



**AWCBC All Committee Meetings  
IJA Committee Minutes**

**May 17, 2017 8:30 am to 4:30pm  
May 18, 2017 8:30am to 12:00pm  
Omni King Edward Hotel-Knightsbridge  
Toronto Ontario**

**Attendees:**

Luanne Gallant (Executive Sponsor, PEI)  
Shirley Walsh (Northwest Territories/Nunavut)-Chair  
Ann Martin (Newfoundland Labrador) – via telephone  
Glenn Jones (Manitoba)  
Rhonda Dean (Alberta)  
Jan Glemba (Alberta)  
William (Bill) Ostapek (Alberta)  
Curtis Craig (Alberta)  
Deepak Kothary (British Columbia)  
Ian Shaw (British Columbia)  
Howard Chang (British Columbia)  
Melody Mladineo (New Brunswick)  
Theresa Wolfe (Northwest Territories/Nunavut)  
Eve Bercovitch (Ontario)  
Robin Senzilet (Ontario)  
Vera Radicevic (Ontario)

Sophie Genest (Quebec)

Yvonne Weigerber (Saskatchewan)

Kathleen Avery (Yukon)

Paula Arab (Nova Scotia)

Rachel Silver(Prince Edward Island)

## **AGENDA**

### **May 16, 2017 – 8:30am to 4:30pm**

1. Welcome and Introductions
2. Approval of Agenda and Workplan
3. Approve 2016 Minutes(item 5iii Workplan)
4. Item 1v-discussion of updates to the AAP appendix
5. Item vii-any additional discussion arising from Ontario's response
6. Item viii-NL case studies
7. Item 2i-contact information updates
8. Item 3ii-Alberta–cost relief and entitlement case
9. Item 3iii-Sasatchewan-cost relief reviews
10. Item 4i-update-benefits in kind contact list
11. Item 6i and ii-update-disclosure of information chart
12. Item 6iv-secure methods of electronic information transfer
13. Item 6v-Manitoba-discussion re: information disclosure on reimbursement claims
14. Item 8i-update on jurisdictional fatality stats
15. Item 8iv-Quebec-translation issue
16. Item 9ii-Quebec-updates received?
17. Item 11-IJA dollar for dollar agreement updates
18. Item 12i-Alberta case study
19. Item 12ii-Alberta case study
20. Item 12iii-Alberta case study
21. Item 12iv-Alberta case study
22. Item 10-International and Provincial firefighting agreement
23. Item 7i and 8ii-BPG and PPP
24. Item added – Form of Election
25. Item added – Add value to AWCBC

<b>MINUTES</b>		
<b>1.0</b> Welcome and Introductions	<b>Shirley Walsh</b>	
<p><b>Discussion:</b> Chair welcomed new members Rachel Silver PEI, Theresa Wolfe NWT, Ian Shaw and Howard Chang BC. Also welcomed new executive sponsor Luanne Gallant.</p> <p>Opening remarks. Shirley requested that members stay up to date with completing their respective contributions. Shirley also thanked Rhoda Dean who has agreed to maintain and update the BBP and PPP documents for 2017. Rhonda's contribution to keeping care of these documents is much appreciated.</p>		
<b>Conclusion:</b>		
<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
<b>2.0</b> Approval of Agenda and Workplan	<b>All</b>	
<p><b>Discussion:</b> Reviewed 2017 agenda and Workplan</p>		
<b>Conclusion:</b> Approved		
<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
<b>3.0</b> Approve 2016 Minutes(item 5iii Workplan)	<b>Shirley Walsh</b>	
<b>Discussion: Meeting Minutes</b>		
<p><b>Conclusion:</b> Ronda Dean requested that the details of the action items be copied items into the minutes. Motion to accept minutes approved. Updated version provided.</p>		
<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
<b>i.</b> Shirley to send finalized 2016 meeting minutes to AWCBC.	Shirley(NT/NU)	May 18, 2017
<b>ii.</b> Melody (NB) to send draft 2017 meeting minutes to IJA Committee	Melody (NB)	June 30, 2017
<b>4.0</b> Item 1v-discussion of updates to the AAP appendix	<b>All</b>	
<p><b>Discussion:</b> Alternative Assessment Procedure</p> <p>Discussed updates to AAP appendix to include the exceptional issues classification decision from the National Assessment meeting:</p> <ul style="list-style-type: none"> <li>• Pilot Car Service (Awaiting Approval to update Appendix E)</li> <li>• Trucking Labour Supply (which jurisdictions are participating?)</li> </ul>		

**Conclusion:**

Pilot car

Pilot car is now accepted into AAP and has been added to appendix E. All jurisdiction agree for inclusion

Trucking Labour Supply

No consensus of trucking labour supply. Quebec is now agreeable. Deepak indicated this will be more difficult to include this industry into the AAP. Ontario indicated that this industry will not be included until at least 2019.

Jockey industry is not part of trucking as this is part of the manufacturing industry that is completing the sale of their product across jurisdictions. Consensus of IJA is that jockey industry is not part of AAP.

**Action items:**

- i.** All jurisdictions to obtain necessary authorizations from their jurisdiction to add Pilot Cars to Appendix E of AAP and confirm to Shirley (NT/NU)
- ii.** Update the PPP to reference “jockey” type industries and confirm they are not considered trucking but are incidental to a specific industry

**Person**

**Responsible:**

**Deadline:**

All

October 15 2017

Rhonda (AB)

September 30, 2017

**5.0** Item 1vii-any additional discussion arising from Ontario’s response.

**Eve (ON)**

**Discussion:** Alternative Assessment Procedure

Discussion with Ontario regarding retroactivity of applications and interpretation of registration requirement.

**Conclusion:**

Ontario will not backdate applications.

When identifying employers on the form who fall under the AAP, the assessing or reimbursing board will send reminder to all jurisdictions that the employer is covered. PPP indicates that all jurisdictions are required to notify all boards that an employer is covered under AAP for all provinces.

Cannot have partial AAP, however there are gaps when an employer has less than 3 workers in a province that does not have mandatory coverage in that province. Employers are not bound by the IJA that is covered by all provinces. However enrollment to AAP can be denied if employer

does not accept to be covered by all and then will have to prorate assessment to each province.

Issues – rate shopping by employer i.e. request AAP in 1 province and then prorate assessments in provinces where rates are lower.

<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
<b>i.</b> All jurisdictions to confirm with administration at their home jurisdictions that when AAP application received, or when employers withdraw from the AAP, all jurisdictions noted on the form to be notified.	All	June 15, 2017
<b>ii.</b> Update the PPP to include details and purpose of notice to other jurisdictions.	Rhonda (AB)	September 30, 2017
<b>iii.</b> Draft wording for discussion at National Assessment meeting amending section 12 of AAP to confirm registration in AAP in one jurisdiction means inclusion in all jurisdictions	Howard (BC)	May 31, 2017
<b>iv.</b> Report to IJA Committee on results of discussion of draft Section 12 amendment at National Assessment meeting.	Howard(BC)	July 31, 2017
<b>v.</b> All jurisdictions to obtain necessary authorizations from their jurisdiction to amend section 12 as proposed and confirm authorizations with Shirley (NT/NU)	All	October 15, 2017
<b>6.0</b> Item 1 viii-NL case studies	<b>Suzette/Ann NL</b>	
<b>Discussion:</b> Alternative Assessment Procedure		
Discussion with NF regarding IJT clearances and registration expirations (case study)		
<b>Conclusion:</b>		
Clearance letter - Each jurisdiction can only issue clearance letters for their jurisdiction. Consensus that clearance letter only reflects good standing in their jurisdiction.		
Expiry of AAP - No expiry unless they withdraw. Unless an employer notifies their withdrawal, they remain in AAP, however it is mandatory to do reviews every 3 years. If an employer withdraws, the jurisdiction relays this to the other boards.		
<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
<b>i.</b> Update the PPP to confirm each board can only issue clearance letters for their own jurisdiction.	Rhonda (AB)	September 30, 2017
<b>ii.</b> Update the PPP to confirm AAP registration does		

not expire and that any board receiving notification of an employer's withdrawal from AAP must notify other boards.	Rhonda (AB)	September 30, 2017
<b>7.0</b> Item 2i-contact information updates <b>All</b>		
<b>Discussion:</b> AWCBC IJA Repository		
Reviewed the updates in the IJA Committee contact lists		
<b>Conclusion:</b>		
List is found in BPG.		
IJA repository - Contact information can be sent directly to AWCBC.		
<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
<b>i.</b> Review and update the IJA Committee contact listings as necessary or by deadline and provide updates to Shirley (NT/NU) or AWCBC with copy to Shirley (NT/NU).	All	November 1, 2017
<b>ii.</b> All jurisdictions to share contact list with internal staff.	All	Yearly
<b>iii.</b> Shirley (NT/NU) to send updated contact information to Rhonda for inclusion in BPG.	Shirley (NT/NU)	November 15, 2017
<b>iv.</b> Forward the most up to date approved versions of the PPP and BPG to AWCBC to be uploaded to the repository.	Shirley (NT/NU)	July 15, 2017
<b>8.0</b> Item 3ii-Alberta –cost relief and entitlement case <b>Rhonda Dean AB</b>		
<b>Discussion:</b> Cost Relief and Cost Reimbursement		
Discussion with Wayne SK regarding of Cost Relief vs Entitlement (case study)		
<b>Conclusion:</b>		
Can you appeal for cost relief when the employer feels the claim should not have been accepted? The response is employers must appeal the acceptance of claim with the adjudicating board.		
2 <sup>nd</sup> issue Is it better for the adjudicating board to make the decision on cost relief? Yes, sharing workers personal information with reimbursing board that has not had any involvement with claim and payment of benefits.		

<p><b>Action items:</b></p> <p>i. Update PPP and BPG regarding case study discussion of return of reimbursement paid based on entitlement error.</p>	<p><b>Person Responsible:</b></p>	<p><b>Deadline:</b></p>
	<p>Rhonda (AB)</p>	<p>September 30, 2017 (PPP)</p>
		<p>December 31, 2017 (BPG)</p>
<p><b>9.0 Item 3iii-Sasatchewan-cost relief reviews</b></p>		<p><b>Yvonne SK</b></p>
<p><b>Discussion:</b> Cost Relief and Cost Reimbursement</p>		
<p>Cost Relief Reviews – same as item 8.0</p>		
<p><b>Conclusion:</b></p>		
<p><b>Action items:</b> see 8.0</p>	<p><b>Person Responsible:</b></p>	<p><b>Deadline:</b></p>
<p><b>10.0 Item 4i-updte-benefits in kind contact list</b></p>		<p><b>All</b></p>
<p><b>Discussion:</b> Benefits In Kind Contact List</p>		
<p>Discussed importance for all jurisdictions to provide updated contact list to Carmen with AWCBC for IJA repository, contact list. This is a repeating activity.</p>		
<p><b>Conclusion:</b> not applicable</p>		
<p><b>Action items:</b></p> <p>i. All jurisdictions to provide updated contact list to Rhonda (AB) for update to BPG, and to Shirley (NT/NU) for update of AWCBC IJA repository. This is a repeating activity.</p> <p>ii. Rhonda (AB) to update contact list in BPG.</p>	<p><b>Person Responsible:</b></p> <p>All</p>	<p><b>Deadline:</b></p> <p>May 26, 2017</p>
	<p>Rhonda (AB)</p>	<p>December 31,2017</p>
<p><b>11.0 Item 6i and ii-update-disclosure of information chart</b></p>		<p><b>All</b></p>
<p><b>Discussion:</b> Disclosure of Information</p>		
<p>Reworded chart with definitions was sent to committee members. However still waiting some information in order to complete disclosure of information chart.</p>		
<p><b>Conclusion:</b></p> <p>Group asked for updated disclosure of information guidelines chart and put into PPP.</p>		

Clarification: No means– no consensus required. Yes means– yes consensus is required

<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
<p><b>i.</b> Review and confirm entries in disclosure of information chart, send confirmations to Rhonda (AB) and Shirley (NT/NU).</p> <p><b>ii.</b> Update the PPP with results of the disclosure chart after the IJA committee 2017 meeting approval.</p>	<p>All</p> <p>Rhonda(AB)</p>	<p>May 26, 2017</p> <p>September 30, 2017</p>
<b>12.0</b> Item 6iv-secure methods of electronic information transfer		<b>All</b>
<p><b>Discussion:</b> Disclosure of Information</p> <p>Explored the issue of secure methods of electronic information transfer.</p>		
<p><b>Conclusion:</b></p> <p>Some jurisdictions have programs to send securely the claim files. File transfer protocol. I.e. Titan file (Manitoba). Transfer not through email and mail. How do other jurisdiction transfer documents?</p>		
<b>Action items:</b> Similar -See item 13.0	<b>Person Responsible:</b>	<b>Deadline:</b>
<b>13.0</b> Item 6v-Manitoba-discussion re information disclosure on reimbursement claims		<b>Glen MB</b>
<p><b>Discussion:</b></p> <p>Discussed timing/extent of information necessary for reimbursement claims.</p>		
<p><b>Conclusion:</b></p> <p>Manitoba - information disclosure on claim files. Manitoba requests that whole claims files not be sent until accepted as an IJA claim and reimbursement is being requested.</p> <p>Send only election form to notify there is a potential for an IJA. Do not send claim file as they cannot accept whole claim information until it is decided it is a IJA claim</p> <p>Manitoba only request notice of right of election to protect personal information.</p> <p>Alberta to report on test program of securer electronic transfer with Manitoba.</p>		
<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>



i. Alberta to report on test program of secure electronic transfer with Manitoba and Yukon.	Rhonda (AB)	May 2018
<b>14.0</b> Item 8i-update on jurisdictional fatality stats		
<b>Discussion:</b> Update PPP		
Followed up on jurisdictional fatality statistics.		
<b>Conclusion:</b> On page 23 of PPP. NWISP committee indicated that some jurisdiction were not consistent. “Fatalities are counted in the jurisdiction where the right to elect was accepted”		
<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
i. Update PPP after NWISP meeting to reflect up to date information on jurisdictional fatality statistics, particularly NT/NU and SK	Rhonda (AB)	July 15, 2017
ii. Rhonda to forward PPP approved at 2016 meeting to IJA committee members, and to Shirley (NT/NU) to send to the AWCBC to upload to repository.	Rhonda (AB)	July 15, 2017
iii. Shirley (NT/NU) to send to the AWCBC to upload to repository	Shirley (NT/NU)	July 20, 2017
<b>15.0</b> Item 8iv-Quebec-translation issue		
<b>Sophie QC</b>		
<b>Discussion:</b> Update PPP		
Discussion on Translation costs - Is it clear in PPP about the process to cover costs for translations? When QC receives files they are English, they can manage as most of their doctors are bilingual. When opposite happens i.e. when Quebec requests IME and they send documents in French, who takes care of the translation?		
<b>Conclusion:</b>		
Most jurisdictions don’t have capacity for translation and QC does not have capacity to translate for the other jurisdictions.		
The agreement in <i>Benefits in Kind</i> is that the requesting jurisdiction pays costs. However the issue of translation is quiet. QC advised that they limit the amount of documents sent to only essential information to decrease the amount needed for translation.		
See sec 6.4 pg. 11 on BPG		

Translation is administrative costs therefore should be borne by the providing provinces.

Benefits and kind costs - refers to costs for benefits to workers. Does not include translations.

<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
<ul style="list-style-type: none"> <li>i. BC, Ontario and Saskatchewan to review issue of responsibility for translation costs on benefit in kind requests and discuss with relevant authorities at their respective boards. Results to be shared with IJA Committee.</li> <li>ii. Update PPP to clarify entries on translations including separation of entries into those applicable to general IJ claims and those applicable to Benefits in Kind.</li> </ul>	Ian (BC) Yvonne(SK) Robin (ON)  Rhonda (AB)	July 31, 2017   September 30, 2017
<b>16.0</b> Item 9ii-Quebec-updates received?		<b>Sophie QC</b>
<b>Discussion:</b> Quebec's Online Secure System		
Discussed jurisdictions` access to Quebec's Online Secure System		
<b>Conclusion:</b>		
The Online Secure System is to request independent medical assessments in Quebec. Ensure the information is accurate when accessing the system.		
<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
i. Sophie to send all committee members current jurisdictional access persons.	Sophie (QC)	May 31, 2017
ii. Review jurisdictions access, update as required and return to Sophie and copy Shirley (NT/NU).	All	June 15, 2017
<b>17.0</b> Item 11-IJA dollar for dollar agreement updates		<b>All</b>
<b>Discussion:</b> Strategic Direction		
IJA committee reported on status of dollar for dollar reimbursement agreements.		
<b>Conclusion:</b>		
Alberta has tracked shortfall information since 2012.It would be nice if other regions did same but recognise that some jurisdiction doesn't have capacity. The dollar for dollar concept works well for the jurisdictions involved and they will continue with these agreements.		

NB and NS to pilot for 1 year, If things go well with NB -NS to reach out to NFLD.

NB and PEI will also enter into an agreement.

Yukon has recently entered with Manitoba effective Jan 1/17, however no common claims. Yukon reached out to BC. Exchange of letters agreements only.

<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
<b>i.</b> Rhonda to update PPP with new agreements between jurisdictions.	Rhonda (AB)	September 30, 2017
<b>ii.</b> IJA committee to report on status of dollar for dollar reimbursement agreements in the 2017/2018 year.	All	May 2018

**18.0** Item 12i-Alberta case study

**Rhonda Dean AB**

**Discussion:** Application of IJA

Discussed recurrence of Disability and Section 8&9 interpretation (Case Study)

**Conclusion:**

If adjudicating board “A” determines it is Recurrence then continue with the same reimbursement from “B”. “B” does not have role in adjudicating even if they disagree with recurrence decision. “A” is responsible to determine if claim is recurrence. If worker moves to new jurisdiction then there is a new right of election if there is new incident.

Section 8 and 9 are relevant in that sections:

8.1 deals with new injury

9.7 is for recurrences

<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
<b>i.</b> Add to BPG results of case study discussion of issues regarding recurrence of Disability and Section 8&9 interpretation.	Rhonda (AB)	December 31, 2017

**19.0** Item 12ii-alberta case study

**Rhonda Dean AB**

**Discussion:** Application of IJA

Discussed interpretation of Section 15 of the IJA-Appeals (Case Study)		
<b>Conclusion:</b>		
Cost relief is done by the reimbursing board.		
PPP are not binding to agreement. However it does have purpose		
Definition of administering board means the jurisdiction that provides benefits in kind.		
<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
<b>i.</b> Add to BPG results of case study discussion re: interpretation of Section 15 of the IJA-Appeals	Rhonda (AB)	December 31, 2017
<b>ii.</b> Add to PPP definition of reimbursing board and add clarification in instances where the term is used.	Rhonda (AB)	December 31, 2017
<b>iii.</b> Add preamble to PPP	Rhonda (AB)	September 30, 2017
<b>20.0</b> Item 12iii-Alberta case study		<b>Rhonda Dean AB</b>
<b>Discussion:</b> Application of IJA		
GECA - Reviewed regarding out of province accidents.		
<b>Conclusion:</b>		
IJA does not apply to GECA claims as federal government makes determination for place of employment. Remind provinces that whenever they have an out of province GECA claim do not send right of election.		
<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
<b>i.</b> Add to PPP results of case study regarding GECA issue out of province accidents.	Rhonda (AB)	September 30, 2017
<b>21.0</b> Item 12iv-Alberta case study		<b>Rhonda Dean AB</b>
<b>Discussion:</b> Application of IJA		
Discussed - Employer Charging Errors and Rules regarding Refunds and imposed timelines (Case Study)		
<b>Conclusion:</b> Limitation act has general limitation to 2 years. General 2 year limitation is subject		

to agreement between the parties.		
<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
ii. Add to BPG and PPP results of case study discussion re Employer Charging Errors and Rules regarding Refunds and imposed timelines including a limitations period of 2 years subject to other agreement of the parties.	Rhonda (AB)	September 30, 2017 (PPP)  December 31, 2017 (BPG)
<b>21.1</b> Item Form of Election	<b>Everyone</b>	
<b>Discussion:</b> Application of IJA		
NS-NB scenario where worker did not sign and send FOE.		
<b>Conclusion:</b> As long as the appeal period is over, the spirit of the IJA is that the board would reimburse despite that the form was not filled. Section 4.1- technically the reimbursing board needs the workers FOE before reimbursing. But some workers don't send.		
<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
iii. Update PPP to clarify that although election forms are mandatory, in cases where it is not possible to obtain a signed from the worker jurisdictions can determine whether to proceed based on the spirit or intent of the IJA.	Rhonda (AB)	September 30, 2017
<b>22.0</b> Item 10-International and Provincial firefighting agreement	Bill(AB)	
<b>Discussion:</b>		
Bill provided international and provincial firefighting agreements to IJA meeting		
<b>Conclusion:</b>		
MARS is only agreement that affects IJA. Agreements are for information only and can be a resource for the jurisdiction.		
<b>Action items:</b> N/A	<b>Person Responsible:</b>	<b>Deadline:</b>
<b>23.0</b> Item 7i and 8ii-BPG and PPP	<b>Everyone</b>	
<b>Discussion:</b> Update BPG and PPP		

Rhonda to forward updated BPG to Shirley and IJA Committee members.		
Rhonda to forward updated PPP to Shirley (NT/NU) and IJA committee members to send to the AWCBC to upload to repository.		
<b>Conclusion: Updates to occur as noted in minutes</b>		
<b>Action items:</b> Not applicable	<b>Person Responsible:</b>	<b>Deadline:</b>
<b>24.0</b> Item added – Election Form	<b>Sophie</b>	
<b>Discussion:</b> Election Forms		
Discussed completion and update of the chart for Interjurisdiction Claim Notifications.		
<b>Conclusion:</b>		
<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
<b>i.</b> Sophie (QB) to send to Rhonda (AB) the chart containing the minimum required information necessary for Interjurisdictional Claim notifications.	Sophie (QB)	May 31, 2017
<b>ii.</b> Update BPG with minimum required information chart.	Rhonda (AB)	Dec. 31, 2017
<b>iii.</b> Update PPP with summary of minimum required information.	Rhonda (AB)	September 30, 2017
<b>25.0</b> Item added – Strategic future direction	<b>Everyone</b>	
<b>Discussion:</b>		
IJA contribution to add value to AWCBC		
<b>Conclusion:</b>		
Agreements are in place and operational. IJA committee has been providing ongoing updates and interpretation in the PPP and BPG. What can the group do additionally to add value to AWCBC?		
<b>Action items:</b>	<b>Person Responsible:</b>	<b>Deadline:</b>
<b>i.</b> Shirley (NT/NU) to contact Compensation and benefits committee for their interest in a presentation from an IJA Committee member on the BPG and its use for compensation and benefits staff.	Shirley (NT/NU)	June 15, 2017
<b>ii.</b> Request for presentation by assessment representative to IJA committee on how the AAP is managed from start to finish.	Shirley (NT/NU)	June 15, 2017

<p><b>iii.</b> IJA committee to share all AAP forms and education information for initiation of discussion of best practices. All documents sent to Shirley (NT/NU) for compilation in advance of 2018 meeting.</p> <p>Once our position on certain aspects of the AAP is clarified, Chair may contact communications committee to prepare further information for employers on the AAP to be posted on the AWCBC website.</p>	<p>All</p> <p>Shirley (NT/NU)</p>	<p>October 31, 2017</p> <p>November 2017</p>
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