

**AWCBC ALL COMMITTEE CONFERENCE  
INTERJURISDICTIONAL COMMITTEE MEETING**

**May 28-29, 2013**

The Radisson Admiral Hotel, 249 Queen's Quay West, Toronto, Ontario

**2013 FINAL MINUTES**

Sharon Cameron (Executive Sponsor, Prince Edward Island)

Glenn Jones (Manitoba)

Rhonda Dean (Alberta)

Mark Powers (British Columbia)

Deepak Kothary (British Columbia)

Lloyd Hikida (British Columbia)

Melody Mladineo (New Brunswick)

Jean Landry (New Brunswick)

Beth Davis (Newfoundland)

Paula Arab (Nova Scotia)

Tracey Newman (Nova Scotia)

Shirley Walsh (Northwest Territories/Nunavut)

Cynthia Mendes (Ontario)

Vera Radicevic (Ontario)

Robin Senzilet (Ontario)

Kate Marshall (Prince Edward Island)

Sophie Genest (Quebec)

Caroline Hogue (Saskatchewan)

Kathleen Avery (Yukon)

**Regrets-**William Ostapek (Alberta)

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**1. Call to Order (Agenda Item #1)**

**2. Welcome and Introductions (Agenda Item #2)**

Glenn Jones (MB) welcomed all attendees and requested round table introductions. A special welcome was made to Caroline Hogue who was replacing Daryl Davies for Saskatchewan. As well, committee members were advised that after this meeting Melody Mladineo would be replacing Jean Landry from New Brunswick.

Regrets that William Ostapek (Alberta) was not able to attend.

**3. Adoption of Agenda. (Agenda Item #3)**

Items 6f and 6g were moved to the end of the agenda.  
No new agenda items were added.

**4. Review and Approval of May 2012 Minutes. (Agenda Item #4)**

No further changes were recommended to the 2012 meeting minutes (previously submitted on July 6, 2012). All jurisdictions approved the minutes.

Final meeting minutes for 2012 were agreed to be distributed to all Committee members by May 31, 2013.

**Action Item:**

❖ **Glenn Jones (MB) to distribute final approved minutes for 2012 to all Committee members by May 31, 2013.**

**5. Action Arising from 2012 Meeting Minutes (Agenda Item #5)**

*\*Please note: The workplan dated May 16, 2012 and e-mailed May 17, 2012 was followed as a guideline with respect to the status of the workplan items listed below.*

Reminder: As agreed in the 2012 meeting, there are two workplans circulated each year; a workplan distributed at the beginning of the 2 day meeting that shows all workplan items recorded as "to be completed" on the previous years' work plan (first workplan will mirror the workplan update submitted to the AWCBC Executive the year prior) and the second workplan (workplan update) that is submitted to the AWCBC Executive at the end of the 2 day meeting to record the "to be completed" workplan items that are now "completed" since the last meeting and before the end of the current meeting. "Completed" workplan items will not carry forward to the next year's workplan.

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➤ ***Workplan Item 1a-1.-Elections (Cover letter and sample right of elections from AB)***

Glenn Jones (MB) confirmed that William Ostapek (AB) had emailed the cover letter for elections with a sample of the two right of election forms used by Alberta to the AWCBC repository on May 18, 2012. Rhonda Dean (AB) and Kate Marshall (PEI) confirmed that these documents were added to the Best Practice Training Guide (BPTG).

*Item 1a-1.-Elections (YK Election Issue) will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

➤ ***Workplan Item 1a-1.-Elections (YK Election Issue)***

Glenn Jones (MB) confirmed that Kathleen Avery (YK) had emailed the independent document summarizing the YK/BC election case study example (raised in the 2011 meeting) on May 29, 2012. Rhonda Dean (AB) emailed this document to the AWCBC on May 29, 2012. Rhonda Dean (AB) and Kate Marshall (PEI) confirmed that this document was added to the Best Practice Training Guide (BPTG).

*Item 1a-1.-Elections (Cover letter and sample right of elections from AB) will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

➤ ***Workplan Item 1a-2.-Cost Reimbursement (Review of Initial Materials)***

Rhonda Dean (AB) and Kate Marshall (PEI) provided all jurisdictions with a hard copy of the Best Practice Training Guide (BPTG) materials (documents that were supplied by all jurisdictions) at the May 2012 meeting. On June 4, 2012 Rhonda Dean (AB) emailed the document to the AWCBC to post on the IJA repository. As agreed, all jurisdictions reviewed the information and provided feedback to Rhonda and Kate by June 30, 2012. As a result of the feedback received, the BPTG was updated, incorporating the feedback and re-posted on the IJA repository by July 10, 2012.

*Item 1a-2.-Cost Reimbursement (Review of Initial Materials) will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

➤ ***Workplan Item 1a-2.-Cost Reimbursement (Initial Draft of BPTG)***

Rhonda Dean (AB) and Kate Marshall (PEI) emailed all jurisdictions with an initial draft of the BPTG (including templates) and updated Protocol, Practices and Procedures (PPP) Guidelines on February 13, 2013.

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*Item 1a-2.-Cost Reimbursement (Initial Draft of BPTG) will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

➤ **Workplan Item 1a-2.-Cost Reimbursement (Review of 1st draft of BPTG/PPP)**

Rhonda Dean (AB) and Kate Marshall (PEI) received feedback for the first draft of the BPTG/PPP from all jurisdictions on March 31, 2013 (deadline was extended from February 28, 2013)

*Item 1a-2.-Cost Reimbursement (Review of 1st draft of BPTG/PPP) will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

➤ **Workplan Item 1a-2.-Cost Reimbursement (Circulation of 2<sup>nd</sup> draft of BPTG/PPP)**

Rhonda Dean (AB) and Kate Marshall (PEI) circulated the 2nd draft of the BPTG and PPP to the IJA Committee on May 13, 2013 and May 17, 2013 respectively, for discussion at this year's May 2013 meeting.

*Item 1a-2.-Cost Reimbursement (Circulation of 2<sup>nd</sup> draft of BPTG/PPP) will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

\*Discussion regarding BPTG and PPP document is documented later in the meeting minutes.

As a result of the discussion that occurred, it was determined that every jurisdiction had different requirements when it came to requirements in order to establish a claim when a request for reimbursement was received. As a result, all jurisdictions agreed to advise Kate Marshall (PEI) as to the minimum information required when a request for reimbursement was received from a jurisdiction.

➤ **Workplan Item 1a-3.-Alternative Assessment Procedure (Develop AAP Procedures)**

It was noted that the amendments to Appendix E for AAP (to include 3 bus industry codes) were not finalized as agreement was still required from some jurisdictions of the IJA Committee and final approval from the AWCBC Executive was still required. Sophie Genest (QC) advised that they have received approval of the amendments from the Board of Directors, but were just waiting for Ministerial Approval. Sophie anticipated that the Ministerial Approval should be received within the next month.

Once the amendments were approval by the AWCBC Heads of Delegation, then procedures relating to the AAP could be developed. As such, this item was still noted as "to be completed" with no target date established.

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*Item 1a-3.-Alternative Assessment Procedure (Develop AAP Procedures) will continue to be recorded as "to be completed" and a target date of "TBD" in the 2013 workplan update. It will carry forward to the 2014 workplan and will be recorded as "completed" in the 2014 workplan update only if all activities of item 1a.-1 to 1a.-3 are completed. At that point, it will not carry forward to the 2015 workplan*

➤ **Workplan Item 1b-Jurisdictions to Review/Edit Training Manual**

This item was noted to be ongoing as items in 1a were pending completion.

*Item 1b will be recorded as "to be completed" and the target date will remain as "TBD" in the 2013 workplan update. It will carry forward to the 2014 workplan and will be marked as "completed" in the 2014 update only if all activities of 1a.-1 to 1a.-3 are completed and then it will not carry forward to the 2015 workplan.*

➤ **Workplan Item 1c-Finalize Draft and Communicate/Distribute Training Manual.**

This item was noted to be ongoing as items in 1b were pending completion.

*Item 1c will be recorded as "to be completed" and target date will remain as "TBD" in the 2013 workplan update. It will carry forward to the 2014 workplan and will be marked as "completed" in the 2014 workplan update if all activities of 1a.-1 to 1a.-3 (and 1b) are completed. It will then not carry forward to the 2015 workplan.*

➤ **Workplan Item 2a-AAP-Act upon AWCBC Executive/Heads of Delegation decision to amend IJA (Amend 1st draft of the AAP)**

Deepak Kothary (BC) provided a 2<sup>nd</sup> draft of the AAP incorporating feedback from all jurisdictions (provided at the May 2012 AWCBC meeting) to the IJA Committee on June 27, 2012.

*Item 2a- AAP-Act upon AWCBC Executive/Heads of Delegation decision to amend IJA (Amend 1st draft of the AAP) will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

➤ **Workplan Item 2a-AAP-Act upon AWCBC Executive/Heads of Delegation decision to amend IJA (Circulation of 2<sup>nd</sup> draft of the AAP)**

On June 28, 2012 Glenn Jones (MB) circulated the 2<sup>nd</sup> draft to all jurisdictions for review and further feedback.

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*Item 2a- AAP-Act upon AWCBC Executive/Heads of Delegation decision to amend IJA (Circulation of 2<sup>nd</sup> draft of the AAP) will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

- **Workplan Item 2a-AAP-Act upon AWCBC Executive/Heads of Delegation decision to amend IJA (Feedback on 2<sup>nd</sup> draft of the AAP)**

By September 15, 2012 all jurisdictions provided feedback to Deepak on the 2<sup>nd</sup> draft.

*Item 2a- AAP-Act upon AWCBC Executive/Heads of Delegation decision to amend IJA (Feedback on 2<sup>nd</sup> draft of the AAP) will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

- **Workplan Item 2a-AAP-Act upon AWCBC Executive/Heads of Delegation decision to amend IJA (Forward Completed draft to the AWCBC Executive)**

On October 15, 2012 Glenn Jones (MB) submitted the amended IJA, along with briefing notes to Sharon Cameron (PEI) and the AWCBC for review and approval from the AWCBC Executive Heads of Delegation.

*Item 2a- AAP-Act upon AWCBC Executive/Heads of Delegation decision to amend IJA (Forward Completed draft to the AWCBC Executive) will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

- **Workplan Item 2a-AAP-Act upon AWCBC Executive/Heads of Delegation decision to amend IJA (Final Approval of 2<sup>nd</sup> draft of the AAP from AWCBC Executive)**

On November 20, 2012 the AWCBC Executive approved the final draft of the amended IJA.

*Item 2a- AAP-Act upon AWCBC Executive/Heads of Delegation decision to amend IJA (Final Approval of 2<sup>nd</sup> draft of the AAP from the AWCBC Executive) will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

- **Workplan Item 2a-AAP-Act upon AWCBC Executive/Heads of Delegation decision to amend IJA (1<sup>st</sup> item listed in 2a-Amend IJA with revised AAP)**

As noted above, on November 20, 2012 the AWCBC Executive approved the final draft of the amended IJA, including the approval of the AAP redraft.

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*Item 2a- AAP-Act upon AWCBC Executive/Heads of Delegation decision to amend IJA (1st item listed in 2a-Amend IJA with revised AAP) will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

➤ **Workplan Item 2b-Collaboration with Motor Coach (Communicate Effective Date of Amended IJA)**

*Glenn Jones (MB) noted that final approval/signature is still required from Quebec before Dave Carroll at Motor Coach Industries (MCI) can be advised of an effective date.*

*Item 2b-Collaboration with Motor Coach (Communicate Effective Date of Amended IJA) will remain recorded as "to be completed" in the 2013 workplan update with a target date of "TBD." It will carry forward to the 2014 workplan and will be marked as "completed" in the 2014 workplan update if it is completed and then not carry forward to the 2015 workplan.*

➤ **Workplan Item 2b-Collaboration with Motor Coach (Verbally Advise Motor Coach of progress of the AAP redraft)**

*On June 14, 2012 Glenn Jones (MB) spoke to Dave Carroll at Motor Coach Industries (MCI) and provided an update as to the progress to date, with the IJA amendments. On June 18, 2012 Glenn Jones (MB) followed-up with an email to Dave Carroll.*

*Item 2b-Collaboration with Motor Coach (Communicate Final Approval of IJA with Amended AAP) will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

**Please Note:** *Due to the extensive list of activities that encompassed this item, it was determined that the completed action items would be retained under the main activity (Far left column) as a record of the chronology of events that were required to complete this main goal.*

➤ **Workplan Item 3-AAP-Develop Options and report back to the IJA Committee**

On February 6, 2013 Tracey Newman (NS) obtained consensus from the Assessment Committee and provided 3 new bus codes for inclusion in the AAP. Glenn Jones (MB) circulated these to the IJA Committee on February 6, 2013.

*Item 3-AAP-Develop Option and report back to the IJA Committee will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

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➤ **Workplan Item 4-Review General Cost Reimbursement Guideline Processes and Allocated Resources**

Glenn Jones (MB) confirmed that he received feedback from jurisdictions as to whether they were agreeable to an increase of the threshold for reimbursement up to \$5000 for IJA claims. He indicated that one jurisdiction did not agree to increasing the threshold and SK and QC did not provide their formal position. As such, Glenn Jones (MB) confirmed that the threshold would remain the same at \$1000 and the IJA would not be amended.

*Item 4-Review General Cost Reimbursement Guideline Processes and Allocated Resources will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

➤ **Workplan Item 4-Review General Cost Reimbursement Guideline Processes and Allocated Resources (Chair to Update Jurisdictions)**

Glenn Jones (MB) confirmed that the threshold would remain at \$1000 as one jurisdiction did not agree to increase the threshold for reimbursement.

*Item 4-Review General Cost Reimbursement Guideline Processes and Allocated Resources (Chair to Update Jurisdictions) will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

➤ **Workplan Item 4-Review General Cost Reimbursement Guideline Processes and Allocated Resources (Chair to Recommend changes to AWCBC Executive for Approval)**

Glenn Jones (MB) confirmed that the threshold for IJA claims for reimbursement will remain at \$1000, therefore, no recommendations to the AWCBC Executive were required.

*Item 4-Review General Cost Reimbursement Guideline Processes and Allocated Resources (Chair to Recommend changes to AWCBC Executive for Approval) will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

➤ **Workplan Item 5-Statistics for AAP**

Glenn Jones (MB) confirmed that all jurisdictions were to implement the changes utilizing the revised AAP definitions effective January 1, 2012 and submitted the statistics directly to AWCBC. Cheryl Tucker (AWCBC) circulated the consolidated statistics to the IJA Committee by email On April 24, 2013. However, Glenn Jones (MB) noted that not all jurisdictions were included in the statistics.



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\*Further discussion regarding that statistics was deferred to New Business Item 6 h).

*Item 5-Statistics for AAP-will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

**Workplan Item 6-IJA Contact List**

All jurisdictions reviewed the contact list and forwarded any updated to AWCBC contact, Cheryl Tucker by June 30, 2012.

*Item 6-IJA Contact List-will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

➤ **Workplan Item 7-Long Latency Occupational Disease Criteria (Table Placed on AWCBC Repository and distributed to IJA Committee)**

On May 29, 2012 Kate Marshall (PEI) had the table placed on the AWCBC repository and emailed it to all jurisdictions for further review and feedback.

*Item 7-Long Latency Occupational Disease Criteria (Table Placed on AWCBC Repository and distributed to IJA Committee)-will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

➤ **Workplan Item 7-Long Latency Occupational Disease Criteria (Review and Report Changes)**

By September 30, 2012 all jurisdictions reviewed the table for accuracy and reported any changes to Kate Marshall (PEI).

*Item 7-Long Latency Occupational Disease Criteria (Review and Report Changes)-will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

➤ **Workplan Item 7-Long Latency Occupational Disease Criteria (Table Updated)**

Kate Marshall (PEI) emailed the updated table to the AWCBC and IJA Committee on October 18, 2012. However, Kate Marshall (PEI) noted that since the table was updated she received one further update. Therefore, she agreed to review the Long Latency Occupational Disease table again and submit to Cheryl Tucker (AWCBC) to post on the IJA repository by June 30, 2013.

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**Action Item:**

- ❖ **Kate Marshall to submit revised Long Latency Occupational Disease Table to Cheryl Tucker (AWCBC) for posting on the AWCBC IJA repository by June 30, 2013.**

*Item 7-Long Latency Occupational Disease Criteria (Table Updated)-will be recorded as "completed" in the 2013 workplan update and will not carry forward to the 2014 workplan.*

***1 NEW ITEM**-Item 7-Long Latency Occupational Disease Criteria was added to the workplan which included the following:*

***NEW Item 7**-Long Latency Occupational Disease Criteria (Revised Table)-Revised Long Latency Occupational Disease table will be submitted to AWCBC for posting on the IJA repository by June 30, 2013. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by June 30, 2013 it will recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.*

**6. New Business (Agenda Item #6)**

**6. a) 2012 Dollar-for-Dollar Reimbursement Shortfall Statistics:**

Rhonda Dean (AB) provided an updated summary of the statistics gathered regarding the dollar-for-dollar agreement that Alberta was involved in with Manitoba effective January 1, 2012. She indicated that in 2012, Alberta reimbursed a total of \$550,000 (covering the invoice dates of January 1, 2012 through to December 31, 2012) of which only \$29,000 would have been recorded as a shortfall had the dollar-for-dollar agreement not been in place. This represented a total shortfall of approximately 5%. Manitoba did not track any data, however, indicated that they were pleased with arrangement and indicated that they were experiencing a huge cost savings with respect to time spent with reimbursement as a result of the dollar-for-dollar agreement. The Manitoba Board strongly encouraged all Boards to reconsider the dollar-for-dollar arrangements. Both Alberta and Manitoba reported being pleased with the dollar-for dollar arrangement and will continue for 2013.

Jean Landry (NB) inquired whether it would be possible to arrangement side agreements with jurisdictions with respect to the \$5000 threshold rather than dollar-for-dollar agreements. He indicated that it would benefit their jurisdiction to consider increasing the threshold to \$5000, particularly with respect to staffing savings. Paula Arab (NS) and Mark Powers (BC) both noted that there was nothing in the Interjurisdictional Agreement to preclude such an agreement from occurring. Mark Powers (BC) suggested that it may be something worthwhile considering and if it was found favourable between individual jurisdictions, then perhaps other jurisdictions would consider such arrangement and then

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amendments could occur within the IJA. Other jurisdictions noted that such an arrangement would certainly make the yearly statistics less effective as we would no longer be comparing the same information. Sophie Genest (QC) noted that their Board had concern with the significant recommendation to a \$5000 threshold (from \$1000) considering that inflation was stated to be around \$1400 since the inception of the Agreement. Rhonda Dean (AB) indicated that they were felt that further monitoring was required before they could consider such an increase in the threshold amount and also noted that there would not be any significant savings in staffing costs by increasing the threshold amount. Kate Marshall (PEI) also noted their preliminary review noted that this recommended change would not change staff workload in any way.

Jurisdictions agreed that the information could be taken back to their executives and proposals could be submitted for next year's agenda if jurisdictions wanted to entertain such agreements between individual jurisdictions, outside of the IJA. However, it was agreed that no new action plan was required as a result of this discussion.

**6. b) Pre-Approval of AAP Interjurisdictional Bus Codes (Appendix E)**

Glenn Jones (MB) confirmed that an email was sent on February 6, 2013 with the 3 new bus codes provided by Deepak Kothary (BC) and Tracey Newman (NS) from the Assessment Committee. IJA Coordinators were advised at that time to obtain pre-approval from their respective Boards so that the IJA Committee could agree to submit the revised Appendix E to the AWCBC for approval in November 2013.

The 3 new bus codes were identified as follows:

1. Interurban and rural bus transportation
2. Charter Bus industry
3. Land scenic and sightseeing transportation

Glenn confirmed that no response was received from the Saskatchewan Board yet. Caroline Hogue (SK) indicated that they were waiting for Board approval and to date, there was no date when this may be approved. Work Safe BC noted that this would not be placed on their agenda until July 2013 and therefore, did not anticipate any approval until that time. It was noted that approvals would be required no later than August 16, 2013 in order to be able to have the AWCBC provide final approval in November 2013. Glenn Jones (MB) asked all jurisdictions to provide their approvals again via email again, even if they have already provided approvals to him previously. A new action item was created for this issue.

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- ❖ **All jurisdictions are to provide Chair (Glenn Jones, MB) with pre-approval of the 3 new bus codes for the AAP by August 16, 2013.**
- ❖ **Chair (Glenn Jones, MB) is to circulate the 3 new bus codes along with their effective date of January 1, 2015 to the IJA Committee and Sharon Cameron, Executive Sponsor by August 16, 2013.**
- ❖ **Sharon Cameron (Executive Sponsor) is to submit the new bus codes and effective date to the AWCBC Executive for approval by November 2013.**

*3 NEW ITEMS were added to the workplan update (which will be noted as Item 4 as it relates to the AAP amendments The previously recorded Item 4 (Review of General Cost Reimbursement Guideline Processes and Allocated Resources) will be recorded as Item 5 in the 2013 workplan update.*

***NEW Item 4-AAP-Approval of AAP Bus Codes (Appendix E)-All jurisdictions are to provide the Chair with pre-approval of 3 new bus codes for AAP amendments by August 16, 2013. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by August 16, 2013 it will recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.***

***NEW Item 4-AAP-Approval of AAP Bus Codes (Appendix E)-Chair is to circulate 3 new bus codes to the IJA Committee and Executive Sponsor by August 16, 2013. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by August 16, 2013 it will recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.***

***NEW Item 4-AAP-Approval of AAP Bus Codes (Appendix E)-Submit new bus codes to AWCBC Executive by November 2013 for approval. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by November, 2013 it will recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan***

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**6. c) Date for AAP Expansion to Interjurisdictional Busing (January 1, 2014 versus January 1, 2015)**

Glenn Jones (MB) confirmed that an email was sent to all jurisdictions on November 29, 2012 listing the pros and cons of a January 2014 date versus a January 2015 start date. Glenn indicated that there may be timing issues with establishing an effective date of January 1, 2014 when the approval from the AWCBC Executive is not anticipated until November 2013. Issue with 2014 asking executive to approve in November 2013 when we would not have a formal agreement in place.

It was also noted that currently the AWCBC is awaiting Quebec's approval of the revised IJA that was approved in November 2012. It was noted that the IJA had to be presented to CSST's Board of Directors who then provide authorization for the President to send a request to the Government officials responsible to obtain their authorization. The CSST's approval process is quite long compared to other jurisdictions.

Glenn Jones (MB) also confirmed that Robin Senzilet (ON) advised on April 5, 2013 that the Pan Am Games (July 10-26, 2015) and the Parapan Am Games (August 7-14, 2015) will be hosted by Toronto which is expected to increase interjurisdictional bus traffic between Ontario and other Canadian jurisdictions and as such is a good incentive to have the expanded AAP operational no later than January 1, 2015.

All jurisdictions agreed that the expansion to interjurisdictional busing would be operational effective January 1, 2015. Glenn Jones (MB) would advise the IJA Committee and Sharon Cameron (Executive Sponsor) of this effective date by August 16, 2013 and Sharon Cameron would submit this to the AWCBC Executive for approval by November 2013.

**Action Items:**

- ❖ **Chair (Glenn Jones, MB) is to circulate the effective date/implementation of January 15, 2015 to the IJA Committee and Sharon Cameron, Executive Sponsor by August 16, 2013.**
- ❖ **Sharon Cameron (Executive Sponsor) is to submit the effective date/implementation date of January 1, 2015 to the AWCBC Executive for approval by November 2013.**

***NEW Item 4-AAP-Approval of AAP Bus Codes (Appendix E)-Chair is to circulate the effective date of January 15, 2015 to the IJA Committee and Executive Sponsor by August 16, 2013. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by August 16, 2013 it will***

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*recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.*

***NEW Item 4-AAP-Approval of AAP Bus Codes (Appendix E)-Submit effective date to AWCBC Executive by November 2013 for approval. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by November, 2013 it will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.***

**6. d) Yukon & Ontario's Removal of IJA/AAP Restrictions (Appendix A)**

Kathleen Avery (YK) provided a letter to the AWCBC advising that effective January 1, 2013 they are fully participating in the AAP, with no restrictions. The Ontario Board consequently reviewed their limits in Appendix A with respect to the AAP and participation limits with the Yukon and PEI. As a result, these limitations will be removed effective January 1, 2014. It was also noted that PEI's restrictions should be reviewed, however, Kate Marshall (PEI) noted that they have been fully participating since January 1, 2013.

All jurisdictions agreed that Appendix A should be reviewed by all IJA coordinators and any revisions should be provided to the Chair (Glenn Jones, MB) by December 31, 2013. It was determined that any revisions to Appendix A did not require Executive Approval. Glenn Jones (MB) agreed to circulate the revised Appendix A to the IJA Committee and the AWCBC by January 31, 2014. Sophie Genest (QC) agreed to translate the document into French.

**Action Items:**

- ❖ **All jurisdictions are to review Appendix A and provide any revisions to the Chair (Glenn Jones, MB) by December 31, 2013.**
- ❖ **Chair (Glenn Jones, MB) is to circulate the revised Appendix to the IJA Committee and AWCBC by January 31, 2014.**
- ❖ **Sophie Genest (QC) will translate Appendix A into French (no date provided).**

***2 NEW ITEMS** were added to the workplan update (which will be noted under 2a as it relates to the revised IJA/AAP*

***Item 2-AAP-Act upon AWCBC Executive/Heads of Delegation decision to amend IJA (Review of Appendix A)-All jurisdictions are to review Appendix A and provide any revisions to the Chair by December 31, 2013. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by***

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***Item 2**-AAP-Act upon AWCBC Executive/Heads of Delegation decision to amend IJA (Circulation of Revisions to Appendix A)-Chair is to circulate revised Appendix A to IJA Committee and AWCBC by January 31, 2014. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by January 31, 2014 it will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.*

**6. e) AWCBC Repository Cleanup of IJA Committee Materials**

The AWCBC established an "intranet" site for the IJA Committee on the Committee Community Section of the member website. Glenn Jones confirmed that on May 23, 2012 Cheryl Tucker (AWCBC) provided details regarding the AWCBC Committee Community link including details regarding the user name and password. Glenn indicated that Sophie Genest (QC) had raised concern regarding that fact that there were a large number of documents in the IJA repository and some were titled in a manner that made it unclear what their contents were. Sophie indicated that it may be beneficial to review the documents in the repository and make any necessary changes. Some suggestions for improvement to make the repository more user friendly were to add subcategories or even change the titles of some of the documents. Mark Powers (BC) agreed to take on the task and make the changes by December 31, 2013.

**Action Items:**

- ❖ **Mark Powers (BC) is to review and make necessary changes to the documents in the IJA repository and submit to the AWCBC (Cheryl Tucker) by December 31, 2013.**

***1 NEW ITEMS** was added to the workplan update (which will be noted under 8 and will be labelled AWCBC IJA Repository Clean-up by December 31, 2013.*

***Item 8**-AWCBC IJA Repository Clean-up-Review and make necessary changes to the IJA document repository. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by December 31, 2013 it will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.*

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**6. f) Protocols, Practices and Procedures Document-Adoption & the Future**

This topic was moved to the end of the agenda due to the length of time that was anticipated that would be required to fully discuss the item. It was agreed that if there was not sufficient time to discuss this topic, then the communications could be discussed via email.

**6. g) Best Practices Training Guide (BPTG)-General Discussion**

This topic was moved to the end of the agenda due to the length of time that was anticipated to be required to fully discuss the item. It was agreed that if there was not sufficient time to discuss this topic, then the communications could be discussed via email.

**6. h) Review of New IJA/AAP Statistics**

All jurisdictions were reminded that the 2013 yearly statistics for both IJA and AAP were to provided directly to the AWCBC by deadline of March 31, 2014. This was agreed to be added as a new action item as a yearly reminder to all jurisdictions.

Review of the new IJA/AAP statistics suggests that there may be some room for improvement with the new tables and definitions, after utilizing them for one year. Rhonda Dean (AB) requested clarification as to how Boards were recording invoices that were received by the reimbursing Board in the early part of the year (i.e. January 5, 2013), but were actually dated by the requesting Board for the year prior (i.e. December 27, 2012). Rhonda pointed out that if jurisdictions are not recording these situations the same, then statistical comparison between jurisdictions is not very reliable or useful.

Rhonda Dean (AB) also raised the question as to whether AAP denials should be recorded as there is no place for them on the AAP statistical table. These would be situations where one jurisdiction requests reimbursement under the AAP, however, the reimbursing jurisdiction determines that it is an inappropriate request as the employer does not have confirmed participation in the AAP. Rhonda indicated that these situations would again be reflected inconsistently amongst the jurisdictions presently as the jurisdiction requesting reimbursement would have it recorded as part of their total monies requested, whereas the reimbursing jurisdiction would not have recorded the claim anywhere as it would be considered a denial.

Jurisdictions that used the new statistics noted that there were some glitches. As a result of some of the problems experienced, all jurisdictions agreed to provide Kate Marshall (PEI) with feedback as to the difficulties/concerns with using the newly revised IJA/AAP statistic



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tables and definitions by July 31, 2013. Kate Marshall (PEI) agreed to provide a summary of the difficulties/concerns to Glenn Jones (MB) by August 16, 2013.

Discussion also centered around the amount of time required by each jurisdiction to manually track all of the required information and again the question was raised as to what the exact purpose was of collecting these statistics, particularly if there were still some inconsistencies amongst jurisdictions regarding interpretations, even with the newly created statistical tables. Vera Radicevic (ON) voiced concerns with the time spent completing these statistics if the data was not even analyzed. However, Lloyd Hikida (BC) indicated that their Board developed a system for automatically tracking the information required for completion of the statistics which allowed them to spend very little time on the task. He indicated that he would follow-up with his Board to determine whether he would be able to share their automated system for completion of the statistics to other jurisdictions and report back to committee members by the next AWCBC meeting in May 2014.

All jurisdictions agreed that it would be beneficial to obtain this clarification from the AWCBC as to use and purpose of the IJA/AAP statistics. Glenn Jones (MB) agreed to provide a briefing note summarizing the difficulties/concerns to the Sharon Cameron (PEI), Executive Sponsor. Sharon Cameron (PEI) agreed to discuss the concerns further with Cheryl Tucker at the AWCBC and obtain further clarification as to the use and purpose of collecting the IJA/AAP statistics and report back to the IJA Committee at the next annual AWCBC meeting in May 2014.

**Action Items:**

- ❖ **Lloyd Hikida (BC) is to inquire whether they can share their automated systems for new IJA/AAP statistics to all jurisdictions and report back to Committee by May 2014.**
- ❖ **All jurisdictions are to provide the AWCBC with 2013 yearly stats for IJA/AAP by March 31, 2014.**
- ❖ **All jurisdictions are to provide feedback as to the difficulties/concerns with using the newly revised IJA/AAP statistic tables and definitions to Kate Marshall by July 31, 2013.**
- ❖ **Kate Marshall (PEI) is to provide a summary of the difficulties/concerns to the Chair by August 16, 2013.**
- ❖ **Glenn Jones (MB) is to provide a briefing note summarizing the difficulties/concerns to Sharon Cameron (PEI), Executive Sponsor by August 31, 2013.**

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- ❖ **Sharon Cameron (PEI) is to inquire with Cheryl Tucker (AWCBC) as to the use and purpose of the IJA/AAP statistics by September 30, 2013.**
- ❖ **Sharon Cameron (PEI) is to report back to the IJA Committee with feedback received from the AWCBC on the use/purposes of the IJA/AAP statistics at the next AWCBC meeting in May 2014.**

*6 NEW Items under Item 5-Statistics for AAP/IJA Procedures were added to the workplan which included the following:*

***NEW Item 5-Statistics for AAP-All jurisdictions to provide the AWCBC with 2013 yearly stats for IJA/AAP by March 31, 2013. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by March 31, 2013 it will recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.***

***NEW Item 5-Statistics for AAP-All jurisdictions to review and provide feedback to Kate as to the difficulties/concerns with the newly revised IJA/AAP statistic tables and definitions with a target date of July 31, 2013. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by July 31, 2013 it will recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.***

***NEW Item 5-Statistics for AAP-A summary of the difficulties/concerns are to be provided to the Chair by August 16, 2013. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by August 16, 2013 it will recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.***

***NEW Item 5-Statistics for AAP-A briefing note summarizing the difficulties/concerns is to be provided to the Executive Sponsor by August 31, 2013. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by August 31, 2013 it will recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.***

***NEW Item 5-Statistics for AAP-Inquiry with AWCBC (Cheryl Tucker) as to the use and purpose of the AAP/IJA statistics by September 30, 2013. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the***

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*activity is completed by September 30, 2013 it will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.*

***NEW Item 5-**Statistics for AAP-Report back to the IJA Committee with feedback from AWCBC on the use/purpose of the IJA/AAP statistics by May 2014. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by May 2014 it will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.*

**6. i) Cost Relief-Review & Clarification**

Rhonda Dean (AB) raised concerns with the issues relating to cost relief that continue to be interpreted incorrectly under the IJA. It has been agreed that the reimbursing Board is the jurisdiction that is to make entitlement decisions relating to cost relief, NOT the adjudicating Board. This is based on the fact that the employer is charged for the claim by the Reimbursing Board and therefore, cost relief must be reviewed based on the Reimbursing Board's legislation/policies. This is clarified in the resolutions dated September 22 & 23, 1997 as well as in the September 28 & 29, 1999 meeting resolution. There appears to be a gap in communicating this provision with the operations staff of each jurisdiction.

Caroline Hogue (SK) advised that their Board is in the process of implementing policy changes to define the rules for determining entitlement to cost relief for IJA claims.

In an attempt to prevent this issue from being raised at the yearly meetings, jurisdictions agreed it would be beneficial to confirm with their front line staff that cost relief decisions under IJA claims are to be administered by the reimbursing Board. Jurisdictions agreed to update the chair that front line staff have been reminded of the cost relief process under the IJA by June 30, 2013.

The Ontario Board did express a concern that WSIB policy requires that cost relief be granted in applicable cases and there was no exception for IJA claims. Secondly, they pointed out that in the case of shortfalls, a previous resolution noted that the adjudicating board could determine cost relief entitlement with respect to any shortfall. Ontario agreed to speak to its front line staff as to whether it would be possible to leave decisions relating to cost relief (Second Injury and Enhancement Fund-SIEF) to the reimbursing boards.

**Action Items:**

**❖ By June 30, 2013 all jurisdictions are to confirm with front-line staff that cost relief decisions under the IJA are only to be administered by the Reimbursing Board.**

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❖ **All jurisdictions are to report to the Chair by June 30, 2013 that front-line staff have been reminded of the cost relief process under the IJA.**

*2 NEW Items under Item 9-Cost Relief Review/Clarification were added to the workplan which included the following:*

*NEW Item 9-Cost Relief Review/Clarification-All jurisdictions to confirm with front-line staff that cost relief decisions under IJA are only to be administered by the Reimbursing Board (completed by June 30, 2013) This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by June 30, 2013 it will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.*

*NEW Item 9-Cost Relief Review/Clarification-All jurisdictions are to update the Chair that front-line staff have been reminded of the cost relief process under the IJA (completed by June 30, 2013) This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by June 30, 2013 it will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.*

**6. j) Confidentiality of Information-Minimal Disclosure**

Sophie Genest (QC) raised the issue of confidentiality of information/minimal disclosure when sending election forms and in some cases, documents like the Worker's claim forms for the purpose of advising other Boards of an election. This was further to an email sent by Sophie Genest on March 5, 2013. Specifically, Sophie requested clarification as to when an Adjudicating Board would be required to send an Election form or a worker's claim form and what information is required by Boards when notice is simply being given to a Reimbursing Board of a possible request for reimbursement in the future. Sophie voiced concern that often times too much information is being received when no reimbursement request is even being made, but rather simply a notice is being provided. Concern was also raised as to whether the information contained in an election form was sufficient to detect a duplicate claim with another Board for the same injury.

Many jurisdictions felt that sending complete claim information, including medical documentation when only a notice is sent, is in fact breaching privacy legislations on behalf of the injured worker. Paula Arab (NS) advised that their Board will only send an election form when notice is being provided to the reimbursing Board. The majority of jurisdictions indicated that a right of election was sufficient when a notice was being sent for potential future reimbursement. However, the AB Board noted that simply sending a right of election form as notice of a possible future reimbursement was not sufficient to establish a claim

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with their Board. They indicated that when a notice is being sent from an Adjudicating Board, employer information is required along with a description of the part of body injured in order to establish a claim for future reimbursement requests. However, they did indicate that they have not experienced any problems with any jurisdictions not sending sufficient information to establish the claim with their Board.

All jurisdictions agreed that it would be beneficial to clarify the minimum information requirements for jurisdictions when an initial notice is being sent to the reimbursing jurisdiction (deadline of June 30, 2013). This information should then be updated as part of Module 3.1 in the Best Practices Training Guide (BPTG) by July 15, 2013.

**Action Items:**

- ❖ **All jurisdictions are to advise Kate Marshall (PEI) by June 30, 2013 as to the minimum information required when sending a notice, prior to requesting reimbursement from another Board.**
- ❖ **Kate Marshall (PEI) is to update Module 3.1 in the Best Practices Guideline (BPG) training guide and provide to Chair (Glenn Jones, MB) by July 15, 2013.**
- ❖ **Chair (Glenn Jones, MB) to circulate the updated BPG to all jurisdictions by July 31, 2013.**

*1 NEW Item under Item 1a.-2.Cost Reimbursement-was added to the workplan which included the following:*

*NEW Item 1a.-2-Cost Reimbursement-All jurisdictions to advise as to the minimum information required when sending a notice, prior to requesting reimbursement from another Board (to be completed by June 30, 2013) This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by June 30, 2013 it will recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.*

**6. k) Sufficiency of Election Form Information**

Sophie Genest (QC) inquired whether the current election forms provide adequate information to identify a potential double claim (further to her email of March 5, 2013). Glenn Jones (MB) indicated that he had requested that all Boards were asked to provide their respective election forms, however, only half of the jurisdictions obliged. Glenn further noted that Appendix B of the IJA provides an Election form template that all boards are obligated to use, so if there is a concern with the template, then it should be revised

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accordingly. There was limited discussion by jurisdictions on this topic. No action item was required.

**6. I) Is an Election Required?**

Mark Powers (BC) raised the issue as to whether an election was essential for purposes of reimbursement to the adjudicating Board (further to his email of April 5, 2013). He indicated that the Quebec Board had indicated that an election was essential for the purposes of their Act to avoid the potential of a duplicate claim. Mark further indicated that in discussion at prior AWCBC meetings, both Alberta and British Columbia had suggested that the absence of an election should not be a bar to reimbursement. Mark requested clarification on each Board's position on this situation as he indicated that there appeared to be inconsistencies amongst jurisdictions regarding their interpretation of this issue. Mark pointed out that there was a resolution dated April 29 & 30, 1999 which stated that "Boards will reimburse if no election form signed unless the worker has claimed in both places." He also noted that there was another resolution dated May 16 & 17, 2012 which was in conflict with the resolution from 1999 and stated that "all jurisdictions are reminded that under Section 4.1 it was mandatory to obtain a completed right of election from workers who may have the ability to elect in more than one jurisdiction. In his email, Mark Powers provides a list of 4 different scenarios regarding reimbursement dilemmas in the absence of a signed right of election being obtained. He also attached excerpts from the minutes of past meetings of 1999, 2005, 2008, 2009, 2010, and 2011 regarding the election issue.

Paula Arab (NS) indicated that their Board would not send requests for reimbursement unless they have a signed right of election form from the worker. Ontario also indicated that they would not issue reimbursement unless there was a signed right of election from the worker on file. Rhonda Dean (AB) indicated that their Board would consider reimbursement without a signed right of election, providing the worker had not claimed benefits in more than one jurisdiction.

The consensus of the committee was that Section 4.1 should be the overriding principle. However, if a Board wants to reimburse without a signed right of election then they have the right to do so, but agree to take on any inherent risk in doing so. It was also agreed that if issues arose regarding reimbursement without a signed right of election, then the issue should be referred to the IJA Coordinators to discuss further and reach a resolution. All jurisdictions agreed that the Protocols, Practices and Procedures document should be updated to reflect this resolution. Rhonda Dean (AB) agreed to do so by December 31, 2013.

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**Action Items:**

- ❖ **Rhonda Dean (AB) to update the IJA Committee Protocols, Practices and Procedures (PPP) document with the new resolution regarding requirement of right of election form under Section 4.1 of the IJA by December 31, 2013.**

*1 NEW Items under Item 1a.-1.Elections-was added to the workplan which included the following:*

*NEW Item 1a.-1-Elections-Update PPP with the new resolution regarding requirement of the election form under Section 4.1 of the IJA (to be completed by December 31, 2013) This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by December 31, 2013 it will recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.*

**6. m) IJA Purpose Beyond Claim Cost Reimbursement?**

Mark Powers (BC) raised the questions as to whether the purpose of the IJA was limited to dealing with reimbursement of claims costs? If not, what else does it cover? Mark provided a 2 page summary of the issue to committee members at the meeting. The facts of the case are outlined below.

- The worker was injured in Ohio.
- The worker did not have a regular route but usually picked up his load in a jurisdiction outside of BC and returned to the same jurisdiction (outside of BC).
- The worker was a BC resident
- The employer registered and participated in the AAP and paid assessments to the BC Board for this BC resident worker.
- The claim did not meet the condition of Section 8.1 which indicated that the worker must demonstrate his usual place of employment was BC and the employer must demonstrated that he had a place of business in BC.

Initially, the BC Board noted that there were issues regarding the acceptance of the claim in BC and a chance that the worker would not entitled to elect in BC. As such, the BC Board wrote to 2 different jurisdictions (Alberta and Manitoba) to determine if the worker would be able to claim under either of their respective Boards. Both jurisdictions indicated that there was no possibility of election in either of their jurisdictions. Mark Powers (BC) voiced concern with one of the jurisdiction's responses which state that

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*“Determining out of province coverage is separate from administration of the IJA. The IJA only assists boards in determining (amongst themselves) the reimbursement of claim costs pursuant to the AAP for injuries that occur within Canada. The contractual obligations pursuant to the IJA are only of the boards with each other and has no application to whether a respective board will provide benefits to an injured worker under its respective legislation.”*

Ultimately, what both jurisdictions (AB and MB) replied that the worker had no right of election in either AB or MB as he was not injured in Canada and the AAP/IJA would not have a role in ensuring that coverage is extended as the injury did not occur in Canada.

Mark raised concern with this approach indicating that while part of the IJA does relate to allocating claim costs, Section 4 puts an onus on the participating Board to require a worker to make an election when the worker has entitlement in more than one jurisdiction. It does not require that the injury occur in Canada.” Mark indicated that if the worker was entitled to claim in BC and another Canadian jurisdiction, he would be required elect between those 2 jurisdictions and Ohio if he had rights to compensation there. He also referenced Section 1.2 (b) which states that the intent of the Agreement is “to facilitate the acceptance of all compensable claims so that no injured worker will be denied compensation benefits except in accordance with the applicable Statutory Authority and Board Policy.” Mark also indicates that Section 1.41 notes that “Each Board undertakes to ensure that through the provision of this Agreement and mutual cooperation no worker as a result of injury or disease causally related to employment in Canada, is denied fair and equitable compensation.” Mark argues that this does NOT require the injury to occur in Canada, only that the injury be causally connected to employment in Canada and noted that the worker is employed in Canada and the employer pays assessment for his work so the connection exists for the purposes of Section 1.41.

Unfortunately, committee members did not have an opportunity to review this material ahead of time as it was only presented at the meeting. As a result, there was minimal discussion regarding this issue and no general agreement or resolution reached.

**6. g) Best Practices Training Guide (BPTG)-General Discussion**

Kate Marshall (PEI) thanked all committee members for all of the feedback received regarding the first draft of the Cost Reimbursement Best Practice Guide. Kate reminded all jurisdictions that the “Best Practice Guide” was developed following a review of *all* information provided by *all* Boards as well as reference to the Protocols document, previous meeting minutes and papers tabled by various members over the years. Kate noted that the mandate agreed upon was not to document the current practice in all jurisdictions, but to create a *Best Practice Guide* based on the information available. Kate encouraged jurisdictions to use the guide to develop their own policies, procedures, flowcharts, etc, suited to their specific jurisdiction.



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Kate Marshall (PEI) requested further discussion regarding **Module 6, Section 6.1.1** on page 28 which referenced the following:

**“6.1.1 Full vs. Limited Reimbursement**

The amount of reimbursement appears to be dependent on the reimbursing Boards interpretation of whether the policy and statutory limitations refer to reimbursement or payment of compensation. A paper was presented by William Ostapek on this issue at the 2010 Committee Meeting. This document reviewed section 9 of the IJA. The Committee agreed that the limits imposed on full reimbursement are sufficiently broad and unclear and that they significantly undermine full reimbursement as a governing principle. The IJA does not provide detail or guidance related to when it is appropriate to apply limitations with the exception of capitalized future costs. It was suggested at the 2010 meeting that Section 9.2 of the agreement be redrafted but there was no appetite by Committee members to take on this piece of work.”

Kate Marshall asked whether there was any appetite presently to redraft Section 9.2 of the IJA. After discussion, jurisdictions agreed that no redraft was required. That being said, all members were in agreement that if a Board is able to reimburse, then full reimbursement should be the guiding principle. Shortfalls are only permitted based on the reimbursing Board's supporting legislation and policy.

In addition, Kate Marshall (PEI) requested review of the resolution outlined on page 33, of **Module 6, Section 6.1.2 Re-Adjudication**. This resolution was noted as follows:

“A resolution in the IJA Committee Protocols, Practices and Procedures document dated May 2008 states that there is only one type of case in which re-adjudication is appropriate and that is where the injured individual is determined not to be a worker in the reimbursing jurisdiction. Despite this, re-adjudication continues to be an issue in the application of the IJA.”

After discussion, committee members agreed that the resolution should state that where the Reimbursing Board has discretion, reimbursement should be made and the only acceptable type of re-adjudication is Type 1 (as described on page 29). The guiding principle should be full reimbursement wherever possible.

Kate Marshall (PEI) agreed to make these revisions to the Best Practice Guidelines (BPG) by December 31, 2013 and Glenn Jones (MB) agreed to distribute the updated document to committee members by January 7, 2014. All committee members would be asked to provide feedback on the updated document, no later than January 31, 2014.

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**Action Item:**

- ❖ **Kate Marshall (PEI) is to update the BPG with updates and new resolutions as agreed and documented in the May 2013 AWCBC meeting by December 31, 2013.**
- ❖ **Chair (Glenn Jones, MB) is to distribute the updated BPG to all Committee members by January 7, 2014.**
- ❖ **All Committee members are to provide feedback on the updated BPG by January 31, 2014.**

**3 NEW ITEMS** under Item 1a.-2. Cost Reimbursement was added to the workplan.

***NEW Item 1a.-2-Cost Reimbursement-Update BPG with updates and new resolutions by December 31, 2013. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by December 31, 2013 it will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.***

***NEW Item 1a.-2-Cost Reimbursement-Distribute the updated BPG to all Committee members by January 7, 2014. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by January 7, 2014 it will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.***

***NEW Item 1a.-2-Cost Reimbursement-All Committee members to provide feedback on the updated BPG by January 31, 2014. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by January 31, 2014 it will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.***

Robin Senzilet (ON) requested that further discussion occur with respect to Module 6, 6.2.1 2010 IJA Committee Meeting Resolutions, 6.2.1.2 Clarification on Application of the IJA/ITA with 2 different employers charged and the resolution noted on page 37. The scenario is outlined below along with the questions that were raised at the time:

"A worker has a work accident in AB but resides in SK. As a result, he chooses to elect benefits from AB, where the work accident occurs. AB establishes the claim along with charging and determines that employer A is the appropriate employer charged (who happens to participate in the AAP). However, since it is an AAP employer, costs are recoverable from the province of residency (in this case, SK). Therefore, AB requests

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reimbursement back from SK as they assume that they are collecting premiums from employer A, for their worker who resides in SK. SK establishes a claim and is prepared to issue reimbursement to AB. However, SK has determined that the employer responsible in their province is actually Employer B, based on their legislative provisions and indicated that Employer A is actually NOT required to have an account in their province. Employer B participates in the AAP in SK and in AB. However, the AB Board has determined that Employer B is **NOT** the appropriately charged employer for this claim due to their own legislative rules.

*This raises the following questions:*

1. Is it appropriate for SK to reimburse AB when AB has determined that it is a *different employer charged*? OR In order for reimbursement to occur should the employers charged be the same? Does one province's rule take precedence over another in cases like this? When this request for reimbursement is received, should SK even consider a different employer--or should they simply review the AB's Board's decision regarding the Employer A being charged and then advise that this employer is not required to have an account in their province, and subsequently deny the reimbursement request. Would it be considered re-adjudication by the SK Board to determine Employer B is the appropriate employer being charged?
2. Is it reasonable to have *2 separate employers being charged for the same claim*, dependent on where the worker chooses to elect benefits? It is possible that if the worker was to choose to elect benefits in SK, the employer charged would be different then if he chose to elect benefits in AB.
3. Does this create any *FOIP issues* regarding access to information? Employer A or Employer B? Specifically, if Employer B requested a copy of this file from AB (in order to obtain up-to-date file info) after AB received reimbursement from SK (knowing that they are the employer being faced with the costs of the claim), AB would not necessarily release a copy of the file as the AB Board would not consider Employer B to be the employer charged in AB.
4. *Claims management issues* are created when we have 2 different employers being charged with the claim. Under the IJA, the AB Board has 2 full years to request reimbursement. So, it is very possible that this claim could be accepted, managed and closed without Employer B ever being aware that they would be the employer responsible for this claim until they receive their costs statements from the SK Board. This can create concerns for Employer B particularly if they are proactive in their disability management practices and have never had an opportunity to become involved in the case management of the file (as in AB, the claim is charged to Employer A, who the SK Board has determined is not required to have an account).

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This creates issues with respect to simple things like establishing a worker's compensation rate to more complex things like disagreeing with benefits being paid to the worker and/or having the ability to offer modified duties to the worker in an attempt to reduce the claims costs incurred as the AB Board would not even consider to involve Employer B in these discussions. If we follow the same logic, then it also begs the question whether it is even appropriate to provide Employer A the "right" to appeal case management issues on the claim when truly they are never going to be the employer responsible for the costs of the claim and there would be no true ties to the claim.

**Resolution:**

All jurisdictions agreed the same employer is not required in order to accept a request for reimbursement. If the employer has an account and the worker was able to elect with another jurisdiction, reimbursement is reasonable in accordance with the IJA. The Board can relieve all costs to the employer once reimbursement is received (May 16&17, 2012, Page 31, Committee Protocols, Practices and Procedures document)."

Robin Senzilet (ON) indicated that their Board did not agree with the above resolution and indicated that their Board could not support a suggestion to accept a request for reimbursement with two different employers. Jurisdictions agreed that this was an issue that required further review and follow-up. Therefore, all jurisdictions agreed to review the scenario of different employer accounts for IJA claims and report back to the Chair by January 31, 2014 on their position as to whether it was acceptable to reimburse claims with two different employers. Glenn Jones (MB) agreed to provide a summary of each jurisdiction's position on this issue to Committee members at the next AWCBC meeting in May 2014, in order to reach an agreed upon resolution.

**Action Item:**

- ❖ **All jurisdictions agreed to review the scenario further of different employer accounts for IJA claims and report to the Chair by January 31, 2014 on their position as to whether it was acceptable to reimburse claims with two different employers.**
- ❖ **Chair (Glenn Jones, MB) is to provide a summary of each jurisdiction's positions to Committee members at the next AWCBC meeting in May 2014, in order to reach an agreed upon resolution**

**2 NEW ITEMS** under Item 1a.-2. Cost Reimbursement was added to the workplan.

***NEW Item 1a.-2-Cost Reimbursement-Jurisdictions to review scenario of different employer accounts for IJA claims and report to the Chair on their position as to whether it was acceptable to reimburse claims with 2 different employers (to be completed by January 31,***

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*2014). This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by January 31, 2014 it will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.*

***NEW Item 1a.-2-Cost Reimbursement-Chair is to provide summary of jurisdiction's positions to Committee members by May 2014. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by May, 2014 it will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan***

**6. f) Protocols, Practices and Procedures (PPP) Document-Adoption & the Future**

Rhonda Dean (AB) thanked all jurisdictions who provided feedback for the draft of the PPP document. Rhonda reported that the majority of feedback was incorporated into the latest draft that was circulated on May 17, 2013. The majority of the changes focused on breaking down the reimbursement section into sub-categories which has been completed. However, Rhonda indicated that some of the feedback received was in conflict with other feedback and as such, she requested that the group discuss the issues further to reach consensus.

The main issues raised were as follows:

1. What is the overall purpose of the PPP? Do we want it to reflect a historical review of issues or only issues that are relevant presently? If a resolution no longer has relevance, do we want to remove it from the entire guide or have it remain as part of the historical document?

*Jurisdictions agreed that they wanted the PPP to be a historical review of issues and have issues that are no longer relevant remain a part of the historical document.*

2. What if a resolution has changed? Do we simply remove it, modify it (despite the resolution date being recorded as the meeting date), or implement a new resolution based on the discussion in the meeting (as reflected in the minutes)?

*Jurisdictions agreed that each of the resolutions should be reviewed individually to make an informed decision as to whether to remove, modify or implement a new resolution.*

3. The PPP will not be an effective guide if it is not updated regularly. The last update was in 2008, 4 years ago. Do we want to designate an individual to update yearly or should it be added to the duties of the Chair of the committee, as is the case for the meeting minutes? Will it be approved yearly along with the meeting minutes?

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*Glenn Jones (MB) did not feel that it was a responsibility that should be added to the Chair due to the other responsibilities of preparing the agenda, briefing notes, workplan and updates, etc. Jurisdictions did feel that it should be approved yearly along with the meeting minutes so there is never a question regarding accuracy in later years. Rhonda Dean (AB) agreed to update the PPP for this year and the following meeting in May 2014, after which point it can be designated to another Board.*

Below is a list of the issues, relating to the PPP (dated May 17, 2013) that committee member discussed. For ease of discussion, the page #, topic, date, and resolution along with the concerns raised and possible resolution options were noted. Rhonda Dean (AB) also referenced the meeting minutes to provide further clarification on the topic.

**Please Note:** The agreed upon "Proposed Resolution" was **bolded** and the new resolution was drafted below.

**Issues Discussed:**

**Page 9 Topic: Brochure (April 13 & 14, 2000)**

April 13 & 14, 2000	Brochure	Each jurisdiction to determine how the brochure is to be distributed in their jurisdiction
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**Issue Raised:** This issue is no longer relevant to the current PPP (raised in 2000) and should be removed from the PPP in entirety. Most IJA committee members have voiced concern that they are unsure what brochure is being referenced.

\*A review of 1999 and 2000 meeting minutes indicate that this was a brochure prepared by NFLD relating to the IJA as a result of general inquiries being fielded by the AWCBC. The brochure was aimed at workers (who were interested in election issues) and employers (who were interested in cost reimbursement and avoidance of duplicate assessments). It was agreed that all Boards were able to revise the brochure providing the revisions were keeping with the current principles and were to determine how they wanted to distribute the brochure in their own individual jurisdiction (to stakeholders: workers/employers)

**Proposed Resolution:**

1. Remove entirely from PPP Guide
2. Remain as part of PPP Guide, as is, with no changes.
3. Provide further clarification to the resolution, regardless of the 2000 date.

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**4. Provide further clarification to the resolution (new resolution), with a 2013 date. Have font in grey to show no longer relevant.**

April 13 & 14, 2000	Brochure	Each jurisdiction to determine how the brochure is to be distributed in their jurisdiction
May 28 & 29, 2013	Brochure	Brochure is no longer in use.

**Page 10 Topic-Communication (April 29 & 30, 1999)**

April 29 & 30, 1999	Communication	A brochure will be developed and will be aimed at employers and workers
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**Issue Raised:** This topic should be changed to "Brochure" as this is more appropriate than communication. Others feel this topic/resolution is no longer relevant and should be removed from the PPP guide in entirety.

**Proposed Resolutions:**

1. Remove entirely from PPP Guide
2. **Modify topic title to reflect "Brochure" rather than "Communication."** Have resolution shaded to show no longer relevant.
3. Remain as part of PPP Guide, as is, with no changes.

April 29 & 30, 1999	Brochure	A brochure will be developed and will be aimed at employers and workers
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**Page 12 Topic: Disclosure of Information-Consent when requesting Claim Information from Another Board (May 14 &15, 2008)**

May 14 & 15, 2008	Disclosure of Information Consent When Requesting Claim Information from Another Board	Privacy provisions pose some challenges to release of information in certain cases. When a Board requests medical information from another Board, for the purposes of adjudication, information has been released, in the past, without consent.
<ul style="list-style-type: none"> <li>- NFLD requests consent from the worker first and question arises as to what form of consent is required.</li> <li>- YK does not require consent due to their legislative authority.</li> <li>- NS attempts to get consent first, but their ACT says that if they are releasing information that is for the use in which they had originally collected it, it is okay to release. Will review on case by case basis.</li> <li>- SK will release information that is being requested for workers compensation purposes.</li> <li>- ON requires written consent from worker in most cases, before any health records will be released. However, ON provision stipulates that if the health care provider believes worker will harm self or others, information can be released.</li> <li>- BC takes similar position to ON, with some use similar to NS.</li> <li>- QC requires specific written consent from the worker.</li> <li>- NT states that any Medical report made out for the purposes of the claim belongs to NT.</li> <li>- MB uses “consistent use” provision. Consent would be requested if info requested by non-contracted 3<sup>rd</sup> party.</li> <li>- NB similar to MB. Application for compensation allows release.</li> <li>- <b>AB</b></li> <li>- <b>PEI</b></li> </ul>		

**Issue Raised:** AB's and PEI's opinions are not reflected. BC's opinion is not clear as to what similarities are there between ON and NS.

**Proposed Resolution:**

1. Add the opinions from AB and PEI and have BC's opinion clarified with no change to the 2008 resolution date.
2. Remain as part of PPP Guide, as is, with no changes.
- 3. Provide further clarification to the resolution (add AB and PEI and clarify BC opinions), with a 2014 date. All jurisdictions to review their positions.**



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<p>May 14 &amp; 15, 2008 <b>May 2014 (Updated)</b></p>	<p>Disclosure of Information Consent When Requesting Claim Information from Another Board <b>for IJA Claim</b></p>	<p>Privacy provisions pose some challenges to release of information in certain cases. When a Board requests medical information from another Board, for the purposes of adjudication, information has been released, in the past, without consent.</p>
<ul style="list-style-type: none"> <li>- NFLD requests consent from the worker first and question arises as to what form of consent is required.</li> <li>- YK does not require consent due to their legislative authority.</li> <li>- NS attempts to get consent first, but their ACT says that if they are releasing information that is for the use in which they had originally collected it, it is okay to release. Will review on case by case basis.</li> <li>- SK will release information that is being requested for workers compensation purposes.</li> <li>- ON requires written consent from worker in most cases, before any health records will be released. However, ON provision stipulates that if the health care provider believes worker will harm self or others, information can be released.</li> <li>- <b>BC takes similar position to ON, with some use similar to NS.</b></li> <li>- QC requires specific written consent from the worker.</li> <li>- NT states that any Medical report made out for the purposes of the claim belongs to NT.</li> <li>- MB uses “consistent use” provision. Consent would be requested if info requested by non-contracted 3<sup>rd</sup> party.</li> <li>- NB similar to MB. Application for compensation allows release.</li> <li>- <b>AB</b></li> <li>- <b>PEI</b></li> </ul>		

**Action Item:**

- ❖ **All jurisdictions to review their positions and provide any updates on topic of disclosure of information to Rhonda Dean (AB) by June 30, 2013 (Resolution dated May 14 & 15, 2008 in PPP)**

**NEW ITEM** under Item 1a.-2. Cost Reimbursement was added to the workplan.

***NEW Item 1a.-2-Cost Reimbursement-Jurisdictions to provide their positions on the topic of disclosure of information to Rhonda Dean (AB) by June 30, 2013 (Resolution May 14 & 15, 2008 in PPP). This activity will be recorded as “to be completed” in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by June 30,***

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*2013 it will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan*

**Page 19 Topic: Freedom of Information FOI (May 16 & 17, 2012)**

May 16 & 17, 2012	Freedom of Information FOI	The QC Board is limited to collect certain types of medical information due to their FOIP legislation. Therefore, it may not be exactly what the reimbursing Board always requires (e.g. affidavit for proof of date of birth).
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**Issue Raised:** The resolution is not accurate as it was not only the QC Board who indicated that they were limited to collect certain types of medical information. As well, the limitation in collection was not only in reference to medical information, but information in general. However, review of the meeting minutes only notes QC's opinion.

**Proposed Resolution:**

1. Rewrite the statement as requested to state: "Most Boards are limited to collect certain types of information due to their FOIP legislation. Therefore, it may not be exactly what the reimbursing Board always requires (e.g. affidavit for proof of date of birth)."
2. Remain as part of PPP Guide, as is, with no changes.
3. **Provide further clarification by adding a new resolution to reflect the opinion of all Boards, with a 2013 date.**

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May 16 & 17, 2012	Freedom of Information FOI	The QC Board is limited to collect certain types of medical information due to their FOIP legislation. Therefore, it may not be exactly what the reimbursing Board always requires (e.g. affidavit for proof of date of birth).
May 28 & 29, 2013	Freedom of Information FOI	Most Boards are limited to collect certain types of information due to their FOIP legislation. Therefore, it may not be exactly what the reimbursing Board always requires (e.g. affidavit for proof of date of birth).

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**Page 26 Topic: Reimbursement-Notification (April 22, 2002)**

April 22, 2002	Reimbursement Notification	IJA Coordinates were reminded to notify their Board/Committee that for potential reimbursement claims arising before June 26, 2000, notice must be given to a reimbursing Board no later than June 25, 2002 and that no reimbursements are payable on a claim unless the adjudicating Board/Commission has provided written notice within this time frame.
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**Issue Raised:** This issue is no longer relevant (referencing reimbursement of claims before June 26, 2000) and should be removed from the PPP guide in its entirety as the likelihood of another jurisdiction bringing forward a request for reimbursement from a claim prior to 2000 is highly unlikely.

**Proposed Resolution:**

1. Remove entirely from PPP Guide
2. **Remain as part of PPP Guide, as is, with no changes (as a historical reference). Have resolution shaded to show no longer relevant.**

April 22, 2002	Reimbursement Notification	IJA Coordinates were reminded to notify their Board/Committee that for potential reimbursement claims arising before June 26, 2000, notice must be given to a reimbursing Board no later than June 25, 2002 and that no reimbursements are payable on a claim unless the adjudicating Board/Commission has provided written notice within this time frame.
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**Page 29 Topic: Reimbursement-Readjudication (May 10 &11, 2011)**

May 10 & 11, 2011	Reimbursement Readjudication	Case study:
<ul style="list-style-type: none"> <li>- A worker was injured in Jurisdiction A</li> <li>- Worker is resident of Jurisdiction B</li> <li>- elected benefits in Jurisdiction A (No AAP participation).</li> <li>- Employer was registered in both Jurisdiction A and B.</li> <li>- Jurisdiction A denied the worker's claim for compensation based on the fact that the worker's accident did not arise out of and occur during the course of employment.</li> <li>- Worker proceeded to elect benefits in Jurisdiction B and had his claim accepted based on the same facts considered by Jurisdiction A.</li> <li>- Jurisdiction B then requested reimbursement of claims costs from Jurisdiction A, which were denied based on the fact that they had already denied the worker's claim for compensation and felt they should not be responsible for reimbursement.</li> <li>- Jurisdiction A noted that the worker had 2 years to submit an appeal of that decision and therefore, raised concern that the worker was able to submit a claim with Jurisdiction B.</li> <li>- Concern was raised that if the worker appeal Jurisdiction A's decision and had the decision overturned, he would be in essence receiving benefits from 2 jurisdictions.</li> </ul> <p><b>Consensus:</b></p> <ul style="list-style-type: none"> <li>- Once the worker signed the application for compensation with the Jurisdiction B, he/she had inherently removed the right to appeal with Jurisdiction A</li> <li>- With respect to the request for reimbursement, the majority of jurisdictions felt that Jurisdiction A's denial of reimbursement from Jurisdiction B was considered inappropriate readjudication by the Reimbursing Board (i.e. Jurisdiction A).</li> <li>- The decision of Jurisdiction B to accept the claim was really a question of each Board considering the weight of evidence differently to determine whether the accident arose out of and occurring during the course of the worker's employment and not really, against any statutory legislation/policy of Jurisdiction A.</li> </ul>		

**Issue Raised:** Is it appropriate to reference case study resolutions in the PPP Guide or should they only be reflected in the BPTG .

**Proposed Resolution:**

1. Remove entirely from PPP Guide. It is more appropriately suited for the BPTG.
2. Remain as part of PPP Guide, as is, with no changes.

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**Page 32 Topic: Serious Injuries (April 22, 2002)**

April 22, 2002	Serious Injuries	The IJA Committee concluded that there was no standard procedure but that the Board / Commission in the jurisdiction where the worker resided may be the most appropriate Board / Commission to contact the worker.
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**Issue Raised:** Concern raised regarding the wording and whether this is in fact appropriate presently. It was also raised that the issue/resolution is unclear and what exactly this was pertaining to.

\*A review of 2002 meeting minutes confirmed that this issue was referencing which Board should contact the family for the purposes of completing the election form in the case of a fatality/serious injury. The Committee members concluded that there was no standard procedure but it was reasonable for the Board in the jurisdiction where the worker resided may be the most appropriate jurisdiction to contact the worker. It was noted that in many cases, prior input from the employer could be used as a guide regarding who should make the first contact with the family.

**Proposed Resolution:**

1. Remain as part of PPP Guide, as is, with no changes.
- 2. Modify to provide further clarification (still with 2002 date).**
3. Modify and add 2013 date.

April 22, 2002  May 28 &29, 2013 (Clarification provided)	Serious Injuries	The IJA Committee concluded that there was no standard in place for which Board should contact the family for purposes of completing the election form. However, the Board in the jurisdiction where the worker resided may be most appropriate jurisdiction to contact the worker's family.
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**Page 33 Topic: Suit (April 22, 2002)**

April 22, 2002	Suit	<p>A jurisdiction could not by agreement under the IJA agree not to pursue suit in another jurisdiction. These types of issues would need to be dealt with on a case-by-case basis.</p> <p>- IJT employers who close their accounts are withdrawn from the IJT, if they reopen their accounts late in the same year, they would go back into the IJT.</p>
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**Issue Raised:** The first sentence requires clarification. The second sentence which reads "IJT employers who close their accounts are withdrawn from the IJT, if they reopen their accounts late in the same year, they would go back into the IJT" is not related to the topic "suit" and should be moved to AAP. The other issue raised is whether this is accurate.

\*Upon review of the 2002 meeting minutes, this discussion regarding employer closure of AAP accounts was not located.

**Proposed Resolution:**

1. Have 1st sentence remain as part of PPP Guide, as is, with no changes.
2. **Modify first sentence to provide further clarification (still with 2002 date).**
3. Modify first sentence and add 2013 date.
4. Remove second sentence from this resolution and do not add to AAP
5. **Remove second sentence and add to resolution "AAP" with the 2002 resolution date, with no changes.**
6. **Remove second sentence and add to AAP with further clarification to ensure accuracy, with a 2013 resolution date.**
7. Have second sentence remain as part of PPP Guide, as is, with no changes.

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April 22, 2002  May 28 & 29, 2013 (Clarification provided)	Suit	The IJA cannot be used as an instrument to bar third party litigation in other jurisdictions.
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April 22, 2002  May 28 & 29, 2013 (Clarification provided)	Alternative Assessment Procedures (AAP) Participation	AAP employers who close their accounts are withdrawn from the IJT, if they reopen their accounts late in the same year, they would go back into the IJT.
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**Page 34 Topic: Statistics (April 14 and 15, 1997)**

April 14 & 15, 1997	Statistics	<ul style="list-style-type: none"> <li>- Requests for reimbursement are to be reported for the calendar year in which the request was made, regardless of the year of the claim.</li> <li>- Reimbursements received shall be reported for all monies received in the calendar year, regardless of when the request was made.</li> </ul>
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**Issue Raised:** Concern raised as this should be struck completely from the PPP Guide as we now have new statistical format with new definitions to follow, despite the resolution still being appropriate for the present day statistical format that is being used for 2013.

**Resolution Options:**

1. Remove from the PPP Guide in its entirety,
2. **Remain as part of PPP Guide, as is (historical reference). Have resolution shaded to show no longer relevant.**



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April 14 & 15, 1997	Statistics	<ul style="list-style-type: none"> <li>- Requests for reimbursement are to be reported for the calendar year in which the request was made, regardless of the year of the claim.</li> <li>- Reimbursements received shall be reported for all monies received in the calendar year, regardless of when the request was made.</li> </ul>
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**Page 33 Topic: Statistics (April 29 & 30, 1999)**

April 29 & 30, 1999	Statistics	Outstanding balances are not needed. Return to old format.
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**Issue Raised:** Concern that this has no relevance presently.

**Resolution Options:**

1. Remove from the PPP Guide in its entirety,
2. **Remain as part of PPP Guide, as is (historical reference). Have resolution shaded to show no longer relevant.**

April 29 & 30, 1999	Statistics	Outstanding balances are not needed. Return to old format.
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**Page 34 Topic: Statistics (May 10 & 11, 2011)**

May 10 & 11, 2011	Statistics	Effective January 1, 2012 all jurisdictions agreed to begin using the new statistics for cost reimbursement under the IJA (or AAP).
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**Issue Raised:** Concern raised that this should reflect the new statistics were only applicable for IJA not AAP.

**Resolution Options:**

1. Remain as part of PPP Guide, as is, with no changes.
2. Modify and add "IJA" and have the 2011 resolution date remain.

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**3, Modify and add "IJA" and record a 2013 date.**

May 10 & 11, 2011	Statistics	Effective January 1, 2012 all jurisdictions agreed to begin using the new statistics for cost reimbursement under the IJA (or AAP).
May 28 & 29, 2013 (Clarification Provided)		

**Page 36 Topic: Workers' Rights (April 29 & 30, 1999)**

April 29 & 30, 1999	Workers' Rights	Jurisdictions are not required to inform workers of their rights in another jurisdiction to discourage forum shopping.
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**Issue Raised:** The resolution is not accurate as we encourage workers to be aware of their election options in other provinces.

\*A review of the 1999 meeting minutes indicate that this discussion was one very specific to recurrence and described a scenario where a worker had a claim which was initially accepted in NB and then later had a recurrence which was denied in NB. The worker then attempted to claim in QC for his recurrence and was advised by NB that he could re-elect if the worker repaid the compensation and then could claim in Quebec. No election form was signed. Discussion continued around a scenario where a worker was not aware of his rights and/or the impact of his election and as a result, the claim was transferred to another jurisdiction. Jurisdictions discuss whether Boards were providing adequate information to workers to make informed elections. It was noted that all jurisdictions agreed that they are not required to inform workers of their rights in another jurisdiction. The meeting minutes do not note any discussion as to the resolution described above.

**Resolution Options:**

1. Remain as part of PPP Guide, as is, with no changes.
2. Remove from the PPP Guide, in its entirety.
3. Modify the resolution to provide further explanation, with 1999 date.
- 4. Add a new resolution, with a 2013 date to state consensus of committee members regarding the topic of forum shopping (Have resolution shaded to show no longer relevant.**

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April 29 & 30, 1999	Workers' Rights	Jurisdictions are not required to inform workers of their rights in another jurisdiction to discourage forum shopping.
May 28 & 29, 2013	Workers' Rights	Jurisdictions should not inform workers of benefits they may be entitled to in other jurisdictions, however, should inform workers of their potential right of election in another jurisdiction.

**Page 36 Topic: Working Documents IJA (April 22, 2002)**

April 22, 2002	Working Documents IJA	<p>-It was agreed that the IJA Working Document could be distributed with appropriate disclaimers i.e. document does not represent the original document, and is for information purposes only.</p> <p>-The Agreement is between Boards and the requester should be reminded that they are not a party to it and have no rights under it.</p> <p>-There were no known objections to posting the working document on a Board's website, so long as appropriate disclaimers were noted.</p> <p>-It was also stated that it would not be appropriate to post the Interjurisdictional Agreement itself.</p>
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**Issue Raised:** The last sentence in the resolution is not applicable presently as the IJA is posted on the AWCBC website and has been for some time. Therefore, it was requested that this last sentence be removed.

**AWCBC ALL COMMITTEE CONFERENCE  
INTERJURISDICTIONAL COMMITTEE MEETING**

**May 28-29, 2013**

The Radisson Admiral Hotel, 249 Queen's Quay West, Toronto, Ontario

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\*A review of the 2002 meeting minutes confirmed that this issue was pertaining to requests for copies of the IJA and it was agreed that the IJA Working Document could be distributed with appropriate disclaimers (i.e. document does not represent the original document, and is for information purposes only. It was noted that the Agreement was meant to be between Boards and the requestor should be reminded that they are not a party to it and have no rights under it. There were no known objections to posting the working document on a Board's website, as long as appropriate disclaimers were noted. It was also stated that it would not be appropriate to post the Interjurisdictional Agreement itself.

**Proposed Resolution:**

1. Remove the last sentence without changing the 2002 date.
2. **Remain as is, but also add a new resolution date of 2013, stating that it was agreed that it was now agreed that it was now appropriate to post the IJA itself, as is posted on AWCBC.**

April 22, 2002	Working Documents IJA	-It was agreed that the IJA Working Document could be distributed with appropriate disclaimers i.e. document does not represent the original document, and is for information purposes only. -The Agreement is between Boards and the requester should be reminded that they are not a party to it and have no rights under it. -There were no known objections to posting the working document on a Board's website, so long as appropriate disclaimers were noted. -It was also stated that it would not be appropriate to post the Interjurisdictional Agreement itself.
May 28 & 29, 2013 (Clarification Provided)	Working Documents IJA	Above resolution refers to "Working Document" only. The signed IJA is available on the AWCBC website.

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Rhonda Dean (AB) agreed to make these revisions to the Protocols, Practices & Procedures (PPP) document by December 31, 2013 and Glenn Jones (MB) agreed to distribute the updated document to committee members by January 7, 2014. All committee members agreed to provide feedback on the updated document, no later than January 31, 2014.

**Action Item:**

- ❖ **Rhonda Dean is to update the PPP with updates and new resolutions as agreed and documented in the May 2013 AWCBC meeting by December 31, 2013.**
- ❖ **Chair (Glenn Jones, MB) is to distribute the updated PPP to all Committee members by January 7, 2014.**
- ❖ **All Committee members are to provide feedback on the updated PPP by January 31, 2014.**

**3 NEW ITEMS** under Item 1a.-2. Cost Reimbursement was added to the workplan.

***NEW Item 1a.-2-Cost Reimbursement-Update PPP with updates and new resolutions by December 31, 2013. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by December 31, 2013 it will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.***

***NEW Item 1a.-2-Cost Reimbursement-Distribute the updated PPP to all Committee members by January 7, 2014. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by January 7, 2014 it will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.***

***NEW Item 1a.-2-Cost Reimbursement-All Committee members to provide feedback on the updated PPP by January 31, 2014. This activity will be recorded as "to be completed" in the 2013 workplan update and will carry forward to the 2014 workplan. If the activity is completed by January 31, 2014 it will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.***

**7. AD HOC**

Sophie Genest (QC) requested clarification from other jurisdictions regarding the scenario of where it was determined that an employer should have been registered with the Reimbursing Board, however, was unaware and paid all assessments to the Adjudicating

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Board. As a result, the Reimbursing Board collected retroactive assessments, interest and in some cases, assessed penalties. Sophie questioned whether this was in fact a fair practice since the employer was not aware of apportionment rules and mistakenly did not understand that they needed to register outside of Quebec since CSST was covering their workers, everywhere outside of Quebec.

Sophie asked whether it was possible for jurisdictions to consider having these penalties waived. Mark Powers (BC) noted that it is important for jurisdictions to be aware that policies and implication for penalties are different in all provinces. Rhonda Dean (AB) suggested that it would be appropriate for the Board to simply have the employer contact the Board where penalties are being levied to discuss their options for appeal and/or waiving of the penalties. Other jurisdictions agreed that this would not be considered a role of the Interjurisdictional Coordinator and important that it remain with the appropriate assessment department of the concerned jurisdiction. Other jurisdictions pointed out the fact that an employer was not registered, but was expected to be registered, was not a basis for denying reimbursement.

Glenn Jones (MB) reminded jurisdictions that effective May 2015, Melody Mladineo (NB) was to be the assigned Chair, however, considering that she was new to the Committee this year, Ann Martin (NL) agreed to take over Chair responsibilities at the end of the meeting in May 2014. After Ann's two year term as Chair, Melody Mladineo (NB) would resume her role for two years. Glenn confirmed that he would still be responsible for circulating meeting minutes and the final work plan for the May 2014 meeting.

Sharon Cameron (PEI) confirmed with Committee members that she was able to obtain Executive Approval to modify the IJA Committee's mandate on the workplan to now include "and its application," as discussed. Therefore, the mandate now read as follows: **"To support the interjurisdictional cooperation and awareness on Workers' Compensation matters through monitoring, evaluating, upholding and improving the IJA and its application."**

**8. Adjournment**

Meeting concluded May 29, 2013 at 9:30 a.m.