



**Association of Workers' Compensation Boards of Canada**  
**Association des commissions des accidents du travail du Canada**

**Jurisdictional Update Report**

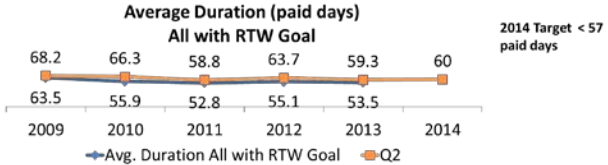
**Date: September 16-18, 2014**

**To: Compensation and Benefits Committee**

**From: New Brunswick**

**Committee Member: Barbara Keir**

<b>Committee Mandate</b>	
	The AWCBC Compensation & Benefits Committee works collaboratively to share experiences, identify and improve claim-related outcomes and identify and action opportunities around operational, research and policy development initiatives.
<b>Goals</b>	
	1. To share jurisdictional experiences and knowledge
	2. To put before the committee, emerging issues that are deemed high priority, for consideration of planning
	3. To identify, plan, and carry out specific projects for the benefit of the committee members and their respective jurisdictions.
	4. To be available to other AWCBC / national committees to provide input and or partner with when requested.
	5. To provide feedback to AWCBC Executive when required or requested.

Objective	Activities	Target Date(s) /Status	Budget
<p><b>Improving Return to Work Outcomes/Reducing Durations (Share work that is being done within your organization to support RTW, reduce duration etc.)</b></p> <p><b>1. Organizational Changes to support RTW</b></p> <p><b>2. New Initiatives</b> Return to Work</p> <p><b>3. Best Practices</b> Improving RTW Outcomes</p> <p>WorkSafeNB – Return to Work Goal – <i>We will decrease the time by which injured workers safety return or are ready to safely return to employment.</i></p> <p>Strategy – Advancing and implementing leading practices in medical rehabilitation</p> <p>Initiative – <b>Traumatic Psychological Injury Continuum of Care</b></p> <p>Initiative – <b>Direct Referral Pilot Nursing Homes</b></p> <p>Initiative – <b>Psychosocial Barriers</b></p> <p><b>4. Outcomes</b></p>	<p>See attached <i>Best Practices in Health Care and Return to Work Statistics</i> (graph below).</p>  <p>Continued work on managing Traumatic Psychological Injuries – Workshop for Psychologists, and Case Managers scheduled for fall 2014. Expanded Direct Referral Pilot. Nursing Homes is the main industry using direct referral. Further analysis of impact to be completed.</p> <p>Established a working group of case management and therapeutic staff to develop and implement a pilot to triage, standardize reporting and guide claim decision making for clients with predominantly psychosocial barriers who do not progress on treatment.</p>		

Objective	Activities	Target Date(s) /Status	Budget
<p><b>Service Delivery / Quality Initiatives</b>  <b>Share what is being done in your organization to improve Customer service delivery and to support Quality service/ decisions to stakeholder)</b></p> <p><b>1. New Initiatives</b>  <b>Service Excellence</b>  WorkSafeNB – Service Goal – <i>We provide effective programs and services, implemented with care, compassion, efficiency, promptness and fairness, to benefit both workers and employers.</i></p>	<p><i>Current focus is researching transactional based surveying, identifying unmet needs in LTD clients, identifying actions to impact communications (managing expectations, decision letters) and reviewing complaint tracking and resolution.</i></p> <p>WorkSafeNB has conducted an annual survey of client satisfaction for eleven years.</p> <p>In 2011, the Department of Program Development and Evaluation commenced a strategy for the development, implementation and evaluation of a Service Culture Model in the WorkSafe Services Division (Compensation / Prevention Services). Resources have been allocated to define the service model, to develop, implement, monitor and analyze the initiatives associated with achieving the Service Goal.</p> <p><b>Service Excellence Training</b></p> <p>As of June 2014, Service Excellence training has been delivered to 241 staff members. Overall satisfaction for the training courses delivered is 95% (target=80%). Average pre-course reported knowledge of Service Excellence rated as Good or High was 48% and average post-course reported knowledge of Service Excellence rated as Good or High 90%. Tools are developed and distributed to allow directors to incorporate goals identified in training to be included as a staff performance measure. 88% of participants indicated that they are personally motivated to apply the concepts from the service excellence training on the job.</p> <p>The purpose of the two-day training course is to create awareness of service excellence among individuals and within WorkSafeNB by encouraging</p>		

participants to reflect on how they deliver services to our clients. The course, designed by the Canada School of Public Service and Service Canada and customized for WorkSafeNB, uses a participant-centred learning approach. Participants take part in a wide range of activities to enable them to reflect on themselves and how they communicate, behave and look at situations. The goal was that they will be able to recognize that, as service providers, they can significantly impact the outcome of their interactions with clients.

Throughout the training, participants have the opportunity to identify steps to take to improve, both personally and in how they provide services to clients. When they return to work, they have a personal action plan which identifies the specific measures they will implement, thus ensuring a transfer of knowledge to their day-to-day work and a permanent change in how they deliver services. Follow-up is ongoing with the Regional Directors and staff, as well as with the Department of Program Development and Evaluation.

Leadership in Service Excellence training is in development in cooperation with Canadian School of Public Service and will be delivered in a half-day session in Q4 2014, to the senior management team.

### **Client Satisfaction Measurement**

In 2012, WorkSafeNB embarked in rebuilding its customer satisfaction measurement tool, to measure satisfaction with service delivery attributes and perceptions of health and safety culture across a client base that includes injured workers, general workers, registered employers, non-registered employers and stakeholders in the province of New Brunswick. The final report of the first deployment of the new survey was completed in spring 2014. As well, the target for the Service Goal was re-established, which is to meet or exceed the previous five-year average.

For injured workers, the survey consisted of 25 questions or statements to which the respondent

rated a response on a scale of one to ten. For employers there were 18 statements. The statements are grouped into eight categories:

1. Accessibility
2. Timeliness
3. Communication
4. Staff Expertise
5. Staff Character
6. Outcome
7. Complaint Resolution
8. Claim Benefits/Assessment Rates

Overall, registered employers provide a higher score on all eight categories than injured workers, with the exception of one: claim benefits/assessment rates. When exploring the score of specific aspects of service, both injured workers and registered employers are pleased with WorkSafeNB staff. The category of claim benefits/assessment rates receives the lowest scores from the respective client groups. Communication, complaint resolution and outcome also receive lower scores from injured workers. Overall satisfaction for injured workers is 70.7, and for registered employers, 80.6.

In June 2014 the Board identified the resourcing of evaluation of transactional surveys as a tool for measuring client satisfaction. This could enable WorkSafeNB to monitor service interactions, and provide opportunities to develop initiatives to improve the overall satisfaction with service delivery. A jurisdictional scan indicated that although no other compensation boards are conducting client satisfaction measurement using this method, many are investigating the possibility. Research in to prospective solutions and a proposed implementation model are in progress, with recommendations expected in Q4 2014.

#### **Complaint Resolution**

*Policy 20-100 – Principles of Service Delivery states : Clients who are dissatisfied with the quality of service received from WorkSafeNB can communicate these concerns to the staff member responsible for their*

case or his/her supervisor(s). In the event that staff and clients cannot reach a resolution, the Board of Directors has allocated resources to complaint resolution systems, to efficiently and effectively manage and resolve conflicts, complaints, or appeals of its decisions.

Should clients feel that the system was not sufficient in addressing their concerns; the Government of New Brunswick has other complaint resolution systems available, such as the Office of the Ombudsman.

In the event that staff and clients cannot reach a resolution, the Board of Directors has allocated resources to complaint resolution systems, to efficiently and effectively manage and resolve conflicts, complaints, or appeals of its decisions.

An evaluation of the current process for managing complaints was completed. The study concluded that:

- No clear definition of a complaint existed.
- Inconsistent process for documenting and responding to complaints.
- From the data available, Timeliness and benefits are the root cause of almost 50% of complaints.
- Complaints are consistent with the drivers of satisfaction from annual survey.
- Highest proportion of complaints related to adjudication, appeals, deeming.

Recommendations included:

- Develop a process to receive complaints.
- Incorporate evaluation results in to strategic planning, policy revision, training and performance management.
- Better manage expectations of clients when it is expected that processes may exceed normal timeframes.

	<p><b>Services to Longer Term Clients</b></p> <p>Following a review of client satisfaction of long-term clients, a recommendation was made to complete a more in-depth review to identify any unmet needs of our more seriously injured clients. This recommendation was approved in December 2013, with agreement that we would review claims with PPD (Phase I) or PPI (Phase II) awards at or greater than 60%. Generally speaking, there were no serious gaps in client needs being met. There were a small number of clients identified with non-urgent needs, such as home maintenance issues.</p> <p>Phase II of the project will look at clients with a PPI of 60% or higher and is in development.</p>		
<p><b>2. Best Practices</b></p> <p><b>3. Outcomes</b></p>			
<p><b>Human Resources / Training</b></p> <p><b>Share information on staff related issues including training, recruitment, management oversight etc.)</b></p> <p><b>1. Staffing Issues</b></p> <p><b>2. New Initiatives</b></p> <p><b>3. Training</b></p>	<p>WorkSafeNB has a strategy titled “Modernize the Way we Work with People” transitioning from transactional HR to strategic HR. One of the first steps is to acquire advanced automation for administrative activities (hiring, attendance management, payroll, etc.).</p>		

Objective	Activities	Target Date(s) /Status	Budget
<p><b>Shared information / opportunities</b></p> <p><b>Additional Information / Items</b></p>			
<p><b>OTHER</b></p> <p><b>Legislative Review</b> <b>Stage One of Legislative Review Bill 73</b></p>	<p>Stage one of the legislative review results in a new external appeals tribunal to become operational April 1, 2015. The following is a summary of key changes to the Act:</p> <ul style="list-style-type: none"> <li>• Name of Act changed to <i>Workplace Health, Safety and Compensation Commission and Workers' Compensation Appeals Tribunal Act</i>.</li> <li>• Name of the new external Appeals Tribunal will be the Workers' Compensation Appeals Tribunal (WCAT) to commence operation April 1, 2015.</li> <li>• The Minister of Post-Secondary Education, Training and Labour (PETL) is responsible for WCAT, and the WCAT Chairperson will provide an annual report to the Minister. The Commission is responsible for the cost of WCAT which is payable through PETL.</li> <li>• WCAT members are appointed for five-year terms by the Lieutenant-Governor in Council and the five-year term may be renewed.</li> <li>• The Commission has standing in any WCAT appeal involving a question of interpretation of government legislation or of policies approved by the Commission.</li> <li>• WCAT shall issue its decision within 90 days following a hearing or filing of documents.</li> <li>• The Commission shall implement the WCAT decision within 30 days.</li> </ul>		



<p><b>Internal Training</b></p>	<p>In 2013, the Principles of Administrative Justice was offered to claim managers. <i>Principles of Administrative Justice</i> is a two-day introductory or refresher course for administrative tribunal appointees, staff and advocates. It is prepared and delivered by tribunal members. This course is designed to provide participants with a better understanding of their broader role and responsibilities of tribunal members and tribunal processes.</p> <p>In 2014, the Decision Writing course was offered. <i>Decision Writing</i> is a two-day workshop building on the decision-writing module in the Introduction to Administrative Justice course. The workshop helps participants bring a reader oriented perspective to writing decisions; organize and revise decisions to enhance logic and flow; write clear, concise and coherent decisions; and gain confidence in decision writing within their tribunal context. Participants practice particular skills and techniques through focused writing exercises and by drafting or revising a decision. They receive feedback on their exercises from an instructor. In follow-up, WorkSafeNB is commencing an exercise to catalogue existing correspondence templates and will conduct review and revision commencing with high volume / high impact applying principles of plain language writing and logical, clear and concise decision-making.</p> <p>WorkSafeNB plans to continue with additional training in 2014 and will be considering the Decision Making or the Interpreting Legislation course.</p> <p>Attached is the internal training index of topics covered when training new case managers.</p>		
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<b>Migrant Workers</b>	<p>There are primarily only two employers who employ migrant workers in NB. They have had very few claims, estimate less than 5. Some claim processing issues experienced have been putting their home addresses into WorkBench and not always having a Social Insurance Number, which is a requirement to issue loss of earnings. We have had to work with Information Technology in these cases to create a work around. We have also encountered a small number of language issues – not able to speak English or French – in which case we communicate via the employer or client representative. From a case management perspective we have not encountered any issues to date – the injuries have been of short duration and the workers have remained in Canada and then were successfully able to RTW.</p> <p>Because our numbers to date have been so small, WorkSafeNB has not needed to turn their minds to proactive education and awareness around temporary foreign workers nor do we have much to share in terms of best practices when dealing with this specific group of workers.</p>		
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