

**AWCBC ALL COMMITTEE CONFERENCE
INTERJURISDICTIONAL COMMITTEE MEETING**

April 30 and May 1, 2014

The Omni King Edward Hotel, 37 King Street East, Toronto, Ontario

2014 DRAFT MINUTES

Sharon Cameron (Executive Sponsor, Prince Edward Island)-Via Telephone

Glenn Jones (Manitoba)

Rhonda Dean (Alberta)

Lorraine Thompson (Alberta)

Jan Glemba (Alberta)

William (Bill) Ostapek (Alberta)

Curtis Craig (Alberta)

Mark Powers (British Columbia)

Deepak Kothary (British Columbia)

Lloyd Hikida (British Columbia)

Melody Mladineo (New Brunswick)

Ann Martin (Newfoundland)

Suzette Doyle (Newfoundland)

Marlene Bonnell (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-Paula Arab (Nova Scotia)

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1. Call to Order (Agenda Item #1)

Glenn Jones (MB, Chair) called the meeting to order at 9:05 am. Sharon Cameron (PEI, Executive Sponsor) joined by phone at 9:55 am.

2. Welcome and Introductions (Agenda Item #2)

Glenn Jones (MB) welcomed all attendees and requested round table introductions. A special welcome was made to new members, Curtis Craig and Lorraine Thompson (AB), Suzette Doyle (NL) and Marlene Bonnell (NWT). Marlene (NWT) will be attending future IJA meetings with Shirley Walsh (NWT). Glenn also advised members that Sharon Cameron (Executive Sponsor, PEI) would be attending later by telephone.

Glenn noted that Barb Groome Wynne (PEI) was the IJA's Communications Committee representative (presently Chair of the Communications Committee)

Regretfully, Paula Arab (NS) was not able to attend.

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

No new agenda items were added.

Bill Ostapek (AB) moved that the agenda be adopted. Sophie Genest (QC) seconded the motion. All were in favor.

4. Review and Approval of 2013 Minutes. (Agenda Item #4)

No further changes were recommended to the 2013 meeting minutes (previously submitted by email on March 13, 2014, with attachment named 2013 Minutes Draft Mar12.14.doc). As Mark Powers (BC) had not provided feedback on the minutes, he confirmed that he did not have any recommended changes to the minutes.

Ann Martin (NL) moved that the meeting minutes be adopted and Kate Marshall (PEI) seconded the motion. All jurisdictions approved the minutes.

Final meeting minutes for 2013 were agreed to be distributed to all Committee members by May 30, 2014.

Action Item:

Glenn Jones (MB) to distribute final approved minutes for 2013 to all Committee members by May 30, 2014.

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5. Action Arising from 2013 Minutes (Agenda Item #5)

**Please note: The workplan dated March 31, 2014 and e-mailed April 22, 2014 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.

➤ **Workplan Item 1. (i) Elections (Update PPP regarding Requirement of Election Form under 4.1)**

Glenn Jones (MB) confirmed that Rhonda Dean (AB) updated the PPP with a new resolution regarding requirement of the election form under Section 4.1 of the IJA (page 26). This was provided to all members in an email dated April 22, 2014 (document is dated April 17, 2014).

Item 1 (i) Elections will be recorded as “completed” in the 2014 workplan update and will not carry forward to the 2015 workplan.

➤ **Workplan Item 1. (ii) Cost Reimbursement (Minimum Information Required)**

Glenn Jones (MB) confirmed that Kate Marshall (PEI) was provided with all jurisdictions’ positions as to the minimum information required prior to requesting reimbursement from another Board. This information was updated in Module 3.1 of the Best Practice Guide (BPG) and circulated to all jurisdictions (document was dated April 2014 and emailed to all jurisdictions on April 22, 2014).

Item 1 (ii) Cost Reimbursement (Minimum Information Required) will be recorded as “completed” in the 2014 workplan update and will not carry forward to the 2015 workplan.

➤ **Workplan Item 1. (ii) Cost Reimbursement (Jurisdictions’ Positions on Topic of Disclosure of Information):**

Glenn Jones (MB) confirmed that (received by February 25, 2014) Rhonda Dean (AB) was provided with all jurisdictions’ positions on the topic of disclosure of information (Resolution dated May 14 & 15, 2008 in PPP). This was updated in the PPP document dated April 2014.

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Item 1 (ii) Cost Reimbursement (Jurisdictions' Positions on Topic of Disclosure of Information) will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.

➤ **Workplan Item 1. (ii) Cost Reimbursement (Jurisdictions' Positions on Topic of Reimbursement when Different Employer Accounts Exist)**

Glenn Jones (MB) confirmed that all jurisdictions had provided their position on whether reimbursement would be applicable when different employer accounts existed (received by March 21, 2014). This was circulated to all committee members on March 31, 2014.

Discussion surrounding this topic was deferred to Agenda item 6 l).

Item 1 (ii) Cost Reimbursement (Jurisdictions' Positions on Topic of Reimbursement when Different Employer Accounts Exist) will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.

➤ **Workplan Item 1. (ii) Cost Reimbursement (Update BPG and PPP)**

Glenn Jones (MB) confirmed that both Rhonda Dean (AB) and Kate Marshall (PEI) updated the BPG and PPP in April 2014 and the documents were circulated to all committee members on April 22, 2014. Members provided feedback on both documents during this meeting. However, feedback will be outlined under Agenda items 6 k) and l).

Item 1 (ii) Cost Reimbursement (Update BPG and PPP) will be recorded as "completed" in the 2014 workplan update and will not carry forward to the 2015 workplan.

➤ **Workplan Item 2. Alternative Assessment Procedure-AAP (Review/Develop AAP Procedures and Incorporate into Best Practice Guide (BPG))**

Once all amendments were completed and approved (including Appendices), then procedures relating to the AAP could be developed and incorporated into the Best Practice Guide (BPG), and approved accordingly. As such, this item was still noted as "to be completed" with no target date established.

Item 2 Alternative Assessment Procedure (Review/Develop AAP Procedures and Incorporate into Best Practice Guide (BPG)) will continue to be recorded as "to be completed" and a target date of "TBD" in the 2014 workplan update. It will carry forward to the 2015 workplan and will be recorded as "completed" in the 2015 workplan update only if all activities of item 2 are completed. At that point, it will not carry forward to the 2016 workplan

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➤ ***Workplan Item 3. AAP-Approval of AAP Bus Codes (Appendix E and A)***

Glenn Jones (MB) confirmed that all jurisdictions provided their pre-approval of the 3 new bus codes for AAP (received by August 28, 2013). On August 29, 2013 Glenn circulated the 3 new bus codes along with their effective date of January 1, 2015 to IJA Committee/Executive Sponsor, Sharon Cameron (PEI). Sharon Cameron (PEI) submitted the new bus codes and their effective date to AWCBC Executive for approval on September 30, 2013. Approval was provided on October 10, 2013.

Glenn Jones (MB) confirmed that all jurisdictions reviewed Appendix A and provided necessary revisions (by February 26, 2014). The revised Appendix A was circulated to all IJA Committee members also on February 26, 2014. The discussion surrounding this topic is outlined further under new business, agenda item 6 a).

Item 3 AAP-Approval of AAP Bus Codes (Appendix E and A) will be recorded as “completed” in the 2014 workplan update and will not carry forward to the 2015 workplan.

➤ ***Workplan Item 4. Collaboration with Motor Coach***

Glenn Jones (MB) confirmed that the AAP was approved by AWCBC Executive and confirmation of execution by Quebec Board’s president was received on September 30, 2013.

Item 4. Collaboration with Motor Coach will be recorded as “completed” in the 2014 workplan update and will not carry forward to the 2015 workplan.

➤ ***Workplan Item 5. Statistic for AAP/IJA Procedures***

Kate Marshall (PEI) confirmed that all jurisdictions provided feedback regarding difficulties/concerns with the newly revised IJA/AAP statistic tables and definitions (received by September 3, 2013). The summary of the concerns was provided to the Chair (on September 3, 2013) and a briefing note was sent (on September 5, 2013) to the Executive Sponsor, Sharon Cameron (PEI). On October 3, 2013 Sharon (PEI) inquired with the AWCBC (Cheryl Tucker) as to the use and purpose of the AAP/IJA statistics. The AWCBC confirmed that they did not require the statistics for any purpose. This information was reported back to the IJA Committee on October 10, 2013. As a result, all jurisdictions were not required to provide AWCBC with 2013 yearly statistics for IJA/AAP.

Discussion surrounding the need to continue to report IJA/AAP statistics to AWCBC was deferred to agenda item 6 i).

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In addition, on October 30, 2013 Mark Powers (BC) confirmed that he was able to share the automated system they used for tracking the IJA/AAP statistics. Discussion surrounding this topic was deferred to agenda item 6 i).

Item 5. Statistics for AAP/IJA Procedures will be recorded as “completed” in the 2014 workplan update and will not carry forward to the 2015 workplan.

➤ **Workplan Item 6. Long Latency Occupational Disease Criteria**

On June 11, 2013 Kate Marshall (PEI) sent the revised Long Latency Occupational Disease table to Cheryl Tucker at the AWCBC for posting on the IJA repository.

Item 6. Long Latency Occupational Disease Criteria will be recorded as “completed” in the 2014 workplan update and will not carry forward to the 2015 workplan.

➤ **Workplan Item 7. AWCBC IJA Repository Clean-up**

Discussion surrounding this topic was deferred to agenda item 6 b).

Item 7. AWCBC IJA Repository Clean-up will continue to be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan.

➤ **Workplan Item 8. Cost Relief Review/Clarification**

Glenn Jones (MB) confirmed that all jurisdictions had communicated with their front-line staff that cost relief decisions under IJA/AAP were only to be administered by the Reimbursing Board (completed December 31, 2013).

Item 8. Cost Relief Review/Clarification will be recorded as “completed” in the 2014 workplan update and will not carry forward to the 2015 workplan.

➤ **Workplan Item 9. Update IJA Committee Mandate**

On May 30, 2013 Executive Sponsor, Sharon Cameron (PEI) confirmed that the AWCBC Executive approved the mandate change on the workplan to now read “To support Interjurisdictional co-operation and awareness on Workers’ Compensation matters through monitoring, evaluating, upholding and improving the IJA *and its application*” (italicized wording was added).

Item 9. Update IJA Committee Mandate will be recorded as “completed” in the 2014 workplan update and will not carry forward to the 2015 workplan.

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6. New Business (Agenda Item #6)

6. a) Updated Appendix "A":

Glenn Jones (MB) confirmed that Appendix A was updated (Limits of Participation by Signatory Board) and the revisions were circulated on February 26, 2014 to reflect the current limits of participation. It was noted that there was no response from BC, NU/NWT and SK, however, it was assumed there were no changes as there were no existing limits with those Boards. At the last meeting, it was clarified that no approval was required from AWCBC Executive as we are not amending the actual IJA, but merely stating the limitations of the parties to the IJA. The only approval required was that from IJA Committee members. Sophie Genest (QC) made a motion to accept the revised Appendix A as outlined and Caroline (SK) seconded the motion. All committee members were in favor.

The revised Appendix A would be sent to AWCBC for French translation and then would replace the existing Appendix A.

6. b) AWCBC Repository Cleanup of IJA Materials:

Mark Powers (BC) indicated that the review and cleanup of the IJA document materials was not yet completed, however noted that some progress was made. All jurisdictions agreed to review the IJA document repository and provide any feedback and/or recommendations to Mark by June 30, 2014. Mark agreed to then review and make any necessary changes to the IJA document repository by May 2015.

Action Items:

- ❖ **All jurisdictions are to review the IJA document repository and provide any feedback and/or recommendations to Mark Powers (BC) by June 30, 2014.**
- ❖ **Mark Powers (BC) is to review and make any necessary changes to the IJA document repository and submit it to Cheryl Tucker (AWCBC) by May 2015.**

2 NEW ITEMS were added to the workplan update (which will be continued to be noted as Item 7).

#1 NEW Item 7-AWCBC IJA Repository Cleanup-All jurisdictions are to review IJA document repository and provide any feedback/recommendations to Mark Powers (BC) by June 30, 2014. This activity will be recorded as "to be completed" in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May, 2015 it will be recorded as "completed" in the 2015 workplan update and will not carry forward to the 2016 workplan.

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#2 NEW Item 7-AWCBC IJA Repository Cleanup-Mark Powers (BC) will review and make any necessary changes to the IJA document repository and submit it to Cheryl Tucker (AWCBC) by May 2015. This activity will be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as “completed” in the 2015 workplan update and will not carry forward to the 2016 workplan.

6. c) Cost Relief: Jurisdictional Review:

Glenn Jones (MB) provided a brief summary of the issue. As per PPP Guide resolutions dated September 22 & 23, 1997 and September 28 & 29, 1999, the IJA Committee agreed that cost relief was not a function on the Adjudicating Board since the assessment costs follow the employer to the jurisdiction where the injury occurred, which is the Reimbursing Board’s jurisdiction. As such, it was agreed that cost relief should be dealt with under the legislation/policies of the Reimbursing Board. Unfortunately, this process was not always adhered to by all jurisdictions. As a result, all jurisdictions had agreed to confirm with their front line staff by December 31, 2013 that cost relief decisions under the IJA/AAP were only to be administered by the Reimbursing Board.

Glenn (MB) confirmed that all jurisdictions confirmed that their front line staff were advised not to administer cost relief decisions on IJA claims, with the exception of Nova Scotia and Ontario. Nova Scotia confirmed that this process was not applicable to their jurisdiction as they do not have any cost relief provisions. Ontario confirmed that due to their Board’s policies and experience rating cut-off dates, they are obligated to continue to make cost relief decisions, where applicable, regardless if another Board may provide reimbursement on the claim in the future. In the event that the Ontario Board receives subsequent reimbursement from another Board, any amounts that are reimbursed would be removed from the employer’s accident cost statement in Ontario and cost relief would no longer apply to those amounts. Employers may still receive cost relief from the Ontario Board on any shortfall that is not reimbursed by another Board.

Robin Sensilet (ON) requested that the PPP Guide be updated to reflect their position on this topic. Rhonda Dean (AB) agreed to do so.

6. d) Benefits in Kind Assistance:

Kate Marshall (PEI) indicated that their Board’s Medical Advisor approached her following a discussion at the Medical Director’s meeting regarding difficulties some Boards were having obtaining an impairment assessment in a jurisdiction where a worker resided rather than having the worker travel to the jurisdiction managing the claim. Kate also indicated that recently she had spoken to a couple of workers who were injured while working in another jurisdiction and were potentially being required to travel to the other side of the country to

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attend treatment and/or assessment that may have been accessible much closer to home. In one case, Kate indicated that the worker stated that he was told that he had to travel back to the province where he was injured as he had to be assessed by doctors that the Adjudicating Board paid for. Kate voiced concern as this suggested bias from the perspective of the worker. Kate indicated that by not exploring options regarding whether treatment/assessment may be available closer to the home of the worker certainly contradicts the spirit of the IJA with respect to Section 6, which relates to Benefits in Kind. She indicated that this may simply be a lack of understanding from the claims staff and wondered whether Committee members could in fact clarify this with their staff.

Bill Ostapek (AB) indicated that one of the challenges the Alberta Board has faced when using out of province providers is that adequate information is not always received and other times, other information is submitted that is not pertinent. Therefore, the Alberta Board has found that it was often more cost effective to use its own contracted healthcare providers who are obligated to follow certain standards and reporting requirements. Rhonda Dean (AB) also indicated that another challenge is communication with the out of province providers which makes arrangements sometimes difficult and the results not as favorable.

Lloyd Hikida (BC) confirmed that their jurisdiction certainly can assist other jurisdictions with Permanent Functional Impairment (PFI) examinations.

Kate felt that there needed to be a balance and suggested that it may be beneficial to have both the IJA Contact List and the Best Practice Guide (BPG) updated to include an up-to-date list of contacts from each jurisdiction for arranging services in each of the following categories:

- Independent Medical Examinations;
- Vocational Services; and
- Rehabilitation Programs.

All jurisdictions agreed to provide the updated contacts for their jurisdiction with respect to independent medical examinations, rehabilitation programs and vocational services to Kate by May 30, 2014. Kate agreed to provide the updated list to the AWCBC for placement in the IJA repository under the IJA contact list document by June 30, 2014. All jurisdictions agreed to share the contact list with their internal staff by July 31, 2014.

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Action Items:

- ❖ **All jurisdictions are to provide the updated contacts for their jurisdiction with respect to Benefits in Kind services: Independent medical examinations, rehabilitation programs, and vocational services to Kate Marshall (PEI) by May 30, 2014.**
- ❖ **Kate Marshall (PEI) is to provide the updated list to Cheryl Tucker (AWCBC) for placement in the IJA repository under the IJA contact list document by June 30, 2014.**
- ❖ **All jurisdictions are to share the updated Benefit in Kind contact list with their internal staff by July 31, 2014.**

3 NEW ITEMS were added to the workplan update (which will be outlined as Item 11).

#1 NEW Item 11-Benefits in Kind Contact List-All jurisdictions are to provide updated contacts for their jurisdictions with respect to independent medical examinations, rehabilitation programs, and vocational services to Kate Marshall (PEI) by June 30, 2014. This activity will be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as “completed” in the 2015 workplan update and will not carry forward to the 2016 workplan.

#2 NEW Item 11- Benefits in Kind Contact List-Kate Marshall (PEI) will provide the updated list to Cheryl Tucker (AWCBC) for placement in the IJA repository under the IJA contact list document by June 30, 2014. This activity will be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as “completed” in the 2015 workplan update and will not carry forward to the 2016 workplan.

#3 NEW Item 11- Benefits in Kind Contact List-All jurisdictions are to share the updated Benefit in Kind contact list with their internal staff by July 31, 2014. This activity will be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as “completed” in the 2015 workplan update and will not carry forward to the 2016 workplan.

6. e) Election Notices:

Sophie Genest (QC) again wanted to remind all jurisdictions that election notices are to be sent to another jurisdiction immediately when a worker elects to claim benefits with an Adjudicating Board in order to prevent double compensation and reimbursement problems. She also indicated that a past appeal decision from their Board ruled that the consent to elect benefits must be in writing and verbal consent was not considered sufficient. Although this item has been on the agenda for the past two years, Sophie has noted that this is still an issue with some jurisdictions.

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Rhonda Dean (AB) advised that their Board's procedures were going to be updated to include this provision/expectation. Rhonda Dean (AB) has indicated that with the PPP now being updated, the process and expectation of sending election forms to other jurisdictions is clearly outlined for any new staff.

No new action item was required for the workplan.

6. f) Update on AB/MB \$ for \$ Pilot Agreement:

Glenn Jones (MB) has advised that although they have not tracked any yearly statistics they are pleased with the dollar-for-dollar arrangement with the Alberta Board. He indicated that there has been huge cost savings with respect to time spent with reimbursement as a result of the dollar-for-dollar agreement.

Rhonda Dean (AB) provided an update after review of the 2013 statistics. She noted that if the dollar-for-dollar agreement was not in place, the shortfall with the Manitoba Board would have been 9.2%, which translates to a total of only \$18 873.77. This percentage was up from last year (2012) where the percentage was only 5.3%. However, Rhonda had indicated that the total requests for reimbursement from the Manitoba Board had nearly dropped in half from \$550 000 (in 2012) to \$205 000 (in 2013). Rhonda also noted the increase in shortfall percentage was partially due to a large claim where there was a significant discrepancy in the worker's compensation rate where the worker was earning more than Alberta's maximum insurable earnings. Regardless, of the increase in shortfall percentage, the Alberta Board is also pleased with the present dollar-for-dollar agreement and intends to continue.

Robin Senzilet (ON) had asked whether there has been any concern raised from employers regarding the dollar-for-dollar reimbursement. Rhonda Dean (AB) confirmed that to date, no concerns were raised from any employer group. Mark Powers (BC) noted that if the Interjurisdictional Agreement did not exist, employers would be expected to pay 100% of the claims costs for workers who claimed in their home province for injuries that did not occur in their jurisdiction. Mark (BC) also advised that although they cannot enter into a dollar-for-dollar agreement with other jurisdictions, they can get very close to dollar-for-dollar reimbursement. They are limited to their legislated maximums with respect to wage rates.

The Ontario Board confirmed that they may consider a dollar-for-dollar agreement with Manitoba once their new computer system is in place.

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Rhonda Dean (AB) also advised that effective January 1, 2014 the Alberta Board entered into a dollar-for-dollar agreement with the Yukon Board. This was added to the PPP (to be reviewed later).

No new action item was required for the workplan.

6. g) Reimbursement Corrections-Time Limits?:

Sophie Genest (QC) indicated that they had a claim where they were receiving reimbursement from the Manitoba Board. After approximately 1 ½ years the Manitoba Board realized that they had inappropriately reimbursed nearly \$20 000 as they had issued reimbursement after the worker turned age 65, which was outside of their legislation perimeters. As a result, the Manitoba Board requested reimbursement back from the Quebec Board. There were some complications as the employer was already provided with cost relief.

Glenn pointed out that there were certainly inconsistencies with how jurisdictions were handling overpayment situations. Glenn indicated that he presently has a claim to review from another jurisdiction for an entire wage loss recalculation from April 23, 2008 to April 17, 2013. He also noted that he had another claim where another Board returned Manitoba's original reimbursement cheque and provided recalculated benefits from February 1, 2009 to January 24, 2013.

Although the IJA itself does not impose limits on reimbursement, the issue was raised as to whether jurisdictions wanted to set any guidelines. All jurisdictions agreed that there should be no time limits on reimbursement in these situations. However, Bill Ostapek (AB) noted that all jurisdictions should make their best effort to pursue these recoveries in a reasonable period of time after discovery. Therefore, with the specific example raised by Quebec, the Quebec Board should reimburse Manitoba.

No new action item was required for the workplan.

6. h) Revise Appendix "D": (AAP Application Form)

During French translation, Sophie Genest (QC) noted that the AAP Application form was missing a space for individuals with personal coverage and also noted that the payment options on page 2 were not entirely relevant. The final French translation was posted on the AWCBC repository on January 9, 2014. Robin Senzilet (ON) has noted the form will need to be updated before January 1, 2015 in order to accommodate the new bus industries.

Specific concern was raised with respect to page 2 of Appendix D which referred to "Payment and Reporting Options," specific to #1. This section read as follows:

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“Payment and reporting options

A firm engaged in an eligible Interjurisdictional industry may elect one of the following options:

- 1. Report earnings and pay premiums to each workers’ compensation authority for work performed in that jurisdiction. In trucking and transportation industries, earnings and premiums are based on a percentage of kilometres driven in each province or territory.*
- 2. Elect the AAP, which allows the firm to report interjurisdictional earnings and pay premiums for a worker to the workers’ compensation authority in the jurisdiction where the worker lives.”*

Some jurisdictions raised concern with the options outlined as this form was designed for participation in the AAP and the option of pro-rating mileage would not be applicable for this form. Jurisdictions felt that the options could be outlined in a brochure specific to each jurisdiction, where options are clearly defined.

It was also noted that information relating to personal coverage holders was not included anywhere in the form. Deepak Kothary (BC) and Sophie Genest (QC) agreed to review the form further (outside of the meeting) and determine whether a specific area was required for personal coverage holders opting to participate in the AAP.

It was also recommended that “busing industries” should be included in the form where it stated “trucking and transportation industries,” if section 1 remained.

Deepak Kothary (BC) agreed to review the recommended changes to Appendix D with the Assessment Committee on June 9, 2014 and provide the revised document to the Chair by June 30, 2014. The Chair agreed to circulate the revised document to all committee members to review and approve by July 15, 2014. Sophie Genest (QC) agreed to have the revised document translated to French by July 30, 2014. All jurisdictions agreed to provide their approval of the document by July 30, 2014 in order to submit the approved Appendix D to AWCBC for posting on the website by August 29, 2014.

Action Items:

- ❖ Deepak Kothary (BC) is to review the recommended changes to Appendix D with the Assessment Committee and provide a revised Appendix D by June 9, 2014.**
- ❖ Deepak Kothary (BC) is to provide the revised Appendix D to the Chair by June 30, 2014.**

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- ❖ **The Chair is to circulate the revised Appendix D to all committee members for review and approval by July 15, 2014.**
- ❖ **Sophie Genest (QC) is to have the revised Appendix D translated to French by July 30, 2014.**
- ❖ **All jurisdictions are to provide their approval of the revised Appendix D by July 30, 2014.**
- ❖ **The Chair is to provide the approved Appendix D to AWCBC for posting on the website by August 29, 2014**

6 NEW ITEMS were added to the workplan update (which will be outlined as Item 12- Appendix D Revision).

#1 NEW Item 12-Appendix D Revision-Deepak Kothary (BC) is to review the recommended changes to Appendix D with the Assessment Committee and provide a revised Appendix D by June 9, 2014. This activity will be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as “completed” in the 2015 workplan update and will not carry forward to the 2016 workplan.

#2 NEW Item 12 Appendix D Revision-Deepak Kothary (BC) is to provide the revised Appendix D to the Chair by June 30, 2014. This activity will be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as “completed” in the 2015 workplan update and will not carry forward to the 2016 workplan.

#3 NEW Item 12 Appendix D Revision -The Chair is to circulate the revised Appendix D to all committee members for review and approval by July 15, 2014. This activity will be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as “completed” in the 2015 workplan update and will not carry forward to the 2016 workplan.

#4 NEW Item 12 Appendix D Revision -Sophie Genest (QC) is to have the revised Appendix D translated to French by July 30, 2014. This activity will be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as “completed” in the 2015 workplan update and will not carry forward to the 2016 workplan.

#5 NEW Item 12 Appendix D Revision -All jurisdictions are to provide their approval of the revised Appendix D by July 30, 2014. This activity will be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is

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completed by May 2015 it will be recorded as “completed” in the 2015 workplan update and will not carry forward to the 2016 workplan.

#6 NEW Item 12- Appendix D Revision -The Chair is to provide the approved Appendix D to AWCBC for posting on its website by August 29, 2014. This activity will be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as “completed” in the 2015 workplan update and will not carry forward to the 2016 workplan.

6. i) IJA/AAP Statistics-Future Tracking & BC Software Demo:

Glenn Jones (MB) noted that on October 10, 2013 Sharon Cameron (Executive Sponsor, PEI) advised the IJA Committee that the AWCBC Executive gave their approval to stop collecting statistics for the AWCBC as they confirmed that they did not use the statistics for any strategic planning purposes. However, Glenn suggested that it would be beneficial for the IJA Committee to come to some consensus as to whether there was any value in having any sort of statistical records shared between jurisdictions. Paula Arab (NS) provided a written comment indicating that there may be some value in having some very basic statistics available for comparison purposes which could be kept internally. She indicated that their Board provides annual IJA statistics to their Executive which essentially records the amount received and the amounts paid. Most jurisdictions agreed that they provided similar statistics internally to their Executive. The consensus was that there was no value in sharing any statistical records amongst individual jurisdictions at this time.

Mark Powers (BC) indicated that their Board developed software specific to IJA claims. On October 30, 2013 Mark advised that he discussed the software with the developer who did not see any copyright issues to share with other jurisdictions. However, Deepak Kothary (BC) indicated that they were in the process of updating their software to become more user friendly and therefore felt it may be premature to share at this point. They indicated that they would share the software once their update was complete.

No new action item was required for the workplan.

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6. j) Conflict with Section 3.2 (d) and (e) and AAP Optional Coverage Employers:

Bill Ostapek (AB) raised concern with Section 3.2 (d) and (e) which speaks to optional account holders and noted that these sections appear to exclude all optional account holders from coverage under the IJA unless they maintain coverage in all jurisdictions where they perform work. He noted that there does not appear a similar exemption from this restriction within the AAP portion of the IJA which he suggested may be an oversight on the part of the drafter of the IJA, but essentially it appears to undermine the basis of the AAP and would theoretically prevent any voluntary or personal coverage holder from participating in the AAP. This raises concerns as the Alberta Board's assessment staff routinely register these sorts of accounts for AAP participation and suspected most other jurisdictions do as well.

Section 3.2 (d) and (e) of the IJA which states in part:

"Agreement does not apply

3.2 *This Agreement does not apply to:*

a)...

b)...

c)...

d) Any employment for which coverage may be obtained only by application in the jurisdiction in which work is performed or undertaken, unless coverage is in force in both the jurisdiction of residence or usual employment and the one in which the work is undertaken or performed;

e) Personal coverage for working employers, directors and executive officers of a corporation, partners in a partnership, proprietors, or independent operators, unless coverage is in force in both the jurisdiction of residence or usual employment and the one in which the work is undertake or performed;...

Glenn Jones (MB) noted that the older version of the IJA also did not offer a specific exclusion either but indicated that it did provide Section 12.1 (d) which defined an "Independent Operator" as having optional coverage in at least one jurisdiction and having the AAP available under Section 12.2 (a). The revised IJA has a similar definition with "Electing Participant" pursuant to Section 12.1 (c) (ii) and the availability of the AAP to such Electing Participants under Section 12.2. Glenn's opinion was that one could interpret Section 3.2 (d) and (e) to mean that the dual coverage exemption noted in both ("unless coverage is in force in both the jurisdiction of residence or usual employment and the one in which the work is undertaken or performed") is met simply by having an entitlement to coverage in both (right of election) rather than actually paying assessments for coverage to both jurisdictions. Therefore, as long as an optional account holder properly registered itself with the Registering Board and paid assessments to the Assessing Board, the AAP employer would in fact meet the exemption of having coverage in force in both the

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jurisdiction of residence or usual employment (Assessing Board would be the jurisdiction of residence) and the jurisdiction in which the work is undertaken or performed (Registering Board (s)).

Glenn went on to opine that although dual coverage under the “regular IJA” could only be achieved by paying assessments to each jurisdiction in which work was being performed, an AAP employer would be considered to have dual coverage (therefore, exempt from Section 3.2 (d) and (e)) as long as the employer was in compliance with the AAP, that is, if properly notified/registered with the Registering Board (s) and paying full assessments to the Assessing Board.

Rhonda Dean (AB) indicated that this issue was raised as a result of a specific claim scenario where an independent operator purchased optional personal coverage at the minimum in Jurisdiction A (i.e. \$20, 000 coverage) under the AAP and then happened to be injured in a different jurisdiction, Jurisdiction B. The worker elected benefits with Jurisdiction B and Jurisdiction B issued benefits to the worker based on the worker’s demonstrated earnings rather than on the minimum coverage purchased from Jurisdiction A. Jurisdiction B then sought full reimbursement under the AAP from Jurisdiction A. Jurisdiction A was only able to collect assessments for the minimum purchased in this case, which was \$20 000. As a result of this scenario, the following questions were raised:

- Should Jurisdiction A have to provide 100% reimbursement when the employer only collected assessments on the minimum personal coverage purchased?
- Should AAP reimbursement be limited to the minimum coverage purchased by the worker?
- Should personal coverage workers be excluded from participation in the AAP?

Ultimately, this discussion raised questions as to whether the IJA required some revisions to deal with these types of scenarios or whether it was necessary to have a requirement that the Registering Board verify level of coverage for personal coverage holders with the Assessing Board who have opted to participate in the AAP, prior to issuing benefits?

Paula Arab (NS) provided written feedback and indicated that similar to Alberta, Nova Scotia does register these sorts of accounts for AAP. She noted that regardless of the type of coverage, that is, whether it was special protection (optional accounts) or regular classified, they both qualify for AAP. Paula noted that she had not had an opportunity to canvas with Tracey Newman (Nova Scotia’s Assessment Committee member) regarding Rhonda’s comments.

Deepak Kothary (BC) had suggested that perhaps the issue could be rectified if all Boards mandated personal coverage holders to purchase maximum coverage. However, some jurisdictions indicated that this was not possible as they had policies in place whereby

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employers had to substantiate their coverage with proof of earnings, prior to purchasing maximum personal coverage.

Bill (AB) recommended that the IJA be clarified as it would be considered an inconsequential amendment and would be beneficial long term for new committee members who joined in the future.

Many committee members felt that it would be beneficial to discuss the actual intent of Section 3.2 (d) and (e) with past IJA coordinators, who were present when the IJA came into fruition, specifically Doug Mah (AB) and Lori Sain (MB). Bill agreed to review this matter with Doug and Lori and provide a document with proposed changes to all committee members by May 30, 2014. All committee members agreed to review the document and provide Bill with feedback no later than June 30, 2014. A final draft of revised Section 3.2 (d) and (e) would be submitted to the Chair by July 14, 2014 for discussion at the 2015 meeting for any final feedback.

Action Items:

- ❖ **Bill Ostapek (AB) is to provide a document with proposed changes to Section 3.2 (d) and (e) to all committee members by May 30, 2014.**
- ❖ **All committee members are to review the document and provide feedback to Bill Ostapek (AB) by June 30, 2014.**
- ❖ **Bill Ostapek (AB) is to provide a final draft of the Section 3.2 (d) and (e) to the Chair by July 14, 2014.**
- ❖ **All jurisdictions are to discuss the final draft of Section 3.2 (d) and (e) at 2015 AWCBC IJA committee meeting for any final feedback.**

4 NEW ITEMS were added to the workplan update (which will be outlined as Item 13-Revise IJA Section 3.2 (d) and (e))

#1 NEW Item 13- Revise IJA Section 3.2 (d) and (e)-Bill Ostapek (AB) is to provide a document with proposed changes to Section 3.2 (d) and (e) to all committee members for review and feedback by May 30, 2014. This activity will be recorded as "to be completed" in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as "completed" in the 2015 workplan update and will not carry forward to the 2016 workplan.

#2 NEW Item 13- Revise IJA Section 3.2 (d) and (e)-All committee members are to review the document and provide feedback to Bill Ostapek (AB) by May 2015. This activity will be recorded as "to be completed" in the 2014 workplan update and will carry forward to the

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2015 workplan. If the activity is completed by June 30, 2014 it will be recorded as "completed" in the 2015 workplan update and will not carry forward to the 2016 workplan.

***#3 NEW Item 13-** Revise IJA Section 3.2 (d) and (e)-Bill Ostapek (AB) is to provide a final draft of the Section 3.2 (d) and (e) to the Chair by July 14, 2014. This activity will be recorded as "to be completed" in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as "completed" in the 2015 workplan update and will not carry forward to the 2016 workplan.*

***#4 NEW Item 13-** Revise IJA Section 3.2 (d) and (e)-All jurisdictions are to discuss the final draft of Section 3.2 (d) and (e) at 2015 AWCBC IJA committee meeting for any final feedback. This activity will be recorded as "to be completed" in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as "completed" in the 2015 workplan update and will not carry forward to the 2016 workplan.*

6. k) Updates for Best Practice Guide (BPG):

Kate Marshall (PEI) indicated that there were a few additions to the Best Practice Guide (BPG) which were circulated to all committee members by e-mail on April 22, 2014. A change history was added to the document as a quick reference tool.

Specifically, the 2014 maximum annual earnings (as reflected in Section 3.5) was updated on March 28, 2014. Committee members questioned the Manitoba Board's maximum annual earnings which were recorded as \$74 960 as members were under the assumption that there were no maximum insurable earnings for the Manitoba Board. Glenn Jones (MB) indicated that he would review this information and provide clarification to Kate to update accordingly.

In addition, the Newfoundland Board had requested that their Section 3.5 be amended/updated accordingly. Kate (PEI) updated this information on April 3, 2014.

Kate (PEI) indicated that further updates were warranted, however, it was felt that it would be best to wait until the updated Protocols, Practices, and Procedures (PPP) document was reviewed and approved by all committee members. Rhonda Dean (AB) reminded all jurisdictions of the importance to make their best effort to follow the workplan deadlines with respect to providing feedback to the PPP and BPG as delays impact the target dates set to be able to review the documents at the following year's meetings.

Kate agreed to have the BPG updated with information from the updated PPP by October 30, 2014 and circulate it to all committee members by November 30, 2014. The committee members will then approve the BPG draft at the next AWCBC meeting in May 2015.

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Action Items:

- ❖ **Kate Marshall (PEI) is to update the Best Practice Guide (BPG) based on the updated Protocols, Practices and Procedures (PPP) document and circulate to all committee members by October 30, 2014.**
- ❖ **All committee members are to review the document and provide feedback to Kate Marshall (PEI) by November 30, 2014.**
- ❖ **All committee members are to approve the draft Best Practice Guide (BPG) at the 2015 AWCBC IJA committee meeting.**

3 NEW ITEMS were added to the workplan update (which will be outlined as Item 14-Update Best Practice Guide (BPG))

#1 NEW Item 14- Update BPG-Kate Marshall (PEI) is to update the Best Practice Guide (BPG) based on the updated Protocols, Practices and Procedures (PPP) document and circulate to all committee members by October 30, 2014. This activity will be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as “completed” in the 2015 workplan update and will not carry forward to the 2016 workplan.

#2 NEW Item 14- Update BPG-All committee members are to review the document and provide feedback to Kate Marshall (PEI) by November 30, 2014. This activity will be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as “completed” in the 2015 workplan update and will not carry forward to the 2016 workplan.

#3 NEW Item 14- Update BPG-All committee members are to approve the draft Best Practice Guide (BPG) at the 2015 AWCBC IJA committee meeting This activity will be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as “completed” in the 2015 workplan update and will not carry forward to the 2016 workplan.

6. I) Update Protocols, Practices, and Procedures Document (PPP):

Rhonda Dean (AB) revised the entire Policies, Practices and Procedures (PPP) document based on the feedback/discussions at the 2013 AWCBC IJA committee meeting, including adding the new resolutions from 2013. The PPP document appears very different than the last version presented in May 2013, however, should be more user friendly.

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The changes are numerous, but the changes can be summarized into the following:

- Resolutions from May 2013 AWCBC IJA committee meeting (as outlined in pages 30-44 of the 2013 meeting minutes) have been added to the document;
- September 28 & 29, 1999 meeting record has been corrected to read September 28 & 29, 1998 as there was no AWCBC meeting in September 1999 (only in April 1999 and November 1999);
- Document has been organized into alphabetical order;
- Subcategories have been added for each topic, where appropriate;
- Each topic was reviewed and modifications were made (based on review of the old meeting minutes) to ensure that the resolution was clear and concise and that the topic accurately reflected the resolution;
- Changes were recorded in bold (for ease) so they could be reviewed at this 2014 AWCBC IJA committee meeting. Once agreement is reached, the bold will be removed; and
- April 30 & May 1, 2014 dates have been added in anticipation of the resolutions to be agreed upon at this 2014 meeting.

*The original version outlined below references the PPP document that was reviewed at the May 2013 AWCBC meeting (titled "IJA PPP Guide May 17.13.doc" and e-mailed May 17, 2013). Changes and/or updates were submitted (from May 2013 meeting) as part of the document dated April 17, 2014 (titled "IJA PPP Guide April 17.14.doc" and e-mailed April 22, 2014). The discussion regarding these changes/updates are noted below. A third category has been added which is listed as "Accepted Proposed Changes-No Change-May 2014 AWCBC Meeting" or "Accepted Proposed Changes with Modifications-May 2014 AWCBC Meeting" which summarizes the changes agreed by all committee members.

Please Note: If the only proposed change was a topic change, it was not included in the discussion below.

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Original Version May 17, 2013 (Page 5):

May 1, 2006	Alternative Assessment Procedure (AAP) Notification	Given the annual AAP procedures were already developed, the general consensus was that it was reasonable for registering boards to notify assessing boards by March 31 in each year.
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Proposed Changes April 17, 2014 (Page 5):

May 1, 2006 April 30 & May 1, 2014 (Clarification Provided)	Alternative Assessment Procedure (AAP) (Notification)	Given the annual AAP procedures were already developed, the general consensus was that it was reasonable for assessing registering boards to notify assessing registering boards by March 31 in each year.
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*Proposed changes included changing the order of “assessing boards” and “registering boards” as it was inaccurate as written previously. A 2014 date was also added to include the date clarification was provided.

Accepted Proposed Changes-No Change-May 2014 AWCBC Meeting (Page 5):

May 1, 2006 April 30 & May 1, 2014 (Clarification Provided)	Alternative Assessment Procedure (AAP) (Notification)	Given the annual AAP procedures were already developed, the general consensus was that it was reasonable for assessing boards to notify registering boards by March 31 in each year.
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Original Version May 17, 2013 (Page 5):

May 14 & 15, 2008	Alternative Assessment Procedure (AAP) Retroactive Application	Board who collects all assessments under AAP is required to notify all participating Boards. If you collect the assessments, you pay the claim.
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Proposed Changes April 17, 2014 (Page 5):

May 14 & 15, 2008 April 30 & May 1, 2014 (Clarification Provided)	Alternative Assessment Procedure (AAP) (Notification)	Board who collects all assessments under AAP is required to notify all participating Boards. If you collect the assessments, you pay the claim.
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*Proposed changes included shading the second sentence (If you collect the assessments, you pay the claim.) as it was not relevant for the notification section of the AAP, however, was still shaded to still show historical reference. A 2014 date was also added to include the date clarification was provided.

Accepted Proposed Changes-No Change-May 2014 AWCBC Meeting (Page 5):

May 14 & 15, 2008 April 30 & May 1, 2014 (Clarification Provided)	Alternative Assessment Procedure (AAP) (Notification)	Board who collects all assessments under AAP is required to notify all participating Boards. If you collect the assessments, you pay the claim.
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Original Version May 17, 2013 (Page 4):

September 28, 2000	Alternative Assessment Procedure (AAP) Registration	<ul style="list-style-type: none"> - The deadline for registering or renewing IJT participation would follow the annual reporting deadline for employers in each jurisdiction. (Last day of February in all jurisdictions except for BC and Ontario where it would be March 15). - Any employers registering in IJT by these dates would be assessed under the IJT effective January 1 of that year. - Employers opening new WCB accounts during the year could opt for the IJT effective the date they open their account. - Employers in IJT would be in for the full year and could
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		not choose to leave the IJT and revert to the usual assessment process until the next year.
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Proposed Changes April 17, 2014 (Page 6-7):

<p>September 28, 2000</p> <p>April 30 & May 1, 2014 (Clarification Provided)</p>	<p>Alternative Assessment Procedure (AAP) (Participation)</p>	<ul style="list-style-type: none"> - The deadline for registering or renewing (remove word renew) IJT AAP participation would follow the annual reporting deadline for employers in each jurisdiction. (Last day of February in all jurisdictions except for BC and Ontario where it would be March 15). - Any employers registering in IJT AAP by these dates would be assessed under the IJT AAP effective January 1 of that year. - Employers opening new WCB accounts during the year could opt for the IJT AAP effective the date they open their account. - Employers in IJT AAP would be in for the full year and could not choose to leave the IJT AAP and revert to the usual assessment process until the next year.
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*Proposed changes included removing the word “renew” as employers renewing their AAP participation did not follow the annual reporting deadline. All references to IJT (Interjurisdictional Trucking) were correctly recorded as AAP (Alternative Assessment Procedure). A 2014 date was also added to include the date clarification was provided.

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Accepted Proposed Changes with Modifications-May 2014 AWCBC Meeting (Page 6-7):

September 28, 2000 April 30 & May 1, 2014 (Clarification Provided)	Alternative Assessment Procedure (AAP) (Participation)	<ul style="list-style-type: none"> - The deadline for registering in AAP would follow the annual reporting deadline for employers in each jurisdiction. (Last day of February in all jurisdictions). - Any employers registering in AAP by these dates would be assessed under the AAP effective January 1 of that year. - Employers opening new WCB accounts during the year could opt for the AAP effective the date they open their account. - Employers in AAP would be in for the full year and could not choose to leave the AAP and revert to the usual assessment process until the next year.
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*BC and ON confirmed that they were following the new AAP agreement which recorded the deadline to be the last day in February and therefore, exceptions should be removed. Otherwise, all proposed changes were accepted.

Original Version May 17, 2013 (Page 5):

September 28, 2000	Alternative Assessment Procedure (AAP) Effective Date for Application	The effective date of application for new registrations would be the same day as the application is accepted. Individual jurisdiction would determine the exact time the coverage becomes effective.
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Proposed Changes April 17, 2014 (Page 7):

September 28, 2000 April 30 & May 1, 2014 (Clarification Provided)	Alternative Assessment Procedure (AAP) (Participation)	The effective date of application into AAP for new employer accounts would be the same day as the
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		application is accepted. Individual jurisdiction would determine the exact time the coverage becomes effective.
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*Proposed changes included adding the words “into AAP” for clarification and replacing the word “registrations” with “employer accounts”. A 2014 date was also added to include the date clarification was provided.

Accepted Proposed Changes-No Change-May 2014 AWCBC Meeting-(Page 7):

September 28, 2000 April 30 & May 1, 2014 (Clarification Provided)	Alternative Assessment Procedure (AAP) (Participation)	The effective date of application into AAP for new employer accounts would be the same day as the application is accepted. Individual jurisdiction would determine the exact time the coverage becomes effective.
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Original Version May 17, 2013 (Page 33):

April 22, 2002	Suit	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. - 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.
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Proposed Changes April 17, 2014 (Page 7):

April 22, 2002 May 28 & 29, 2013 (Clarification Provided)	Alternative Assessment Procedures (AAP) (Participation)	AAP employers who close their accounts are withdrawn from the AAP . If they reopen their AAP account late in the same year (with no changes), they can return to the AAP, without having to complete the appropriate paperwork.
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*Proposed changes included removal of first sentence to new topic (Third Party). The second sentence was clarified to more accurately reflect the intent. In addition, the term "IJT" was replaced with "AAP". A 2013 date was also added to include the date clarification was provided.

Accepted Proposed Changes-No Change- May 2014 AWCBC Meeting (Page 7):

April 22, 2002 May 28 & 29, 2013 (Clarification Provided)	Alternative Assessment Procedures (AAP) (Participation)	AAP employers who close their accounts are withdrawn from the AAP. If they reopen their AAP account later in the same year (with no changes), they can return to the AAP, without having to complete the appropriate paperwork.
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Original Version May 17, 2013 (Page 4):

May 14 & 15, 2008	Alternative Assessment Procedure (AAP) Participation	Effective March 2008, the SK Board agreed to enter the AAP as a 3 year pilot project.
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Proposed Changes April 17, 2014 (Page 7):

May 14 & 15, 2008 April 30 & May 1, 2014 (Clarification Provided)	Alternative Assessment Procedure (AAP) (Participation)	Effective March 2008, the SK Board agreed to enter the AAP as a 3 year pilot project. SK is fully participating in the AAP as of __?
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*Proposed Changes included an update at to the date in which SK was fully participating in the AAP. A 2014 date was also added to include the date clarification was to be provided.

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Caroline Hogue (SK) indicated that she would provide Rhonda Dean (AB) with the date that the Saskatchewan Board was fully participating in the AAP as she did not have that information at the meeting.

Original Version May 17, 2013 (Page 21):

September 22 & 23, 1997	Meetings Procedure	Future issues should be on all IJA Committee agendas. Briefing notes are to be prepared when requesting items be included on agendas.
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Proposed Changes April 17, 2014 (Page 8):

September 22 & 23, 1997	AWCBC IJA Committee Meeting (Agenda)	Future issues should be on all IJA Committee agendas. Briefing notes are to be prepared when requesting items be included on agendas.
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*Proposed change was simple topic revision.

Accepted Proposed Changes with Modifications-May 2014 AWCBC Meeting (Page 8):

September 22 & 23, 1997	AWCBC IJA Committee Meeting (Agenda)	Future issues should be on all IJA Committee agendas.
April 30 & May 1, 2014 (Clarification Provided)		
September 22 & 23, 1997	AWCBC IJA Committee Meeting (Briefing Notes)	Briefing notes are to be prepared when requesting items be included on agendas.
April 30 & May 1, 2014 (Clarification Provided)		

*Committee members proposed that the category, AWCBC IJA Committee Meeting be divided into 2 categories, Agenda and Briefing Notes.

Original Version May 17, 2013 (Page 4):

November 4 & 5, 1999	Agenda	Agenda to be distributed 30 days prior to the meeting
May 12 & 13, 2010	Agenda	Agenda material must be

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		supplied sooner in order to provide appropriate time to review the materials prior to the meeting date.
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Proposed Changes April 17, 2014 (Page 8):

November 4 & 5, 1999	AWCBC IJA Committee Meeting (Agenda)	Agenda to be distributed 30 days prior to the meeting.
May 12 & 13, 2010		Agenda material must be supplied sooner in order to provide appropriate time to review the materials prior to the meeting date.
April 30 & May 1, 2014 (Clarification provided)		Agenda to be distributed 30 days prior to the meeting.

*Proposed changes included a new resolution with a summary of the 2 previous resolutions (noted in bold).

Accepted Proposed Changes with Modifications-May 2014 AWCBC Meeting (Page 8):

November 4 & 5, 1999	AWCBC IJA Committee Meeting (Agenda)	Agenda to be distributed 30 days prior to the meeting.
May 12 & 13, 2010		Agenda material must be supplied sooner in order to provide appropriate time to review the materials prior to the meeting date.
April 30 & May 1, 2014 (Clarification provided)		Agenda, briefing notes, and materials to be distributed 30 days prior to the meeting.

*Committee members proposed that the clarification include terms "briefing notes, and materials," not only agenda to be distributed 30 days prior to the meeting. A 2014 date was also added to include the date clarification was provided.

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Original Version May 17, 2013 (Page 4):

April 14 & 15, 1997	Alternative Assessment Procedure (AAP)	IJA Committee members are responsible for briefings
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Proposed Changes April 17, 2014 (Page 8):

April 14 & 15, 1997 April 30 & May 1, 2014 (Clarification Provided)	AWCBC IJA Committee Meeting (Communication)	IJA Committee members are responsible for briefings IJA Committee members are responsible for briefing their AAP subcommittee representatives on issues relating to the AAP.
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*Committee members agreed that Rhonda Dean (AB) would review the meeting minutes from 1997 further to obtain clarification as at present there was no AAP subcommittee. A 2014 date was also added to include the date clarification was to be provided. This would be added to the updates that Rhonda would provide based on this year's meeting.

Original Version May 17, 2013 (Page 10):

April 14 & 15, 1997	Communication Orientation of Committee Members	- Committee members are to provide orientation to colleagues from their jurisdiction – Background information will be provided by AWCBC. - New members are responsible for reviewing minutes from prior meetings.
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Proposed Changes April 17, 2014 (Page 9):

April 14 & 15, 1997 April 30 & May 1, 2014 (Clarification Provided)	Communication (New Committee Members)	- Committee members are to provide orientation to colleagues from their own jurisdiction who are attending upcoming meetings, prior to the meeting. - Background information will be provided by AWCBC. - New committee members are responsible for reviewing
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April 30 and May 1, 2014

The Omni King Edward Hotel, 37 King Street East, Toronto, Ontario

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		minutes from prior meetings.
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*Proposed changes included further detail to more accurately reflect the intent. A 2014 date was also added to include the date clarification was provided.

Accepted Proposed Changes-No Change-May 2014 AWCBC Meeting (Page 9):

<p>April 14 & 15, 1997</p> <p>April 30 & May 1, 2014 (Clarification Provided)</p>	<p>Communication (New Committee Members)</p>	<ul style="list-style-type: none"> - Committee members are to provide orientation to colleagues from their own jurisdiction who are attending upcoming meetings, prior to the meeting. - Background information will be provided by AWCBC. - New committee members are responsible for reviewing minutes from prior meetings.
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Original Version May 17, 2013 (Page 8):

<p>April 14 & 15, 1997</p>	<p>Benefits in Kind Medical Exam</p>	<p>It is critical to define the information required when requesting examinations from another Board.</p>
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Original Version May 17, 2013 (Page 10):

<p>April 14 & 15, 1997</p>	<p>Communication</p>	<p>Boards that provide service are responsible for follow-up communication with the requesting Board.</p>
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Proposed Changes April 17, 2014 (Page 9-10):

<p>April 14 & 15, 1997</p> <p>April 30 & May 1, 2014 (Clarification Provided)</p>	<p>Benefits in Kind (Medical Examinations)</p>	<p>It is critical to define the information required when requesting examinations from another Board, so the report is of value to the Board requesting it.</p> <p>Boards that provide service are responsible for follow-up communication with the</p>
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		requesting Board, to ensure understanding/agreement on service expectations.
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*Proposed changes included further detail to more accurately reflect the intent. A 2014 date was also added to include the date clarification was provided.

Accepted Proposed Changes-No Change-May 2014 AWCBC (Page 9-10):

<p>April 14 & 15, 1997</p> <p>April 30 & May 1, 2014 (Clarification Provided)</p>	<p>Benefits in Kind (Medical Examinations)</p>	<p>It is critical to define the information required when requesting examinations from another Board, so the report is of value to the Board requesting it.</p> <p>Boards that provide service are responsible for follow-up communication with the requesting Board, to ensure understanding/agreement on service expectations.</p>
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Original Version May 17, 2013 (Page 11):

<p>September 28 & 29, 1999</p>	<p>Cost Relief</p>	<p>Cost relief is at the discretion of the Reimbursing (accident) Board.</p>
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<p>March 14 & 15, 2008</p>	<p>Cost Relief</p>	<p>The assessment costs follow the employer to the jurisdiction where the injury occurred. Cost relief applied by the Reimbursing Board is not considered readjudication.</p>
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<p>May 10 & 11, 2011</p>	<p>Cost Relief</p>	<p>The Reimbursing Board is responsible to determine cost relief entitlement based on its own policies/procedures for the amount reimbursed to the Adjudicating Board. If there is a shortfall in</p>
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		reimbursement, the Adjudicating Board can decide if cost relief is applicable for the amount left in claims costs.
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Proposed Changes April 17, 2014 (Page 12):

September 22 & 23, 1997	Cost Relief	If cost relief is an issue on a claim where reimbursement is going to be requested from another jurisdiction, the employer is to be advised, (in writing), that cost relief must be sought from the Reimbursing Board. The decision regarding cost relief does not affect the amount reimbursed between Boards
September 28 & 29, 1998		Cost relief is at the discretion of the Reimbursing (accident) Board.
March 14 & 15, 2008		The assessment costs follow the employer to the jurisdiction where the injury occurred. Cost relief applied by the Reimbursing Board is not considered readjudication.
May 10 & 11, 2011		The Reimbursing Board is responsible to determine cost relief entitlement based on its own policies/procedures for the amount reimbursed to the Adjudicating Board. If there is a shortfall in reimbursement, the Adjudicating Board can decide if cost relief is applicable for the amount left
May 28 & 29, 2013 (Clarification Provided)		

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		in claims costs. It is the IJA coordinator’s responsibility to keep the front line staff informed of this process.
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*Proposed changes included changing the date from September 28 & 29, 1999 to September 28 & 29, 1998 as this was incorrectly recorded. Further clarification was added to the 2011 resolution to indicate that it was “the IJA coordinator’s responsibility to keep the front line staff informed of this process.”

Accepted Proposed Changes with Modifications-May 2014 AWCBC Meeting (Page 12):

September 22 & 23, 1997	Cost Relief	If cost relief is an issue on a claim where reimbursement is going to be requested from another jurisdiction, the employer is to be advised, (in writing), that cost relief must be sought from the Reimbursing Board. The decision regarding cost relief does not affect the amount reimbursed between Boards
September 28 & 29, 1998		Cost relief is at the discretion of the Reimbursing (accident) Board.
March 14 & 15, 2008		The assessment costs follow the employer to the jurisdiction where the injury occurred. Cost relief applied by the Reimbursing Board is not considered readjudication.
May 10 & 11, 2011		The Reimbursing Board is responsible to determine cost relief entitlement based on its own policies/procedures for the amount reimbursed to the Adjudicating Board. If there is a shortfall in reimbursement, the Adjudicating Board can
May 28 & 29, 2013 (Clarification Provided)		

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April 30 & May 1, 2014		<p>decide if cost relief is applicable for the amount left in claims costs. It is the IJA coordinator's responsibility to keep the front line staff informed of this process.</p> <p>The Ontario Board will determine entitlement to cost relief in cases where it is the Adjudicating Board, but any amounts that are subsequently reimbursed will be removed from employer's cost statement and will no longer apply.</p>
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*The Ontario Board requested that a resolution be added to indicate their position on the topic of cost relief. Otherwise, the proposed resolution was accepted with no further changes.

Original Version May 17, 2013 (Page 12):

May 14 & 15, 2008	<p>Disclosure of Information</p> <p>Consent When Requesting Claim Information from Another Board</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>
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- NFLD requests consent from the worker first and question arises as to what form of consent is required.
- YK does not require consent due to their legislative authority.
- 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.
- SK will release information that is being requested for workers compensation purposes.
- 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.
- BC takes similar position to ON, with some use similar to NS.
- QC requires specific written consent from the worker.
- NT states that any Medical report made out for the purposes of the claim belongs to NT.
- MB uses “consistent use” provision. Consent would be requested if info requested by non-contracted 3rd party.
- NB similar to MB. Application for compensation allows release.
- AB
- PEI

Proposed Changes April 17, 2014 (Page 13):

<p>May 14 & 15, 2008</p> <p>May 28 & 29, 2013 (Clarification Provided)</p>	<p>Disclosure of Information</p> <p>Consent When Requesting Claim Information from Another Board for IJA Claim</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>
<p>- NL does not require consent for the purpose of cost reimbursement and/or potential duplication of benefits/assessments. Any further disclosures of personal information (outside of IJA) requires written consent from the worker.</p> <p>- YK does not require consent for IJA purposes (in accordance with their legislative authority). However, any further disclosures of personal information (outside of IJA) requires written consent from the worker.</p> <p>- 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. They will review on a case by case basis.</p> <p>- SK will release information that is being requested for workers compensation purposes.</p> <p>- ON requires written consent from worker in most cases before any health records will be released, in situations where disclosure is not specifically provided for in the IJA. Disclosure is generally allowed where compelling circumstances exist affecting the health or safety of an individual. For example, if the health care provider believes worker</p>		

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will harm self or others, information can be released.

- **BC generally requires consent from the worker. Where consent is not available, they will consider the request for disclosure on a case by case basis to determine if there is a provision in their FIPPA legislation that allows for the release of information, without consent.**
- QC requires specific written consent from the worker.
- **NWT can release information to any WCB province participating in the IJA.**
- MB uses “consistent use” provision. Consent would be requested if info requested by non-contracted 3rd party.
- **NB would require consent from the worker before releasing medical information to another Board.**
- **AB does not require consent for the purpose of cost reimbursement and/or potential duplication of benefits/assessments. However, if another jurisdiction is requesting medical information only (outside of IJA), no consent is required. Alternatively, if another jurisdiction is requesting a complete copy of the worker’s file (outside of IJA), a written consent is required from the worker.**
- **PEI can release personal information as long as it falls within the IJA. Any further disclosures of personal information (outside of IJA) requires written consent from the worker.**

*All proposed changes are noted in bold.

Accepted Proposed Changes-No Change-May 2014 AWCBC (Page 13):

<p>May 14 & 15, 2008</p> <p>May 28 & 29, 2013 (Clarification Provided)</p>	<p>Disclosure of Information</p> <p>Consent When Requesting Claim Information from Another Board for IJA Claim</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"> - NL does not require consent for the purpose of cost reimbursement and/or potential duplication of benefits/assessments. Any further disclosures of personal information (outside of IJA) requires written consent from the worker. - YK does not require consent for IJA purposes (in accordance with their legislative authority). However, any further disclosures of personal information (outside of IJA) requires written consent from the worker. - 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. They will review on a case by case basis. - SK will release information that is being requested for workers compensation purposes. - ON requires written consent from workers in most cases before any health records will be released, in situations where disclosure is not specifically provided for in the IJA. Disclosure is generally allowed where compelling circumstances exist affecting the health or safety of an 		

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individual. For example, if the health care provider believes the worker will harm self or others, information can be released.

- BC generally requires consent from the worker. Where consent is not available, they will consider the request for disclosure on a case by case basis to determine if there is a provision in their FIPPA legislation that allows for the release of information, without consent.
- QC requires specific written consent from the worker.
- NWT can release information to any WCB province participating in the IJA.
- MB uses “consistent use” provision. Consent would be requested if info requested by non-contracted 3rd party.
- NB would require consent from the worker before releasing medical information to another Board.
- AB does not require consent for the purpose of cost reimbursement and/or potential duplication of benefits/assessments. However, if another jurisdiction is requesting medical information only (outside of IJA), no consent is required. Alternatively, if another jurisdiction is requesting a complete copy of the worker’s file (outside of IJA), a written consent is required from the worker.
- PEI can release personal information as long as it falls within the IJA. Any further disclosures of personal information (outside of IJA) requires written consent from the worker.

Original Version May 17, 2013 (Page 28):

April 19, 2004	Reimbursement Readjudication	<p>It was agreed that The Dispute mechanism could be appropriate in some jurisdictions when questioning the correctness of an adjudicating jurisdiction’s decision through the reimbursing jurisdiction appealing the decision of the adjudicating jurisdiction in the adjudicating jurisdiction’s appeal system. Employers in the reimbursing jurisdiction are entitled to cost relief based on a difference of opinion between the reimbursing jurisdiction and the adjudicating jurisdiction.</p>
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Proposed Changes April 17, 2014 (Page 14):

April 19, 2004	Dispute Resolution (Adjudicative decision)	It was agreed that The Dispute mechanism could be appropriate in some jurisdictions when questioning the correctness of an adjudicating jurisdiction's decision through the reimbursing jurisdiction appealing the decision of the adjudicating jurisdiction in the adjudicating jurisdiction's appeal system. Employers in the reimbursing jurisdiction are entitled to cost relief based on a difference of opinion between the reimbursing jurisdiction and the adjudicating jurisdiction.
April 30 & May 1, 2014		The reimbursing jurisdiction does not have authority to appeal any adjudicative decisions through the adjudicating jurisdiction's appeal system.

*Proposed changes included a new resolution clarifying that the reimbursing jurisdiction does not have the authority to appeal any adjudicative decisions through the adjudicating jurisdiction's appeal system.

Accepted Proposed Changes with Modifications-May 2014-AWCBC Meeting (Page 14):

April 19, 2004	Dispute Resolution (Adjudicative decision)	It was agreed that The Dispute mechanism could be appropriate in some jurisdictions when questioning the correctness of an adjudicating jurisdiction's decision through the reimbursing jurisdiction appealing the decision of the adjudicating
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April 30 & May 1, 2014		<p>jurisdiction in the adjudicating jurisdiction's appeal system. Employers in the reimbursing jurisdiction are entitled to cost relief based on a difference of opinion between the reimbursing jurisdiction and the adjudicating jurisdiction.</p> <p>The reimbursing jurisdiction does not have authority to appeal any adjudicative decisions through the adjudicating jurisdiction's appeal system.</p>
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*Committee members recommended that the initial resolution dated April 19, 2004 be shaded as it was no longer relevant. Otherwise, the proposed resolution was accepted with no further changes.

Original Version May 17, 2013 (Page 15):

September 28 & 29, 1999	Election	If worker has choice of jurisdiction in which to elect, the election form should be signed. If the form is signed, worker does not have ability to go elsewhere.
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Proposed Changes April 17, 2014 (Page 16):

September 28 & 29, 1998	Election (Form Requirement)	If worker has choice of jurisdiction in which to elect, the election form should be signed. If the form is signed, worker does not have ability to go elsewhere.
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*Proposed changes included changing the date from September 28 & 29, 1999 to September 28 & 29, 1998 as this was incorrectly recorded. In addition, a sub-topic was added.

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Accepted Proposed Changes-No Change-May 2014 AWCBC Meeting (Page 16):

September 28 & 29, 1998	Election (Form Requirement)	If worker has choice of jurisdiction in which to elect, the election form should be signed. If the form is signed, worker does not have ability to go elsewhere.
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Original Version May 17, 2013 (Page 15):

April 20, 2001	Election	30 day time limit for election can be waived if another Board has not already paid the claim.
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Proposed Changes April 17, 2014 (Page 16):

<p>April 20, 2001</p> <p>April 30 & May 1, 2014 (Clarification Provided)</p>	<p>Election (Form Requirement)</p>	<p>30 day time limit for election can be waived if another Board has not already paid the claim.</p> <p>There used to be a cover letter sent with election form stating that the worker had to elect within 30 days. Since many jurisdictions did not have this limitation, it was agreed that this limitation could be waived. This cover letter is no longer in use.</p>
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*Proposed changes included further detail to more accurately reflect the intent. A 2014 date was also added to include the date clarification was provided.

Accepted Proposed Changes with Modifications-May 2014 AWCBC Meeting (Page 16):

<p>April 20, 2001</p> <p>April 30 & May 1, 2014 (Clarification Provided)</p>	<p>Election (Form Requirement)</p>	<p>30 day time limit for election can be waived if another Board has not already paid the claim.</p> <p>There used to be a cover letter sent with election form stating that the worker had to</p>
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		elect within 30 days. Since many jurisdictions did not have this limitation, it was agreed that this limitation could be waived. This cover letter is no longer in use.
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*Committee members recommended that the initial resolution dated April 20, 2001 be shaded as it was no longer relevant. Otherwise, the proposed resolution was accepted with no further changes.

Original Version May 17, 2013 (Page 14):

April 14 & 15, 1997 (Amended Sept. 28, 2000)	Election	<ul style="list-style-type: none"> - Send election forms to all workers where appropriate. - Claims contacts in all jurisdictions are to advise all other jurisdictions, when a worker elects to claim in their jurisdiction. The mechanism to be used is to send the signed election form, attached to the Application for Compensation (or other relevant document containing pertinent information including claim #) to any other Board and Worker where the worker may have had the right to elect.
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Original Version May 17, 2013 (Page 25):

September 28, 2000	Reimbursement Notification	The committee agreed that notification should be a copy of the election and a copy of the application. The Board receiving this information should initiate a claim and then suspend it.
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Original Version May 17, 2013 (Page 16):

June 9, 2003	Election (Notification to other Boards)	Jurisdictions must ensure that when workers elect to claim in one jurisdiction, that this jurisdiction copy the election
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		and application to all other jurisdictions. -Elections should precede requests for reimbursement.
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Proposed Changes April 17, 2014 (Page 18):

April 14 & 15, 1997 (Amended Sept. 28, 2000)	Election (Notification to other Boards)	- Send election forms to all workers where appropriate. - Claims contacts in all jurisdictions are to advise all other jurisdictions, when a worker elects to claim in their jurisdiction. The mechanism to be used is to send the signed election form, attached to the Application for Compensation (or other relevant document containing pertinent information including claim #) to any other Board and Worker where the worker may have had the right to elect.
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*Proposed changes included a topic change only.

Proposed Changes April 17, 2014 (Page 18):

September 28, 2000 April 30 & May 1, 2014 (Clarification provided)	Election (Notification to other Boards)	The committee agreed that notification should be a copy of the election and a copy of the application. The Board receiving this information should initiate a claim and then suspend it until reimbursement request is received.
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*Proposed changes included further detail to more accurately reflect the intent. A 2014 date was also added to include the date clarification was provided.

Proposed Changes April 17, 2014 (Page 18):

June 9, 2003	Election (Notification to other Boards)	Jurisdictions must ensure that when workers elect to claim in one jurisdiction, that this jurisdiction copy the election
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		<p>and application to all other jurisdictions. -Elections should precede requests for reimbursement.</p>
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*Proposed changes included shading of the last sentence and move to appropriate topic.

Accepted Proposed Changes with Modifications-May 2014 AWCBC Meeting (Page 18):

<p>April 14 & 15, 1997 (Amended Sept. 28, 2000)</p> <p>April 30 & May 1, 2014 (Clarification Provided)</p> <p>September 28, 2000</p> <p>June 9, 2003</p>	<p>Election (Notification to other Boards)</p>	<p>- Send election forms to all workers where appropriate. - Claims contacts in all jurisdictions are to advise all other jurisdictions, when a worker elects to claim in their jurisdiction. The mechanism to be used is to send the signed election form, attached to the Application for Compensation (or other relevant document containing pertinent information including claim #) to any other Board and Worker where the worker may have had the right to elect.</p> <p>The committee agreed that notification should be a copy of the election and a copy of the application. The Board receiving this information should initiate a claim and then suspend it.</p> <p>Jurisdictions must ensure that when workers elect to claim in one jurisdiction, that this jurisdiction copy the election and application to all other jurisdictions. -Elections should precede requests for reimbursement.</p>
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April 30 & May 1, 2014 (Clarification provided)		Not all Boards follow this process. Clarification will be provided in May 2015 meeting with a new resolution.
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*Committee members recommended that the resolutions dated April 14 & 15, 1997, September 28, 2000, and June 9, 2003 be shaded as they were no longer relevant. It was also agreed that a new resolution be added to note that not all jurisdictions follow the above noted process for notification of election. Further clarification was to be provided in the May 2015 AWCBC meeting.

Discussion:

Based on the discussions and inaccuracies noted under "Election Notification" Sophie Genest (QC) suggested that a new resolution be recorded once consensus is reached as to the minimum amount of information that is required for election notification to jurisdictions. As a result, all committee members agreed to report to Sophie (QC) as to the minimum information required by their jurisdiction for election notification to other jurisdictions by May 30, 2014. Sophie (QC) agreed to summarize the information from all jurisdictions and circulate to all committee members by June 30, 2014. Once this is completed, all committee members can discuss the minimum requirements at the 2015 AWCBC IJA committee meeting and a new resolution can be implemented.

Action Items:

- ❖ **All committee members are to report to Sophie Genest (QC) as to the minimum information required for election notification to jurisdictions by May 30, 2014.**
- ❖ **Sophie Genest (QC) is to circulate the information to all committee members by June 30, 2014.**
- ❖ **All committee members are to discuss the minimum requirements at the 2015 AWCBC IJA committee meeting.**

3 NEW ITEMS were added to the workplan update (which will be outlined as Item 16-Election Notification Requirements)

#1 NEW Item 16- Election Notification Requirements -All committee members are to report to Sophie Genest (QC) as to the minimum information required for election notification to jurisdictions by May 30, 2014. This activity will be recorded as "to be completed" in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as "completed" in the 2015 workplan update and will not carry forward to the 2016 workplan.

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#2 NEW Item 16- Election Notification Requirements -Sophie Genest (QC) is to circulate the information to all committee members by June 30, 2014. This activity will be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as “completed” in the 2015 workplan update and will not carry forward to the 2016 workplan.

#3 NEW Item 16- Election Notification Requirements -All committee members are to discuss the minimum requirements at the 2015 AWCBC IJA committee meeting. This activity will be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as “completed” in the 2015 workplan update and will not carry forward to the 2016 workplan.

No Original Version (not included as new resolution proposed):

Proposed Changes April 17, 2014 (Page 20):

May 28 & 29, 2013	Employer Assessment (Penalties)	Any issues relating to retroactive assessments, interest and penalties levied to an employer by a Reimbursing Board (based on the fact that the employer should have been registered with the Reimbursing Board) are outside of the role of the IJA Coordinator and should be referred to the appropriate assessment department of the concerned jurisdiction.
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Accepted Proposed Changes-No Change- May 2014 AWCBC Meeting (Page 20):

May 28 & 29, 2013	Employer Assessment (Penalties)	Any issues relating to retroactive assessments, interest and penalties levied to an employer by a Reimbursing Board (based on the fact that the employer should have been registered with the Reimbursing Board) are outside of the role of the IJA Coordinator and should
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		be referred to the appropriate assessment department of the concerned jurisdiction.
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Original Version May 17, 2013 (Page 19):

April 20, 2001	Fatalities (Survivor Benefits)	Reimbursement of reinstated survivor benefits or special payments will not be pursued.
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Proposed Changes April 17, 2014 (Page 21):

April 20, 2001	Fatalities (Survivor/Pension Benefits)	Reimbursement of reinstated survivor benefits or special payments will not be pursued.
April 30 & May 1, 2014 (Clarification Provided)		If survivor benefits have been reinstated and issued for a new invoice period (that has not already been requested), it is reasonable to request reimbursement.

*Proposed changes included further detail to more accurately reflect the intent. A 2014 date was also added to include the date clarification was provided.

Accepted Proposed Changes with Modifications-May 2014 AWCBC Meeting (Page 21):

April 20, 2001	Fatalities (Survivor/Pension Benefits)	Reimbursement of reinstated survivor benefits or special payments, as a result of legislative changes , will not be pursued.
April 30 & May 1, 2014 (Clarification Provided)		

*Committee members clarified that original resolution was referring to reinstated survivor benefits as a result of legislative changes. Therefore, the resolution was clarified accordingly with the April 30 & May 1, 2014 date added.

Original Version May 17, 2013 (Page 19):

May 14 & 15, 2008	Fatalities	For fatalities, do you request actual or average? Should be actual costs. When you pay out, do you pay out actual or
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		estimated/maximum? Response: Actual -Agreement billing minimum is quarterly.
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Proposed Changes April 17, 2014 (Page 21):

May 14 & 15, 2008	Fatalities Survivor/Pension Benefits	For fatalities, do you request actual or average? Should be actual costs. When you pay out, do you pay out actual or estimated/maximum? Response: Actual -Agreement billing minimum is quarterly.
April 30 & May 1, 2014 (Clarification Provided)		When requesting reimbursement for pension benefits, the requests should be based on actual costs issued. Similarly, when reimbursing, actual costs should be reimbursed.

*Proposed changes included include further detail to more accurately reflect the intent. A 2014 date was also added to include the date clarification was provided. Committee members recommended that the resolutions dated May 14 & 15, 2008 be shaded as it was no longer relevant.

Accepted Proposed Changes with Modifications-May 2014-AWCBC Meeting (Page 21):

May 14 & 15, 2008	Fatalities Survivor/Pension Benefits	For fatalities, do you request actual or average? Should be actual costs. When you pay out, do you pay out actual or estimated/maximum? Response: Actual -Agreement billing minimum is quarterly.
April 30 & May 1, 2014 (Clarification Provided)		When requesting reimbursement for fatality benefits , the requests should be based on actual costs issued. Similarly, when reimbursing, actual costs should be reimbursed.

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*Committee members proposed that the resolution read “fatality benefits” rather than “pension benefits” as the benefits are described in different terms amongst the jurisdictions. Otherwise, the resolution was accepted with no further changes recommended.

Original Version May 17, 2013 (Page 18):

May 2, 2005	Hearing Aids	It was suggested that pre-approval be obtained prior to purchasing digital aids as not all jurisdictions cover this benefit.
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Proposed Changes April 17, 2014 (Page 22):

May 2, 2005	Hearing Aids	It was suggested that pre-approval be obtained prior to purchasing digital aids as not all jurisdictions cover this benefit.
April 30 & May 1, 2014 (Clarification Provided)		Denial of reimbursement of hearing aids would be considered readjudication by the reimbursing Board, and therefore, not permitted.

*Proposed changes included further detail to more accurately reflect the intent. A 2014 date was also added to include the date clarification was provided. Committee members recommended that the resolution dated May 2, 2005 be shaded as it was no longer relevant.

Accepted Proposed Changes-No Change-May 2014 AWCBC Meeting (Page 22):

May 2, 2005	Hearing Aids	It was suggested that pre-approval be obtained prior to purchasing digital aids as not all jurisdictions cover this benefit.
April 30 & May 1, 2014 (Clarification Provided)		Denial of reimbursement of hearing aids would be considered readjudication by the reimbursing Board, and therefore, not permitted.

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Original Version May 17, 2013 (Page 20):

April 6 & 7, 1998	Limitation Period	Limitation period should be included to assist with addressing non participating Boards who suddenly become operational. Issue to be included on list of amendments.
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Proposed Changes April 17, 2014 (Page 22):

April 6 & 7, 1998	Limitation Period	Limitation period should be included to assist with addressing non participating Boards who suddenly become operational. Issue to be included on list of amendments.
April 30 & May 1, 2014 (Clarification Provided)		All jurisdictions are fully participating in the IJA, therefore, there is no limitation period applicable.

*Proposed changes included a new resolution clarifying that all jurisdictions were fully participating in the IJA, therefore, no limitation period was applicable. Committee members recommended that the resolution dated April 6 & 7, 1998 be shaded as it was no longer relevant.

Accepted Proposed Changes-No Change-May 2014 AWCBC Meeting (Page 22):

April 6 & 7, 1998	Limitation Period	Limitation period should be included to assist with addressing non participating Boards who suddenly become operational. Issue to be included on list of amendments.
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April 30 & May 1, 2014 (Clarification Provided)		All jurisdictions are fully participating in the IJA, therefore, there is no limitation period applicable.
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Original Version May 17, 2013 (Page 22):

November 4 & 5, 1999	Reimbursement Claim Summary	Case summaries are to be sent with first invoice for a new IJA related claim. However, noting that invoices must be submitted on a quarterly basis, the volume of claims in some provinces, and the fact that in some provinces IJA claims are not centrally administered by one person, there was no consensus on whether an updated summary should be mailed with subsequent invoices.
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May 1, 2006	Reimbursement Claim Summary	<ul style="list-style-type: none"> -Members noted that the benefit summary sheet should accompany every request for reimbursement. -It is helpful to include information about the effective date of benefit changes. -Before seeking reimbursement, requesting boards are also asked to confirm that the claim does not involve an AAP employer or a self – insured employer (self-insured in both jurisdictions).
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May 20 & 21, 2009	Reimbursement Claim Summary	When requesting reimbursement from another Board, all jurisdictions agreed that all file documents, including medical reporting, should be sent to the Reimbursing Board
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Proposed Changes April 17, 2014 (Page 23-24):

November 4 & 5, 1999	Reimbursement Claim Summary	Case summaries are to be sent with first invoice for a new IJA related claim. However, noting that invoices must be submitted on a quarterly basis, the volume of claims in some provinces, and the fact that in some provinces IJA claims are not centrally administered by one person, there was no consensus on whether an updated summary should be mailed with subsequent invoices.
May 1, 2006		Members noted that the benefit summary sheet should accompany every request for reimbursement. It is helpful to include information about the effective date of benefit changes. Before seeking reimbursement, requesting boards are also asked to confirm that the claim does not involve an AAP employer or a self – insured employer (self-insured in both jurisdictions).

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<p>May 20 & 21, 2009</p>		<p>When requesting reimbursement from another Board, all jurisdictions agreed that all file documents, including medical reporting, should be sent to the Reimbursing Board.</p>
<p>April 30 & May 1, 2014 (Clarification Provided)</p>		<p>Actual Claim Summaries are optional for jurisdictions. However, it is still crucial that complete file documentation, including all pertinent details, are submitted with reimbursement requests.</p>

*Proposed changes included a new resolution indicating that actual claim summaries were optional for jurisdictions, however, clarifying that it was still crucial that complete file documentation was submitted with reimbursement requests.

Accepted Proposed Changes-No Change-May 2014-AWCBC Meeting (Page 23-24):

<p>November 4 & 5, 1999</p>	<p>Reimbursement Claim Summary</p>	<p>Case summaries are to be sent with first invoice for a new IJA related claim. However, noting that invoices must be submitted on a quarterly basis, the volume of claims in some provinces, and the fact that in some provinces IJA claims are not centrally administered by one person, there was no consensus on whether an updated summary should be mailed with subsequent invoices.</p>
<p>May 1, 2006</p>		<p>Members noted that the benefit summary sheet should accompany every request for reimbursement. It is helpful to include information about the effective date of benefit</p>

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<p align="center">May 20 & 21, 2009</p>		<p>changes. Before seeking reimbursement, requesting boards are also asked to confirm that the claim does not involve an AAP employer or a self – insured employer (self-insured in both jurisdictions).</p> <p>When requesting reimbursement from another Board, all jurisdictions agreed that all file documents, including medical reporting, should be sent to the Reimbursing Board.</p>
<p align="center">April 30 & May 1, 2014 (Clarification Provided)</p>		<p>Actual Claim Summaries are optional for jurisdictions. However, it is still crucial that complete file documentation, including all pertinent details, are submitted with reimbursement requests.</p>

Original Version May 17, 2013 (Page 23):

<p align="center">May 16 & 17, 2012</p>	<p align="center">Reimbursement Denial/Shortfall</p>	<p>There are inconsistencies amongst all jurisdictions with respect to cost reimbursement. Not all jurisdictions provide supporting policy/legislation to account for the shortfalls/denials of requests for reimbursement. A Best Practice Training Guide would certainly be a worthwhile venture.</p>
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Proposed Changes April 17, 2014 (Page 25):

<p>May 16 & 17, 2012</p> <p>April 30 & May 1, 2014 (Clarification Provided)</p>	<p>Reimbursement Denial/Shortfall</p>	<p>There are inconsistencies amongst all jurisdictions with respect to cost reimbursement. Not all jurisdictions provide supporting policy/legislation to account for the shortfalls/denials of requests for reimbursement. A Best Practice Training Guide would certainly be a worthwhile venture.</p> <p>A Best Practice Training Guide (BPTG) is presently available.</p>
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*Proposed changes included a new resolution indicating that the Best Practice Guide was presently available.

Accepted Proposed Changes with Modification-May 2014-AWCBC Meeting (Page 25):

<p>May 16 & 17, 2012</p> <p>April 30 & May 1, 2014 (Clarification Provided)</p>	<p>Reimbursement Denial/Shortfall</p>	<p>There are inconsistencies amongst all jurisdictions with respect to cost reimbursement. Not all jurisdictions provide supporting policy/legislation to account for the shortfalls/denials of requests for reimbursement. A Best Practice Training Guide would certainly be a worthwhile venture.</p> <p>A Best Practice Guide (BPG) is presently available.</p>
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*Committee members recommended that the term be corrected to read "Best Practice Guide (BPG) rather than Best Practice Training Guide (BPTG) to avoid confusion as there is only one guide available. Otherwise, the resolution was accepted with no further changes recommended.

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Original Version May 17, 2013 (Page 24):

May 10 & 11, 2011	Reimbursement Dollar for Dollar	<ul style="list-style-type: none"> - Effective June 1, 2010 the Saskatchewan and Alberta Boards entered into an Agreement to reimburse dollar-for-dollar for all IJA invoices received. - Effective January 1, 2012 the Saskatchewan Board confirmed that they would be issuing full reimbursement to all jurisdictions with no reciprocation required.
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May 16 & 17, 2012	Reimbursement Dollar for Dollar	Effective January 1, 2012 Alberta and Saskatchewan entered into new dollar-for-dollar reimbursement agreement with Manitoba.
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Proposed Changes April 17, 2014 (Page 26):

May 10 & 11, 2011	Reimbursement Dollar for Dollar	<ul style="list-style-type: none"> - Effective June 1, 2010 the Saskatchewan and Alberta Boards entered into an Agreement to reimburse dollar-for-dollar for all IJA invoices received. - Effective January 1, 2012 the Saskatchewan Board confirmed that they would be issuing full reimbursement to all jurisdictions with no reciprocation required.
May 16 & 17, 2012		Effective January 1, 2012 Alberta and Saskatchewan entered into new dollar-for-dollar reimbursement agreement with Manitoba.

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April 30 & May 1, 2014		Effective January 1, 2014 Alberta entered in new dollar-for-dollar reimbursement agreement with Yukon.
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*Proposed changes included a new resolution indicating that Alberta entered a new dollar-for-dollar agreement with Yukon effective January 1, 2014.

Accepted Proposed Changes with Modifications-May 2014-AWCBC Meeting (Page 26):

May 10 & 11, 2011	Reimbursement Dollar for Dollar	<ul style="list-style-type: none"> - Effective June 1, 2010 the Saskatchewan and Alberta Boards entered into an Agreement to reimburse dollar-for-dollar for all IJA invoices received. - Effective January 1, 2012 the Saskatchewan Board confirmed that they would be issuing full reimbursement to all jurisdictions with no reciprocation required.
May 16 & 17, 2012		Effective January 1, 2012 Alberta and Saskatchewan entered into dollar-for-dollar reimbursement agreement with Manitoba.
April 30 & May 1, 2014		Effective January 1, 2014 Alberta entered into dollar-for-dollar reimbursement agreement with Yukon.

*Committee members recommended that the word “new” be removed. Otherwise, the proposed changes were accepted.

Original Version May 17, 2013 (Page 15):

April 29 & 30, 1999	Election	Boards will reimburse if no election form signed unless the worker has claimed in both places.
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June 9, 2003	Election	Jurisdictions must ensure that when workers elect to claim in one jurisdiction, that this jurisdiction copy the election and application to all other jurisdictions. -Elections should precede requests for reimbursement.
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Proposed Changes April 17, 2014 (Page 26):

April 29 & 30, 1999	Reimbursement (Election Form)	Boards will reimburse if no election form signed unless the worker has claimed in both places.
June 9, 2003		Elections should precede requests for reimbursement.
May 28 & 29, 2013		Section 4.1 should be the overriding principle. However, jurisdictions can reimburse without a signed right of election, but agree to take on any inherent risk in doing so. If issues arise regarding reimbursement without a signed right of election, the issue should be referred to the IJA Coordinators to resolve.

*Proposed changes included a resolution from 2013 which stated that Section 4.1 should be the overriding principle, however, jurisdictions could reimburse without a signed right of election, but agreed to take on any inherent risk in doing so. If issues arise regarding reimbursement without a signed right of election, the issue could be referred to the respective IJA Coordinators to resolve.

Accepted Proposed Changes-No Change-May 2014 AWCBC Meeting (Page 26):

April 29 & 30, 1999	Reimbursement (Election Form)	Boards will reimburse if no election form signed unless the worker has claimed in both places.
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<p style="text-align: center;">June 9, 2003</p> <p style="text-align: center;">May 28 & 29, 2013</p>		<p>Elections should precede requests for reimbursement.</p> <p>Section 4.1 should be the overriding principle. However, jurisdictions can reimburse without a signed right of election, but agree to take on any inherent risk in doing so. If issues arise regarding reimbursement without a signed right of election, the issue should be referred to the IJA Coordinators to resolve.</p>
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Original Version May 17, 2013 (Page 25):

<p style="text-align: center;">May 16 & 17, 2012</p>	<p>Reimbursement Employer Registration</p>	<p>All jurisdictions agreed that the same employer is not required in order to accept a request for reimbursement. As long as the employer has an account and worker was able to elect with another jurisdiction, reimbursement is reasonable, in accordance with the intent of the IJA. An option could be for a jurisdiction to relieve all costs to the employer once reimbursement is completed.</p>
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Proposed Changes April 17, 2014 (Page 27):

<p style="text-align: center;">May 16 & 17, 2012</p>	<p>Reimbursement Employer Registration</p>	<p>All jurisdictions agreed that the same employer is not required in order to accept a request for reimbursement. As long as the employer has an account and worker was able to elect with another jurisdiction, reimbursement is reasonable, in accordance</p>
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		with the intent of the IJA. An option could be for a jurisdiction to relieve all costs to the employer once reimbursement is completed.
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*Proposed changes included shading of the resolution dated May 16 & 17, 2012 as it was no longer relevant.

Accepted Proposed Changes with Modifications-May 2014 AWCBC Meeting (Page 27):

May 16 & 17, 2012	Reimbursement Employer Registration	All jurisdictions agreed that the same employer is not required in order to accept a request for reimbursement. As long as the employer has an account and worker was able to elect with another jurisdiction, reimbursement is reasonable, in accordance with the intent of the IJA. An option could be for a jurisdiction to relieve all costs to the employer once reimbursement is completed.
April 30 & May 1, 2014		Due to the complexity of issues which arise when reimbursement occurs with 2 different employers, all jurisdictions agreed that reimbursement would only occur when employer charging is with the same employer. This would remain as best practice unless further clarification is obtained at the May 2015 meeting.

*Committee members agreed on a new resolution indicating that reimbursement would only occur when employer charging is with the same employer, unless further clarification is obtained at the May 2015 meeting.

Discussion:

At the May 2013 IJA Committee Meeting it was agreed that all jurisdictions would review the scenario of different employer accounts (referenced in page 29-30 of the 2012 meeting

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minutes and page 26-28 of the 2013 meeting minutes) for IJA claims and report to the Chair on their position as to whether it should be acceptable to reimburse claims with two different employers. All Board were to advise of their position by January 31, 2013 and the Chair was to provide the findings at the May 2014 meeting.

The following is an excerpt from the **2012 Meeting Minutes** (page 29-30):

“h) Employer charging and its impact on reimbursement (AB)

Rhonda Dean (AB) provided a case study scenario for discussion involving different determination of employer charging and its impact on cost reimbursement (employers who were not participating in AAP). Specifically, Jurisdiction A adjudicated a claim and requested reimbursement from Jurisdiction B as the accident occurred in Jurisdiction B. Jurisdiction A determined that the principal company was the appropriate insured on the claim while Jurisdiction B determined that the worker was the employer, as a personal coverage holder. Jurisdiction B denied reimbursement on the basis of different employer charging. It was Jurisdiction B’s opinion that it would not be appropriate to charge an employer for a claim when they have had no involvement in the claim from the onset since the Adjudicating Board had determined a different employer to be the accident employer.

Mark Powers (BC) disagreed with Jurisdiction B denying reimbursement as he indicated that as long as an employer had an account in Jurisdiction B and the worker could have elected with Jurisdiction B, then reimbursement is reasonable in accordance with the intent of the IJA, because the accident occurred in Jurisdiction B. Mark Powers (BC) also suggested that an option for Jurisdiction B would be to relieve all costs of the other employer once reimbursement is completed.”

The following is an excerpt from the **2013 Meeting Minutes** (Page 26-28):

“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 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

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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).

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

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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."

Glenn Jones (MB) provided a four page document summarizing all jurisdictions' positions on whether reimbursement should occur when there are two different employer accounts. The majority of jurisdictions agreed that reimbursement *should not* occur due to the complexity of issues that arise as a result. However, New Brunswick, Quebec, Prince Edward Island and Saskatchewan had indicated that reimbursement was reasonable in keeping with the spirit and intent of the agreement. In order to reach a resolution, it was agreed that it was necessary to have 100% in support of one position. Through further discussions, New Brunswick, Quebec, and Prince Edward Island noted that their jurisdictions could agree with the rationale provide by the majority of other jurisdictions in favor of no reimbursement when two different employer accounts existed. The Saskatchewan Board indicated that they would have to review this further and provide the Committee with their position by May 30, 2014. It was agreed that this would be added as an action plan/workplan activity.

***Please Note:** After the workplan was submitted to the AWCBC on May 1, 2014, Caroline Hogue (SK) advised that she was able to speak to her jurisdiction further and they were now in agreement with all other jurisdictions that no reimbursement should occur when two different employer accounts existed. As a result, all jurisdictions agreed with a new resolution based on the 2014 meeting stating that reimbursement would only occur when

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employer charging is with the same employer. This would remain as the best practice unless further clarification is obtained or issues are raised at the May 2015 meeting.

Original Version May 17, 2013 (Page 27):

April 6 & 7, 1998	Reimbursement (Employer Registration)	The reimbursing Board is obliged to honor the IJA reimbursement if the Employer was in a compulsory industry at the time of the accident.
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Original Version May 17, 2013 (Page 21)

September 28 & 29, 1999	Nature of Employment	If a worker claims in the jurisdiction he/she is injured or killed, and assessment premiums can be backdated, the IJA applies.
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Original Version May 17, 2013 (Page 27):

May 14 & 15, 2008	Reimbursement (Employer Registration)	IJA reimbursement requests (non-registered employer vs. should have been registered). Issue has been discussed in past as well. Check, if employer not registered, whether employer should have been registered. This is not a bar to reimbursement. There are sometimes challenges in determining whether employer should have been registered.
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Proposed Changes April 17, 2014 (Page 27-28):

April 6 & 7, 1998	Reimbursement (Employer Registration)	The reimbursing Board is obliged to honor the IJA reimbursement if the Employer was in a compulsory industry at the time of the accident.
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May 14 & 15, 2008		<p>IJA reimbursement requests (non-registered employer vs. should have been registered). Issue has been discussed in past as well. Check, if employer not registered, whether employer should have been registered. This is not a bar to reimbursement. There are sometimes challenges in determining whether employer should have been registered.</p>
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*Proposed changes included a combination of the 2 dates under the topic of Reimbursement (Employer Registration).

September 28 & 29, 1998	Reimbursement (Employer Registration)	<p>If a worker claims in the jurisdiction he/she is injured or killed, and assessment premiums can be backdated, the IJA applies.</p>
April 30 & May 1, 2014 (Clarification Provided)		<p>If it is determined that a worker is able to claim in the jurisdiction in which the injury occurred and the employer is in a mandatory industry, assessment can be backdated, so the IJA can be applicable, and reimbursement can occur.</p>

*Proposed changes included changing the date from September 28 & 29, 1999 to September 28 & 29, 1998 as this was incorrectly recorded. Further clarification was added to the 1998 resolution based on the meeting minutes.

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Accepted Changes with Modifications-May 2014 AWCBC Meeting (Page 27-28):

April 6 & 7, 1998	Reimbursement (Employer Registration)	The reimbursing Board is obliged to honor the IJA reimbursement if the Employer was in a compulsory industry at the time of the accident.
September 28 & 29, 1998		If a worker claims in the jurisdiction he/she is injured or killed, and assessment premiums can be backdated, the IJA applies.
April 29 & May 1, 2014 (Clarification Provided)		If it is determined that a worker is able to claim in the jurisdiction in which the injury occurred and the employer is in a mandatory industry, assessment can be backdated, so the IJA can be applicable, and reimbursement can occur.
May 14 & 15, 2008		IJA reimbursement requests (non-registered employer vs. should have been registered). If the employer is not registered, it needs to be determined whether employer should have been registered. This is not a bar to reimbursement. There are sometimes challenges in determining whether employer should have been registered.

*Committee members proposed a combination of all 3 dates under the topic of Reimbursement (Employer Registration). It was also recommended that the 1998 resolution be shaded as the clarification provided the necessary details.

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Original Version May 17, 2013 (Page 30):

June 9, 2003	Reimbursement Timeliness	Consider reimbursing the oldest claims first (Date of invoice) as there are instances where reimbursements are being received on new requests when older requests have not been processed.
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Original Version May 17, 2013 (Page 30):

April 19, 2004	Reimbursement Timeliness	Accounts are to be paid within 90 days from receipt of billing.
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Original Version May 17, 2013 (Page 19):

May 14 & 15, 2008	Fatalities	For fatalities, do you request actual or average? Should be actual costs. When you pay out, do you pay out actual or estimated/maximum? Response: Actual -Agreement billing minimum is quarterly.
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Original Version May 17, 2013 (Page 31):

May 20 & 21, 2009	Reimbursement (Invoice Frequency/ Reimbursement)	Jurisdictions agreed that they would make every effort to issue and pay invoices in a timely manner. Best practice is a minimum of quarterly on a calendar basis (Section 9.5). This requirement applies to both billing and reimbursing costs.
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Original Version May 17, 2013 (Page 30):

May 2, 2005	Reimbursement Timeliness	It was agreed that requests for reimbursements may be rejected if the adjudicating jurisdictions has not responded within three (3) months to requests for information from the reimbursing jurisdiction. Consideration must be given to the type and weight of information requested and whether it is the responsibility of the party being requested to provide the information, to gather it. Prior to rejection, it is recommended that the requestor phone the other board to attempt to resolve the issue.
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Original Version May 17, 2013 (Page 31):

May 2, 2005	Reimbursement Timeliness	It was agreed that ongoing (not recurrent) requests for reimbursement may be rejected if not received two years after the date of the last reimbursement.
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Original Version May 17, 2013 (Page 31):

May 1, 2006	Reimbursement Timeliness	Members noted that for subsequent billings, timely and expeditious notification remains the principle, so that the Reimbursing board can charge back its employers on a timely basis. However, the two-year timeline for requests arising from the May 2005 meeting is only a guideline, recognizing boards' operational requirements. A Board's denial of reimbursement for subsequent billing would be contrary to the spirit of the IJA.
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Proposed Changes April 17, 2014 (Page 28):

June 9, 2003	Reimbursement (Invoice Frequency/ Reimbursement)	Consider reimbursing the oldest claims first (Date of invoice) as there are instances where reimbursements are being received on new requests when older requests have not been processed.
April 19, 2004		Accounts are to be paid within 90 days from receipt of billing.
May 14 & 15, 2008		Billing is to occur quarterly
May 20 & 21, 2009		Jurisdictions agreed that they would make every effort to issue and pay invoices in a timely manner. Best practice is a minimum of quarterly on a calendar basis (Section 9.5). This requirement applies to both billing and reimbursing costs.

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May 2, 2005		<p>It was agreed that requests for reimbursements may be rejected if the adjudicating jurisdictions has not responded within three (3) months to requests for information from the reimbursing jurisdiction. Consideration must be given to the type and weight of information requested and whether it is the responsibility of the party being requested to provide the information, to gather it. Prior to rejection, it is recommended that the requestor phone the other board to attempt to resolve the issue.</p>
May 2, 2005		<p>It was agreed that ongoing (not recurrent) requests for reimbursement may be rejected if not received two years after the date of the last reimbursement.</p>
May 1, 2006		<p>Members noted that for subsequent billings, timely and expeditious notification remains the principle, so that the Reimbursing board can charge back its employers on a timely basis. However, the two-year timeline for requests arising from the May 2005 meeting is only a guideline, recognizing boards' operational requirements. A Board's denial of reimbursement for subsequent billing would be contrary to the spirit of the IJA.</p>

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April 30 & May 1, 2014		Do we want to add a final resolution here?
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*Proposed changes included a combination of all 7 dates under the topic of Reimbursement (Invoice Frequency/Reimbursement) with a suggestion to provide a summary of all information with a new resolution date.

Accepted Proposed Changes with Modifications-May 2014 AWCBC Meeting
(Page 28-29):

June 9, 2003	Reimbursement (Invoice Frequency/ Reimbursement)	Consider reimbursing the oldest claims first (Date of invoice) as there are instances where reimbursements are being received on new requests when older requests have not been processed.
April 19, 2004		Accounts are to be paid within 90 days from receipt of billing.
May 14 & 15, 2008		Billing is to occur quarterly
May 20 & 21, 2009		Jurisdictions agreed that they would make every effort to issue and pay invoices in a timely manner. Best practice is a minimum of quarterly on a calendar basis (Section 9.5). This requirement applies to both billing and reimbursing costs.
May 2, 2005		It was agreed that requests for reimbursements may be rejected if the adjudicating jurisdictions has not responded within three (3) months to requests for information from the reimbursing jurisdiction. Consideration must be given to the type and weight of information requested and

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May 2, 2005		<p>whether it is the responsibility of the party being requested to provide the information, to gather it. Prior to rejection, it is recommended that the requestor phone the other board to attempt to resolve the issue.</p> <p>It was agreed that ongoing (not recurrent) requests for reimbursement may be rejected if not received two years after the date of the last reimbursement.</p>
May 1, 2006		<p>Members noted that for subsequent billings, timely and expeditious notification remains the principle, so that the Reimbursing board can charge back its employers on a timely basis. However, the two-year timeline for requests arising from the May 2005 meeting is only a guideline, recognizing boards' operational requirements. A Board's denial of reimbursement for subsequent billing would be contrary to the spirit of the IJA.</p>
April 30 & May 1, 2014		<p>Reference the Best Practice Guide (BPG) for agreed upon best practices.</p>

*Committee members recommended shading of the resolutions dated June 9, 2003 and May 2, 2005 as they were no longer relevant. In addition, a new resolution was recommended, referencing the Best Practice Guide (BPG) for the agreed upon best practices.

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Original Version May 17, 2013 (Page 30):

May 16 & 17, 2012	Reimbursement Threshold	Effective January 1, 2012 any subsequent requests for cost reimbursement are to have a minimum threshold of \$200.
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Proposed Changes April 17, 2014 (Page 30):

May 16 & 17, 2012 April 30 & May 1, 2014 (Clarification Provided)	Reimbursement (Invoice Threshold)	Effective January 1, 2012 any subsequent requests for cost reimbursement are to have a minimum threshold of \$200 for IJA claims only (not AAP)
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*Proposed changes included further detail, specifying that the minimum threshold only pertains to IJA claims and not AAP claims. A 2014 date was also added to include the date clarification was provided.

Accepted Proposed Change-No Change-May 2014 AWCBC Meeting (Page 30):

May 16 & 17, 2012 April 30 & May 1, 2014 (Clarification Provided)	Reimbursement (Invoice Threshold)	Effective January 1, 2012 any subsequent requests for cost reimbursement are to have a minimum threshold of \$200 for IJA claims only (not AAP).
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Original Version May 17, 2013 (Page 25):

September 28 & 29, 1999	Reimbursement Medical Treatment Costs	Costs can be requested from the reimbursing jurisdiction if costs are billed to an employer and are thereby charged to the claim file.
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Proposed Changes April 17, 2014 (Page 31):

September 28 & 29, 1998	Reimbursement (Medical Treatment Costs)	Costs can be requested from the reimbursing jurisdiction if costs are billed to an employer and are thereby charged to the claim file.
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*Proposed changes included changing the date from September 28 & 29, 1999 to September 28 & 29, 1998 as this was incorrectly recorded.

Accepted Proposed Changes-No Change-May 2014 AWCBC Meeting (Page 31):

September 28 & 29, 1998	Reimbursement (Medical Treatment Costs)	Costs can be requested from the reimbursing jurisdiction if costs are billed to an employer and are thereby charged to the claim file.
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Original Version May 17, 2013 (Page 26):

May 12 & 13, 2010	Reimbursement (Overpayments)	Jurisdictions agreed that in situations where an Adjudicating Board experiences a change in a decision (i.e. as a result of an appeal), it should be reflected in the payments of the Assessing Board. Determination of an error in this case, would not be considered readjudication. Jurisdictions should act in good faith to deal with these claims as they do not occur often.
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Proposed Changes April 17, 2014 (Page 31-32):

May 12 & 13, 2010 April 30 & May 1, 2014 (Clarification Provided)	Reimbursement (Overpayments)	Jurisdictions agreed that in situations where an Adjudicating Board experiences a change in a decision (i.e. as a result of an appeal), it should be reflected in the reimbursement requests made to the payments of the Assessing Board. Determination of an error in this case, would not be considered readjudication. Jurisdictions should act in
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		good faith to deal with these claims as they do not occur often.
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*Proposed changes included clarification of wording to make the resolution more clear and accurately reflect the initial intent (noted in bold). A 2014 date was also added to include the date clarification was provided.

Accepted Proposed Changes-No Change-May 2014 AWCBC Meeting (Page 31-32):

<p>May 12 & 13, 2010</p> <p>April 30 & May 1, 2014 (Clarification Provided)</p>	<p>Reimbursement (Overpayments)</p>	<p>Jurisdictions agreed that in situations where an Adjudicating Board experiences a change in a decision (i.e. as a result of an appeal), it should be reflected in the reimbursement requests made to the Assessing Board. Determination of an error in this case, would not be considered readjudication. Jurisdictions should act in good faith to deal with these claims as they do not occur often.</p>
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Original Version May 17, 2013 (Page 33):

<p>April 14 & 15, 1997</p>	<p>Self-Insured</p>	<p>-Where employers are self -insured in both jurisdictions involved in a claim, no reimbursement occurs. -When the employer is self-insured in only one jurisdiction, reimbursement would take place.</p>
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Original Version May 17, 2013 (Page 33):

September 28 & 29, 1999	Self-Insured	<p>-Self -Insurers fall outside of the IJA, and therefore GECA employers do not fall within the scope of the IJA.</p> <p>-Appendix C applies unless the employer is self-insured in both jurisdictions.</p>
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Proposed Changes April 17, 2014 (Page 34):

April 14 & 15, 1997	Self-Insured	<p>Where employers are self -insured in both jurisdictions involved in a claim, no reimbursement occurs. When the employer is self-insured in only one jurisdiction, reimbursement would take place.</p>
September 28 & 29, 1998		<p>Self -Insurers fall outside of the IJA, and therefore GECA employers do not fall within the scope of the IJA.</p> <p>Appendix C applies unless the employer is self-insured in both jurisdictions.</p>
April 30 & May 1, 2014 (Clarification Provided)		<p>Appendix C referenced cost reimbursement in the past and has since been incorporated into the agreement permanently.</p>

*Proposed changes included changing the date from September 28 & 29, 1999 to September 28 & 29, 1998 as this was incorrectly recorded. The reference to Appendix C in the 1998 resolution was shaded as it was no longer relevant. A new resolution was recommended clarifying that the Appendix C was no longer relevant as it had been incorporated permanently into the Agreement.

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Accepted Proposed Changes-No Change-May 2014 AWCBC Meeting (Page 34):

April 14 & 15, 1997	Self-Insured	Where employers are self - insured in both jurisdictions involved in a claim, no reimbursement occurs. When the employer is self-insured in only one jurisdiction, reimbursement would take place.
September 28 & 29, 1998		Self -Insurers fall outside of the IJA, and therefore GECA employers do not fall within the scope of the IJA. Appendix C applies unless the employer is self-insured in both jurisdictions.
April 30 & May 1, 2014 (Clarification Provided)		Appendix C referenced cost reimbursement in the past and has since been incorporated into the agreement permanently.

Original Version May 17, 2013 (Page 32):

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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Proposed Changes April 17, 2014 (Page 35):

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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*Proposed changes included clarification of the initial resolution dated April 22, 2002 to make the resolution more clear and accurately reflect the initial intent (noted in bold). A 2013 date was also added to include the date clarification was provided. The initial resolution date and topic was shaded.

Accepted Proposed Changes with Modifications-May 2014 AWCBC Meeting (Page 35):

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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*Committee members recommended that the topic and initial resolution date *not* be shaded as it was still relevant.

Original Version May 17, 2013 (Page 33):

April 6 & 7, 1998	Statistics	Statistical reports are to be broken down into two reports: General IJA Cost Reimbursement and Trucking
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No Proposed Changes (Page 35).

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Accepted Changes with Modifications-May 2014 AWBC Meeting (Page 35):

April 6 & 7, 1998	Statistics	Statistical reports are to be broken down into two reports: General IJA Cost Reimbursement and Trucking
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*Committee members recommended that the date, topic and resolution be shaded as effective 2014 statistics were no longer being reported.

Original Version May 17, 2013 (Page 35):

April 22, 2002	Statistics	IJA cost reimbursement requests should not be included in the days to first pay statistic, as reimbursements do not involve payments to workers as contemplated by the statistic. Payments are reimbursements between Boards. Similarly, reimbursement requests should not be double counted as a claim by the reimbursing Board for the purposes of this statistic.
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No Proposed Changes (Page 35).

Accepted Changes with Modifications-May 2014 AWBC Meeting (Page 35):

April 22, 2002	Statistics	IJA cost reimbursement requests should not be included in the days to first pay statistic, as reimbursements do not involve payments to workers as contemplated by the statistic. Payments are reimbursements between Boards. Similarly, reimbursement requests should not be double
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		counted as a claim by the reimbursing Board for the purposes of this statistic.
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*Committee members recommended that the date, topic and resolution be shaded as effective 2014 statistics were no longer being reported

Original Version May 17, 2013 (Page 34):

May 10 & 11, 2011	Statistics	Effective January 1, 2012 all jurisdictions agreed to begin using the new statistics for cost reimbursement.
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Proposed Changes April 17, 2014 (Page 35):

May 10 & 11, 2011 May 28 & 29, 2013 (Clarification Provided)	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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Accepted Proposed Changes with Modifications-May 2014 AWCBC Meeting (Page 35):

May 10 & 11, 2011 May 28 & 29, 2013 (Clarification Provided)	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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*Committee members recommended that the dates, topic and resolution be shaded as effective 2014 statistics were no longer being reported.

Original Version May 17, 2013 (Page 34):

May 16 & 17, 2012	Statistics	All jurisdictions agreed to adopt the new definitions and tables used to track the 2012 IJA/AAP statistics.
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Proposed Changes April 17, 2014 (Page 36):

May 16 & 17, 2012	Statistics	All jurisdictions agreed to adopt the new definitions and tables used to track the 2012 IJA/AAP statistics.
April 29 & 30, 2014		No further statistics would be tracked (for IJA or AAP) effective 2014.

*Proposed changes included a new resolution indicating that no further statistics would be tracked (for IJA or AAP) effective 2014.

Accepted Proposed Changes with Modifications-May 2014 AWCBC Meeting (Page 36):

May 16 & 17, 2012	Statistics	All jurisdictions agreed to adopt the new definitions and tables used to track the 2012 IJA/AAP statistics.
April 30 and May 1, 2014		No further statistics would be reported (for IJA or AAP) effective 2014.

*Committee members recommended wording change from “tracked” to “reported” for clarity purposes. They also suggested that the initial resolution dated May 16 & 17, 2012 be shaded as it was no longer relevant.

Original Version May 17, 2013 (Page 34):

April 29 & 30, 1999	Third Party	The decision of an Adjudicating Board to pursue third party action is not open for reconsideration by the Reimbursing Board.
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Original Version May 17, 2013 (Page 33):

April 22, 2002	Suit	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.
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Proposed Changes April 17, 2014 (Page 36):

April 29 & 30, 1999	Third Party	The decision of an Adjudicating Board to pursue third party action is not open for reconsideration by the Reimbursing Board.
April 22, 2002 May 28 & 29, 2013 (Clarification Provided)		The IJA cannot be used as an instrument to bar third party litigation in other jurisdictions.

*Proposed changes included clarification to more accurately reflect the intent of the initial resolution dated April 22, 2002 as agreed upon in the May 28 & 29, 2013 meeting minutes.

Accepted Proposed Changes-No Change-May 2014 AWCBC Meeting (Page 36):

April 29 & 30, 1999	Third Party	The decision of an Adjudicating Board to pursue third party action is not open for reconsideration by the Reimbursing Board.
April 22, 2002 May 28 & 29, 2013 (Clarification Provided)		The IJA cannot be used as an instrument to bar third party litigation in other jurisdictions.

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Original Version May 17, 2013 (Page 34):

April 29 & 30, 1999	Subrogation Rights	Adjudicating Boards will put paying Boards on notice that the Adjudicating Board will exercise its subrogation rights and then seek reimbursement for any shortfall.
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Original Version May 17, 2013 (Page 34):

August 19 & 20, 1999	Third Party	Board should not seek reimbursement for third party claims costs that have been recovered from third party.
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Original Version May 17, 2013 (Page 34):

May 20 & 21, 2009	Third Party	Reimbursement requests are not to be sent until the 3 rd party recovery action is complete. Sending a notice of intent to bill for possible reimbursement (within 2 years of claim acceptance) will preserve the right to send the future request once 3 rd party action is completed.
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Proposed Changes April 17, 2014 (Page 36):

April 29 & 30, 1999	Third Party	Adjudicating Boards will put paying Boards on notice that the Adjudicating Board will exercise its subrogation rights and then seek reimbursement for any shortfall.
August 19 & 20, 1999		Board should not seek reimbursement for third party claims costs that have been recovered from third party.
May 20 & 21, 2009		Reimbursement requests are not to be sent until the 3 rd party recovery action is complete. Sending a notice of intent to bill for possible

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		reimbursement (within 2 years of claim acceptance) will preserve the right to send the future request once 3 rd party action is completed.
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*Proposed changes included a combination of the 3 dates under the topic of Third Party.

Accepted Proposed Changes with Modifications-May 2014 AWCBC Meeting (Page 36):

April 29 & 30, 1999	Third Party	Adjudicating Boards will put paying Boards on notice that the Adjudicating Board will exercise its subrogation rights and then seek reimbursement for any shortfall.
August 19 & 20, 1999		Board should not seek reimbursement for third party claims costs that have been recovered from third party.
May 20 & 21, 2009		Reimbursement requests are not to be sent until the 3 rd party recovery action is complete. Sending a notice of intent to bill for possible reimbursement (within 2 years of claim acceptance) will preserve the right to send the future request once 3 rd party action is completed.

*Committee members recommended the word “then” be no longer bolded as it was deemed to be unnecessary.

Original Version May 17, 2013 (Page 34):

September 28, 2000	Third Party	Right of Action referred to in Appendix C refers to WCB Right of Action.
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Proposed Changes April 17, 2014 (Page 36):

September 28, 2000	Third Party	Right of Action referred to in Appendix C refers to WCB Right of Action.
April 30 & May 1, 2014 (Clarification Provided)	Third Party	Appendix C referenced Right of Action in the past and has since been incorporated into the agreement permanently (Specifically 9.5)

*Proposed changes included shading of the resolution dated September 28, 2000 as it was no longer relevant. In addition, a new resolution was recommended noting that Appendix C had previously referenced Right of Action, but had since been permanently incorporated into the Agreement (Specifically 9.5). A 2014 date was also added to include the date clarification was provided.

Accepted Proposed Changes-No Change-May 2014 AWCBC Meeting (Page 36):

September 28, 2000	Third Party	Right of Action referred to in Appendix C refers to WCB Right of Action.
April 30 & May 1, 2014 (Clarification Provided)	Third Party	Appendix C referenced Right of Action in the past and has since been incorporated into the agreement permanently (Specifically 9.5).

Original Version May 17, 2013 (Page 35):

November 4 & 5, 2012	Training	Each jurisdiction is responsible for their own training .
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Proposed Changes April 17, 2014 (Page 37):

November 4 & 5, 2012	Training	Each jurisdiction is responsible for their own
April 29 & 30, 2014 (Clarification Provided)		internal training of IJA best practices, protocols, processes and procedures.

*Proposed changes included clarification to more accurately reflect the intent of the initial resolution dated November 4 & 5, 2012. A 2014 date was also added to include the date clarification was provided.

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Accepted Proposed Changes with Modifications-May 2014 AWCBC Meeting (Page 37):

November 4 & 5, 2012 April 30 & May 1, 2014 (Clarification Provided)	Training	Each jurisdiction is responsible for their own internal training of IJA best practices, protocols, processes and procedures.
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*Correction on the date of clarification as it was incorrectly noted as April 29 & 30, 2014 rather than April 30 & May 1, 2014. Otherwise, the proposed changes were accepted.

Original Version May 17, 2013 (Page 35):

September 22 & 23, 1997	Translation	No translation charges will be forwarded to CSST. New Brunswick to act as a translation clearing house.
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Original Version May 17, 2013 (Page 35):

May 16 & 17, 2012	Translation	It is the responsibility of the requesting Board to translate to information to English, if required. The QC Board provides an English translation cover page for IJA/AAP requests, but it is expected that the other Boards will reciprocate accordingly with Quebec.
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Proposed Changes April 17, 2014 (Page 37-38):

September 22 & 23, 1997	Translation	No translation charges will be forwarded to CSST. New Brunswick to act as a translation clearing house.
May 16 & 17, 2012		It is the responsibility of the requesting Board to translate to information to English, if required. The QC Board provides an English translation cover page for

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April 30 & May 1, 2014		<p>IJA/AAP requests, but it is expected that the other Boards will reciprocate accordingly with Quebec.</p> <p>All jurisdictions are responsible for their own translation services and related costs. New Brunswick is not acting as a translation “clearing house.”</p>
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*Proposed changes included shading of the information that suggested New Brunswick was a translation clearing house as this was no longer the case. In addition, a new resolution was recommended to provide clarification that all jurisdictions were responsible for their own translation services and related costs and that New Brunswick was not acting as a translation “clearing house.”

Accepted Proposed Changes with Modifications-May 2014 AWCBC Meeting (Page 37-38):

September 22 & 23, 1997	Translation	<p>No translation charges will be forwarded to CSST. New Brunswick to act as a translation clearing house.</p>
May 16 & 17, 2012		<p>It is the responsibility of the requesting Board to translate the information to English, if required. The QC Board provides an English translation cover page for IJA/AAP requests, but it is expected that the other Boards will reciprocate accordingly with Quebec.</p>
April 30 & May 1, 2014		<p>All jurisdictions are responsible for their own translation services and related costs. New Brunswick is not acting as a translation “clearing house.”</p>

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*Committee members recommended a grammatical correction of “translate **the** information to English” rather than “translate to information to English. Otherwise, proposed changes were accepted. Otherwise, the proposed changes were accepted.

Original Version May 17, 2013 (Page 36):

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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Proposed Changes April 17, 2014 (Page 38):

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		Jurisdictions should not inform workers of benefits they may be entitled to in other jurisdictions, however, they should inform workers of their potential right of election in another jurisdiction.

*Proposed changes included a new resolution based on discussion and related meeting minutes dated May 28 & 29, 2013. The 1999 resolution was also recommended to be shaded as it was no longer accurate.

Accepted Proposed Changes-No Change-May 2014 AWCBC Meeting (Page 38):

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		Jurisdictions should not inform workers of benefits they may be entitled to in other jurisdictions, however, should inform workers of

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		their potential right of election in another jurisdiction.
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Original Version May 17, 2013 (Page 36):

April 22, 2002	Working Documents IIA	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.
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Proposed Changes April 17, 2014 (Page 38):

April 22, 2002	Working Documents IIA	-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
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May 28 & 29, 2013		<p>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> <p>Above resolution (dated April 22, 2002) refers to “Working Document” only. The signed IJA is available on the AWCBC website.</p>
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*Proposed changes included a new resolution dated May 28 & 29, 2013 (based on discussion and related meeting minutes) clarifying that the 2002 resolution referred to the “working document only.” The last sentence was also recommended to be shaded as it was no longer relevant.

Accepted Proposed Changes-No Change-May 2014 AWCBC Meeting (Page 38):

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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May 28 & 29, 2013		Above resolution (dated April 22, 2002) refers to “Working Document” only. The signed IJA is available on the AWCBC website.
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Rhonda Dean (AB) motioned to approve the above PPP changes as discussed and agreed upon. All committee members unanimously seconded the motion.

Rhonda agreed to have the entire PPP document updated based on the above discussions by October 30, 2014 and circulate it to all committee members by November 30, 2014. The committee members will then approve the PPP draft at the next AWCBC meeting in May 2015.

It was also clarified that it would become the responsibility of the Chair to continue to update the PPP after discussions at the 2015 AWCBC IJA committee meeting.

Action Items:

- ❖ **Caroline Hogue (SK) is to provide the Chair with Saskatchewan’s position on reimbursement when two different employers exist by May 30, 2014.** (Please refer to page 63-64 of the Meeting Minutes as this action item was completed prior to the end of the meeting).
- ❖ **Chair is to provide the information to Rhonda Dean (AB) by June 15, 2014 in order to update the Protocols, Practices and Procedures (PPP) document.**
- ❖ **Rhonda Dean (AB) is to update the Protocols, Practices and Procedures (PPP) document based on discussions at the 2014 AWCBC meeting and circulate to all committee members by October 30, 2014.**
- ❖ **All committee members are to review the document and provide feedback to Rhonda Dean (AB) by November 30, 2014.**
- ❖ **All committee members are to approve the Protocols, Practices and Procedures (PPP) draft document at the 2015 AWCBC IJA committee meeting.**

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5 NEW ITEMS were added to the workplan update (which will be outlined as Item 15-Update Protocols, Practices, and Procedures (PPP) Document)

#1 NEW Item 15- Update PPP-Caroline Hogue (SK) is to provide the Chair with Saskatchewan's position on reimbursement when two different employers exist by May 30, 2014. This activity will be recorded as "to be completed" in the 2014 workplan update and will be noted as completed in the 2015 workplan as the activity was completed prior to the end of the 2014 meeting. It will not carry forward to the 2015 workplan update.

#2 NEW Item 15- Update PPP-Chair is to provide the information to Rhonda Dean (AB) by June 15, 2014 in order to update the Protocols, Practices and Procedures (PPP) document. This activity will be recorded as "to be completed" in the 2014 workplan update and will be noted as completed in the 2015 workplan as the activity was completed prior to the end of the 2014 meeting. It will not carry forward to the 2015 workplan update.

#3 NEW Item 15- Update PPP-Rhonda Dean (AB) is to update the Protocols, Practices and Procedures (PPP) document based on discussions at the 2014 AWCBC meeting and circulate to all committee members by October 30, 2014. This activity will be recorded as "to be completed" in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as "completed" in the 2015 workplan update and will not carry forward to the 2016 workplan.

4 NEW Item 15- Update PPP-All committee members are to review the document and provide feedback to Rhonda Dean (AB) by November 30, 2014. This activity will be recorded as "to be completed" in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as "completed" in the 2015 workplan update and will not carry forward to the 2016 workplan.

5 NEW Item 15- Update PPP-All committee members are to approve the Protocols, Practices and Procedures (PPP) draft document at the 2015 AWCBC IJA committee meeting. This activity will be recorded as "to be completed" in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as "completed" in the 2015 workplan update and will not carry forward to the 2016 workplan.

AD HOC DISCUSSION

IJA Committee Task List Template

Sophie Genest (QC) noted that she found it very helpful to have the IJA Committee Task List document that provided a summary of all of the deadlines that were discussed in the workplan, supplied by Glenn Jones (MB) over the past two years. Other jurisdictions agreed that this was a beneficial task list document as it was a quick reference for all committee members and could be used regularly at yearly AWCBC meetings.

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Glenn Jones (MB) agreed to create the new Committee Task List template for regular use at yearly AWCBC IJA Committee meetings and provide to the new Chair by May 30, 2014. Ann Martin (NL) agreed to circulate the completed document to all committee members by May 30, 2014.

A portion of the template references is copied below:

Deadline	IJA Committee Tasks in 2013 Workplan Update	Parties Responsible

Action Items:

- ❖ **Glenn Jones (MB) agreed to create a Committee Task List template for regular use at yearly AWCBC IJA Committee meetings and provide to the new Chair (Ann Martin, NL) by May 30, 2014. All committee members are to report to Sophie Genest (QC) as to the minimum information required for election notification to jurisdictions by May 30, 2014.**
- ❖ **Ann Martin (NL) agreed to circulate the completed document to all committee members by May 30, 2014.**

2 NEW ITEMS were added to the workplan update (which will be outlined as Item 10-Create IJA Committee Task List Template)

#1 NEW Item 10- Create IJA Committee Task List Template-Glenn Jones (MB) agreed to create a Committee Task List template for regular use at yearly AWCBC IJA Committee meetings and provide to the new Chair (Ann Martin, NL) by May 30, 2014. This activity will be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as “completed” in the 2015 workplan update and will not carry forward to the 2016 workplan.

#2 NEW Item 10- Create IJA Committee Task List Template-Ann Martin (NL) agreed to circulate the completed document to all committee members by May 30, 2014. This activity will be recorded as “to be completed” in the 2014 workplan update and will carry forward to the 2015 workplan. If the activity is completed by May 2015 it will be recorded as “completed” in the 2015 workplan update and will not carry forward to the 2016 workplan.

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Review of Section 4 (2) of Government Employees Compensation Act (GECA):

Mark Powers (BC) raised discussion regarding Section 4 (2) after a recent scenario came up with their Board and the Alberta Board.

Mark noted that Section 4 (2) of the Government Employees Compensation Act (GECA) provides the following (emphasis added in bold):

“Rate of compensation and conditions

*(2) The employee or the dependants referred to in subsection (1) are, notwithstanding the nature or class of the employment, entitled to receive compensation at the same rate and under the same conditions as are provided under the law **of the province where the employee is usually employed** respecting compensation for workmen and the dependants of deceased workmen, employed by persons other than Her Majesty, who*

(a) are caused personal injuries in that province by accidents arising out of and in the course of their employment; or

(b) are disabled in that province by reason of industrial diseases due to the nature of their employment.”

Mark also referenced Section 2 of GECA’s Place of Employment Regulation which noted the following (emphasis added in bold):

“PLACE OF EMPLOYMENT

2. *For the purposes of the [Government Employees Compensation Act](#), **the place where an employee is usually employed is the place where the employee is appointed or engaged to work.**”*

Based on these provisions, Mark indicated that the phrase “province where the employee is usually employed” this is defined as “the place where the employee is appointed or engaged to work” however, there can be times where a worker is appointed to work in BC and is injured outside of the province but does not meet Section 8 of their Workers’ Compensation Act and still not be able to elect with them. Alternatively, the injured worker may in fact meet the right of election under another province’s Workers’ Compensation legislation but under GECA not able to elect there as they are not “usually employed” with that province. Therefore, the question becomes whether the Workers’ Compensation Board’s legislation (with respect to out of province injuries) would be considered to override Section 4 (2) of GECA. Mark inquired as to whether any other jurisdiction was aware of whether this issue has been interpreted in further detail by any Board or Court.

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He indicated that perhaps the Martin vs Alberta case may have some relevance. The issue was whether an Alberta workers' compensation board policy could limit a federal employee's entitlement under GECA, which spoke broadly about employees being compensated for "personal injury by an accident arising out of and in the course of his employment. Mr. Martin argued that the broad language in the federal GECA ought not be restricted by an Alberta policy. On March 28, 2014 the Supreme Court of Canada (SCC) ruled that an injured federal employee in Alberta was entitled to the same workers' compensation as any other person working in Alberta and rejected Mr. Martin's position.

Mark went on to provide a scenario with a Parks Canada worker where both the Alberta and British Columbia Boards were involved. He indicated that the claim was further complicated by the fact that the worker had a number of claims, with at least one where there were ongoing symptoms. On some of the worker's prior claims, the Federal Government proceeded on the basis that the worker had right of election with either Alberta or British Columbia. In other claims of this same worker, the Federal Government decided which province the worker's claim should be made through. In the most recent claim of the worker, the Federal Government reviewed the claim after years of benefits being paid by Alberta and decided that the claim should have never been processed by Alberta and should have been adjudicated by British Columbia.

Rhonda Dean (AB) indicated that when this claim was discussed with the Federal Government, they indicated that they were now not certain whether Section 4 (2) of GECA did in fact overrule the individual, provincial Workers' Compensation Board legislation. Rhonda was advised that the Federal Government wanted to bring this issue to their internal legal department for further comment. To date, no response has been received from the Federal Government.

Mark raised another scenario where a corrections worker, while employed in Alberta, witnessed a traumatic event and sought benefits from the Alberta Board. The worker was working in British Columbia and had to provide testimony about that Alberta incident, which as a result caused psychological trauma. The worker's claim was denied in British Columbia and the worker sought a review of the decision. Mark indicated that if the worker's testimony was not considered a new and separate event, that is, a recurrence of his initial Alberta claim, then he would be able to claim in Alberta. However, if the testimony was considered to be a separate event, then the usual place of employment would need to be considered (which was British Columbia) and the British Columbia Board would be considered to be the adjudicative Board. This claim has yet to reach a resolution.

Unfortunately, no other jurisdictions had any similar experiences and could not provide any further discussion and/or opinion.

No new action item was required for the workplan.

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7. Approval of 2014 Final Workplan

All committee members reviewed and approved the final workplan that was to be submitted to the AWCBC by 10:00 a.m. on May 1, 2014.

8. *Appoint New Chair*

Mark Powers (BC) motioned to appoint Ann Martin (NL) as the new meeting chair for a two year term. Bill Ostapek (AB) seconded the motion.

9. Adjournment

Meeting concluded May 1, 2014 at 11:00 a.m.

/rd