compensation side of WorkSafeBC's business. However, the governing structure does not require directors with expertise relevant to WorkSafeBC's occupational health and safety mandate.

Objectives:

s.12,s.13

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Rationale:

s.12,s.13

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Specifics of the Proposed Legislation:

s.12,s.13

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ITEM 2 – Provide a full hierarchy of effective enforcement tools

Problem and Background:

- To achieve workplace health and safety compliance in a balanced way, the Action Plan recommends a hierarchy or escalation of enforcement tools, where the tool selected by an officer is the least onerous one which can be expected to achieve the desired behaviour.

- The Action Plan's review of WorkSafeBC's existing enforcement tools recommended that WorkSafeBC be provided more tools at the lower end of the spectrum, such as tools to encourage proactive voluntary compliance and on-the-spot penalties for certain safety violations.
- The Action Plan also recommended that the stronger enforcement tools currently available to WorkSafeBC (e.g., stop work orders, penalties and injunctions) should be strengthened to ensure that they serve their purpose as a deterrent for the worst offenders.

Objectives:

s.12,s.13

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Rationale:

s.12,s.13

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Specifics of the Proposed Legislation:

s.12,s.13

- s.12,s.13

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s.12,s.13

• s.12,s.13

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ITEM 3 - Shortening the process for issuing and confirming financial penalties

Problem and Background:

- Currently, it takes an average of one year from when an officer finds a contravention for a penalty order to be issued. Once the existing review and appeal process are taken into account, it can be two to three years after a violation before a penalty is confirmed. This lack of a timely response to a violation lessens the impact of administrative penalties as a tool to motivate compliance and to deter non-compliance. The issue of timeliness for occupational health and safety orders raises similar concerns.

Objectives:

s.12,s.13

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Rationale:

s.12,s.13

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Specifics of the Proposed Legislation:

s.12,s.13

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s.12,s.13

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ITEM 4 - Ensure timely employer investigations of workplace incidents and reports

Problem and Background:

- The *Workers Compensation Act* requires employers to immediately undertake an investigation into the cause of certain accidents or incidents, particularly those resulting in or having the potential for serious injury or death of a worker. The Act also requires employers to prepare an incident investigation report and provide a copy to WorkSafeBC. A shortcoming of the existing provisions, however, is that they do not explicitly define what is meant by “immediately”, nor do they provide a required timeframe for submitting the report.

Objectives:

- s.12,s.13

Rationale:

- s.12,s.13

Specifics of the Proposed Legislation:

- s.12,s.13

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Chauvin, Lindsay JTST:EX

From: Berkey, Caroline WCAT:IN
Sent: Tuesday, November 4, 2014 9:39 AM
To: Mentzelopoulos, Athana JTST:EX
Cc: Berkey, Caroline WCAT:IN; Hughes, Trevor LBR:EX; Clunn, Karen E LBR:EX; Halkett, Kim WCAT:IN
Subject: WCAT vice chair recruitment

Good morning Athana,

Re: WCAT vice chair recruitment

You may recall that at the meeting we had on September 16th with the Minister I mentioned that WCAT was looking at when we should start our next recruitment to fill vice chair vacancies that have occurred this year. I noted that before going ahead with any recruitment, I would provide a memo to the Minister setting out:

- the number of vacant positions,
- the number of positions we would like to hire,
- the merit based process we will use for the recruitment, and
- the proposed timeline.

Please find attached a memo setting out this information for the Minister. Could I ask you to please pass it along to the Minister on behalf of WCAT. If there are any concerns before we go forward with the recruitment process it would be appreciated if you could possibly let me know within the next two weeks.

Regards,

Caroline

Caroline Berkey
Chair, Workers' Compensation Appeal Tribunal
150-4600 Jacombs Road
Richmond, BC V6V 3B1
Telephone: ^{s.17}



PDF document
not saved for printing...

Date: November 4, 2014

To: Honourable Shirley Bond
Minister of Jobs, Tourism and Skills Training and Minister Responsible for Labour

c/o: Athana Mentzelopoulos, Deputy Minister

From: Caroline Berkey, Chair
Workers' Compensation Appeal Tribunal

Re: **2015 Recruitment of Vice Chairs by the Workers' Compensation Appeal Tribunal (WCAT)**

WCAT is an independent appeal tribunal and our vice chairs are the final level of decision makers in the workers' compensation system. WCAT's expenditures, which includes vice chair remuneration, are recovered by government from WorkSafeBC's accident fund. In order to ensure that WCAT can decide appeals in a timely manner and to fill full-time vice chair vacancies, I would like to recruit vice chairs in 2015.

Complement of Vice Chairs

From January to December 2014 seven full-time vice chair positions will become vacant at WCAT.

- Two positions were vacated when the incumbents left to start up other tribunals.
- Five incumbents retired, four of whom went to per diem status. Per diem vice chairs are part-time vice chairs who are paid on a per diem basis when work is available during high intake periods, peak vacation periods and unexpected leaves, and they do not carry a full caseload.
- From our last vice chair competition, which was run in 2013, we had one person on the eligibility list, who was appointed to replace one of the 2014 retirees.

Three more vice chairs have indicated that they intend to retire next year, and one vice chair has indicated that she will likely be moving to Ontario next year. I also anticipate additional retirements over the next several years as ten of our full-time vice chairs and five of our per diem vice chairs are age 60 or older.

At this time WCAT has 57 vice chairs, and 8 vacant vice chair positions. Our intake of new appeals and applications will be similar to last year. Last year the tribunal had its highest intake since 2007. WCAT has an inventory of just over 3,600 appeals and applications. WCAT had a similar inventory in 2007 at which time the tribunal had 64 vice chairs.

Number of New Appointees

I would like to begin a merit-based recruitment process to bring on five full-time vice chairs. While this is lower than the number of full-time vice chair vacancies, I anticipate this would be sufficient as several of the vice chairs that retired this year are still working on a per diem basis. This recruitment will allow WCAT to:

- replace full-time vice chair vacancies;
- assist WCAT's ability to decide appeals within statutory timeframes; and,
- develop a complement of skilled vice chairs for the future as it takes approximately two years for new vice chairs to be fully trained.

The process would begin in January 2015, with the goal of having the new vice chairs start in the summer of 2015. In addition, I would like to create an eligibility list, from the candidates who successfully complete the process, to draw from for future appointments.

Merit Based Process

Our merit-based recruitment process, as required by the *Workers Compensation Act* (Act) and the *Workers Compensation Act Appeal Regulation*, requires candidates to successfully complete the following steps:

- screening to ensure the candidate has the necessary skills and experience;
- a decision writing test;
- adjudicating a mock oral hearing;
- an interview that tests knowledge of administrative and workers' compensation law;
- an interview with the chair to assess "fit"; and,
- comprehensive reference checks.

When WCAT's process is complete, I will consult with you with respect to the appointments as set out in the Act, which states:

(2) The appeal tribunal consists of the following members appointed after a merit based process: ... (b) one or more vice chairs appointed by the chair, after consultation with the minister;

If there are any concerns about WCAT starting this recruitment, it would be appreciated if you could please let me know within the next two weeks. If there is any further information I can provide my direct line is ^{s.17}

A handwritten signature in cursive script, appearing to read "C. Berkey".

Caroline Berkey
Chair

Chauvin, Lindsay JTST:EX

From: Berkey, Caroline WCAT:IN
Sent: Thursday, March 26, 2015 4:22 PM
To: Mentzelopoulos, Athana JTST:EX
Cc: Hughes, Trevor LBR:EX; Brodie, Natalya BRDO:EX
Subject: RE: WCAT -- Vice Chair Reappointments 2015

Thank you.
Caroline

From: Mentzelopoulos, Athana JTST:EX [<mailto:Athana.Mentzelopoulos@gov.bc.ca>]
Sent: Thursday, March 26, 2015 4:22 PM
To: Berkey, Caroline
Cc: Hughes, Trevor LBR:EX; Brodie, Natalya BRDO:EX; Berkey, Caroline
Subject: Re: WCAT -- Vice Chair Reappointments 2015

Thank you for this information. Minister Bond supports all of your recommendations for reappointment and we thank you.
Athana

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Berkey, Caroline
Sent: Thursday, March 26, 2015 2:21 PM
To: Mentzelopoulos, Athana JTST:EX
Cc: Hughes, Trevor LBR:EX; Brodie, Natalya BRDO:EX; Berkey, Caroline WCAT:EX
Subject: FW: WCAT -- Vice Chair Reappointments 2015

Athana,

Thank you for your email. For the one vice chair you note below, she was 18 decisions below the standard of 242 decisions for the performance evaluation period (January 2012 to December 2014). For the last 5 months (November 2014 to March 2015) that vice chair has met the productivity standard and, as there are still a few days left this month, I expect she will exceed it slightly. I've seen a significant positive improvement in this respect. Had I not seen this improvement the vice chair would have been given productivity training from one of our vice chairs who excels in this area and has done training in this respect for other vice chairs. In light of this information, please let me know if the Minister is comfortable with a three year reappointment or not. If there is any further information I can provide please don't hesitate to call me.

Regards,
Caroline

Caroline Berkey
Chair, Workers' Compensation Appeal Tribunal
150-4600 Jacombs Road
Richmond, BC V6V 3B1
Telephone: ^{s.17}

From: Mentzelopoulos, Athana JTST:EX [<mailto:Athana.Mentzelopoulos@gov.bc.ca>]
Sent: Wednesday, March 25, 2015 6:05 AM
To: Berkey, Caroline
Cc: Hughes, Trevor LBR:EX; Brodie, Natalya BRDO:EX
Subject: WCAT -- Vice Chair Reappointments 2015

Hi there – my apologies for the delay in responding to your email about reappointments. Minister Bond is comfortable with your proceeding with the following:

Five-year reappointment – Melissa Clarke

Three-year reappointments

You mentioned in your memo that there was “one vice-chair ... working on her productivity levels.” Minister Bond is comfortable with all of your recommendations under three-year reappointments except for that individual. She would like more information about performance management before she is comfortable with a three-year term. Perhaps a shorter term for assessment is one consideration for you.

Thanks,
Athana

Date: September 11, 2015

To: Honourable Shirley Bond
Minister of Jobs, Tourism and Skills Training and Minister Responsible for Labour

c/o: Athana Mentzelopoulos, Deputy Minister

From: Caroline Berkey, Chair
Workers' Compensation Appeal Tribunal

Re: **Reappointment of Workers' Compensation Appeal Tribunal (WCAT)
Vice Chairs**

WCAT has 6 vice chair appointees, with terms expiring between February and April 2016, who are being considered for reappointment. Our vice chairs are decision makers who carry out the tribunal's statutory mandate of issuing appellate decisions in the workers' compensation system within the timeframes set out in the *Workers Compensation Act* (Act). The candidates for reappointment all generally meet or exceed our quality standards.

1. WCAT's Reappointment Process

WCAT vice chairs are initially appointed by the Chair following a merit-based process and consultation with the Minister, as set out in the Act. While the Act is silent on whether it is necessary for WCAT to consult with the Minister on reappointments, the Chair has historically done so. Terms for reappointment may be set for up to 5 years.

WCAT's expenditures, which includes vice chair remuneration, are fully recovered by the government from the Workers' Compensation Board, operating as WorkSafeBC, accident fund as set out in the Act.

The Act provides that the WCAT chair is responsible for establishing quality adjudication, performance and productivity standards for vice chairs of WCAT and regularly evaluating the vice chairs according to those standards. Accordingly, WCAT has a performance evaluation program for our vice chairs. Their performance is evaluated against the following standards:

A vice chair will:

- (1) write decisions that reflect the "Hallmarks of Quality Decision Making";

RE: 2015 Reappointments of WCAT Vice Chairs

- (2) conduct oral hearings efficiently and in a manner that is consistent with WCAT's practice directives and the Code of Conduct;
- (3) organize and prioritize a caseload to meet productivity targets and time frames for decision making; and,
- (4) display professional, ethical, and collegial conduct.

The vice chairs up for reappointment have all been evaluated against these standards, and I would like to reappoint them for the terms set out below. I have listed the vice chairs with a brief explanation about each one.

2. Vice Chairs Under Consideration for Reappointment

(a) Five-year reappointment term

Five year reappointment terms are used where the vice chair has shown very strong decision making skills over the long term and good productivity.

Luningning (Ning) Alcuitas-Imperial

s.22

(b) Three-year reappointment term

Three years is the reappointment term for vice chairs with solid performance evaluations. All of the vice chairs below generally met or exceeded quality and productivity standards.

Bill Duncan

s.22

Nora Jackson

s.22

RE: 2015 Reappointments of WCAT Vice Chairs

s.22

Renee Miller

s.22

Dale Reid

s.22

(c) Two-year reappointment term

The vice chair below met or exceeded all quality standards but is working on her productivity levels.

Lois Williams

s.22

If there is any further information I can provide regarding these reappointments, or you would like to meet to discuss any of the above with me, please let me know. My direct line is ^{s.17}



Caroline Berkey
Chair

CB/lc

Chauvin, Lindsay JTST:EX

From: Brodie, Natalya BRDO:EX
Sent: Tuesday, October 6, 2015 11:50 AM
To: Mentzelopoulos, Athana JTST:EX
Subject: Following up
Attachments: 002 Memo to Minister Bond - Vice Chair Reappointment Memo Sep 11 15.pdf, WCAT - Vice Chairs (October 2015).docx

Here is your original email and I have attached our DD. Please note that we do not have a middle name for two of the appointees and have listed everything that comes up and there are a number of flags.

From: Mentzelopoulos, Athana JTST:EX
Sent: Thursday, September 17, 2015 2:41 PM
To: Brodie, Natalya BRDO:EX
Subject: FW: WCAT Vice Chair Reappointments - 2015

Can you do the dd on these and give me recommendation for each pls. thx

From: Berkey, Caroline [<mailto:Caroline.Berkey@wcat.bc.ca>]
Sent: Friday, September 11, 2015 11:07 AM
To: Mentzelopoulos, Athana JTST:EX
Cc: Hughes, Trevor LBR:EX; Clunn, Karen E LBR:EX; Chau, Lily WCAT:EX; Halkett, Kim WCAT:EX; Berkey, Caroline WCAT:EX
Subject: WCAT Vice Chair Reappointments - 2015

Athana,

Re: Workers' Compensation Appeal Tribunal Vice Chair Reappointments - 2015

Please find attached my memorandum with respect to those vice chairs up for reappointment to continue in their existing adjudicative positions at WCAT. The memorandum sets out our performance evaluation process and provides information about the vice chairs up for reappointment. Thank you for taking the memorandum to the Minister for consultation on behalf of WCAT. As noted below, in the past the Minister has sometimes met with me to review the reappointments and on other occasions has read the memorandum for the consultation and then responded to me through the deputy minister without a meeting. I'd be pleased to do either.

Thank you for your assistance with this matter.

Regards,

Caroline Berkey
Chair, Workers' Compensation Appeal Tribunal
150-4600 Jacombs Road
Richmond, BC V6V 3B1
Telephone: (604) 713-0426

From: Mentzelopoulos, Athana JTST:EX [mailto:Athana.Mentzelopoulos@gov.bc.ca]

Sent: Friday, August 21, 2015 6:59 AM

To: Berkey, Caroline

Cc: Hughes, Trevor LBR:EX; Clunn, Karen E LBR:EX; Chau, Lily

Subject: Re: WCAT Vice Chair Reappointments - 2015

Hello Caroline -- I have found the process to work well so far when you send me the BN and I appreciate the ongoing consultation. I will review your recommendations with the Minister when I receive the material and will advise if a meeting is necessary.

Thanks, have a great day.

Athana

Sent from my iPad

On Aug 20, 2015, at 10:39, Berkey, Caroline <Caroline.Berkey@wcat.bc.ca> wrote:

Athana,

Re: Workers' Compensation Appeal Tribunal Vice Chair Reappointments - 2015

WCAT has 6 vice chairs with terms expiring from February to April 2016. These vice chairs are currently undergoing a performance evaluation process to determine whether they will be considered for reappointment to continue in their existing positions as part of our complement of decision makers, and if so the length of those reappointments. I anticipate that the performance evaluation process and my memorandum to the Minister summarizing the process and the outcome will be completed in early September.

While the Act is silent on whether it is necessary for WCAT to consult with the Minister on reappointments, the chair has historically done so. In light of that, as per past practice, can I send the memorandum to you to forward to the Minister on my behalf in early September?

In the past the Minister has sometimes met with me to review the reappointments and on other occasions has read the memo for the consultation and then responded to me through the deputy minister without a meeting. I'd be pleased to do either.

Regards,
Caroline

Caroline Berkey
Chair, Workers' Compensation Appeal Tribunal
150-4600 Jacombs Road
Richmond, BC V6V 3B1
Telephone: (604) 713-0426

Date: September 11, 2015

To: Honourable Shirley Bond
Minister of Jobs, Tourism and Skills Training and Minister Responsible for Labour

c/o: Athana Mentzelopoulos, Deputy Minister

From: Caroline Berkey, Chair
Workers' Compensation Appeal Tribunal

Re: **Reappointment of Workers' Compensation Appeal Tribunal (WCAT)
Vice Chairs**

WCAT has 6 vice chair appointees, with terms expiring between February and April 2016, who are being considered for reappointment. Our vice chairs are decision makers who carry out the tribunal's statutory mandate of issuing appellate decisions in the workers' compensation system within the timeframes set out in the *Workers Compensation Act* (Act). The candidates for reappointment all generally meet or exceed our quality standards.

1. WCAT's Reappointment Process

WCAT vice chairs are initially appointed by the Chair following a merit-based process and consultation with the Minister, as set out in the Act. While the Act is silent on whether it is necessary for WCAT to consult with the Minister on reappointments, the Chair has historically done so. Terms for reappointment may be set for up to 5 years.

WCAT's expenditures, which includes vice chair remuneration, are fully recovered by the government from the Workers' Compensation Board, operating as WorkSafeBC, accident fund as set out in the Act.

The Act provides that the WCAT chair is responsible for establishing quality adjudication, performance and productivity standards for vice chairs of WCAT and regularly evaluating the vice chairs according to those standards. Accordingly, WCAT has a performance evaluation program for our vice chairs. Their performance is evaluated against the following standards:

A vice chair will:

- (1) write decisions that reflect the "Hallmarks of Quality Decision Making";

RE: 2015 Reappointments of WCAT Vice Chairs

- (2) conduct oral hearings efficiently and in a manner that is consistent with WCAT's practice directives and the Code of Conduct;
- (3) organize and prioritize a caseload to meet productivity targets and time frames for decision making; and,
- (4) display professional, ethical, and collegial conduct.

The vice chairs up for reappointment have all been evaluated against these standards, and I would like to reappoint them for the terms set out below. I have listed the vice chairs with a brief explanation about each one.

2. Vice Chairs Under Consideration for Reappointment

(a) Five-year reappointment term

Five year reappointment terms are used where the vice chair has shown very strong decision making skills over the long term and good productivity.

Luningning (Ning) Alcuítas-Imperial

s.22

(b) Three-year reappointment term

Three years is the reappointment term for vice chairs with solid performance evaluations. All of the vice chairs below generally met or exceeded quality and productivity standards.

Bill Duncan

s.22

Nora Jackson

s.22

RE: 2015 Reappointments of WCAT Vice Chairs

s.22

Renee Miller

s.22

Dale Reid

s.22

(c) Two-year reappointment term

The vice chair below met or exceeded all quality standards but is working on her productivity levels.

Lois Williams

s.22

If there is any further information I can provide regarding these reappointments, or you would like to meet to discuss any of the above with me, please let me know. My direct line is ^{s.17}



Caroline Berkey
Chair

CB/lc

WCAT – Vice Chairs (October 2015)

RE: Luningning (Ning) Alcuitas-Imperial - 5 years

RE: Bill Duncan – 5 years

RE: Nora Jackson – 5 years

RE: Rence Miller – 5 years

RE: Dale Reid – 5 years

RE: Lois Williams – 2 years

Luningning (Ning) Alcuitas-Imperial

s.22

| Source | Notes |
|-----------------------|---|
| Google – up to page 5 | <p style="text-align: center;"><i>Standing Committee on Citizenship and Immigration</i></p> <p style="text-align: center;">NUMBER 043 • 2nd SESSION • 37th PARLIAMENT</p> <hr/> <p style="text-align: center;">EVIDENCE</p> <p style="text-align: center;"><i>Tuesday, February 18, 2003</i></p> <p>The Chair: We also have Ning with us, representing the National Alliance of Philippine Women in Canada.</p> <p>Welcome, Ning.</p> |

Ms. Luningning Alcuitas-Imperial (Vice-Chair, National Alliance of Philippine Women in Canada (NAPWC)): Thank you for allowing us to appear before you. We would have liked to have joined you in Ottawa, but it's nice that you've come out to Vancouver.

I'm representing the National Alliance of Philippine Women in Canada, a newly formed national alliance. We were formed in March 2002, but our member organizations have over 15 years of experience in educating, organizing, and advocating for marginalized Filipino women in Canada. Our member organizations are spread throughout the major urban centres in Canada: Montreal, Ottawa, Toronto, Winnipeg, and those in B.C.

We'd like to talk to you today to bring out the voice of the community in terms of what is really happening in the reality of the settlement integration programs, because we believe that settlement integration is key to advancing equality, human rights, and the development of immigrant and migrant communities in Canada.

I'd like to start by just giving you a bit of background on the Filipino community. In terms of the latest statistics from the 2001 census, there has really been a dramatic increase in the number of Filipinos in Canada. We're now the fourth largest visible minority population in the country. It's estimated that we number about 400,000.

In terms of analyzing statistics, we have grown by more than 31% since the last census. We are the third source country of immigrants arriving in Canada in the last 10 years. You can see our community is really a newcomer community. We continue to be concentrated in Canada's major urban centres, though--Toronto being the largest community, Vancouver the second, and then Winnipeg.

One important statistic to bring out is that the majority of our community, approximately 65%, is made up of women and that close to one-third of our community is also made up of domestic workers who have entered Canada under the live-in caregiver program or the LCP. This is really tied, again, to the background in terms of the Philippines, in that the Philippines is now the largest migrant nation in the entire world. Ten per cent of its population, or 8 million people, are working outside the country, and 65% of those leaving the country are women. There is a ready pool of cheap labour willing to be exported out of the Philippines, and Canada is one of the places where they end up.

We wanted to bring out what is the reality once we arrive here in Canada. Even CIC itself, in terms of analyzing its data, has said that immigrants from the Philippines are more likely than all immigrants and people born in Canada to have a university degree. We are a highly educated community, but CIC has also revealed that our incomes are lower than those of other groups. The average income of Filipino immigrants, not including domestic workers, is \$21,700, compared to \$23,700 for those who are Canadian born.

We also have an extreme degree of occupational segregation. A local academic who is working in the

metropolis in B.C. found that Filipino men are disproportionately segregated into the janitorial and cleaning positions while Filipino women are being relegated to child care and household work. Through these statistics we hope to show you that the Filipino community is economically right now facing the reality of economic marginalization in Canada.

When we talk about settlement programs and settlement programs that are currently in place, we would like to also articulate some key principles. When we do this analysis, we need to look at it from the framework of human rights, equality, and development. As I said, settlement integration is key to actually promoting the human race and development of those communities.

When we critique government programs and practices, we also would like or hope that this committee looks at the community-based perspective. We need to really identify what are the social impacts of migration on the communities themselves, and we need to conduct gender analysis and anti-racism analysis of government programs and practices.

Since we appeared before this committee when you were considering the Immigration and Refugee Protection Act, we would like to bring out one particular circumstance that we are facing as a community. The department is undertaking practices right now that were not clearly part of the last package of legislative amendments.

If you remember, there were very few changes to the LCP under the regulations or under the IRPA. Our experience now is that the department is actually forcing women to delay their applications for what we call the open visa, so they are being trapped in the LCP for longer than two years. Now they are being told to wait to file their applications for open visa for another six to eight months while the department processes them. We are not given any reason for it. We obviously were not given any advance notice because this isn't part of the regulations. But the women are being told this, and this is really delaying, again, their opportunity to be reunited with their families and to be quickly settled and integrated into Canada. We would like to raise that as a concern with this committee in terms of the department's practices.

Our main criticism of the current settlement programs is that we find that they fail to address the needs and perspectives of Filipino women, particularly Filipino domestic workers. We would like to echo what Mr. Friesen talked about on behalf of AMSSA in terms of restrictive criteria that are now being put in place for settlement programs. Domestic workers are no longer going to be eligible in B.C. for settlement services because they are defined as temporary migrants. We feel this is a really short-sighted policy because most of the domestic workers obtain their landed status and they sponsor their families here to Canada. It would be more efficient and more respectful of the presence of these domestic workers to provide them settlement services once they are already in Canada, rather than deny them eligibility for the programs.

We'd also like to echo the accreditation problem. Sometimes we feel the settlement programs are often detached or compartmentalized from the economic reality that Filipino women and their families face. For

example, we know the accreditation problem exists. We have heard a particular example with the Filipino Nurses Support Group. We feel that often government and other institutional bodies are endlessly pondering the accreditation problem rather than really supporting the community-based efforts and concrete solutions that are being provided from the community to end the accreditation problem. The accreditation, as we know, is key to really the economic integration and successful settlement of immigrants.

In particular, for Filipino women, we know many nurses, doctors, teachers, midwives, accountants, and architects who are severely underemployed and de-skilled because of the accreditation problems and systemic racism they face.

We have some other criticisms of Canada's settlement programs. Again we'd like to say, in terms of the domestic workers, that they pay the right of landing fee. They have so-called paid for their settlement services, but they are again being denied eligibility.

We feel specialized services that are community-based and appropriate to the particular needs of Filipino women, including domestic workers, mail-order brides, and their families, are not available. It's not enough from our perspective to tell Filipino women to access just general information or referral services that are not necessarily sensitive to the women's particular needs. For example, some agencies don't have a very clear understanding of LCP and its impact upon Filipino women. What happens in the community, through our volunteer efforts, is that so many Filipino women and their families come to our member organizations for assistance across Canada.

We believe the community does have the skills and capabilities to assist and advocate for these women, but there seems to be some kind of unwritten policy of the department to support only large agencies in the settlement sector and not the smaller agencies or the smaller communities that need the support.

Again, we'd also like to echo the lack of national standards and definitions surrounding settlement integration. It's becoming more apparent as the provincial governments take on more responsibility in this area. We believe migrants and immigrants should be able to access the same level and the same types of services wherever they are in Canada.

Access to these services is becoming more difficult, as I said, as the government tightens eligibility criteria. We see there's a shift towards short-term interventions under the concept of adaptation rather than long-term solutions for integration. For example, in B.C., newcomer youth are no longer eligible for settlement services. We know from our community's experience that Filipino youth are experiencing and facing significant barriers in fully integrating into Canadian society in the areas of education and employment and in their social and cultural life. This really has long-term implications for Canadian society.

Finally, in terms of evaluating these settlement programs, we'd like to again assert that we need to hear from the communities and the community-based organizations. We would like to provide meaningful input. We would like to talk to the department about the experiences our community faces. We have provided and conducted community-based research, but too often we're really shut out of the evaluation process when it comes to the evaluation of not only settlement services but CIC's programs as a whole.

Those are my comments. Thank you again for the opportunity to appear.

<http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=723265>

Families Apart: Migrant Mothers and the Conflicts of Labor and Love

By Geraldine Pratt

...Canadian observers have their own personal histories that testify to the leakiness of national borders and the migration of national struggles beyond fixed borders. Teodoro (Ted) Alcuitas, for instance, one of the Canadian observers who went to Central Luzon, was a leader in the August 21 Movement, an anti-Marcos campaign in Winnipeg in the early 1980's. He credits the radicalism of his daughter, Luningning Alcuitas-Imperial, one of the two lawyers who went on the fact-finding mission, to death threats that he received at the time: "In fact, that's why Ningning probably became an activist. Because she was the one who picked up the phone. Someone was asking for me: "Where is your father? We are going to kill him." And before they were leaving messages on the machine."

Group decries racism and creeping fascism

With the arrest last Friday of 17 people in a suspected terrorist plot (the largest Canadian operation carried out under the Anti-terrorism Act) an alliance of anti-imperialist groups calls on all Canadians to be more critical and vigilant against racism and creeping fascism. They also called on Canada to ensure the anti-terrorism measures would not violate people's human rights and civil liberties.

According to reports, a mosque in Toronto was vandalized not less than 24 hours after the arrests. Lawyers for the accused also complained their clients are in solitary confinement, under 24-hour surveillance and

have been denied access to family members.

"We are witnessing another wave of anti-terrorism hysteria being whipped up much in the same manner as after the September 11th World Trade Center attacks," says Ning Alcuitas-Imperial Canadian representative of the International League of Peoples' Struggles (ILPS) an international alliance of over 300 democratic mass organizations from over 40 countries.

"Government officials, Canadian Security and Intelligence Service (CSIS), police forces and even journalists should be more responsible in their use of labels and terms," says Imperial. "By playing up the idea of so-called 'homegrown terrorists' they are effectively creating hatred and fear-mongering against Muslims and people of colour in Canada who are already victims of racial profiling and marginalization," she says.

[https://books.google.ca/books?id=xIkQgJR9rEYC&pg=PA148&lpg=PA148&dq=Luningning+\(Ning\)+Alcuitas-imperial&source=bl&ots=97McQ2Wmii&sig=2LEJxbiOepBAYJ-iUu0IAv-wTDA&hl=en&sa=X&ved=0CDgQ6AEwBGoVChMIkFXuvOyryAIVBjqICh3xEQ3K#v=onepage&q=Luningning%20\(Ning\)%20Alcuitas-imperial&f=false](https://books.google.ca/books?id=xIkQgJR9rEYC&pg=PA148&lpg=PA148&dq=Luningning+(Ning)+Alcuitas-imperial&source=bl&ots=97McQ2Wmii&sig=2LEJxbiOepBAYJ-iUu0IAv-wTDA&hl=en&sa=X&ved=0CDgQ6AEwBGoVChMIkFXuvOyryAIVBjqICh3xEQ3K#v=onepage&q=Luningning%20(Ning)%20Alcuitas-imperial&f=false)

Other google search results:

PDF]Download - Lawyers' Rights Watch Canada

www.lrwc.org/ws/wp-content/uploads/2012/.../2006_Annual_Report.pdf

Luning Alcuitas-Imperial, Philippine Monitor, visited the Philippines NovemberLuningning Alcuitas-Imperial, Paulo de Tarso Lugon Arantes, Gail Davidson,.

[PDF]Economic Violence Against Filipino Migrant/Immigrant Women

fredacentre.com/wp.../2010/.../Philippine-Women-Centre-of-BC-1997.p...

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|------------------------|---|
| | by H Alcuilas - 1997 - Related articles Carmen Handinero and Hetty Alcuilas. Authors: Hetty Alcuilas. Luningning Alcuilas-Imperial . Cecilia Diocson. Jane Ordinario. Project manager: Yasmin Jiwani. |
| Twitter | No account found |
| Lobbyists | No provincial registrations. No federal registrations |
| BC Courts | No cases come up in searches done on the Civil, Traffic, Criminal or Appeals Courts: |
| TNO – for past 5 years | <u>No results</u> |

Bill Duncan

s.22

| Source | Notes |
|-----------------------|---|
| Google – up to page 5 | Common name. There is a lawyer in Ontario with the same name. |

Google searches
completed:

Bill Duncan
Bill Duncan lawyer BC
Bill Duncan lawyer
Bill Duncan WCAT

William Duncan

Lawyer at Self

Vancouver, British Columbia, Canada

Legal Services

Education

The University of British Columbia

3 contributions

Background

Experience

Lawyer

Self

Education

The University of British Columbia

Juris Doctor (J.D.), Law

1970 – 1973

Activities and Societies: Section 2 charter member

Carleton University

Bachelor's Degree, History and Political Science

1967 – 1970

Activities and Societies: Progressive Conservative Club

Woodroffe High School, Ottawa Ontario

High School, 10 to 13

1963 – 1967

Activities and Societies: Yearbook

Skills

Public Speaking

Editing

Negotiation

Legal Research

Litigation

Legal Writing

Teaching

Bill Duncan

Professor in the Business department
at British Columbia Institute of Technology, Burnaby, BC

OVERALL QUALITY

4.6

AVERAGE GRADE

N/A

HOTNESS

4.6

CLARITY

| | <div>4.6</div> <div>EASINESS</div> <div>4.6</div> <div>BLAW3100</div> <div>For Credit: N/A</div> <div>Attendance: N/A</div> <div>Textbook Use: Essential to passing</div> <div>Rater Interest: It's my life</div> <div>Grade Received: N/A</div> <div>He is the best processor I have in many years! He made law so interesting. He always bring some sweets or donuts for his students. He even invited his classmate back in the 70s who is now a judge to answer questions from students. Very inspiring! I wish there are more professors like him.</div> | | | | | | | | | | | | | | | | | | | | | |
|---|--|---|------------------------|------------------|-------------------|-------------------------|-------------------|------|--|---------------------------------------|-----------------------|-------|-----------|-----------|----------------------|---|--------------------------------------|------------------------|--------|-----------|-----------|-------------------------|
| Twitter | No account found | | | | | | | | | | | | | | | | | | | | | |
| Lobbyists | <div>No provincial registrations.</div> <div>Results: 1 - 2 of 2</div> <table><thead><tr><th>Last Name, First Name Style of Cause</th><th>Classification of File</th><th>Court Location</th><th>File Number</th><th>Date File Opened</th><th>Date Last Updated</th><th>View</th></tr></thead><tbody><tr><td>DUNCAN, William J BOSCH, Karen v TOMLINSON, Dave</td><td>Supreme Supreme Civil (General)</td><td>Nanaimo Law Courts</td><td>72236</td><td>26Mar2014</td><td>26Mar2014</td><td>View</td></tr><tr><td>DUNCAN, William John DUNCAN, Leanne v DUNCAN, William</td><td>Supreme Family Law Proceedings</td><td>Victoria Law Courts</td><td>130535</td><td>12Feb2013</td><td>12Jun2013</td><td>Access Not Available</td></tr></tbody></table> | Last Name, First Name Style of Cause | Classification of File | Court Location | File Number | Date File Opened | Date Last Updated | View | DUNCAN, William J BOSCH, Karen v TOMLINSON, Dave | Supreme Supreme Civil (General) | Nanaimo Law Courts | 72236 | 26Mar2014 | 26Mar2014 | View | DUNCAN, William John DUNCAN, Leanne v DUNCAN, William | Supreme Family Law Proceedings | Victoria Law Courts | 130535 | 12Feb2013 | 12Jun2013 | Access Not Available |
| Last Name, First Name Style of Cause | Classification of File | Court Location | File Number | Date File Opened | Date Last Updated | View | | | | | | | | | | | | | | | | |
| DUNCAN, William J BOSCH, Karen v TOMLINSON, Dave | Supreme Supreme Civil (General) | Nanaimo Law Courts | 72236 | 26Mar2014 | 26Mar2014 | View | | | | | | | | | | | | | | | | |
| DUNCAN, William John DUNCAN, Leanne v DUNCAN, William | Supreme Family Law Proceedings | Victoria Law Courts | 130535 | 12Feb2013 | 12Jun2013 | Access Not Available | | | | | | | | | | | | | | | | |

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|------------------------|--|
| | No federal registrations |
| BC Courts | No cases come up in searches done on the Civil, Traffic, Criminal or Appeals Courts: |
| TNO – for past 5 years | http://tno.gov.bc.ca |

Nora Jackson

s.22

| Source | Notes |
|-----------------------|--|
| Google – up to page 5 | <p><u>Nora Jackson</u> Administrative Law Judge at Workers Compensation Appeal Tribunal Vancouver, Canada Area</p> <p>Government Administration</p> <p>Previous Freeman & Co.</p> <p>Education The University of British Columbia</p> <p style="text-align: right;">3connections</p> <p>Background Experience</p> |

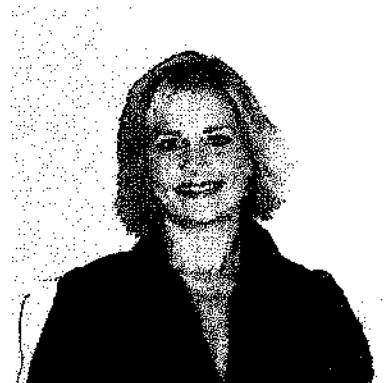
| | <p>Administrative Law Judge Workers Compensation Appeal Tribunal Lawyer Freeman & Co. 1977 – 1979 (2 years)</p> <p>Education</p> <p>The University of British Columbia 1973 – 1977</p> | | | | | | | | | | | | | | |
|--|--|--|------------------------|------------------|-------------------|------------------|-------------------|------|---------------|---------|----------------|------|-----------|-----------|------------|
| Twitter | <p>https://twitter.com/</p> | | | | | | | | | | | | | | |
| Lobbyists | <p>No provincial registrations.</p> <p>https://justice.gov.bc.ca/lra/reporting/public/registrySearch.do?method=init</p> <p>No federal registrations</p> <p>https://ocl-cal.gc.ca/app/secure/orl/lrrs/do/clntSmmrySrch</p> | | | | | | | | | | | | | | |
| BC Courts | <p>Civil cases:</p> <table><thead><tr><th>Last Name, First Name <i>Style of Cause</i></th><th>Classification of File</th><th>Court Location</th><th>File Number</th><th>Date File Opened</th><th>Date Last Updated</th><th>View</th></tr></thead><tbody><tr><td>JACKSON, Nora</td><td>Supreme</td><td>100 Mile House</td><td>1919</td><td>28Jan1993</td><td>28Jan1993</td><td>Access Not</td></tr></tbody></table> | Last Name, First Name <i>Style of Cause</i> | Classification of File | Court Location | File Number | Date File Opened | Date Last Updated | View | JACKSON, Nora | Supreme | 100 Mile House | 1919 | 28Jan1993 | 28Jan1993 | Access Not |
| Last Name, First Name <i>Style of Cause</i> | Classification of File | Court Location | File Number | Date File Opened | Date Last Updated | View | | | | | | | | | |
| JACKSON, Nora | Supreme | 100 Mile House | 1919 | 28Jan1993 | 28Jan1993 | Access Not | | | | | | | | | |

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| | <div> <div>JACKSON, Nora</div> <div>Probate</div> <div>Law Courts</div> <div>Available</div> </div> |
| | <div> <div>JACKSON, Nora</div> <div>Supreme</div> <div>New</div> <div>110683</div> <div>15Jan2008</div> <div>15Jan2008</div> <div>View</div> </div> |
| | <div> <div>DELCIOTTO, Luciana v</div> <div>Enforcement/Legisla</div> <div>Westminster</div> </div> |
| | <div> <div>WORKERS'</div> <div>ted Statute</div> <div>Law Courts</div> </div> |
| | <div> <div>COMPENSATION APPEAL</div> <div>TRIBUNAL</div> </div> |
| | <p>No cases come up in searches done on the Traffic, Criminal or Appeals Courts:</p> |
| TNO – for past 5 years | <u>No results on TNO</u> |

Renee Miller

s.22

| | |
|-----------------------|-------|
| Source | Notes |
| Google – up to page 5 | |



Renee Miller

Vice-Chair at Workers' Compensation Appeal Tribunal

Canada

Government Administration

Previous Immigration and Refugee Board,
Workers' Compensation Appeal Tribunal

Education York University - Osgoode Hall Law School

91connections

Background

Experience

Vice-Chair

Workers' Compensation Appeal Tribunal

May 2010 – Present (5 years 6 months)

decision maker

Member

Immigration and Refugee Board

January 2007 – January 2010 (3 years 1 month)

| | |
|-----------|---|
| | <p>decision maker</p> <p>ViceChair</p> <p>Workers' Compensation Appeal Tribunal</p> <p>March 2004 – December 2006 (2 years 10 months)</p> <p>decision maker</p> <p>Skills</p> <p>Legal Writing</p> <p>Legal Advice</p> <p>Advocacy</p> <p>Highly detail oriented</p> <p>Communication</p> <p>Education</p> <p>York University - Osgoode Hall Law School</p> <p>LLB, JD, Law</p> <p>1986 – 1989</p> <p>University of Alberta</p> <p>Bachelor of Arts (B.A.), Political Science and Government</p> <p>1981 – 1986</p> |
| Twitter | No account found |
| Lobbyists | No provincial registrations. |

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|-----------|--|---------------------------------------|----------------------------------|------------------------|-----------------------------|------------------------------|----------------------------|
| | No federal registrations | | | | | | |
| BC Courts | Civil cases (unconfirmed middle name): | | | | | | |
| | Last Name, First Name Style of Cause | Classification of File | Court Location | File Number | Date File Opened | Date Last Updated | View |
| | MILLER, Renee Amara <i>V.I. GUTTERS LTD. v BARNES, Donald</i> | Provincial Small Claims | Victoria Law Courts | 070427 | 19Apr2007 | 06Jul2007 | View |
| | MILLER, Renee Amara <i>F.A.S. TRUCKING LTD. v BARNES, Renee</i> | Provincial Small Claims | Victoria Law Courts | 150011 | 03Feb2015 | 02Mar2015 | View |
| | MILLER, Renee Laverne <i>LAUTNER, Nicole v MILLER, Renee</i> | Supreme Supreme Civil (General) | Vancouver Law Courts | 098255 | 10Nov2009 | 07Mar2011 | View |
| | MILLER, Renee Laverne <i>MILLER, Renee v DACYK, Deirdre</i> | Supreme Foreclosure | Penticton Law Courts | 34559 | 19Apr2011 | 07Mar2012 | View |
| | MILLER, RENEE MARGARET <i>MILLER, RENEE v CANADIAN LINEN SUPPLY CO. LTD.</i> | Supreme Motor Vehicle Accidents | Vancouver Law Courts | B932726 | 20May1993 | 29Dec1999 | View |
| | MILLER, RENEE MARGARET <i>MILLER, RENEE v MORRILL, ROCKY</i> | Supreme Family Law Proceedings | Vancouver Law Courts | 021477 | 08May2002 | 30May2003 | Access Not Available |
| | MILLER, Renee Margaret <i>MILLER, Renee v ICBC</i> | Supreme Supreme Civil (General) | New Westminster Law Courts | 24447 | 03Apr1995 | 30Dec1999 | View |
| | MILLER, Renee4 Laverne <i>GARNEAU, Murray</i> | Supreme Probate | Penticton Law Courts | 32191 | 06Aug2009 | 23Nov2009 | View |

No cases come up in searches done on the Traffic, Criminal or Appeals Courts:

Results: 1 - 2 of 2

| Level | Document Class | Document Reference | Last Name, First Name | Court Location | Date Time | Room | Rsn | Last Rslt | Agency File # | View |
|-------|----------------|---|------------------------------|---|----------------------|------|-----|-----------|-------------------|----------------------|
| P,T | | SR1398256-1 MVA - 129(1) enter intersection when control signal is red | MILLER, RENEE Margaret | Robson Square Provincial Court | 12Oct2005 1:30 PM | 204 | HR | END | ITCU:SR0001398256 | View |
| P,T | | SR1398256-2 MVA - 129(1) enter intersection when control signal is red | MILLER, RENEE Margaret | Robson Square Provincial Court | 19Aug2005 9:30 AM | REG | APP | END | ITCU:SR0001398256 | View |

TNO – for past 5 years

◀No concerns (mostly unrelated articles)

Monday, October 05, 2015

Times Colonist (Victoria)

- ┌ 14-Jun-2014 Killer of two women gets life (p. A01) – unrelated, lawyer of the same name
- ┌ 13-Jun-2014 Sentencing today for killer of two Island women (p. A03) – unrelated, lawyer of the same name
- ┌ 14-May-2014 Judge's hands tied on woman's sentencing (p. A01) – unrelated, lawyer of the same name
- ┌ 03-May-2011 Lunney makes it five straight (p. D03) – unrelated, Federal Liberal Candidate of the same name
- ┌ 17-Apr-2011 A vastly diverse riding (p. D07) – unrelated, Federal Liberal Candidate of the same name
- ┌ 26-Mar-2011 Island Candidates (p. A05) – unrelated, Federal Liberal Candidate of the same name

... (eliminated similar or duplicate articles)...

Parksville Qualicum Beach News

- ┌ 06-May-2011 Liberals will rise again in four years - unrelated
- ┌ 03-May-2011 Campaign improved - unrelated
- ┌ 02-May-2011 Election night: Liberal Renee Miller upbeat despite result – unrelated (same name, different person)

Dale Reid

s.22

| Source | Notes | | | | | | | | | | | | | | | | | | | | | |
|---|--|--|------------------------|------------------|-------------------|----------------------|-------------------|------|---|---------------------------------|---------------------|--------|-----------|-----------|----------------------|---|-----------------------|----------------------|--------|-----------|-----------|----------------------|
| Google – up to page 5: Dale Reid Dale Reid labour Dale Reid Canada | No concerns | | | | | | | | | | | | | | | | | | | | | |
| Twitter | No account found | | | | | | | | | | | | | | | | | | | | | |
| Lobbyists | No provincial registrations. No federal registrations | | | | | | | | | | | | | | | | | | | | | |
| BC Courts | Civil Cases: (unconfirmed middle name) <div>Results: 1 - 7 of 7</div> <table><thead><tr><th>Last Name, First Name <i>Style of Cause</i></th><th>Classification of File</th><th>Court Location</th><th>File Number</th><th>Date File Opened</th><th>Date Last Updated</th><th>View</th></tr></thead><tbody><tr><td>REID, Dale Christopher <i>MCDORMAND, Tyson</i></td><td>Supreme Motor Vehicle Accidents</td><td>Victoria Law Courts</td><td>080407</td><td>28Jan2008</td><td>13Aug2008</td><td>View</td></tr><tr><td>REID, Dale Garth <i>WONG, Robert v REID,</i></td><td>Supreme Motor Vehicle</td><td>Vancouver Law Courts</td><td>061988</td><td>25May2006</td><td>30Aug2006</td><td>View</td></tr></tbody></table> | Last Name, First Name <i>Style of Cause</i> | Classification of File | Court Location | File Number | Date File Opened | Date Last Updated | View | REID, Dale Christopher <i>MCDORMAND, Tyson</i> | Supreme Motor Vehicle Accidents | Victoria Law Courts | 080407 | 28Jan2008 | 13Aug2008 | View | REID, Dale Garth <i>WONG, Robert v REID,</i> | Supreme Motor Vehicle | Vancouver Law Courts | 061988 | 25May2006 | 30Aug2006 | View |
| Last Name, First Name <i>Style of Cause</i> | Classification of File | Court Location | File Number | Date File Opened | Date Last Updated | View | | | | | | | | | | | | | | | | |
| REID, Dale Christopher <i>MCDORMAND, Tyson</i> | Supreme Motor Vehicle Accidents | Victoria Law Courts | 080407 | 28Jan2008 | 13Aug2008 | View | | | | | | | | | | | | | | | | |
| REID, Dale Garth <i>WONG, Robert v REID,</i> | Supreme Motor Vehicle | Vancouver Law Courts | 061988 | 25May2006 | 30Aug2006 | View | | | | | | | | | | | | | | | | |

| Date | Accidents | | | | | |
|---|---------------------------------------|----------------------------------|--------|-----------|-----------|----------------------------|
| REID, Dale Richard REID, Claudia | Supreme Divorce | Kamloops Law Courts | 8237 | 02Apr1990 | 31May1999 | Access Not Available |
| REID, Dale Thomas REID, Dale v DUMOULIN, Sharon | Supreme Motor Vehicle Accidents | Vancouver Law Courts | 042215 | 28May2004 | 20Mar2006 | View |
| REID, Dale DUNN, Bonnie v REID, Dale | Provincial Small Claims | Kamloops Law Courts | 32917 | 01Aug2001 | 19Dec2003 | View |
| REID, Dale MCDORMAND, Tyson v REID, Dale | Supreme Motor Vehicle Accidents | Victoria Law Courts | 074815 | 05Dec2007 | 05Dec2007 | View |
| REID, Dale LAITINEN, Moriah v REID, Sonia | Supreme Motor Vehicle Accidents | New Westminster Law Courts | 152148 | 10Jun2013 | 13Nov2014 | View |

Traffic, Criminal or Appeals Courts: (unconfirmed middle name)

Results: 1 - 6 of 6

| Level | Document | Last Name, | Court | Date | Time | Room | Rsn | Last | Agency | File # | View |
|-------|---|--|-----------------------------------|-----------|------|------|-----|--------------|--------|--------|----------------------|
| Class | Reference | First Name | Location | | | | | Rslt | | | |
| P,A | 3930-1 CCC - 253(b) care or control vehicle/vess el with over.08 | REID, DALE Alexander (born 1980) | Clearwater Provincial Court | 14Apr2008 | 001 | FA | END | 207:08-325 | | | View |
| P,A | 151567-1 CCC - 88(1) | REID, DALE Anthony | Victoria Law | 06Jun2011 | 101 | IGP | END | 402:10-24998 | | | View |

| | | | | | | | | | | |
|-----|---|--|--------------------------|--------------------------|----------|------------------|----------------------|--|--|--|
| | | possessing weapon for dangerous purpose | Myles (born 1980) | Courts | 10:00 AM | | | | | |
| P,A | 151791-2-S CCC - 742.6 Breach of Conditional Sentence Order | REID, DALE Anthony Myles (born 1980) | Duncan Law Courts | 28Mar2012 003 9:30 AM | CSH END | DUNC:10-2074 | View | | | |
| P,T | AH17658967-1 MVA - 146(3) Speeding contrary to highway sign | REID, DALE Christopher | Salmon Arm Law Courts | 25May2006 202 9:30 AM | HR END | 117:AH17658967 | View | | | |
| P,T | AH48991857-1 MVA - 146(3) Speeding contrary to highway sign | REID, DALE Christopher | Vernon Law Courts | 20Jun2012 202 1:30 PM | HR END | 119:AH0048991857 | View | | | |
| P,A | 70308-1 CCC - 264.1(1)(a) Uttering threats to cause death or bodily harm CCC - 253(b) Operating vehicle/vess el with over 80mg of alcohol | REID, DALE Richard (born 1955) | Kamloops Law Courts | 01Nov2002 2D 9:30 AM | SNT END | 211:02-913 | View | | | |

| | |
|------------------------|---|
| TNO – for past 5 years | <p>◀ Monday, October 05, 2015</p> <p>...eliminated unrelated articles (different dale reid, 23 and dale reid, building inspector of Sicamous)</p> |
|------------------------|---|

Lois J. Williams

s.22

| Source | Notes |
|--|---|
| <p>Google – up to page 5</p> <p>Lois Williams</p> <p>Lois Williams health and safety</p> <p>Lois Williams wcat</p> | No concerns |
| Twitter | No account found |
| Lobbyists | <p>No provincial registrations.</p> <p>No federal registrations</p> |
| BC Courts | Civil Cases: |

Results: 1 - 3 of 3

| Last Name, First Name Style of Cause | Classification of File | Court Location | File Number | Date File Opened | Date Last Updated | View |
|---|---|------------------------------|-------------|------------------|-------------------|----------------------|
| WILLIAMS, Lois Jean WILLIAMS, Lois v COPPING, Robert | Supreme Enforcement/Legisla ted Statute | Vancouver Law Courts | 013633 | 18Dec2001 | 02May2003 | View |
| WILLIAMS, Lois Jean BURGESS PLUMBING & HEARING & E, v WILLIAMS, Lois | Supreme Supreme Civil (General) | 100 Mile House Law Courts | 3482 | 28Aug2000 | 28Aug2000 | View |
| WILLIAMS, Lois Jean | Supreme Supreme Civil (General) | Prince George Law Courts | SC09916 | 29Feb2000 | 10Oct2000 | View |

No cases come up in searches done on the Traffic, Criminal or Appeals Courts:

TNO – for past 5 years

◀ Monday, October 05, 2015

Williams Lake Tribunc

21-Feb-2013 Xeni Gwet'in election for chief next Wednesday

- Unrelated, different Lois Williams

WorkSafeBC Review and Action Plan – Implementation Status Report



General: Recommendations #11, 15, 43

| # | Recommendation | Significant Milestones | Target Completion | Status |
|----|---|--|-------------------|----------|
| 11 | Changes should not be made to the fundamental structure of WorkSafeBC at this time. WorkSafeBC should continue to monitor the effectiveness of its current model. | <u>The Board of Directors of WorkSafeBC received and accepted the recommendation. The Minister of Jobs, Tourism and Skills Training and Minister responsible for Labour has expressed support for the recommendation</u> | Jul 2014 | Complete |
| 15 | WorkSafeBC should retain the ability to develop and approve occupational health and safety regulations. | <u>The Board of Directors of WorkSafeBC received and accepted the recommendation. The Minister of Jobs, Tourism and Skills Training and Minister responsible for Labour has expressed support for the recommendation</u> | Jul 2014 | Complete |
| 43 | Re-engage with the search firm immediately and expand the criteria to address the unique attributes the position of President and CEO will require. | The executive search for the President and CEO was re-activated in July | Jul 2014 | Complete |

WorkSafeBC Review and Action Plan – Implementation Status Report

Investigations and Prosecution: Recommendations #1, 2, 3, 4, 12, 13, 29, 31

In the *Babine Explosion Investigation: Fact Pattern and Recommendations* dated February 6, 2014, Mr. John Dyble made several recommendations to support a more focused, comprehensive and organized investigative approach that preserves the ability to conduct both cause investigations and investigations that could lead to prosecution. These included agreements between WorkSafeBC and the Criminal Justice Branch and Police Services to enhance co-operation, increase communication, and to share best practices, protocols and procedures.

Recommendations were also made regarding the implementation of a new investigation model using a dual team approach, and the re-structuring of some departments within WorkSafeBC to facilitate implementation of this model.

| # | Recommendation | Significant Milestones | Target Completion | Status |
|---|---|--|-------------------|----------|
| 1 | The Memorandum of Understanding with Police Services and the Memorandum of Understanding with the Criminal Justice Branch (CJB) should be signed. | The Memorandum of Understanding (MOU) with the Criminal Justice Branch (CJB) was signed by both parties | Aug 2014 | Complete |
| | | WorkSafeBC and the police representatives on the working group have agreed on the language and terms of the amended MOU | Sep 2014 | Complete |
| | | The amended MOU has been sent to all police agencies in British Columbia to be signed off | Oct 2014 | Complete |
| 2 | WorkSafeBC should develop a policy to guide referrals to the Criminal Justice Branch (CJB) for prosecution. The decision to refer a file for prosecution is made independently by WorkSafeBC; however development of this policy should be informed by consultation with the CJB. | WorkSafeBC has drafted an administrative policy to guide referrals, as recommended | Oct 2014 | Complete |
| | | Administrative policy reviewed and approved by Senior Executive Committee of WorkSafeBC | Oct 2014 | Complete |
| 3 | WorkSafeBC should proceed towards the adoption of a Major Case Management (MCM) protocol and system in its investigations. | MCM protocol was adopted by WorkSafeBC | Jun 2014 | Complete |
| | | Investigations staff training was provided by the Justice Institute of BC, with staff from the Criminal Justice Branch in attendance | Jun 2014 | Complete |

WorkSafeBC Review and Action Plan – Implementation Status Report



| # | Recommendation | Significant Milestones | Target Completion | Status |
|----|--|---|-------------------|-------------|
| 4 | Implement a new investigation model that preserves the ability to conduct both cause investigations and prosecution investigations. | Protocols and procedures are in place that allow for both cause investigations and investigations that could lead to prosecution | Sep 2014 | Complete |
| | | Gatekeeper appointed to oversee the transition of files from one investigation team to the other when an investigation moves from cause to prosecution, and to oversee the investigations for prosecution | Sep 2014 | Complete |
| | | Special Provincial Constables appointed to each investigation team, following completion of recruitment | July 2015 | In Progress |
| 12 | The Worker and Employer Services Division (WES) should be re-structured to ensure that departments carrying out similar functions fall under the same reporting structure. | Compliance Section reports to Legal Services, Engineering reports to Regulatory Practices | Sep 2014 | Complete |
| 13 | Investigations Services must be re-structured to accommodate the recommended dual team model for investigations. | Investigation Services is organized to support a dual-team model | Sep 2014 | Complete |
| 29 | WorkSafeBC should continue to pursue prosecutions for regulatory violations, using major case management and the appropriate evidence gathering and interviewing techniques. | The framework, protocols, systems, structure and competencies to define conditions which would trigger a referral to the Criminal Justice Branch for charge approval are addressed in recommendations #2, 3, 4, 13, 41 and 42 | Feb 2015 | Complete |
| 31 | The Memorandum of Understanding (MOU) with Police Services should be expanded to provide guidance where a hazard alert may be necessary and to include an agreed upon procedure for making such determination. | The Memorandum of Understanding with Police Services has been expanded to provide for the issuance of a hazard alert where necessary. The amended MOU has been sent to all police agencies in British Columbia to be signed off | Sep 2014 | Complete |

WorkSafeBC Review and Action Plan – Implementation Status Report



Training and Development – Enforcement and Investigations Personnel: Recommendations #41 and 42

Enforcement and Investigations personnel will receive enhanced training on new methodologies, techniques and cross-agency best practices to implement many of the recommendations in the WorkSafeBC Review and Action Plan.

| # | Recommendation | Significant Milestones | Target Completion | Status |
|----|---|---|-------------------|----------|
| 41 | Commit to enhanced training of WorkSafeBC officers and managers in the areas of penalty process management, administration of enforcement tools, major case management, investigation techniques, interviewing skills, reporting writing, use of new systems and tools, and collaboration skills. | Investigation Officers trained on Major Case Management (MCM) | Jun 2014 | Complete |
| | | Training completed on Search and Seizure and Interviewing Techniques, with all officers trained or re-trained by December | Dec 2014 | Complete |
| | | Current knowledge, skills and abilities assessed; needs analysis conducted for each officer | Jan 2015 | Complete |
| | | Comprehensive ongoing training plan approved | Feb 2015 | Complete |
| 42 | Management should always take a proactive role in setting training priorities (both corporate and individual), for vetting the quality of training programs, and ensuring all staff take part on a regular basis. | WorkSafeBC is ready to implement individual officer training plans, incorporating opportunities for improvement as identified in Recommendation #41 | Feb 2015 | Complete |

WorkSafeBC Review and Action Plan – Implementation Status Report



Sawmills/Combustible Dust Strategy: Recommendations #5, 6, and 7

Combustible wood dust control and management is an integral part of WorkSafeBC's enforcement activities in sawmills and pellet mills. Monitoring for sustained compliance in regard to combustible wood dust continues.

| # | Recommendation | Significant Milestones | Target Completion | Status |
|---|--|--|-------------------|----------|
| 5 | Move forward with the development of occupational health and safety policies to specify reasonable steps for employers, workers and supervisors to take to address combustible dust hazards. | WorkSafeBC Board of Directors approved the <u>Wood Dust Mitigation and Control policy</u> | Jul 2014 | Complete |
| | | New policies communicated to industry stakeholders | Jul 2014 | Complete |
| | | Final guideline and <u>toolbox</u> materials shared with stakeholders and posted to WorkSafeBC.com | Aug 2014 | Complete |
| 6 | Implement the sustained compliance plan for sawmills as outlined in this report. | <u>Sustained compliance plan developed</u> | Aug 2014 | Complete |
| | | Letters sent to employers outlining expectations and links to resource tools | Aug 2014 | Complete |
| | | Officers site visits to consult with employers conducted | Sep 2014 | Complete |
| | | Current phase of sawmill inspections completed | Jan 2015 | Complete |
| | | Progress report on sawmill initiative produced | Feb 2015 | Complete |
| 7 | Develop a plan for ongoing inspection of other wood product manufacturers and pellet mills by WorkSafeBC Prevention Officers, with appropriate enforcement efforts to bring this sector into sustained compliance. | <u>Plan created for achieving sustained compliance in pellet mills</u> | Sep 2014 | Complete |
| | | Current phase of pellet mill inspections completed | Jan 2015 | Complete |
| | | Progress report on pellet mill initiative produced | Feb 2015 | Complete |

WorkSafeBC Review and Action Plan – Implementation Status Report



Occupational Health and Safety

Workplace Fire Prevention: Recommendations #9 and 10

Initiatives are underway to strengthen relationships with the Office of the Fire Commissioner and other authorities to ensure workplace fires are reported appropriately. Identified hazards would help determine priorities for workplace inspections. Protocols will need to be established, with the Fire Inspection and Prevention Initiative (FIPI) playing a key role.

| # | Recommendation | Significant Milestones | Target Completion | Status |
|----|--|---|-------------------|----------|
| 9 | The Fire Inspection and Prevention Initiative (FIPI) should be extended, with continued funding from WorkSafeBC, and efforts made to find a permanent host at the municipal level. | The Board of Directors of WorkSafeBC has committed to funding FIPI for an additional two years | Aug 2014 | Complete |
| | | Formal consultation with FIPI Advisory Board regarding permanent host and operational support conducted | Sep 2014 | Complete |
| 10 | WorkSafeBC should consider developing a MOU with the appropriate agencies to ensure WorkSafeBC is notified when there is a fire at a workplace in BC. | Draft Memorandums of Understanding (MOU) prepared | Oct 2014 | Complete |
| | | Consultation with relevant parties held | Oct 2014 | Complete |
| | | WorkSafeBC Senior Executive Committee approval received | Dec 2014 | Complete |
| | | MOU completed and submitted for signatures | Feb 2015 | Complete |

WorkSafeBC Review and Action Plan – Implementation Status Report

Prevention Inspection: Recommendations #19 and 33

The identification and mitigation of risk is the focus of prevention initiatives at WorkSafeBC. A High Risk Strategy has been developed to align prevention efforts to those industries and employers with higher injury rates and potential for serious injury. As industries and new work practices evolve, new emerging risks materialize. WorkSafeBC continually identifies and evaluates new risks and develops mitigation strategies where required.

| # | Recommendation | Significant Milestones | Target Completion | Status |
|----|--|---|-------------------|-------------|
| 19 | WorkSafeBC should review its risk-based model for the allocation of work and the setting of priorities with respect to inspection and enforcement activities. | WorkSafeBC created a Risk Analysis Unit with the specific purpose of identifying, evaluating and recommending mitigation strategies to address emerging risks | Feb 2014 | Complete |
| | | The High Risk strategy is reviewed to assess/confirm priorities and officer deployment | Jan 2015 | Complete |
| 33 | WorkSafeBC should routinely schedule some Prevention Officers to conduct inspections on weekends and evenings to create an ongoing and effective level of presence in the workplace. | Currently, 16 officers work a fixed schedule including weekends and evenings. An additional 26 officers have been recruited for the same deployment to commence once training is completed. | Jan 2015 | Complete |
| | | Consultations held regarding a new scheduling model | Sept 2015 | In Progress |

WorkSafeBC Review and Action Plan – Implementation Status Report



Education and Proactive Compliance: Recommendations #8 and 18

WorkSafeBC will support the development of a Health and Safety Association (HSA) in the wood product manufacturing sector. HSAs provide programs and training for worksites and are responsible for sharing industry best practices with their members. They play an important role in providing leadership and support to industry. An HSA in the wood product manufacturing sector would provide WorkSafeBC a partner through which they could provide educational resources and proactive compliance tools.

| # | Recommendation | Significant Milestones | Target Completion | Status |
|----|--|---|-------------------|----------|
| 8 | WorkSafeBC should assist the wood product manufacturing industry to create a Health and Safety Association, or expand the scope of an existing one, to address occupational health and safety issues in that industry in the future. | Consultation held with the Wood Manufacturing Sector to develop a Health and Safety Association | Sep 2014 | Complete |
| | | Feedback from the Wood Manufacturing Sector consolidated and next steps determined | Dec 2014 | Complete |
| | | Recommendations reviewed and decisions made | Mar 2015 | Complete |
| 18 | WorkSafeBC should continue to put a priority on education and proactive compliance and provide resource allocations accordingly. | 2015 Business Plan completed | Mar 2015 | Complete |

WorkSafeBC Review and Action Plan – Implementation Status Report



Information on Employer Non-Compliance: Recommendation #30

WorkSafeBC will consider publishing the results of its compliance and enforcement actions as an additional tool within its deterrence program. Many jurisdictions have found that the publication of enforcement details acts as an additional deterrent as it draws attention to the impact of non-compliance and has the potential to significantly impact a company's brand, reputation and competitiveness (for both business and employees).¹

| # | Recommendation | Significant Milestones | Target Completion | Status |
|----|---|---|-------------------|----------|
| 30 | WorkSafeBC should consider publishing additional information regarding employer non-compliance to increase transparency. WorkSafeBC should consult with industry and labour stakeholders on this issue. | Jurisdictional review and research completed | Nov 2014 | Complete |
| | | Research presented to WorkSafeBC Senior Executive for decisions on next steps | Jan 2015 | Complete |
| | | Plan to implement penalty database on WorkSafeBC.com to be presented to external stakeholders at the Policy and Practice Consultative Committee | May 2015 | Complete |

¹ Deloitte Report: WorkSafeBC Leading Inspections & Investigations Practices, June 20, Page 21

WorkSafeBC Review and Action Plan – Implementation Status Report



Performance Measurement: Recommendation #36

Part 3 of the Workers Compensation Act sets out employer, supervisor and worker responsibilities and legal obligations in the workplace. WorkSafeBC will complete research and a jurisdictional review to identify leading edge performance measures, followed by consultation with industry on the tools they could apply to evaluate their safety culture and level of health and safety awareness.

| # | Recommendation | Significant Milestones | Target Completion | Status |
|-------|---|---|-------------------|----------|
| 36(a) | Develop and implement performance measures to assess the 'health and safety awareness' levels among workers and the 'health and safety culture' of the business enterprise. | Employer Safety Planning Toolkit completed | Jun 2014 | Complete |
| | | Jurisdiction review, research and evaluation conducted to identify additional industry performance measures | Dec 2014 | Complete |
| | | Develop tools for measuring health and safety awareness levels among workers and the health and safety culture of the business enterprise | Jan 2015 | Complete |
| | | Consult with industry representatives on the development of tools for measuring health and safety awareness levels among workers and the health and safety culture of the business enterprise | Mar 2015 | Complete |
| 36(b) | Develop and implement performance measures to assess the effective engagement of WorkSafeBC officers and the effectiveness of compliance activities. | Develop an Inspection Experience and Impact survey | Jan 2015 | Complete |
| | | Conduct quarterly surveys of worker and employer stakeholders | Mar 2015 | Complete |

WorkSafeBC Review and Action Plan – Implementation Status Report



Legislation and Policy: Recommendations #14, 20, 21, 22, 24, 25, 26, 27, 28, 32

| # | Recommendation | Significant Milestones | Target Completion | Status |
|----|--|---|-------------------|----------|
| 14 | Amend the Act to enhance the OHS expertise of the Board of Directors by adding two new members, one who has legal and/or regulatory experience and one who is an OHS professional. | Act Amended (amendments coming into effect by regulation of Lieutenant Governor in Council) | tbd | |
| 20 | Develop a hierarchy of enforcement tools. | Preliminary framework drafted | May 2015 | Complete |
| | | Consultation completed | Oct 2015 | |
| | | Preliminary framework finalized | Dec 2015 | |
| 21 | Amend the Act to introduce an Assurance of Compliance tool. | Draft policy completed | May 2015 | Complete |
| | | Pre-consultation completed | Jun 2015 | Complete |
| | | Interim Policy approved and available for use on the date the amendment comes into effect | Jun 2015 | Complete |
| | | Act amended (amendments coming into effect by regulation of Lieutenant Governor in Council) | tbd | |
| | | Public Consultation held | Nov 2015 | |
| | | Policy Approved | Dec 2015 | |
| | | Effective Date of Policy | Jan 2016 | |
| 22 | Introduce Occupational Health and Safety (OHS) citations, with escalating fine provisions, to be imposed on employers who violate certain OHS regulations. | Draft regulation and policy completed | May 2015 | Complete |
| | | Pre-consultation completed | Jun 2015 | Complete |
| | | Public Consultation held | Oct 2015 | |
| | | Public Hearing held | Oct 2015 | |
| | | Act amended (amendments coming into effect by regulation of Lieutenant Governor in Council) | tbd | |
| | | Policy and Regulation Approved | Oct 2015 | |
| | | Effective Date of Policy and Regulation | Feb 2016 | |

WorkSafeBC Review and Action Plan – Implementation Status Report



Legislation and Policy: Recommendations #14, 20, 21, 22, 24, 25, 26, 27, 28, 32

| # | Recommendation | Significant Milestones | Target Completion | Status |
|----|---|---|-------------------|----------|
| 24 | Amend the Act to create three circumstances where stop work orders may be issued. | Draft policy completed | Apr 2015 | Complete |
| | | Act amended | May 2015 | Complete |
| | | Officer Practice Directives created | May 2015 | Complete |
| | | Pre-consultation completed | May 2015 | Complete |
| | | Interim Policy Approved | May 2015 | Complete |
| | | Officer Training conducted | May 2015 | Complete |
| | | Public Consultation held | Oct 2015 | |
| | | Policy Approved | Nov 2015 | |
| 25 | (c) Shift the onus around due diligence requirements. | Effective Date of Policy and OHS guidelines | Jan 2016 | |
| | | Draft policy completed | May 2015 | Complete |
| | | Act amended | May 2015 | Complete |
| | | Policy Approved | May 2015 | Complete |
| | | Officer Training conducted | May 2015 | Complete |
| 26 | Ensure that when administrative penalties are imposed, the amount of the penalty is proportional, with consideration of the circumstances of the incident and the size of the employer. | Effective Date of Policy | May 2015 | Complete |
| | | Draft policy completed | Nov 2014 | Complete |
| | | Pre-consultation completed | Mar 2015 | Complete |
| | | Public Consultation held | Oct 2015 | |
| | | Policy Approved | Dec 2015 | |
| 27 | Amend the Act to improve the ability to pierce the corporate veil to address situations of non-payment of administrative penalties by employers. | Act Amended | May 2015 | Complete |

WorkSafeBC Review and Action Plan – Implementation Status Report



Legislation and Policy: Recommendations #14, 20, 21, 22, 24, 25, 26, 27, 28, 32

| # | Recommendation | Significant Milestones | Target Completion | Status |
|----|---|--|-------------------|----------|
| 28 | Amend the Act to improve injunctive powers to address egregious and ongoing violations of the Act and/or the OHS Regulation. | Draft policy completed | Apr 2015 | Complete |
| | | Act amended | May 2015 | Complete |
| | | Officer Training conducted | May 2015 | Complete |
| | | Policy Approved | May 2015 | Complete |
| | | Effective Date of Policy | May 2015 | Complete |
| 32 | Amend the Act to specify timelines for employer incident investigations. The employer should be required to complete a preliminary investigation within 48 hours. The full investigation must be completed, and report submitted to WorkSafeBC, within 30 days with an extension available in some circumstances. | Draft policy completed | Apr 2015 | Complete |
| | | Pre-consultation on policy completed | Apr 2015 | Complete |
| | | Act amended | May 2015 | Complete |
| | | Interim policy approved | May 2015 | Complete |
| | | Officer Training conducted | May 2015 | Complete |
| | | Draft consequential regulation changes completed | June 2015 | Complete |
| | | Pre-consultation on consequential regulation changes completed | June 2015 | Complete |
| | | Interim OHS Guidelines created | July 2015 | |
| | | Public Consultation held | Oct 2015 | |
| | | Public Hearing held | Oct 2015 | |
| | | Regulation Changes Approved | Oct 2015 | |
| | | Policy Changes Approved | Nov 2015 | |
| | | Effective Date of Policy | Jan 2016 | |
| | | Effective Date of Regulation Changes | Feb 2016 | |

WorkSafeBC Review and Action Plan – Implementation Status Report



Legislation/ Policy – Other: Recommendations #23 and 25

Legislative change is required to implement some of the recommendations in the WorkSafeBC Review and Action Plan. These include recommendations relating to new compliance tools, amended stop work order provisions, injunctive powers, and additional members for the Board of Directors. In addition, WorkSafeBC has been asked to consult with stakeholders on a limited citation model regarding personal protective equipment and review processes relating to occupational health and safety matters. WorkSafeBC is also working to shorten the timelines for issuing administrative penalties.

| # | Recommendation | Significant Milestones | Target Completion | Status |
|----|---|--|-------------------|----------|
| 23 | WorkSafeBC should undertake a consultation process with industry and labour to consider whether a limited citation model should be introduced for workers who fail to wear Personal Protective Equipment (PPE). Recognising the fact that employers have ultimate control over the workplace the consultation should also consider whether a citation to the worker should trigger an equivalent or larger citation against employer. | Policy and Practice Consultative Committee meeting held to engage industry and labour representatives | Sep 2014 | Complete |
| | | Report provided to ministry responsible | Dec 2014 | Complete |
| 25 | (a) Significantly shorten the timelines for the issuing of administrative penalties through continuous ownership of the penalty order (b) institute a performance management system to assess outcomes | Current state process map and analysis completed | Jul 2014 | Complete |
| | | Future state process map (concept) completed | Aug 2014 | Complete |
| | | Stakeholder input into process improvement provided | Aug 2014 | Complete |
| | | Options/recommendations developed | Aug 2014 | Complete |
| | | Regional service centre for pilot project selected | Sep 2014 | Complete |
| | | Pilot project initiated | Oct 2014 | Complete |
| | | Evaluation of pilot project completed | Jan 2015 | Complete |
| | | Province-wide implementation plan developed | Feb 2015 | Complete |
| 25 | (d) review WorkSafeBC's penalty policies | High Risk Violations Policy approved by BOD (the High Risk Violations Policy approval is required in order for the penalty policy review to proceed) | Oct 2014 | Complete |
| | | Comprehensive review of penalty policy approved by the BOD | Oct 2014 | Complete |

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Regulation Development: Recommendations #16 and 17

| # | Recommendation | Significant Milestones | Target Completion | Status |
|----|--|---|-------------------|----------|
| 16 | Enhance industry and labour involvement in the setting of regulatory priorities. | Consultation held with employer and labour representatives at Policy and Practice Consultative Committee meeting | Sep 2014 | Complete |
| | | <u>Standardized form</u> posted to external website for stakeholders to propose regulatory changes | Oct 2014 | Complete |
| | | Arrange meeting between WorkSafeBC and stakeholders to set and discuss regulatory priorities for future regulatory amendments (annually thereafter) | Feb 2015 | Complete |
| 17 | WorkSafeBC should update and publish its OHS work plans annually to increase transparency and improve stakeholder involvement. | <u>Occupational Health and Safety workplan</u> posted on external website | Sep 2014 | Complete |

WorkSafeBC Review and Action Plan – Implementation Status Report

WORKSAFE

OHS Review Process: Recommendations #34 and 35

| # | Recommendation | Significant Milestones | Target Completion | Status |
|----|---|---|-------------------|----------|
| 34 | WorkSafeBC should conduct an assessment of the internal OHS review processes and give consideration to discontinuing the practice of holding oral hearings for OHS reviews; seeking an amendment to the WCA to shorten the timeframes for order reviews; seeking an amendment to the WCA to shorten the timeframes for penalty order reviews; and seeking an amendment to the WCA to reduce the time limit to apply for an order or penalty order review from 90 days to 10 days. | Consultation with Policy and Practice Consultative Committee on discontinuing oral hearings and changing timelines for order and penalty reviews held | Sep 2014 | Complete |
| | | Implement oral hearing process changes – will require amendment to the Review Division's Practices and Procedures and consultation with the Policy and Practice Consultative Committee prior to implementation | Mar 2015 | Complete |
| | | Act amended to enable a shorter time limit to request a review of a type of order or decision (amendment coming into effect by regulation of Lieutenant Governor in Council) | tbd | |
| | | Act amended to enable the Board of Directors by policy to establish a shorter timeframe than 150 days for completion of reviews based on the type of order or decision under review (policy development will occur once the changes to the Act, regulation, policy and operations are implemented as part of the Bill 9 amendments and the WorkSafeBC Review and Action Plan recommendations) | tbd | |
| 35 | Amend the WCA to introduce an expedited review process for occupational health and safety citations as an alternative to existing review options. | Act amended to introduce OHS citations (amendment coming into effect by regulation of Lieutenant Governor in Council). Following Implementation, policy development will occur to establish an expedited review process for OHS citations. | tbd | |

WorkSafeBC Review and Action Plan – Implementation Status Report

Corporate Culture and Communications: Recommendations #37 and 38

WorkSafeBC will enhance its corporate culture and communication strategies to support change management, engagement (both internal and external), consistency and dissemination of critical information aligned to the Implementation of the recommendations in the WorkSafeBC Review and Action Plan.

| # | Recommendation | Significant Milestones | Target Completion | Status |
|----|--|--|-------------------|----------|
| 37 | Develop strategies to enhance a corporate culture with focus on the following attributes: collaboration, ownership, and openness across the prevention functions of WorkSafeBC; collaboration with other regulatory entities; ongoing engagement of and collaboration with stakeholders in labour and industry; embracing innovation and technology to improve occupational health and safety compliance; and incremental escalation in the use of enforcement tools. | Independent review on current state conducted | Jan 2015 | Complete |
| | | Strategy to improve corporate culture developed and adopted by Senior Executive Committee of WorkSafeBC | Jun 2015 | Complete |
| 38 | Evaluate internal and external communications with a view to improving the flow of information between levels and departments; establishing and formalizing clear points of contact with key external stakeholders; establishing a forum for external stakeholders to have an ongoing dialogue with WorkSafeBC on occupational health and safety issues; increasing direct communication between WorkSafeBC and both the Criminal Justice Branch (CJB) and the Ministry. | Review of WorkSafeBC's internal communication strategy conducted | Jun 2014 | Complete |
| | | Communication between WorkSafeBC and the Criminal Justice Branch has been formalized and increased as per the signed Memorandum of Understanding, and with the appointment of the Gatekeeper | Aug 2014 | Complete |
| | | WorkSafeBC executive points of contact for key stakeholders established | Oct 2014 | Complete |
| | | Revised internal communication strategy implemented | Oct 2014 | Complete |
| | | Occupational Health and Safety forums with representatives of employers and labour initiated | Oct 2014 | Complete |

WorkSafeBC Review and Action Plan – Implementation Status Report



Enhanced Technology: Recommendations #39 and 40

WorkSafeBC will continue to leverage technology and innovation to support improvements to our inspections and investigations programs. This includes initiatives to provide Prevention Officers with new tools to keep them informed and connected while on the road, as well as incorporation of visual analytics to support officer decision making. For external stakeholders, we provide tools and share information that allows employers to review and compare their safety performance and insurance costs against others in their industry, and aids industry safety associations in development of serious injury reduction strategies.

| # | Recommendation | Significant Milestones | Target Completion | Status |
|----|--|---|-------------------|--------------|
| 39 | WorkSafeBC should continue to leverage new and innovative technology that will help identify emerging occupational health and safety issues. | Investigations and Prevention Phase I project implementation completed. These applications consolidate employer and jobsite information from WorkSafeBC systems, giving Prevention Officers a holistic perspective to help with inspecting, consulting and educating the employers and workers of British Columbia in Occupational Health and Safety. | Mar 2014 | Complete |
| | | Investigations and Prevention Phase II project implemented | Dec 2014 | Complete |
| | | Employer Safety Planning Toolkit enhancements completed and made available to employers. The Toolkit enables employers to compare their safety performance and insurance costs with others in their industry, and to model different scenarios to determine their injury prevention priorities. | Jun 2014 | Complete |
| | | Industry Safety Information Centre enhancements completed and made available to employers through WorkSafeBC.com. This tool can be used by employers, Health and Safety Associations (HSAs) and other stakeholders to understand health and safety performance by industry. | Jun 2014 | Complete |
| | | Serious Injury Guided Dashboard HSA pilot launched | May 2014 | Complete |
| | | Serious Injury Guided Dashboard rolled out across additional HSAs | Dec 2014 | Complete |
| | | New large Construction Projects Dashboard launched | May 2014 | Complete |
| 40 | WorkSafeBC should take the lead in creating agreements and developing technology and processes that would make data sharing between partners and jurisdictions possible. | Agreement in Principle relating to data sharing with a comparable jurisdiction completed | Jan 2015 | Complete |
| | | Operationalize agreement in 2015 – process for regular data sharing, technology platform to share data implemented | Mar 2015 | Complete |
| | | Information technology / system changes (if required) implemented | Jun 2015 | Not Required |

Chauvin, Lindsay JTST:EX

From: Berkey, Caroline WCAT:IN
Sent: Wednesday, October 21, 2015 4:03 PM
To: Mentzelopoulos, Athana JTST:EX
Cc: Hughes, Trevor LBR:EX; Clunn, Karen E LBR:EX
Subject: FW: WCAT Vice Chair Reappointments - 2015

Athana,

Further to your email below, all of the vice chairs up for reappointment have confirmed that there are no changes to their Candidate Profile, including their statement that they had not been charged with or convicted of any offence. In turn, I will go ahead with the reappointments.

Thank you,
Caroline

From: Berkey, Caroline
Sent: Thursday, October 08, 2015 12:04 PM
To: 'Mentzelopoulos, Athana JTST:EX'
Cc: 'Hughes, Trevor LBR:EX'; Berkey, Caroline
Subject: RE: WCAT Vice Chair Reappointments - 2015

Thank you Athana.

Each individual up for reappointment indicated in their Candidate Profile when appointed that they had not been charged with or convicted of any offence, nor had they been involved in any issue or controversy that had gone or is likely to go to litigation. We will ask each VC up for reappointment to confirm that there are no changes to this part of their Candidate Profile.

Where the individual up for reappointment advises that there has been no change, we will move forward with his/her reappointment. If there is an issue with any individual I will connect with you before any further steps are taken. We will update our process so that in the future in my memo to the Minister I cover this point off.

(All of the VCs up for reappointment have already confirmed that they are in compliance with our Code of Conduct and the Standards of Conduct for Public Service Employees).

Regards,
Caroline

From: Mentzelopoulos, Athana JTST:EX [<mailto:Athana.Mentzelopoulos@gov.bc.ca>]
Sent: Thursday, October 08, 2015 8:11 AM
To: Berkey, Caroline
Cc: Hughes, Trevor LBR:EX
Subject: RE: WCAT Vice Chair Reappointments - 2015

Caroline – there are a couple of questions here as I mentioned the other evening.

There are court records for all of^{s.22}

These may be individuals with the same names, or it could be proceedings related to the WCAT or other previous tribunal work. The issues appear to be more serious for a^{s.22}

Please confirm these are not the same individuals and/or they are related to work and/or they are not of concern. On that basis Minister Bond supports your proceeding with reappointments.

thanks

From: Berkey, Caroline [<mailto:Caroline.Berkey@wcat.bc.ca>]

Sent: Friday, September 11, 2015 11:07 AM

To: Mentzelopoulos, Athana JTST:EX

Cc: Hughes, Trevor LBR:EX; Clunn, Karen E LBR:EX; Chau, Lily WCAT:EX; Halkett, Kim WCAT:EX; Berkey, Caroline WCAT:EX

Subject: WCAT Vice Chair Reappointments - 2015

Athana,

Re: Workers' Compensation Appeal Tribunal Vice Chair Reappointments - 2015

Please find attached my memorandum with respect to those vice chairs up for reappointment to continue in their existing adjudicative positions at WCAT. The memorandum sets out our performance evaluation process and provides information about the vice chairs up for reappointment. Thank you for taking the memorandum to the Minister for consultation on behalf of WCAT. As noted below, in the past the Minister has sometimes met with me to review the reappointments and on other occasions has read the memorandum for the consultation and then responded to me through the deputy minister without a meeting. I'd be pleased to do either.

Thank you for your assistance with this matter.

Regards,

Caroline Berkey
Chair, Workers' Compensation Appeal Tribunal
150-4600 Jacombs Road
Richmond, BC V6V 3B1
Telephone:^{s.17}

From: Mentzelopoulos, Athana JTST:EX [<mailto:Athana.Mentzelopoulos@gov.bc.ca>]

Sent: Friday, August 21, 2015 6:59 AM

To: Berkey, Caroline

Cc: Hughes, Trevor LBR:EX; Clunn, Karen E LBR:EX; Chau, Lily

Subject: Re: WCAT Vice Chair Reappointments - 2015

Hello Caroline -- I have found the process to work well so far when you send me the BN and I appreciate the ongoing consultation. I will review your recommendations with the Minister when I receive the material and will advise if a meeting is necessary.

Thanks, have a great day.
Athana

Sent from my iPad

On Aug 20, 2015, at 10:39, Berkey, Caroline <Caroline.Berkey@wcat.bc.ca> wrote:

Athana,

Re: Workers' Compensation Appeal Tribunal Vice Chair Reappointments - 2015

WCAT has 6 vice chairs with terms expiring from February to April 2016. These vice chairs are currently undergoing a performance evaluation process to determine whether they will be considered for reappointment to continue in their existing positions as part of our complement of decision makers, and if so the length of those reappointments. I anticipate that the performance evaluation process and my memorandum to the Minister summarizing the process and the outcome will be completed in early September.

While the Act is silent on whether it is necessary for WCAT to consult with the Minister on reappointments, the chair has historically done so. In light of that, as per past practice, can I send the memorandum to you to forward to the Minister on my behalf in early September?

In the past the Minister has sometimes met with me to review the reappointments and on other occasions has read the memo for the consultation and then responded to me through the deputy minister without a meeting. I'd be pleased to do either.

Regards,
Caroline

Caroline Berkey
Chair, Workers' Compensation Appeal Tribunal
150-4600 Jacombs Road
Richmond, BC V6V 3B1
Telephone:^{s.17}

Page 094 to/à Page 097

Withheld pursuant to/removed as

s.12;s.14;s.22;s.13

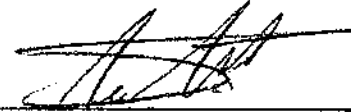
PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

729

Approved and Ordered

NOV 18 2010



Lieutenant Governor

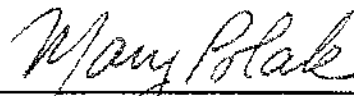
Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective January 2, 2011,

- a) William Frederick (Rick) Roger be reappointed as a director, representative of the public interest, of the Workers' Compensation Board for a term ending December 31, 2013, and
- b) As a director, William Frederick (Rick) Roger is to receive remuneration in the amount of
 - (i) \$7,500 annually for each year of his term, and
 - (ii) \$500 for each day spent on work as a director.



Minister, Labour



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

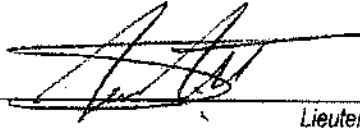
Act and section:- Workers' Compensation Act, R.S.B.C. 1996, c.492,s.81 (1)(a)(iii)
Other (specify):-

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

728

, Approved and Ordered **NOV 18 2010**


Lieutenant Governor

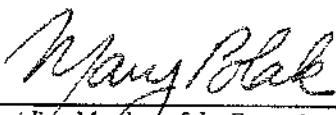
Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective January 3, 2011,

- a) Phillip Legg be reappointed as a director, representative of workers, of the Workers' Compensation Board for a term ending December 31, 2013, and
- b) As a director, Phillip Legg is to receive remuneration in the amount of
 - (i) \$7,500 annually for each year of his term, and
 - (ii) \$500 for each day spent on work as a director.



Minister, Labour


Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

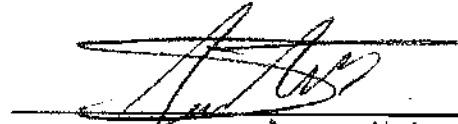
Act and section:- Workers' Compensation Act, R.S.B.C. 1996, c.492,s.81 (1)(a)(iii)
Other (specify):-

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

727

, Approved and Ordered **NOV 18 2010**


Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective January 3, 2011,

- a) Joseph T. Lindgren is reappointed as a director, representative of employers, of the Workers' Compensation Board for a term ending December 31, 2013, and
- b) As a director, Joseph T. Lindgren is to receive remuneration in the amount of
 - (i) \$7,500 annually for each year of his term, and
 - (ii) \$500 for each day spent on work as a director.



Minister, Labour


Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section:- Workers' Compensation Act, R.S.B.C. 1996, c.492,s.81 (1)(a)(iii)
Other (specify):-

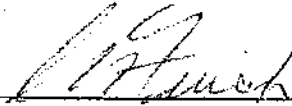
PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

251

, Approved and Ordered

MAY - 5 2010

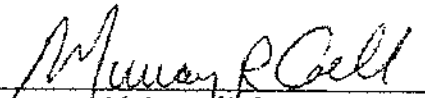


~~Lieutenant Governor~~
Administrator

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the ~~Lieutenant Governor~~ ^{Administrator}, by and with the advice and consent of the Executive Council, orders that

- (a) Dr. Henry G. Harder is reappointed as a director of the Workers' Compensation Board for a term ending December 31, 2013, and
- (b) as a director, Dr. Henry G. Harder is to receive remuneration in the amount of
 - (i) \$7 500 annually for each year of his term, and
 - (ii) \$500 for each day spent on work as a director.



Minister of Labour



Presiding Member of the Executive Council

[This part is for administrative purposes only and is not part of the Order.]

Authority under which Order is made:

Act and section:- Workers Compensation Act, R.S.B.C. 1996, c. 492, s. 81 (1) (a) (v) and (8) (a)
Other (specify):- OIC 240/2006

April 26, 2010

O/299/2010/86

Tanner, Michael A LBR:EX

From: Hughes, Trevor LBR:EX
Sent: Wednesday, November 13, 2013 4:35 PM
To: Blakely, John H LBR:EX; Tanner, Michael A LBR:EX
Subject: FW: Please Initiate Drafting - WorkSafeBC
Attachments: RE: Log O/731; OIC 250-2010 Harder.pdf; OIC 727-2010 Lindgren.pdf; OIC 728-2010 Legg.pdf; OIC 729-2010 Roger.pdf

Importance: High

Is this something you guys can easily sort out for Ingrid?
THANKS.

From: Schmidt, Ingrid JTST:EX
Sent: Wednesday, November 13, 2013 4:33 PM
To: Hughes, Trevor LBR:EX; Blakely, John H LBR:EX
Cc: Clunn, Karen E LBR:EX
Subject: RE: Please Initiate Drafting - WorkSafeBC
Importance: High

Hi Trevor / John,

We've had the OIC for the WorkSafeBC reappointments drafted by Leg Counsel, but have discovered that the OIC needs to indicate the remuneration (see attached email titled 'Log O/731' for details).

I've attached copies of the four director's most recent OIC appointments, which all indicate remuneration in the amount of \$7500 annually for each year of his term, and \$500 for each day spent on work as a director. This seems to be in line with director remuneration specified in Treasury Board Directive 3/11, Level 4 and 5 of the Classification Grid.

See: <http://www.fin.gov.bc.ca/ocg/fmb/manuals/TBDirs/TBD3-11.pdf>

Do you know if the remuneration as stated in the previous OICs is still valid? Or should it be a different amount? Please confirm, and I will submit this information to Leg Counsel to redraft the OIC.

Thank you!

Ingrid

From: Hughes, Trevor LBR:EX
Sent: Friday, November 8, 2013 2:53 PM
To: Schmidt, Ingrid JTST:EX; Blakely, John H LBR:EX
Cc: Clunn, Karen E LBR:EX
Subject: RE: Please Initiate Drafting - WorkSafeBC

Excellent – we had heard this was coming today so are most pleased to hear it and support in any way you need. Many thanks for supporting this moving forward.

From: Schmidt, Ingrid JTST:EX
Sent: Friday, November 8, 2013 2:50 PM

To: Hughes, Trevor LBR:EX; Blakey, John H LBR:EX
Cc: Clunn, Karen E LBR:EX
Subject: FW: Please Initiate Drafting - WorkSafeBC

Hello Trevor / John,

FYI:
BRDO has requested that CPP initiate drafting of board reappointments for Harder, Legg, Lindgren, and Roger as directors of the **WorkSafeBC**. The reappointment terms are as indicated below, and brings them all to the maximum continuous appointment period of 6 years (as per s. 81(4) of the *Workers Compensation Act*).

We are targeting the November 20 Cabinet meeting. The Orders are currently being drafted and will be forwarded to the DM and Minister as soon as possible.

Please feel free to contact me if you have any questions.

Ingrid Schmidt • Legislative Policy Analyst
Corporate Planning and Priorities Branch • Management Services Division
Ministry of Jobs, Tourism & Skills Training (and Minister Responsible for Labour);
Ministry of Community, Sport & Cultural Development; and
Ministry of International Trade (and Minister Responsible for Asia Pacific Strategy and Multiculturalism)
ph: 250 356-2078
Ingrid.Schmidt@gov.bc.ca

From: MacKenzie-Ast, Larkin BRDO:EX
Sent: Thursday, November 7, 2013 3:12 PM
To: Schmidt, Ingrid JTST:EX
Cc: Shaw, Brea BRDO:EX; Brodie, Natalya BRDO:EX; Lu, Barbara BRDO:EX
Subject: Please Initiate Drafting - WorkSafeBC

Hi Ingrid – one more for the Nov 20th Cabinet.

4 Reappointments to WorkSafeBC:

RE: Dr. Henry G. Harder – Health Care and Rehab Representative – 31 Dec 2013 to 16 Apr 2014
RE: Phillip Legg – Worker Representative – 31 Dec 2013 to 3 Jan 2015
RE: Joseph T. Lindgren – Employer Representative 31 Dec 2013 to 3 Jan 2015
RE: W.F. (Rick) Roger – Public Interest Representative 31 Dec 2013 to 3 Jan 2015

Henry G. Harder – Health Care and Rehab Representative - Prince George/Valemount

Henry Harder is the Chair of Health Sciences Programs at the University of Northern BC. He is also the Owner and Operator of Effective Transitions. Previously, Dr. Harder was the Training Director for the National Institute of Disability Management and Research. Within his community, he is involved with the Northern Brain Injury Association, the BC Environmental and Occupational Health Research Network, and the Vancouver Foundation (Disability Supports for the Employment Fund Advisory Committee). Dr. Harder has his Bachelor of Education, Master of Arts, and his Doctor of Education from the University of BC.

Phillip Legg – Worker Representative – Burnaby/Edmonds

Phillip Legg is the Director of Policy and Communications for the Federation of Post-Secondary Educators of BC. Prior to this, he was the Director of Legislation and Research for the BC Federation of Labour. Mr. Legg is a member of the BC Association of Professional Economists. Mr. Legg attended both Simon Fraser University and the University of British Columbia and holds an undergraduate degree in Economics.

Joseph T. Lindgren – Employer Representative - Vancouver/Quilchena

Joe Lindgren is the Owner and President of Lincor Enterprises Ltd., a thriving commercial painting and decorating business with clients across British Columbia. He has extensive experience in the small business sector starting his own painting business in 1980 building his business into a mid-sized commercial contractor with dozens of employees. Mr. Lindgren is the former Director and President of the Independent Contractors and Businesses Association. Currently, he serves as a Trustee of the Construction Industry Benefit Plan and a Director of the Vancouver Resource Society. In the past, he served as a Director of the Trade Advisory Council and as a Director and President of the University Golf Club. Mr. Lindgren holds his Bachelor of Arts (Honours) in Anthropology from the University of Minnesota.

W.F. (Rick) Roger – Public Interest Representative - Oak Bay/Gordon Head

Rick Roger was Chief Executive Officer of the Vancouver Island Health Authority until October 2004 and Chief Executive Officer of the Vancouver/Richmond Health Board prior to his return to Victoria in 2000.

Internationally, he has completed a number of assignments for the World Health Organization, reviewing service delivery and national health programs. He has worked at the provincial and national levels developing health service funding and system reporting models. He is currently a Senior Editor with Healthcare Policy Journal specializing in management and policy research. Mr. Roger received a Master of Health Services Administration from the University of Alberta in 1980. He is keenly interested in evidence informed decision-making, working extensively with the Canadian Patient Safety Institute and the Canadian Health Services Research Foundation.

Addresses:

Henry Harder

s.22

Phillip Legg

s.22

Joseph Lindgren

s.22

Rick Roger

s.22

Tanner, Michael A LBR:EX

From: Tanner, Michael A LBR:EX
Sent: Wednesday, November 13, 2013 4:54 PM
To: Blakely, John H LBR:EX; Rogers, Peter LBR:EX
Subject: RE: Please Initiate Drafting - WorkSafeBC
Attachments: 211-11.pdf; 053-2013.pdf

The answer is that in 2011 we passed the Director Remuneration Order (OIC 211/2011) setting out the remuneration for WSBC Board of Directors. In January 2013, we amended the 7 appointing OICs to refer to compensation in accordance with OIC 211/2011. Both relevant OICs are attached. This should provide Ingrid what she needs.

From: Blakely, John H LBR:EX
Sent: Wednesday, November 13, 2013 4:39 PM
To: Rogers, Peter LBR:EX
Cc: Tanner, Michael A LBR:EX
Subject: FW: Please Initiate Drafting - WorkSafeBC
Importance: High

Peter, may I ask you to look into this? I thought these OICs were amended last year, when provision was made for directors who were committee chairs to receive extra remuneration. Thanks,

From: Schmidt, Ingrid JTST:EX
Sent: Wednesday, November 13, 2013 4:33 PM
To: Hughes, Trevor LBR:EX; Blakely, John H LBR:EX
Cc: Clunn, Karen E LBR:EX
Subject: RE: Please Initiate Drafting - WorkSafeBC
Importance: High

Hi Trevor / John,

We've had the OIC for the WorkSafeBC reappointments drafted by Leg Counsel, but have discovered that the OIC needs to indicate the remuneration (see attached email titled 'Log O/731' for details).

I've attached copies of the four director's most recent OIC appointments, which all indicate remuneration in the amount of \$7500 annually for each year of his term, and \$500 for each day spent on work as a director. This seems to be in line with director remuneration specified in Treasury Board Directive 3/11, Level 4 and 5 of the Classification Grid.

See: <http://www.fin.gov.bc.ca/ocg/fmb/manuals/TBDirs/TBD3-11.pdf>

Do you know if the remuneration as stated in the previous OICs is still valid? Or should it be a different amount? Please confirm, and I will submit this information to Leg Counsel to redraft the OIC.

Thank you!

Ingrid

From: Hughes, Trevor LBR:EX
Sent: Friday, November 8, 2013 2:53 PM
To: Schmidt, Ingrid JTST:EX; Blakely, John H LBR:EX
Cc: Clunn, Karen E LBR:EX
Subject: RE: Please Initiate Drafting - WorkSafeBC

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Sent: Friday, November 8, 2013 2:50 PM
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Cc: Clunn, Karen E LBR:EX
Subject: FW: Please Initiate Drafting - WorkSafeBC

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Ingrid Schmidt • Legislative Policy Analyst
Corporate Planning and Priorities Branch • Management Services Division
Ministry of Jobs, Tourism & Skills Training (and Minister Responsible for Labour);
Ministry of Community, Sport & Cultural Development; and
Ministry of International Trade (and Minister Responsible for Asia Pacific Strategy and Multiculturalism)
ph: 250 356-2078
Ingrid.Schmidt@gov.bc.ca

From: MacKenzie-Ast, Larkin BRDO:EX
Sent: Thursday, November 7, 2013 3:12 PM
To: Schmidt, Ingrid JTST:EX
Cc: Shaw, Brea BRDO:EX; Brodie, Natalya BRDO:EX; Lu, Barbara BRDO:EX
Subject: Please Initiate Drafting - WorkSafeBC

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RE: W.F. (Rick) Roger – Public Interest Representative 31 Dec 2013 to 3 Jan 2015

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W.F. (Rick) Roger – Public Interest Representative - Oak Bay/Gordon Head

Rick Roger was Chief Executive Officer of the Vancouver Island Health Authority until October 2004 and Chief Executive Officer of the Vancouver/Richmond Health Board prior to his return to Victoria in 2000.

Internationally, he has completed a number of assignments for the World Health Organization, reviewing service delivery and national health programs. He has worked at the provincial and national levels developing health service funding and system reporting models. He is currently a Senior Editor with Healthcare Policy Journal specializing in management and policy research. Mr. Roger received a Master of Health Services Administration from the University of Alberta in 1980. He is keenly interested in evidence informed decision-making, working extensively with the Canadian Patient Safety Institute and the Canadian Health Services Research Foundation.

Addresses:

Henry Harder
s.22

Phillip Legg
s.22

Joseph Lindgren
s.22

Rick Roger
s.22

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

053

, Approved and Ordered

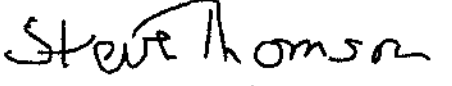
JAN 31 2013


Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that Orders in Council 200/2012, 201/2012, 492/2012, 251/2010, 727/2010, 728/2010 and 729/2010 are amended in paragraph (b) by striking out everything after "is to receive remuneration" and substituting "in accordance with the Director Remuneration Order, Order in Council 211/2011."


Minister of Jobs, Tourism and Skills Training
and Minister Responsible for Labour


Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Workers Compensation Act*, R.S.B.C. 1996, c. 492, s. 81 (8) (a)

Other: OIC 200/2012, 201/2012, 251/2010, 492/2012, 727/2010, 728/2010 and 729/2010

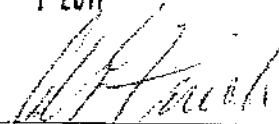
December 10, 2012

Resub 1/O/1106/2012/33

page 1 of 1

PROVINCE OF BRITISH COLUMBIA
ORDER OF LIEUTENANT GOVERNOR IN COUNCIL

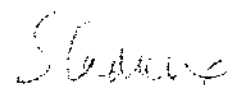
Order in Council No. 211 , Approved and Ordered JUN - 1 2011



Lieutenant Governor
Administrator

Executive Council Chambers, Victoria

Administrator

On the recommendation of the undersigned, the ~~Lieutenant Governor~~, by and with the advice and consent of the Executive Council, orders that, effective July 1, 2011, the attached Director Remuneration Order is made.


Minister of Labour, Citizens' Services and
Open Government


Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Workers Compensation Act, R.S.B.C. 1996, c. 492, s. 81 (8) (a)

Other: _____

April 11, 2011

page 1 of 2

O/27/2011/2

DIRECTOR REMUNERATION ORDER

Definitions

- 1 In this order:

"Act" means the *Workers Compensation Act*;

"director" means a director appointed under section 81 (1) (a) of the Act to the board of directors of the Board.

Chair

- 2 The chair appointed under section 81 (1) (a) (iv) of the Act is to receive remuneration in the amount of

- (a) \$15 000 annually for each year of the chair's term, and
- (b) \$500 for each day spent on work as chair.

Other appointed directors

- 3 A director, other than the chair, is to receive remuneration in the amount of

- (a) \$7 500 annually for each year of the director's term, and
- (b) \$500 for each day spent on work as a director.

Chair of audit committee

- 4 In addition to the remuneration under section 2 or 3, a director who is the chair of the audit committee is to receive remuneration in the amount of \$5 000 annually for each year of the member's term as chair of the audit committee.

Chair of other committees

- 5 In addition to the remuneration under section 2 or 3, a director who is the chair of a committee established by the Board, other than the audit committee, is to receive remuneration in the amount of \$3 000 annually for each year of the member's term as chair of the committee.

Amounts prorated

- 6 An amount referred to in section 2 (a), 3 (a), 4 or 5 must be prorated for a portion of the year if the term of the appointment is less than a year or includes a portion of a year.

Tanner, Michael A LBR:EX

From: Hughes, Trevor LBR:EX
Sent: Wednesday, November 13, 2013 4:56 PM
To: Blakely, John H LBR:EX
Cc: Clunn, Karen E LBR:EX; Tanner, Michael A LBR:EX; Schmidt, Ingrid JTST:EX
Subject: RE: Please Initiate Drafting - WorkSafeBC
Attachments: 038_oic 53_qple.pdf

John, as discussed, this was done by way of the attached OIC. So this should hopefully be a fairly straight-forward drafting piece from here.

T.

From: Blakely, John H LBR:EX
Sent: Wednesday, November 13, 2013 4:36 PM
To: Schmidt, Ingrid JTST:EX; Hughes, Trevor LBR:EX
Cc: Clunn, Karen E LBR:EX; Tanner, Michael A LBR:EX
Subject: RE: Please Initiate Drafting - WorkSafeBC

Ingrid, we will look into this. I thought these appointment OICs were amended about a year ago to permit the payment of additional amounts to directors who also serve as committee chairs. But we will need to track down how that was actually done.

Thanks

From: Schmidt, Ingrid JTST:EX
Sent: Wednesday, November 13, 2013 4:33 PM
To: Hughes, Trevor LBR:EX; Blakely, John H LBR:EX
Cc: Clunn, Karen E LBR:EX
Subject: RE: Please Initiate Drafting - WorkSafeBC
Importance: High

Hi Trevor / John,

We've had the OIC for the WorkSafeBC reappointments drafted by Leg Counsel, but have discovered that the OIC needs to indicate the remuneration (see attached email titled 'Log O/731' for details).

I've attached copies of the four director's most recent OIC appointments, which all indicate remuneration in the amount of \$7500 annually for each year of his term, and \$500 for each day spent on work as a director. This seems to be in line with director remuneration specified in Treasury Board Directive 3/11, Level 4 and 5 of the Classification Grid.

See: <http://www.fin.gov.bc.ca/ocg/fmb/manuals/TBDirs/TBD3-11.pdf>

Do you know if the remuneration as stated in the previous OICs is still valid? Or should it be a different amount? Please confirm, and I will submit this information to Leg Counsel to redraft the OIC.

Thank you!

Ingrid

From: Hughes, Trevor LBR:EX
Sent: Friday, November 8, 2013 2:53 PM
To: Schmidt, Ingrid JTST:EX; Blakely, John H LBR:EX
Cc: Clunn, Karen E LBR:EX
Subject: RE: Please Initiate Drafting - WorkSafeBC

Excellent – we had heard this was coming today so are most pleased to hear it and support in any way you need. Many thanks for supporting this moving forward.

From: Schmidt, Ingrid JTST:EX
Sent: Friday, November 8, 2013 2:50 PM
To: Hughes, Trevor LBR:EX; Blakely, John H LBR:EX
Cc: Clunn, Karen E LBR:EX
Subject: FW: Please Initiate Drafting - WorkSafeBC

Hello Trevor / John,

FYI:
BRDO has requested that CPP initiate drafting of board reappointments for Harder, Legg, Lindgren, and Roger as directors of the **WorkSafeBC**. The reappointment terms are as indicated below, and brings them all to the maximum continuous appointment period of 6 years (as per s. 81(4) of the *Workers Compensation Act*).

We are targeting the November 20 Cabinet meeting. The Orders are currently being drafted and will be forwarded to the DM and Minister as soon as possible.

Please feel free to contact me if you have any questions.

Ingrid Schmidt • Legislative Policy Analyst
Corporate Planning and Priorities Branch • Management Services Division
Ministry of Jobs, Tourism & Skills Training (and Minister Responsible for Labour);
Ministry of Community, Sport & Cultural Development; and
Ministry of International Trade (and Minister Responsible for Asia Pacific Strategy and Multiculturalism)
ph: 250 356-2078
Ingrid.Schmidt@gov.bc.ca

From: MacKenzie-Ast, Larkin BRDO:EX
Sent: Thursday, November 7, 2013 3:12 PM
To: Schmidt, Ingrid JTST:EX
Cc: Shaw, Brea BRDO:EX; Brodie, Natalya BRDO:EX; Lu, Barbara BRDO:EX
Subject: Please Initiate Drafting - WorkSafeBC

Hi Ingrid – one more for the Nov 20th Cabinet.

4 Reappointments to WorkSafeBC:

RE: Dr. Henry G. Harder – Health Care and Rehab Representative – 31 Dec 2013 to 16 Apr 2014
RE: Phillip Legg – Worker Representative – 31 Dec 2013 to 3 Jan 2015
RE: Joseph T. Lindgren – Employer Representative 31 Dec 2013 to 3 Jan 2015
RE: W.F. (Rick) Roger – Public Interest Representative 31 Dec 2013 to 3 Jan 2015

Henry G. Harder – Health Care and Rehab Representative - Prince George/Valemount

Henry Harder is the Chair of Health Sciences Programs at the University of Northern BC. He is also the Owner and Operator of Effective Transitions. Previously, Dr. Harder was the Training Director for the National Institute

of Disability Management and Research. Within his community, he is involved with the Northern Brain Injury Association, the BC Environmental and Occupational Health Research Network, and the Vancouver Foundation (Disability Supports for the Employment Fund Advisory Committee). Dr. Harder has his Bachelor of Education, Master of Arts, and his Doctor of Education from the University of BC.

Phillip Legg – Worker Representative – Burnaby/Edmonds

Phillip Legg is the Director of Policy and Communications for the Federation of Post-Secondary Educators of BC. Prior to this, he was the Director of Legislation and Research for the BC Federation of Labour. Mr. Legg is a member of the BC Association of Professional Economists. Mr. Legg attended both Simon Fraser University and the University of British Columbia and holds an undergraduate degree in Economics.

Joseph T. Lindgren – Employer Representative - Vancouver/Quilchena

Joe Lindgren is the Owner and President of Lincor Enterprises Ltd., a thriving commercial painting and decorating business with clients across British Columbia. He has extensive experience in the small business sector starting his own painting business in 1980 building his business into a mid-sized commercial contractor with dozens of employees. Mr. Lindgren is the former Director and President of the Independent Contractors and Businesses Association. Currently, he serves as a Trustee of the Construction Industry Benefit Plan and a Director of the Vancouver Resource Society. In the past, he served as a Director of the Trade Advisory Council and as a Director and President of the University Golf Club. Mr. Lindgren holds his Bachelor of Arts (Honours) in Anthropology from the University of Minnesota.

W.F. (Rick) Roger – Public Interest Representative - Oak Bay/Gordon Head

Rick Roger was Chief Executive Officer of the Vancouver Island Health Authority until October 2004 and Chief Executive Officer of the Vancouver/Richmond Health Board prior to his return to Victoria in 2000. Internationally, he has completed a number of assignments for the World Health Organization, reviewing service delivery and national health programs. He has worked at the provincial and national levels developing health service funding and system reporting models. He is currently a Senior Editor with Healthcare Policy Journal specializing in management and policy research. Mr. Roger received a Master of Health Services Administration from the University of Alberta in 1980. He is keenly interested in evidence informed decision-making, working extensively with the Canadian Patient Safety Institute and the Canadian Health Services Research Foundation.

Addresses:

Henry Harder

s.22

Phillip Legg

s.22

Joseph Lindgren

s.22

Rick Roger

s.22

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

053

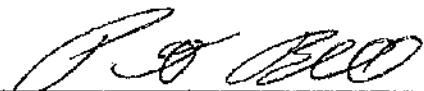
, Approved and Ordered

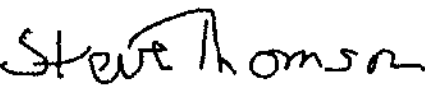
JAN 31 2013


Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that Orders in Council 200/2012, 201/2012, 492/2012, 251/2010, 727/2010, 728/2010 and 729/2010 are amended in paragraph (b) by striking out everything after "is to receive remuneration" and substituting "in accordance with the Director Remuneration Order, Order in Council 211/2011."


Minister of Jobs, Tourism and Skills Training
and Minister Responsible for Labour


Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Workers Compensation Act*, R.S.B.C. 1996, c. 492, s. 81 (8) (a)

Other: OIC 200/2012, 201/2012, 251/2010, 492/2012, 727/2010, 728/2010 and 729/2010

December 10, 2012

Resub 1/O/1106/2012/33

page 1 of 1

Tanner, Michael A LBR:EX

From: Blakely, John H LBR:EX
Sent: Wednesday, September 24, 2014 3:57 PM
To: Tanner, Michael A LBR:EX
Subject: FW: Draft to Athana

Michael, after you have had a chance to read this email string, can we chat? Thanks

From: Hughes, Trevor LBR:EX
Sent: Wednesday, September 24, 2014 3:57 PM
To: Blakely, John H LBR:EX
Subject: Re: Draft to Athana

Yes.

From: Blakely, John H LBR:EX
Sent: Wednesday, September 24, 2014 3:56 PM
To: Hughes, Trevor LBR:EX
Subject: RE: Draft to Athana

Okay, but just to be clear, ^{s.13}

From: Hughes, Trevor LBR:EX
Sent: Wednesday, September 24, 2014 3:54 PM
To: Blakely, John H LBR:EX
Subject: Re: Draft to Athana

How about Michael call him in followup to his texts to me?

From: Blakely, John H LBR:EX
Sent: Wednesday, September 24, 2014 3:53 PM
To: Hughes, Trevor LBR:EX
Subject: RE: Draft to Athana

What is Panusa saying to you? ^{s.13}

s.13

Thanks,

From: Hughes, Trevor LBR:EX
Sent: Wednesday, September 24, 2014 3:45 PM
To: Blakely, John H LBR:EX
Subject: Re: Draft to Athana

Thanks.^{s.13}

Panusa is texting me like mad about it.

From: Blakely, John H LBR:EX
Sent: Wednesday, September 24, 2014 3:43 PM
To: Hughes, Trevor LBR:EX
Subject: RE: Draft to Athana

Trevor^{s.13}

s.13

Let me know if you would like to discuss this.

Thanks,

From: Hughes, Trevor LBR:EX
Sent: Wednesday, September 24, 2014 3:17 PM
To: Blakely, John H LBR:EX
Subject: Draft to Athana

Can you review, comment, edit?

Can I check something with you? You said you have a name for the Board on health rehab person. We need to get a list of 3 names in order to comply with the Workers Compensation Act. Section 81(2)(c) requires a selection from list a of at least 3 nominees from an organization that provides health care or rehab services. Appreciate your letting me raise this item.

T.

Tanner, Michael A LBR:EX

From: Clunn, Karen E LBR:EX
Sent: Monday, January 5, 2015 10:58 AM
To: Blakely, John H LBR:EX
Cc: Tanner, Michael A LBR:EX; Rogers, Peter LBR:EX
Subject: RE: OIC's
Attachments: 742 Dec 19 2014 - McNeil, Beckett, Bueckert, White.pdf; 555 Nov 27 2013 - Harder, Legg, Roger, Lindgren.pdf; 200 Mar29 2012 - Nathoo, Tazem.pdf

As discussed, the previous set of appointments (555) also did not note the specific roles attached to the Director positions. In recent years, I have seen the roles noted on the OICs but not consistently. I've attached the current OIC as well as two previous appointments.

Karen

From: Blakely, John H LBR:EX
Sent: Wednesday, December 31, 2014 1:06 PM
To: Clunn, Karen E LBR:EX
Cc: Tanner, Michael A LBR:EX; Rogers, Peter LBR:EX
Subject: FW: OIC's

Karen, for your return next Monday, is the concern raised by John Panusa something that you can address with your contacts at the DMO? Or should we deal with it? John's concern is that OIC # 742 is not correctly drafted on the grounds that the OIC should specify the role of each director according to the Act (i.e., worker representative, etc). I don't think John has any concerns with OIC # 718.

Thanks,

From: Hughes, Trevor LBR:EX
Sent: Wednesday, December 31, 2014 12:40 PM
To: Panusa, Gianpaolo WCB:EX
Cc: Blakely, John H LBR:EX
Subject: Re: OIC's

Thanks John. By copy to Mr Blakely, I'll ask him to look into this for you.

From: Panusa, Gianpaolo (John)
Sent: Wednesday, December 31, 2014 12:35 PM
To: Hughes, Trevor LBR:EX
Subject: Re: OIC's

Trevor I just looked at these and they are not quite right. The OIC should specify the role of each director according to the act (worker rep etc)

Sent from my iPhone

On Dec 23, 2014, at 8:45 AM, Hughes, Trevor LBR:EX <Trevor.Hughes@gov.bc.ca> wrote:

FYI.

T.

Follow us on Twitter, Facebook, or one of our many social networks:
http://www.worksafebc.com/news_room/SocialNetworks/default.asp

CONFIDENTIALITY DISCLAIMER

The information contained in this transmission may contain privileged and confidential information of WorkSafeBC - the Workers' Compensation Board. It is intended for review only by the person(s) named above. Dissemination, distribution or duplication of this communication is strictly prohibited by all recipients unless expressly authorized otherwise. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message. Thank you.

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No: 742

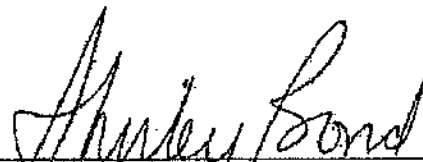
, Approved and Ordered December 19, 2014


Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the following appointments to the Workers' Compensation Board are made:

- (a) Margaret McNeil is appointed as a director for a term ending December 1, 2017;
- (b) effective January 2, 2015, John Beckett is appointed as a director for a term ending December 1, 2017;
- (c) effective January 3, 2015,
 - (i) Lynn Bueckert is appointed as a director for a term ending December 1, 2016; and
 - (ii) Lillian White is appointed as a director for a term ending December 1, 2016;
- (d) as directors, Margaret McNeil, John Beckett, Lynn Bueckert and Lillian White are to be paid remuneration in accordance with the Director Remuneration Order, Order in Council 211/2011.


Minister of Jobs, Tourism and Skills Training
and Minister Responsible for Labour


Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Workers Compensation Act, R.S.B.C. 1996, c. 492, s. 81

Other: _____

December 8, 2014

page 1 of 1


Resub 2/O/946/2014/33

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 555

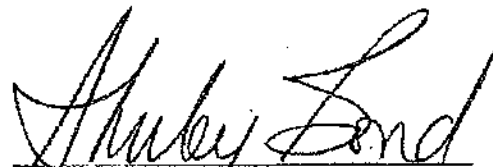
, Approved and Ordered November 27, 2013



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective December 31, 2013, the following appointments to the Workers' Compensation Board are made:

- (a) Dr. Henry G. Harder is reappointed as a director for a term ending April 16, 2014;
- (b) Phillip Legg and Joseph T. Lindgren are reappointed as directors for terms ending January 3, 2015;
- (c) William Frederick (Rick) Roger is reappointed as a director for a term ending January 2, 2015;
- (d) as directors, Dr. Henry G. Harder, Phillip Legg, Joseph T. Lindgren and William Frederick (Rick) Roger are to be paid remuneration in accordance with the Director Remuneration Order, Order in Council 211/2011.


Minister of Jobs, Tourism and Skills Training
and Minister Responsible for Labour


Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Workers Compensation Act, R.S.B.C. 1996, c. 492, s. 81

Other: OICs 251/2010; 727/2010; 728/2010; 729/2010; 211/2011

November 18, 2013

page 1 of 1

RESUB 2/O/731/2013/27

PROVINCE OF BRITISH COLUMBIA

ORDER OF LIEUTENANT GOVERNOR IN COUNCIL

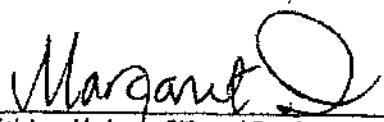
Order in Council No. 200, Approved and Ordered MAR 29 2012


Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective December 1, 2012,

- (a) Tazeem Nathoo is reappointed as a director, representative of the public interest, of the Workers' Compensation Board for a term ending December 1, 2015, and
- (b) as a director, Tazeem Nathoo is to receive remuneration in the amount of
 - (i) \$7 500 annually for each year of her term, and
 - (ii) \$500 for each day spent on work as a director and chair.


Minister of Labour, Citizens' Services
and Open Government


Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Workers Compensation Act, R.S.B.C. 1996, c. 492, ss. 81 (1) (a) (iii)

Other: OIC 730/2010

February 22, 2012

page 1 of 1

O/171/2012/12

Tanner, Michael A LBR:EX

From: Blakely, John H LBR:EX
Sent: Wednesday, February 18, 2015 8:32 AM
To: Hughes, Trevor LBR:EX
Cc: Tanner, Michael A LBR:EX
Subject: Re: WorkSafe BoD

Yes, I can call John P on this.

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Hughes, Trevor LBR:EX
Sent: Wednesday, February 18, 2015 8:27 AM
To: Blakely, John H LBR:EX
Cc: Tanner, Michael A LBR:EX
Subject: FW: WorkSafe BoD

John, I have a green light on the suggestion I have made below in response to Athana's request. Are you able to have a conversation with John Panusa to get them started on this? Or would you like me to do it? I was going to call Roberta and give her a heads-up.

Thanks.

T.

From: Hughes, Trevor LBR:EX
Sent: Wednesday, February 18, 2015 8:06 AM
To: Mentzelopoulos, Athana JTST:EX; Brodie, Natalya BRDO:EX
Subject: RE: WorkSafe BoD

This is very doable.

Bill 9 proposes adding two new director positions, bringing the total to 9. The new directors would be one "professional in the area of law or law enforcement" and another "a professional in the areas of occupational health and safety". The Bill also requires that both positions be selected from a list of at least 3 persons nominated by one or more organizations for professionals in each of the 2 areas.

s.13

Does that make sense? If so, we will reach out to WorkSafeBC to get this process started.

Thanks.

T.

From: Mentzelopoulos, Athana JTST:EX
Sent: Wednesday, February 18, 2015 5:55 AM
To: Brodie, Natalya BRDO:EX; Hughes, Trevor LBR:EX
Subject: WorkSafe BoD

I would like to be in ready position for new positions on the Board, please. (provision in WCB amendments) Thanks

Tanner, Michael A LBR:EX

From: Clunn, Karen E LBR:EX
Sent: Wednesday, August 12, 2015 12:22 PM
To: Tanner, Michael A LBR:EX
Subject: RE: WSBC OIC Appointments

Thanks.

From: Tanner, Michael A LBR:EX
Sent: Wednesday, August 12, 2015 12:18 PM
To: Clunn, Karen E LBR:EX
Subject: RE: WSBC OIC Appointments

It is the two new director positions created under Bill 9 for the WSBC Board of Directors – one director with a background in law or law enforcement and one in occupational health and safety.

From: Clunn, Karen E LBR:EX
Sent: Wednesday, August 12, 2015 12:11 PM
To: Tanner, Michael A LBR:EX
Subject: WSBC OIC Appointments

Trevor tells me there a two new appointments in the works for WSBC. Can you tell me what positions they will be - Director - ??

Karen

Tanner, Michael A LBR:EX

From: Tanner, Michael A LBR:EX
Sent: Thursday, September 10, 2015 11:27 AM
To: Blakely, John H LBR:EX; Clunn, Karen E LBR:EX
Cc: Rogoza, Hanna LBR:EX; Hughes, Trevor LBR:EX
Subject: RE: WSBC OICs
Attachments: RE: ADM Review/Approval - WSBC OIC Appointments

Attached is my response to Trevor and John. They look good to me.

From: Blakely, John H LBR:EX
Sent: Thursday, September 10, 2015 11:12 AM
To: Clunn, Karen E LBR:EX
Cc: Rogoza, Hanna LBR:EX; Tanner, Michael A LBR:EX
Subject: RE: WSBC OICs

Michael is looking at them now. I'm in a meeting. But I will say that I had a quick look, and they looked okay to me. But we need Michael's eagle eye to confirm.

From: Clunn, Karen E LBR:EX
Sent: Thursday, September 10, 2015 11:00 AM
To: Blakely, John H LBR:EX
Cc: Rogoza, Hanna LBR:EX
Subject: WSBC OICs

Trevor says he has review the 3 WSBC OICs and it fine but has sent them to you for review/comment. Please let me know if these look ok as DMO is wanting to get these over to MO asap!

Thanks,
Karen

Tanner, Michael A LBR:EX

From: Blakely, John H LBR:EX
Sent: Thursday, September 10, 2015 11:36 AM
To: Tanner, Michael A LBR:EX; Hughes, Trevor LBR:EX
Subject: RE: ADM Review/Approval - WSBC OIC Appointments

They also look fine to me. Thanks

From: Tanner, Michael A LBR:EX
Sent: Thursday, September 10, 2015 11:24 AM
To: Hughes, Trevor LBR:EX; Blakely, John H LBR:EX
Subject: RE: ADM Review/Approval - WSBC OIC Appointments

They look good to me. I assume it is intentional that the two new directors are not appointed until September 21st even though the new legislation authorizing them comes into force on the 15th.

From: Hughes, Trevor LBR:EX
Sent: Thursday, September 10, 2015 9:34 AM
To: Blakely, John H LBR:EX; Tanner, Michael A LBR:EX
Subject: FW: ADM Review/Approval - WSBC OIC Appointments
Importance: High

These 3 OICs must be approved today. If they are all correct. Beckett as chair is still rep of public interest. The other 2 just have to have background, but are not reps of anything. And the OIC on appointment compensation is right 211/2011.

Agree these are good?

T.

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

, Approved and Ordered

Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective December 1, 2015,

- (a) the appointment of John Beckett as a director, representative of the public interest, of the Workers' Compensation Board, made by Order in Council 147/2015, is rescinded,
- (b) John Beckett is appointed as a director, representative of the public interest, and chair of the Workers' Compensation Board for a term ending December 1, 2017, and
- (c) as a director and chair, John Beckett is to be paid remuneration in accordance with the Director Remuneration Order, Order in Council 211/2011.

*Minister of Jobs, Tourism and Skills Training
and Minister Responsible for Labour*

Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Workers Compensation Act, R.S.B.C. 1996, c. 492, s. 81 (1) (a) (iv)

Other: OIC 147/2015

September 9, 2015

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Withheld pursuant to/removed as

s.14;s.13

Tanner, Michael A LBR:EX

From: Clunn, Karen E LBR:EX
Sent: Thursday, December 3, 2015 10:54 AM
To: Rogers, Peter LBR:EX
Cc: Tanner, Michael A LBR:EX
Subject: FW: Document2
Attachments: Document2 - updated.docx

Use this update – it now shows the vacant position.

From: Rogers, Peter LBR:EX
Sent: Thursday, December 3, 2015 9:53 AM
To: Clunn, Karen E LBR:EX
Cc: Tanner, Michael A LBR:EX
Subject: Document2

Hi Karen:

Could you update this table – it is for a pending briefing note.....

WorkSafeBC Board of Directors – Upcoming Term Expirations

The following provides the list of current Board appointments and their expiry dates. It will be necessary to take the action necessary to ensure new appointments are made to those positions that will soon expire.

| Name | Position | Appointments |
|------------------------|---|--|
| John Beckett | Chair & Director of the public interest | Jan 2, 2015 – Dec 1, 2017 Apr 2, 2015 – Dec 1, 2017 Dec 1, 2015 – Dec 1, 2017 |
| Vacant | Director of public interest | |
| Lynn Bueckert | Director – worker rep | Jan 3, 2015 – Dec 1, 2016 Apr 2, 2015 – Dec 1, 2016 |
| Lillian White | Director – employer rep | Jan 3, 2015 – Dec 1, 2016 Apr 2, 2015 – Dec 1, 2016 |
| Margaret McNeil | Director – health care and rehabilitation rep | Dec 19, 2014 – Dec 1, 2017 Apr 2, 2015 – Dec 1, 2017 |
| Tazeem Nathoo | Director – public interest | Nov 18, 2010 – Dec 1, 2012 Dec 1, 2012 – Dec 1, 2015 Dec 1, 2015 – Dec 1, 2016 |
| Alan R Cooke | Director – actuary | Dec 31, 2012 – Dec 1, 2014 Dec 1, 2014 – Dec 1, 2016 Apr 2, 2015 – Dec 1, 2016 |
| D. James Cessford | Director – law enforcement | Sept 21, 2015 – Dec 1, 2017 |
| Brooks Robin Patterson | Director - OHS | Sept 21, 2015 – Dec 1, 2016 |