# **Business Plan**

2022-2023

to

2024-2025



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# **BUSINESS PLAN 2021-2024**

# **EXECUTIVE SUMMARY**

The Office of the Employer Adviser (OEA) continues to successfully meet the needs of Ontario employers by providing education, advice and representation on issues relating to the *Workplace Safety and Insurance Act, 1997* (WSIA).

The OEA targets its resources to address employer needs, allowing employers to focus their time and money on operating their businesses. The availability of expert, prepaid, confidential services is a considerable benefit to small employers.

During the upcoming fiscal years, the OEA will focus its work around two strategic directions:

- promote awareness and enhance support for small business employers, including how OEA services can help employers; and
- knowledge management support for new and current staff

The OEA raises awareness through multiple channels: live and recorded e-information sessions and e-presentations; an up-to-date website; e-bulletins and Twitter. These virtual methods are directed throughout the province to employers and stakeholder groups.

In addition, starting in 2022-23 the new OEA Chair, Jim Dimanis, will reach out to employer associations across the province to share information about the OEA, make connections and request feedback.

Expert OEA staff and their dedication to excellent client service are the source of the agency's success. Ongoing staff training, mentoring and resources are essential to maintain expertise and stay current with new developments. We will continue to focus on the WSIB's framework for premium rate setting to assist employers in the transition to this new approach.

We look forward to serving the employer community and stakeholders during 2022-25 with expertise and innovation, grounded in excellent client service.

# **OEA BUSINESS PLAN 2021-2024**

#### **OEA MANDATE, VISION AND MISSION**

Pursuant to section 176(2) of the *Workplace Safety and Insurance Act, 1997* ("the WSIA") the mandate of the Office of the Employer Adviser is to educate, advise and represent primarily those employers with fewer than 100 employees, in issues arising under the WSIA.

The OEA provides expert, timely, and value-added advice and representation on a full range of WSI issues to all employers participating in the WSI system.

The OEA provides timely and relevant WSI information and tools to Ontario employers in a variety of easily accessible ways.

In addition, the OEA is responsible for the provision of advice, education, and representation services to Ontario employers with fewer than 50 employees on unlawful reprisal matters under section 50 of the *Occupational Health and Safety Act* ("OHSA").

#### OEA VISION

An Ontario in which small and medium-sized businesses operate safe, fair and high performing workplaces that contribute to a vibrant, competitive economy.

#### OEA MISSION

The OEA's mission is to be the premier organization providing education and advice to Ontario employers regarding workplace safety and insurance (WSI) matters and health and safety reprisal issues. Our representation work focuses on employers with fewer than 100 employees in the workplace safety and insurance mandate and fewer than 50 employers in the OHSA unlawful reprisal mandate.

#### STRATEGIC DIRECTIONS

1. Promote awareness and enhance supports for small business employers, including how OEA services can help employers

The OEA shares information with Ontario employers, clients and stakeholders using virtual information sessions, our web site, social media via Twitter @askOEA, e-bulletins and small group sessions, which will resume in person when appropriate consistent with public health advice.

#### OEA Chair Outreach

The OEA Chair, Jim Dimanis, will reach out to employer associations to promote awareness of OEA services, strengthen connections throughout the province and seek feedback on the responsiveness and accessibility of OEA services.

#### Virtual Information Sessions

The OEA has focused on e-information sessions, live and recorded, to fulfil our education mandate. During the 2020-21 fiscal year, the agency updated 11 webinar topics and added 1 new webinar topic. These 12 webinars were offered in a series over the course of 6 weeks. This approach was very positively received; employers could choose to watch the whole series or dip into topics of interest. The OEA's webinar series aligned well with the accelerated move to virtual meetings necessitated by the COVID-19 pandemic. During 2021-22, work focused on updating the series, based on feedback from attendees, and the series will be offered in early 2022.

These live, web based, education sessions focus on substantive issues impacting employers and range from introductory topics such as Completing a Form 7, return to work, mental stress and the WSIB's new method to set premium rates.

E-sessions are recorded and posted on the OEA website. This allows all who are interested in the topic to have access to the information at a time that is most convenient for them. Interested parties provide registration details in order to view an archived session and then receive notice of upcoming e-information sessions.

Live information sessions and presentations are scheduled and advertised using ebulletins, our website and Twitter @askOEA.

Technology allows the OEA to maximize its resources to cost effectively and efficiently reach out to Ontario employers to share information about workplace safety and insurance responsibilities and occupational health and safety unlawful reprisals. These e-education offerings are a key tool to promote awareness of OEA services.

#### Digital Tools and Social Media

In the near term, the agency will explore a third-party vendor to offer support for our digital media presence and measures. In the interim, we will work to make our Twitter presence more engaging.

#### Client Feedback

To strengthen our client service feedback loop in the early years of this plan the OEA will develop and implement client surveys using our existing tools. The initial areas of focus will be after on-line information sessions and at the point of advice or case closure. These two points have the advantage of feedback proximate to the client's interaction with the agency.

In future years the agency will explore acquiring support to use other survey methods to learn more about client experience, for instance qualitative data.

2. Knowledge Management; Supporting Staff

The OEA's mandate to provide education, advice and representation services is dependent on the efforts of our dedicated, expert and inclusive staff.

The first phase of the OEA's knowledge management project focuses on redesigning and delivering training for new staff by leveraging collective experience. Further, the project team will pilot a podcast style recording or interview to capture "the art" of the work within the WSI system.

The OEA's ongoing in-house educational program is directed at maintaining a high level of knowledge about the WSI system and changes in policy and procedures at the WSIB. The OEA program will include a continued focus on the WSIB's new framework for setting premium rates.

Similarly, to meet the agency's section 50 obligations under the OHSA, staff will keep current about developments related to employers' duties and rights in reprisal situations through such methods as self-study, e-presentations to colleagues and updates from the Ontario Labour Relations Board (OLRB).

Learning for our corporate services staff will start to focus on digital awareness and capacity, to support the agency's strategic projects.

#### **ACTIVITIES INVOLVING STAKEHOLDER GROUPS**

The OEA management team actively participates in meetings and activities of numerous employer stakeholder organizations, including:

- The Canadian Manufacturers and Exporters (CME)
- The Council of Ontario Construction Associations (COCA)
- The Schedule II Employers Group
- Electrical Contractors Association of Ontario
- The Ontario Business Coalition
- The Ontario Mining Association

In addition, OEA management and other staff attend system partnership meetings as the opportunity arises. OEA management also participate on advisory committees and identify and attend appropriate outreach opportunities with employer associations.

The implementation of an OEA Chair position and the appointment of Jim Dimanis provides the opportunity to leverage this role to raise awareness of OEA services and the supports the agency can offer to employers.

With regard to section 50 reprisals, management and staff meet with interested employer groups as opportunities arise. Details of our section 50 mandate are included in all OEA introductory presentations to employer groups.

The OEA is an effective, valued partner in the WSI system. We help employers navigate the system for revenue and claims matters and we work to resolve issues at the earliest point. Through our work with individual employers and raising awareness through education, we contribute to an accessible system.

We contribute to system improvement through strong relationships with stakeholders, partner agencies and the Ministry of Labour, Training and Skills Development (MLTSD).

#### **OVERVIEW OF PROGRAMS**

The OEA contributes to a prosperous, safe economy by supporting small businesses in a specialized administrative and adjudicative system.

The OEA assists Ontario employers, particularly small employers:

- by raising awareness of workplace responsibilities
- by helping employers in their dealings with WSIB, allowing business owners to focus their time and money on growing their businesses
- by helping employers understand and meet their on-going obligations to their workers; and
- by helping employers address OHSA section 50 worker reprisal issues

In November 2020, the final report was released of an operational review of the WSIB conducted by Linda Regner Dykeman and Sean Speer. The authors noted that "[s]takeholders rarely agree on Workplace Safety and Insurance Board-related matters but there is near universal recognition that the Office of Worker Adviser and Office of the Employer Adviser provide useful services to help non-unionized workers and small employers navigate WSIB adjudication, appeals and the broader occupational health and safety system."

#### Advice for Employers

The OEA operates an Advice Centre that provides comprehensive legal advice to employers on all WSI issues and general information for section 50 reprisal questions. Inquiries are received through a province-wide 1-800 phone number and e-mail. The Advice Centre is staffed by 3 Intake Advisers. Clients may also choose to call their local OEA Employer Specialist for advice and assistance. The OEA has a complement of 15 Employer Specialists across the province and 2 Employer Representatives; please refer to Appendix D to see the OEA Organization Structure.

The OEA website, at <u>www.employeradviser.ca</u>, is an efficient, readily accessible means for employers to get answers to straightforward queries. Users can also submit email enquiries for Advice Centre staff via the website.

#### **Representation for Employers**

The OEA represents employers in WSIA disputes before the Workplace Safety and Insurance Board (WSIB) and the Workplace Safety and Insurance Appeals Tribunal (WSIAT). OEA Employer Specialists provide representation services at the WSIB operating level and the Appeals Services Division, and the WSIAT. Employer Representatives provide advice and representation at the Ontario Labour Relations Board (OLRB) to employers with fewer than 50 employees regarding section 50 unlawful reprisal matters, represent clients at the WSIB and WSIAT and provide policy and presentation support to the OEA's General Counsel.

#### **Education of Employers**

The OEA continues to focus on the education of Ontario employers about WSI, and OHSA section 50 unlawful reprisal matters, through its website, virtual information sessions and presentations, social media, e-bulletins, and live regional presentations and workshops, where warranted.

The agency has offered web-based presentations for several years, culminating in our 2020-21 series of live e-information sessions presented by the agency's expert Law Society of Ontario (LSO)-licensed staff.

Virtual information sessions and presentations, presented by our staff in all our LSOlicensed roles, will be the forward focus of the OEA's work to meet its education mandate.

OEA virtual information sessions and presentations cover areas of interest to employers such as claims management, chronic mental stress entitlement, and revenue-related issues. They also address system changes such as the WSIB's new rate framework and, previously, the WSIB's response to COVID-19.

E-bulletins remain a useful tool to share information with a large audience. Topics about changes in WSIB policy or procedures are periodically sent to the OEA employer database, promoting awareness of OEA services and sharing useful information with employers.

Over the last several years, the OEA has expanded its ability to deliver relevant e-bulletin messaging to the employer community with the acquisition of the WSIB list of employers signed up for e-services. The OEA's experience has been that few stakeholders choose to "unsubscribe" from our communications, reflecting the value of the information service to employers.

We plan to use these web-based education and outreach vehicles over the next few years to deliver extensive, timely, and policy-specific education for Ontario employers. The timely provision of information to clients, stakeholders and the Ontario employer community at large remains a primary strategic focus for the OEA.

#### ENVIRONMENTAL SCAN

#### **External Factors**

Funding for the OEA is a legislated obligation of the WSIB under the WSIA and the OEA operates within the government's fiscal environment. Our funding is provided by employers through their payment of premiums and administrative fees to the WSIB.

#### WSIB's New Rate Framework

The new rate framework represents a fundamental, generational change in the way employers are classified and assessed premiums. Educating employers about the changes is an opportunity for the OEA to heighten its profile across the employer community. It is anticipated that the complexity of the implementation will entail extensive support and involvement from the OEA. Employers will expect the OEA to advise and explain these changes. It is clearly a statutory obligation on our part to do so, and our staff will continue to require intensive education to bring them to the standard necessary to meet this obligation.

As part of the WSIB's 2021 COVID-19 financial relief package, the transition into the new framework was deferred. For 2022, the transition into the new rate framework resumes and therefore, the OEA expects employer questions and activity in this area.

#### Mitigation

OEA staff will require ongoing training on the transition to new rate framework and the complexities of the new system.

# Video Conference Hearings and Web-based Information Sessions and Presentations

System partners transitioned to virtual hearing options during COVID-19 and we anticipate that use of video hearings and telephone hearings will continue in suitable cases.

The OEA's web-based information sessions and presentations were a successful approach in 2020-21 and will continue. These live e-education sessions offer employers an opportunity to raise questions and the on-line archive means employers can watch content at a time convenient in their business cycle.

#### Mitigation

The agency will closely monitor its technology to ensure that staff have capacity to professionally participate in video conference hearings offered by partner agencies

and to present e-information sessions and e-presentations. Further, we will develop opportunities for staff to practice e-presentations using similar technology during staff meetings.

#### Internal Factors

The OEA has a highly skilled and dedicated team who provide the best possible advice and representation to employers. Having staff located around the province helps meet our commitment to provide the highest level of customer service.

#### **Potential OEA Staff Retirements**

Many of our employees are close to retirement age, and it is anticipated that retirements may affect timely access to local services when new staff members are hired and brought up-to-speed.

In addition, with these anticipated retirements, we expect a substantial increase in severance payouts. These payouts would put financial pressure on our budget.

OEA intake staff have been provided with professional development opportunities as backfill Employer Specialists, to prepare them to effectively compete for potential employment competitions.

#### **Digital Delivery and Customer Service**

#### E-Access to WSIB Files

During the COVID-19 pandemic, the OEA started to receive e-file access from the WSIB. This welcome transition led to an agency investment in new software and training to support staff transition to e-file review.

The OEA welcomes the WSIB's expanded availability of e-services for employers, providing more accessible methods for employers to interact with the WSIB and enabling faster access to information.

#### Digital Tools

Digitally based client feedback surveys, search engine optimization, and user needs research, among others, are digital tools that can help the OEA raise awareness of its services using modern, effective means. We will leverage OPS digital learning tools and resources and seek outside assistance as needed to support our transition and development in this area.

#### HUMAN RESOURCES

Priority	Key Activities	HR Issues and Impact	HR Priorities and Actions for 2020-21	Resource Implications (Y/N)
1	Succession management and professional development is an ongoing focus.	Resources are currently aligned to meet service requirements. Increase/geographical shift in service demand will require ongoing staffing adjustments and possible reallocation of job responsibilities. Retirements will increasingly occur over the next few years, putting financial strain on the organization because of attendant termination and replacement/ recruitment costs.	Anticipate staffing changes to ensure business continuity; continue to adjust staffing levels based on case work demands. Monitor budget and prepare for the impact of additional expenses wherever possible. Monitor workloads to ensure adequate resources are available. Assess and update training and development plans and strategies for all OEA staff.	Severance payouts and replacement/recruitment costs put financial pressure on the OEA budget if a number of staff leave the agency in the fiscal year.
2	Employers continue to need education on the changes made to the WSIA and WSIB policies as well as unlawful reprisals under section 50 of OHSA. Using OEA-hosted e- information sessions/presentations is proving a very effective way to promote awareness and deliver our education mandate.	While the OEA is managing to provide technical support for its electronic outreach within the agency's current resources structure, there is ongoing analysis and assessment required regarding balancing new opportunities and available resources.	Ensure adequate preparation/ education of OEA staff to remain experts in the areas of workers' compensation and unlawful reprisals. Monitor digital tools and develop opportunities to support staff professionally present at e- hearings and e-information sessions/presentations	Alignment of staff and resource requirements is ongoing.

#### **RESOURCES NEEDED TO MEET GOALS AND OBJECTIVES**

Agency financing may be under pressure to address retirement costs as they occur. Staffing and hiring replacements in a timely manner will be affected to a greater or lesser extent, depending on when the anticipated retirements occur.

The agency's paralegal licensing exemption issue was successfully resolved in 2021; licensing and professional liability insurance fees for our expert staff are included in the OEA budget.

The OEA's work with digital tools during these fiscal years will inform the resources needed to raise awareness of services and enhance supports for small business employers.

#### **IMPLEMENTATION PLAN and PERFORMANCE MEASURES**

The OEA's core business model will continue. The Advice Centre will provide centralized service for employers around the province. Representation services will be provided Employer Specialists and Employer Representatives, with travel as required to employer clients. Our goal for the coming years is to guide the number of advice and representation services back to pre-Covid-19 pandemic levels.

Performance measures:

- advice and information
- employer representation
- new clients
- referrals and repeat clients

During 2022-25 we will continue to adapt to e-information sharing opportunities, work to enhance customer feedback pathways, and focus on social media engagement.

Performance measures:

- e-information sessions offered to employers
- Registrations for e-information sessions
- 4 or more e-bulletins (quarterly)
- New Twitter posts monthly
- Implement a feedback survey after e-information sessions

OEA staff are expert, client focused and inclusive.

Performance measures:

- Organize or deliver training sessions to enable LSO licensed staff to meet CPD requirements
- Implement anti-racism action plan
- Support new staff training

Office of the Employer Adviser 2022-2025 Business Plan

The OEA is an effective, valued system partner. We contribute to an accessible system and system improvement through strong relationships with stakeholders and system partners.

Performance measures:

- Stakeholder meeting participation
- System partner meetings
- Chair's Outreach

As the agency enhances its digital tools and client feedback survey approaches, identifying updated performance measures to improve the responsiveness of OEA services and to assess the effectiveness a of OEA services will be top of mind.

Providing Ontario employers with free, confidential and expert services and education to help them deal with WSIB and Section 50 unlawful reprisal issues, supports small businesses and contributes to a prosperous, stable economy.

#### **COMMUNICATION PLAN**

The OEA's communication plan for 2022-25 continues its focus on alerting clients and stakeholders to changing policies and priorities in the WSI system and promoting awareness of the OEA services.

The OEA is a significant provider of news, information and education about WSIB policies and procedures, and changes to policies and procedures, for stakeholder organizations and OEA clients. For example, in 2021-22 our information e-bulletin distribution grew to over 90,000 employers, by including those who registered for e-services with the WSIB. To reach as many affected employers as possible necessitates the OEA using a number of different communication channels including its website, e-information sessions, social media (Twitter), e-bulletins, and in-person regional presentations, as appropriate.

In 2022-23, the agency will enhance our client feedback survey methods by offering opportunities to share comments soon after e-information sessions and upon case closure. The agency welcomes qualitative feedback from clients as an indicator of value provided to employers and stakeholders. Goals for the future years of the plan include wholistic client service feedback work.

The agency measures the effectiveness of its communications by increasing its reach; for example, the number of attendees for agency e-information sessions and e-presentations, and statistics for employer advice and representation.

#### Virtual Information Sessions and Presentations

Virtual information sessions and e-presentations are a cost-effective, core component of the OEA's education and information sharing strategy. Offering live e-sessions will be the focus again during fiscal year 2022-2023. Archiving e-presentations to the agency's website will continue, making the presentations readily available to employers on demand.

#### System Partners

The WSIB, WSIAT and MLTSD inspectors remain significant referral sources for OEA clients. Agency relationships with these groups are fostered on a personal and organizational level through such things as website links and periodic meetings.

#### **OEA** messaging

The primary message for all OEA communications is that the OEA provides 'free, confidential and expert' services for Ontario employers; primarily those with fewer than 100 workers under the WSI mandate, and those with fewer than 50 workers under the OHSA section 50 mandate. This reflects the inclusion of the OEA's services as part of the payment of WSIB premiums by employers and is a benefit that many more employers could use.

OEA marketing and outreach are necessary to increase client awareness and promote utilization of services. Broadening our marketing and outreach to raise awareness with new client groups remains the most significant challenge for the OEA. Successful outreach is much appreciated by employers newly aware of the agency's 'free' (i.e. pre-paid through the employers' WSIB premiums/administrative fees) services.

### APPENDIX A FINANCIAL RESOURCES

Standard Account	2022-23 Preliminary Planning Base	2023-24 Preliminary Planning Base	2024-25 Preliminary Planning Base
Salaries & Wages	2,753,600	2,753,600	2,753,600
Benefits	734,200	734,200	734,200
Total SWB	3,487,800	3,487,800	3,487,800
ODOE: Transportation & Communication	148,700	148,700	148,700
Services (Including Lease)	301,600	301,400	301,400
Supplies & Equipment	89,800	89,800	89,800
Total ODOE	540,100	539,900	539,900
Grand Total	4,027,900	4,027,700	4,027,700

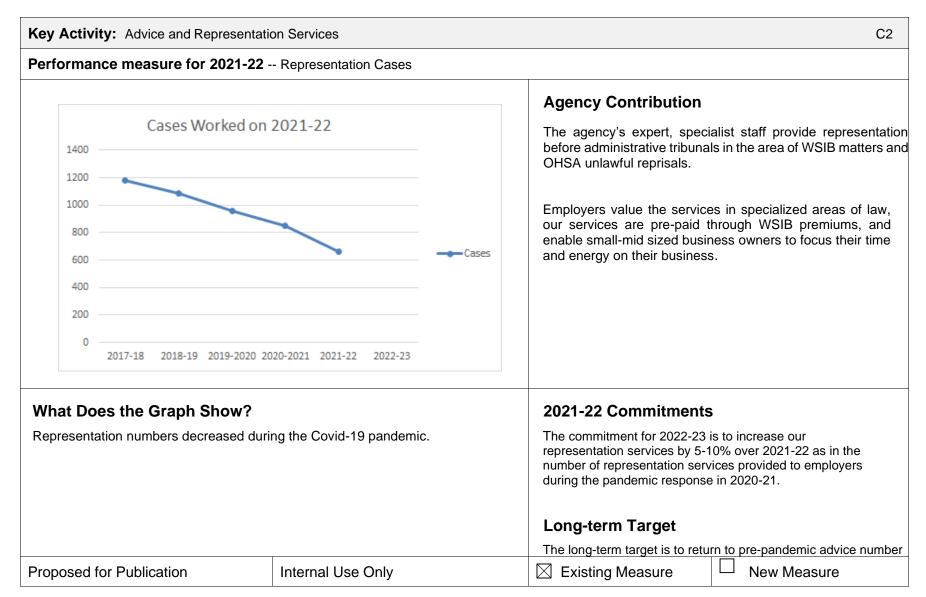
#### APPENDIX B FTE CAP

Position Title	Job Code	Compensation Group	Head Count March 31, 2022	Change	Head Count March 31, 2023	Change	Head Count March 31, 2024	Change	Head Count March 31, 2025	Comments for Change
Director	XEXE2	OC003	1.0		1.0		1.0		1.0	
General Counsel	EL003	Excluded	1.0		1.0		1.0		1.0	
Assistant General Counsel	EL003	Excluded	-		-		-		-	
Manager, OEA Services	M1104B	Excluded	1.0		1.0		1.0		1.0	
Business Analyst	3A004	AMAPCEO	1.0		1.0		1.0		1.0	
Outreach Coordinator	4A008	AMAPCEO	1.0		1.0		1.0		1.0	
Program Analyst	4A004	AMAPCEO	1.0		1.0		1.0		1.0	
Finance/Admin Officer	10OAD	OPSEU	1.0		1.0		1.0		1.0	
Executive/Legal Secretary	09OAD	OPSEU	1.0		1.0		1.0		1.0	
Employer Specialist	02293	OPSEU	15.0		15.0		15.0		15.0	
Intake Adviser	10570	OPSEU	2.0		2.0		2.0		2.0	
Program Assistant	08OAD	OPSEU	1.0		1.0		1.0		1.0	
INTAKE ADVISER (B)	10570	OPSEU	1.0		1.0		1.0		1.0	
EMPLOYER REPRESENTATIVE	03525 / EO3	OPSEU	2.0		2.0		2.0		2.0	
					-		-		-	
					-		-		-	
					-					
Total Head Count			29.0	0.0	29.0	0.0	29.0	0.0	29.0	
Total Approved FTE			29.0	0.0	29.0	0.0	29.0	0.0	29.0	
FTE Variance			-	0.0	-	0.0	-	0.0	-	

# APPENDIX C PERFORMANCE MEASURES

Key Activity: Advice and Representation	Services		C1
Performance measure for 2021-22 A	dvice provided to employers		
Linstances of Advice ('A 4500 4000 3500 3000 2500 2000 1500 1000 500 0 2017-18 2018-19 2019-20 2020-2	dvices') to Employers	Agency ContributionThe OEA operates an Advid advice and information to workplace safety and insurand and supports employers with th OHSA reprisal matters.Employers access services to website contact page.This service supports as they WSI system and is an intake the agency's representation sec	employers about their ce questions and issues; neir questions about s. 50 hrough phone, email or employers navigate the and referral function for
What does the graph show? Advice numbers rose in 2019-20 as the agence raised by clients during interactions to track in Advice numbers declined during 2020-21 and	more detail the key issues to employers.	2022-23 Commitments Our 2022-23 goal is to increase over 2021-22. Long-term Target The long-term target is to return numbers	
Proposed for Publication	Internal Use Only	Existing Measure	New Measure

#### APPENDIX C PERFORMANCE MEASURES (cont'd)



# APPENDIX C PERFORMANCE MEASURES (cont'd)

orform	ance measure for 2022 -23: E-Information session attendan	
9000 8000 7000 6000 5000 4000 3000 2000 1000 0	Webinar Attendees	Agency Contribution   The OEA is a key source of information for employers about WSIB matters, from claims issues to registration and premium rates.   The agency has developed and presented a series of e-information sessions to share information with employers, raise awareness of responsibilities and draw attention to OEA services.
he OEA's mployers ervices. E	es the graph show? s provides information about WSIB matters and s. 50 OHSA reprisals to raise awareness of employer responsibilities, WSIB process and OE -information sessions were a successful approach during 2020 and 2021. The continue with this approach. Sessions are presented by the agency's expendence I staff.	A sessions.
Proposed	I for Publication Internal Use Only	Existing Measure

#### APPENDIX D OEA ORGANIZATION CHART

