

Present:

Michael D. Werier, Chairperson
Doug Sexsmith, President & CEO (Non-voting)
Rob Labossiere Bob Dewar
Jane MacKay Ron Hambley Paul Challoner
Ilana Warner Ken Sutherland

Being a quorum of the Board of Directors under *The Workers Compensation Act*.

Also attending:

Lori Ferguson Sain, General Counsel & Corporate Secretary

In attendance for Specific Items:

Pat Macgillivray, Fair Practices Advocate

Regrets:

Carla Kematch, Director
Wendy Sol, Director

CALL TO ORDER

The Chairperson called the meeting to order and confirmed the agenda.

MINUTES OF PREVIOUS MEETING

The minutes of the September 30, 2010 meeting were confirmed as a reasonable record.

BUSINESS ARISING

The Board received the information provided.

Road Safety: The Board was advised that the WCB raised the issue of police chases in construction zones with the Minister.

FOR CONSIDERATION/DECISION**RESEARCH AND WORKPLACE INNOVATION PROGRAM FUNDING
RECOMMENDATIONS**

(Board Order No. 28/10)

Jane MacKay introduced this item on behalf of the Policy, Planning, Governance and Service Committee.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors:

1. Approve the following project for funding under the 2010 RWIP:
 - i. *Young Worker Responses to Workplace Hazards, Responsibility for Safety, and Workplace Injuries Across Time:* Sean Tucker, Assistant Professor, University of Regina (\$92,390)
 - ii. *Return to Work Following Total Knee Replacement in Working Individuals:* Eric Bohm, Assistant Professor and Director of Arthroplasty Research, Concordia Joint Replacement Group, University of Manitoba (\$197,250)
 - iii. *Understanding and Measuring Work Disability in Rural and Urban Healthcare Workers in Manitoba:* Margaret N. Friesen, Assistant Professor, School of Medical Rehabilitation, University of Manitoba (\$199,500)
 - iv. *A Randomized Study of Non-Operative Management Versus Expedited Surgery Among WCB Patients with Small Rotator Cuff Tears; Effect Upon Time to Claim Closure in Two Prairie Centres:* David M. Sheps, Orthopaedic Surgeon and Clinical Lecturer, University of Alberta (\$126,500)
 - v. *A Pilot Project in Seclusion and Restraint-Free Mental Health Services: Fostering Practice Change and Cultural Shift in the Management of High Risk Violent Patients while Enhancing Patient and Staff Safety:* Dawn Bollman, Manager of Patient Care, Adult Mental Health Program, Psychiatric Intensive Care Unit, Health Sciences Centre (\$136,000)
 - vi. *Development of Occupational Health and Safety Content for Distance Delivery:* Darlene Bouvier, Corporate Training Manager, School of Continuing and Distance Education, Red River College (\$107,139)
3. Approve the issuance of requests for proposals for three projects, with potential funding of up to \$250,000.

4. Funding for projects in excess of the 2010 RWIP budget of \$1 million would come from the uncommitted/unspent grants fund (formerly the Grants Reserve Fund).

OPIOID POLICY CONSULTATION

(Board Order No. 29/10)

Ilana Warner introduced this item on behalf of the Policy, Planning, Governance and Service Committee. There was a question about current physician reporting forms for return to work. Physician reports for opioid medications will be reviewed for consistency with other reporting requirements.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors:

1. Receive for information the findings from the first consultation stage regarding a proposed policy on opioid medications; and
2. Approve the attached consultation documents for distribution to stakeholders in the second consultation stage.

IMPLEMENTING A REGIONAL OFFICE IN WESTERN MANITOBA

(Board Order No. 30/10)

Ilana Warner introduced this item on behalf of the Policy, Planning, Governance and Service Committee.

The Chairperson reported that this initiative has been endorsed by the Brandon Chamber of Commerce and the Manitoba Federation of Labour. The Board discussed the staffing strategy for the regional office.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approve the implementation plan to establish a regional office in the City of Brandon in the manner articulated in the proposal.

It was noted that a formal announcement on this initiative will be made in the latter part of November.

EMPLOYEE PENSION PLAN TEXT CHANGES

(Board Order No. 31/10)

Bob Dewar introduced this item on behalf of the Policy, Planning, Governance and Service Committee.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approve Resolution No. 2010-01 (Attachment A) and the revised Plan text (Attachment B). All changes take effect as of May 31, 2010, with the exception of the provision to remove the commuted value transfer option from members eligible to retire. This change takes effect on May 1, 2011.

EVALUATION OF THE CONSTRUCTION HEALTH & SAFETY PILOT INCENTIVE PROGRAM

(Board Order No. 32/10)

Ron Hambley declared a potential conflict and left the meeting.

Ilana Warner introduced this item on behalf of the Policy, Planning, Governance and Service Committee.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors:

1. Receive the report on the evaluation of the health and safety pilot incentive program as information;
2. Approve the recommendations contained in this agenda item.

Ron Hambley rejoined the meeting.

COMPENSATION COVERAGE FOR UNION ACTIVITIES

(Board Order No. 33/10)

Bob Dewar introduced this item on behalf of the Policy, Planning, Governance and Service Committee. The Board of Directors discussed this policy. There were questions about purchasing voluntary coverage as well as what is used for the assessable earnings base and who is considered the employer for various types of union business.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approve the revised policy 35.10.40 *Compensation Coverage for Union Activities* effective immediately.

2011 REVISED AVERAGE ASSESSMENT RATE AND MAXIMUM ASSESSABLE EARNINGS and 2011 DETAILED ASSESSMENT RATES (PRELIMINARY)

(Board Order No. 34/10)

Ken Sutherland introduced this item on behalf of the Investment and Finance Committee.

The President & CEO provided an update on the WCB's financial position noting that a number of factors have contributed to the current position including investment returns, a decrease in the number of claims, a decrease in the cost of claims and claims duration.

There was discussion regarding the impact of these changes on the WCB's financial position and the average assessment rate. There was discussion regarding the preliminary detailed assessment rates.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors:

1. Rescind Board Order No. 22/10 approved on September 30, 2010;
2. Approve that the 2011 budgeted Class E average assessment rate be set at \$1.50; and
3. Approve that the 2011 maximum assessable earnings be set at \$96,000.

ADJUSTMENT IN COMPENSATION REGULATION

(Board Order No. 35/10)

Rob Labossiere introduced this item on behalf of the Investment and Finance Committee.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approve the attached regulation concerning the 2011 Adjustment in Compensation.

REAPPOINTMENT OF EXTERNAL MEMBER FOR AUDIT COMMITTEE

(Board Order No. 36/10)

Ken Sutherland introduced this item on behalf of the Audit Committee.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors confirm the reappointment of Donald Sobkow as an external member to the Audit Committee for a two year term ending December 31, 2012.

WCB 2011 - 2015 STRATEGIC PLAN

(Board Order No. 37/10)

The President & CEO introduced discussion noting this is a draft plan subject to the budget process. He reviewed highlights of the plan including continuing efforts around decreasing the injury rate, building on the success of the Return to Health and Work Initiative, opening a regional office in Brandon, continuing with the development of the Optimal system, advancing language, cultural and literacy issues for workers to help them understand their rights and obligations, maintaining

operational focus given the upcoming building project and conducting the audit of the Short Term Claims area as outlined in the legislation.

On motion duly made and carried,

BE IT RESOLVED THAT the Board of Directors approve the WCB's 2011-2015 Strategic Plan, subject to the budget process.

SPECIAL CEO EVALUATION COMMITTEE

The President & CEO left the meeting.

The Board of Directors moved *in camera* for this discussion.

The Board of Directors agreed that the Special CEO Evaluation Committee would be made up of Ilana Warner, Ron Hambley, Bob Dewar and Michael Werier.

The President & CEO rejoined the meeting.

OTHER BUSINESS

No other business.

REPORTS

COMMITTEE REPORTS

The Board of Directors received the following Committee reports as information:

Policy, Planning, Governance and Service Committee - October 14, 2010

Investment and Finance Committee Meeting - October 21, 2010

The Board of Directors was advised that at their October 21, 2010 meeting, the Investment and Finance Committee reviewed the responses to the public Request for Proposal for a construction manager for the building cladding project. The Committee selected Akman Construction Ltd. as the successful bidder.

Special Sub Committee Report on FPA Recruitment: The Board of Directors adjourned to an *in camera* session.

ADMINISTRATION REPORT

The Board received the information provided with the agenda.

Strategic Measures: The President & CEO reviewed the 3rd Quarter measures. He noted that the Administration continues to work on payment timeliness. Injured worker overall satisfaction was down slightly in the 3rd Quarter. It was noted that the number of claims awaiting adjudication was up at the end of the 3rd Quarter.

Optimal: The first release of the Optimal project, which is the electronic assessments file, is scheduled to go live on November 22.

WS&H: Performance indicator information was provided on the WS&H division and the Workers Advisor Office.

The Board adjourned to an *in camera* session.

REPORT ON ADMINISTRATION OF SECTION 60.9 & JUDICIAL REVIEWS

The Board received the information provided with the agenda.

BOARD OF DIRECTORS WORK PLAN

The Board received the information provided with the agenda.

MEETING WITH THE FAIR PRACTICES ADVOCATE

The Fair Practices Advocate joined the meeting. She provided feedback on the draft Opioid Medications policy as it relates to workers who are currently in the WCB system. She expressed support for a policy on opioid medications.

Bob Dewar left the meeting.

The Chairperson thanked the FPA for her assistance in the recruitment of a new FPA.

IN CAMERA DISCUSSION

The Board of Directors adjourned to an *in camera* session.

CONCLUSION

As all matters coming before the Board had been dealt with, the Chairperson declared the meeting to be concluded at 2:36 p.m.



Chairperson



Corporate Secretary