



Office of the Employer Adviser

Annual Report

2018-2019

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2018-2019

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A Message from the Director

I am pleased to submit this report on the OEA's activities for 2018-2019.

Our goal is to provide the best service we can to Ontario employers in their dealings with the WSIB, and in responding to OHSA reprisal complaints. We believe we have reached this goal as our clients continue to give us very high satisfaction ratings. We continue to get unsolicited letters of commendation from our clients for the services we provide. I am confident in stating that the services provided by the OEA are second to none.

Providing the quality of service we do requires continuously upgrading our skills and remaining current of new developments in workers' compensation law and policy. One of our major challenges in the coming years will be developing our knowledge of the new revenue rules implemented by the WSIB's funding framework initiative. This year was a critical period where we planned our internal training program for our staff.

We continue to meet our mandate to educate employers by providing webinar based training and website based information. We will continue with those efforts as we take on new challenges.

I wish to express my continued appreciation to our stakeholders whose ongoing support is critical to our success, and to my staff for their dedication and commitment to serving the employers of Ontario..

A handwritten signature in black ink that reads "Michael Zacks". The signature is written in a cursive, flowing style.

Michael Zacks
Acting Director

Part 1 OEA Mandate

The mandate of the Office of the Employer Adviser is established by Section 176(2) of the Workplace Safety and Insurance Act, 1997 (“the WSIA”),

... to educate, advise and represent primarily those employers with fewer than 100 employees, in issues arising under the WSIA.

In addition, in 2011, the OEA mandate was increased, under the Ontario Occupational Health and Safety Act, Section 50, to include

... providing advice to Ontario employers facing reprisal charges at the Ontario Labour Relations Board (OLRB) – i.e. worker allegations that they have been unfairly treated by their employer after raising a health and safety issue - and representation at the OLRB for employers with fewer than 50 employees.

The OEA vision and mission flow from these legislative mandates:

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 for providing representation, advice and education to Ontario employers regarding workplace safety and insurance matters and health and safety reprisal issues.

The Director of the OEA is an Order-in-Council appointment. Michael Zacks, OEA General Counsel, was appointed by Ministerial letter, in 2004, to act in this position until an Order-in-Council appointment was made.

Part 2 Overview of WSIB Program and Activities

Advisory Services

The OEA provides advice to help Ontario employers manage workplace safety and insurance issues, and meet their obligations under the Workplace Safety and Insurance (WSI) system in a timely and cost effective manner. It is critical for employers to understand the very complex WSI program, avoid errors and safeguard their workplaces and their workers; and OEA advisory services are targeted to help them. Clients, using OEA services, get timely access to accurate information, make better business decisions, operate safer workplaces and avoid appeals.

Experienced staff in the OEA Advice Centre provide just-in-time counsel to all Ontario employers who have WSI questions or concerns; representation services are limited by the OEA mandate to primarily serve employers with fewer than 100 employees. Since the agency is funded by employer premiums and administrative fees paid to the Workplace Safety and Insurance Board (WSIB) no fees are payable by employers using OEA services, thus ensuring the ready availability of expert and confidential advice. This is especially important for small employers, since they typically do not have expert resources available in-house. Access to the Advice Centre's trained personnel provides all employers with an equal playing field, enabling good decision-making and avoiding costly mistakes and unnecessary penalties.

The OEA Advice Centre is normally staffed by three Intake Advisers located in its Toronto head office, who take calls from employers about their workplace safety insurance concerns. Due to difficulties filling a temporary vacancy, the OEA Advice Centre was essentially staffed by two Intake Advisers for the better part of the fiscal 2018-2019. For a period of time, the Advice Centre was staffed by one Intake Adviser, due to a medical leave. During this time, Intake advice was provided by various Employer Specialists

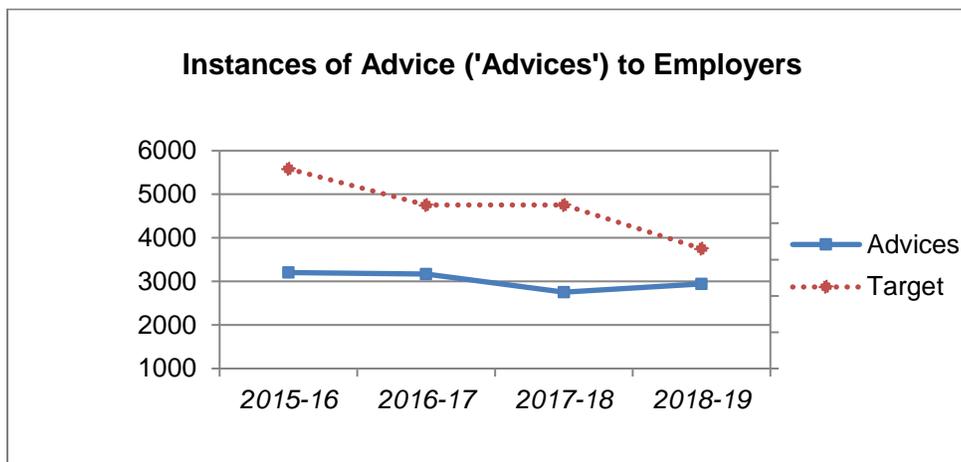
across the province. The OEA Advice Centre assists employers with resolving disputes early in the process, ensuring that they are treated fairly at all levels in the Workplace Safety and Insurance system, providing information to assist in getting injured workers back to work safely, and providing employers with practical advice on claims and account matters. Since the Advice Centre also accepts e-mail enquiries, employers can raise their issues, at their convenience, outside business hours; these queries may result in a return phone call from an Intake Adviser to discuss the matter in greater depth, over and above the usual emailed return advice.

All employers' calls are dealt with as soon as possible. Employers' calls range in the time from a couple of minutes to hours, depending on the complexity of the issue(s) under consideration: e.g., from providing access to a WSIB form to in-depth assistance with a classification or premium issue. The agency's trained Intake Advisers provide advice that is detailed, thorough and tailored to the business requirements of each employer. The complexity of the enquiries and the advice is increasing, changing the nature of what we are providing at the Advice Centre level. Clients appreciate the Advice Centre's emphasis on answering calls live – i.e. answering employers when they call in, with the goal of minimizing 'telephone tag' – with the advisers working to the employers' schedules, providing prompt and timely advice.

Fiscal 2018-2019 saw the instances of advice provided to Ontario employers increase year over year – i.e. 2,941 this fiscal year versus 2,753 for last year. This year's 6.8% increase follows last year's decline of 13.1%. As noted previously, the complexity of the enquiries and the advice is increasing, changing the nature of what we are providing at the Advice Centre level. With the impending changes to employer premium infrastructure – stemming from the Funding Framework Initiative, we anticipate this will continue. Because the Advice Centre and OEA staff are dealing with incoming problems and queries, it is difficult to predict service demand or maintain consistent/stable numbers. The OEA continues to focus on gaining and sustaining public awareness of the availability

of its services, so an employer’s paralegal solution of choice, re workplace safety insurance issues, is the agency.

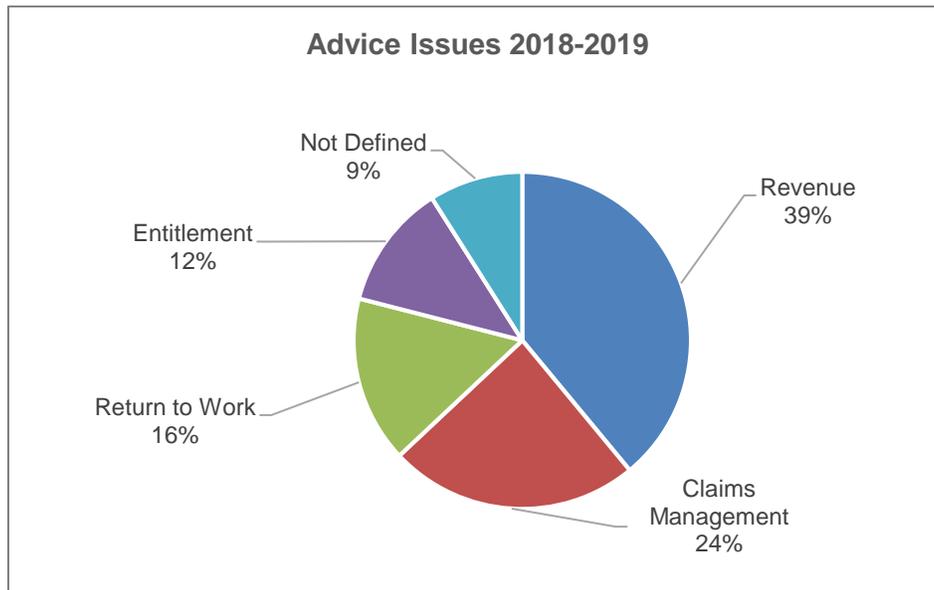
Figure 1



Analysis of the subject of the advice being provided shows that more enquiries continue to be about Revenue issues rather than anything else; at 39%, this is an increase over last year’s 35%. As with previous annual reports, the second most important focus was Claims Management, at 24%, which is a slight decrease over last year’s reported 25%. Instances of Return to Work queries, and those relating to Entitlement, have also slightly decreased by 1%, leaving them in 3rd and 4th place respectively. We have seen a decrease in “not defined” and seek to continue the decrease on a go-forward basis.

Figure 2 shows the workplace safety and insurance issues facing Ontario employers and their business priorities, as derived from our advice statistics. It specifically reflects such employer concerns as the premiums and administration fees they are being charged to fund the system – including issues such as the rate group where they have been classified, the Board’s remittance practices, independent operator status, etc. and their need for additional knowledge about their obligations within the system.

Figure 2



Client satisfaction with services provided by the Advice Centre, as measured through random telephone surveys, is 96.6% for this fiscal year. Clients willing to recommend the services of the OEA to other employers is 90.0%. These numbers have declined from those reported last year. However, the client satisfaction rate, and the clients willing to recommend the services of the OEA, continue to exceed the target level set at a high 90%. The OEA is very proud it can annually report this high level of satisfaction and is very pleased that clients value the services that are being provided. Customer satisfaction is of the utmost importance to the OEA. Therefore, the OEA will implement cost effective customer service refresher training at our upcoming staff meeting. As was noted previously, the OEA Advice Centre was below staff complement for the better part of fiscal 2018-2019. The OEA is confident that with the Advice Centre returning to our full complement of three Intake Advisers in the summer of 2019, along with refresher customer service training, we will return to our historical levels of client satisfaction.

Critical to these high satisfaction levels, we believe, is the agency's ongoing focus on dealing with employer queries as quickly as possible. During this reporting period 76% of all incoming calls went directly to an adviser, with the remainder responded to within one business day – most usually within an hour of the incoming call. The comparable figure for 2017-18 was 77%; both are significantly higher than the 70% target for 'answering calls live'. Getting such immediate access to expert advice means time saved for employers, and ensures their concerns are discussed – and resolved – efficiently. Similarly, e-mail enquiries are responded to on a priority basis, within one business day.

As noted, agency clients are generally very satisfied with the services provided by the OEA, and it is felt that at least part of that satisfaction is due to the high percentage of Advice Centre calls that are taken 'live' - which means that an Intake Adviser answers the phone when the employer calls the Advice Centre. By answering live, the employer does not end up leaving a voice-mail and waiting for a return phone call at a time that may not be as convenient for them, or perhaps even after the problem has resolved itself (either positively or negatively). As previously noted, the answer live rate was 76% for 2018-19, significantly exceeding the Advice Centre target of answering 70% of calls live.

The OEA's fourteen regionally-located Employer Specialists are also available to provide advice. Many employers have come to know their local specialist through referrals from the WSIB, the Workplace Safety and Insurance Appeals Tribunal (WSIAT), health and safety associations, community and business groups, or existing and former OEA clients. As well as providing targeted advice, Employer Specialists routinely provide educational presentations for local community groups. Employers, and employer associations, have historically established on-going relationships with their regional representatives; the goal of maintaining, and increasing, regional contact and local presence remains a priority for OEA staff.

The OEA is able to provide this valued service to Ontario employers through the professional, dedicated efforts of its staff. Staff training is ongoing in order to ensure that

everyone is current with Board policies and procedures and on top of workers' compensation practices, and thus provides expert and up-to-date advice to OEA clients. One of our major challenges in the coming years will be developing our knowledge of the new revenue rules implemented by the WSIB's Funding Framework Initiative. This year was a critical period where we planned our internal training program for our staff. The specialized internal training will begin in the fall of 2019.

We also rely on the website to provide timely information to Ontario employers whenever they are looking for it, 24/7. But sometimes website users have unique, personal issues and they are unable to identify the answer on the site. In such instances, the website facilitates users sending in e-mail queries using an online form. E-mail queries sent to the Advice Centre were down this year, at 73 versus 90 for the last reporting period. So, as with telephone enquiries, it is difficult to predict service demand or maintain consistent/stable numbers. It is important that employers do have an alternative method of getting answers to their questions, especially outside agency core business hours. In addition, it is worth noting, that where the referral source was available, 6% of the instances of advice provided in 2018-19 went to employers who came to the agency via the OEA website – consistent with the previous year.

The OEA website is organized into construction and non-construction focused portals, plus the user-friendly, searchable, organization of information within those divisions. The website, in conjunction with the availability of our live Advice Centre services, ensures that employers have ready access to the information they need, as and when needed, to meet their WSI responsibilities.

However, as was identified in our 2019-20 Business Plan, it is critical to note that the existing OEA website is technologically dated and insecure, and is fundamentally unstable and cumbersome to maintain. It may crash at any time. The OEA has redesigned its website and has a new design and functionality ready to be implemented. The approval to proceed with the new website was provided at the end of fiscal 2018-19. Work on the

new website began immediately and we anticipate the new website being launched in the summer of 2019.

Twitter continues to be a significant adjunct to our outreach activities. The OEA has approximately 2,800 followers as of the end of the current reporting period. The OEA continues to investigate and assess other social media opportunities as a cost effective means to increase our marketing 'reach'. Additional detail about these efforts is contained in the "Value to Clients" section of this Report.

In 2018-19, the OEA continued its focus on education sessions for stakeholder groups covering such things as WSIB's appeal processes, work reintegration and other topics, such as mental stress. In person presentations were the primary delivery vehicle during this fiscal year. Employer Specialists routinely provide educational presentations for local community groups. Employers, and employer associations, have historically established on-going relationships with their regional representatives; the goal of maintaining, and increasing, regional contact and local presence remains a priority for OEA staff. We note that 2% of all advice provided by the OEA in 2018-19, where the referral source was available, arose from contact with OEA personnel – through such things as presentations or regional outreach.

As noted in previous reports, a small employer typically 'needs' advice services only once every seven or eight years, or so. Given such intermittent need, it is an ongoing challenge for the OEA to be and remain 'front-of-mind' as a primary resource for Ontario employers with regard to their workers' compensation issues. Increasing awareness across all business sectors of our free, expert and confidential services and sustaining that awareness among our client community, remain the most significant outreach challenges for the OEA.

Workplace Safety and Insurance

Representation Services

The agency primarily represents employers with fewer than 100 employees in disputes arising under the Workplace Safety Insurance Act (WSIA), at both the Workplace Safety Insurance Board (WSIB) and at the Workplace Safety Insurance Appeals Tribunal (WSIAT) (see Figure 5), per its mandate. At the WSIB operating level, representation services involve negotiation, which is provided by an Intake Adviser or by an Employer Specialist, by means of telephone calls and/or correspondence. At the two appeal levels (WSIB Appeals Branch and WSIAT), as well as in return-to-work or work re-integration negotiations, Employer Specialists provide the representation services. At this level, representation involves a range of activities, from negotiation to appearing at mediations or hearings with the employer, and managing the case on their behalf.

The OEA, through its representation services, plays an important role in reducing conflict in the Workplace Safety Insurance (WSI) system. OEA Intake Advisers and Employer Specialists maintain good working relationships with staff at the WSIB. Agency personnel work with their WSIB counterparts to ensure that Ontario employers have high quality representation within the system. The agency's focus on reaching unrepresented employers continues; staff work with the Board to have referrals made to the OEA where appropriate. Our involvement in such things as return to work (RTW) plans and negotiations ensures an equal footing for both workplace parties, and supports a solution that returns employees to the job in a timely, cost-effective manner, removing some strain from the system. Similarly, agency staff works closely with the WSIB Collections Branch, to facilitate the payment of premiums that are due and to ensure that employers pay their share in a sustainable way that complements their on-going business needs.

Negotiations continue to be a preferred interim resolution step, since they usually offer a more timely, more efficient solution. Because employers need to, and have a preference for, spending their resources on activities associated with direct contributions to their

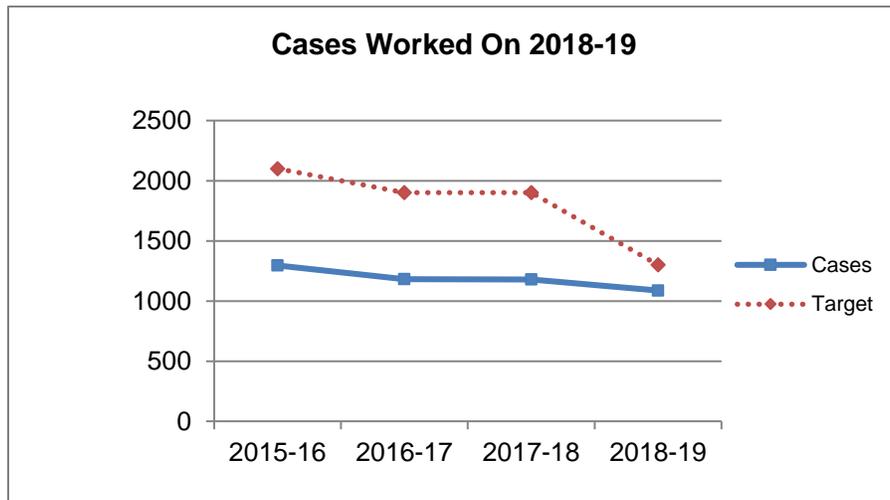
profitability, an appeal is usually the second-choice dispute resolution method. In response to this employer bias, the OEA continues to promote the early resolution of disputes. Performance Measure A1 (see Appendix A) reflects the agency's achievement in this effort: in 2018-19 the OEA resolved 54% of disputes without a hearing, compared to last year's 58%; both are below the 65% target level. Since OEA staff have no direct control over whether an employer and/or worker agrees to a negotiated settlement, the agency is pleased with the way it has been able to contribute to the lessening of conflict within the WSI system through the resolution of so many disputes without an associated hearing.

While these efforts often successfully conclude cases at the Board operating level, many cases do proceed to appeal. Also, some employers do not learn of the availability of OEA (free) services until their case has progressed to the appeal stage. Of the 1,087 cases worked on in 2018-19, Employer Specialists represented employers in 151 cases that involved mediations/negotiations. Whether cases proceed to appeal or not, agency staff always strive to resolve matters as quickly as possible. In a system where 95% of appeals are worker-driven, OEA involvement improves balance in the system, ensuring that employers' perspectives and needs are being both represented and respected.

Further analysis of the 1,087 cases worked on during the 2018-19 reporting period reveals the following:

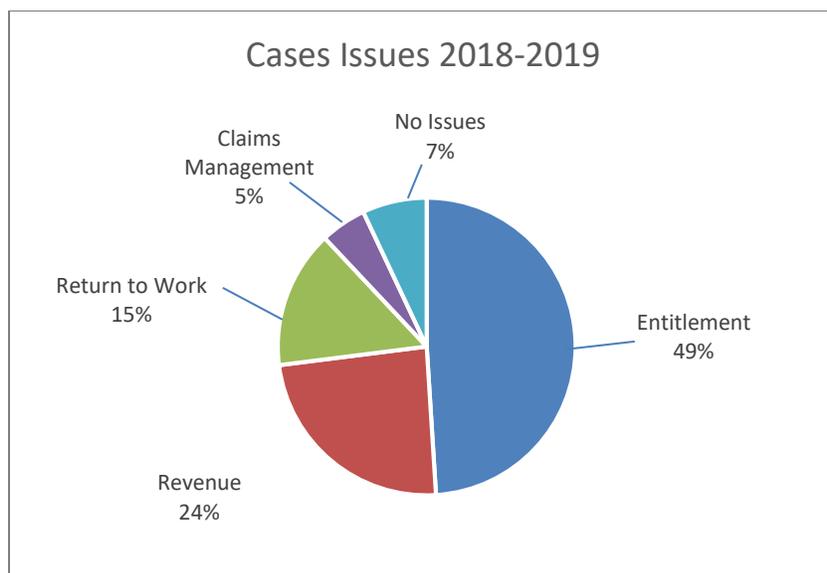
- 420, or 38.6%, were resolved, higher than last year's 38%;
- 371 cases, or 34%, were new in-year, an increase over last year's 27%;
- 38% of all cases worked on in year had 'successful' or 'mixed' outcomes.

Figure 3



In comparison with the data for instances of advice, analysis of the representation issues remains markedly different. As in last year's report, Entitlement is the number one concern for employers represented by the OEA – representing 49% of representation issues. Revenue is in second place as the primary issue for 24% of employers (identical to last year). Return to Work 15% and Claims Management 5% are in third and fourth place respectively (identical to last year). These statistics are reflective of the areas having the largest impact on employers and where agency assistance can be most beneficial.

Figure 4



With regard to client satisfaction, 93.67% of employers surveyed indicated that they were satisfied with their OEA representation, a decrease over last year; 92.41% also said that they would recommend agency services to others. Both continue to be higher than the target level of 90% and indicate a client community that is very aware and appreciative of the work done on their behalf by agency staff.

Customer satisfaction is of the utmost importance to the OEA. As was noted previously, the OEA will implement cost effective customer service refresher training at our upcoming staff meeting. As was also noted previously, the OEA Advice Centre was below staff complement for the better part of fiscal 2018-2019. The OEA is confident that with the Advice Centre returning to our full complement of three Intake Advisers in the summer of 2019, along with refresher customer service training, we will return to our historical levels of client satisfaction.

Education of Employers

On average, a small employer has a workplace injury occur only once every seven or eight years. At the time of the injury, the employer's need for information about claims management and return to work is acute. Chances are, however, that most small business owners do not have the requisite information at their fingertips, since most of their time and resources are of necessity focused on business growth and profitability. Compounding this lack of information is the fact that few small employers have the time or available staff to attend seminars or education sessions, either when a need arises or on a pro-active basis.

Accordingly, the OEA's educational strategy continues to be a multi-channel approach which makes information available to employers in a variety of formats that are timely, relevant and accessible. The focus of the agency's education strategy has been to ensure that employers expand their understanding of the WSI system as part of the representation process; posting useful information and tools on the OEA website; assisting stakeholders with their education initiatives where appropriate; and, more recently, providing webinars directly to interested parties, with registration available via the OEA website. The agency is also leveraging Twitter, tweeting educational information and reaching out to stakeholders directly. Other social media channels continue to be evaluated as opportunities and resources present themselves.

One of the goals of the agency's representation services is to build self-reliance for employers within the WSI system, by making sure that they understand their roles and responsibilities under the Workplace Safety and Insurance Act. This includes teaching employers how to improve their claims management and return-to-work procedures, so that employers will be more independent and knowledgeable in the future. Performance Measure A2 (see Appendix A) shows the proportion of OEA clients who used agency services for the first time in 2018-19. Last year, the OEA reported new clients at the 56% level – exceeding the target of 50%; the comparable figure for 2017-18 is 52%. It would appear that our outreach efforts continue to be successful in bringing new clients to the

OEA. The launch of the new website (with the recorded educational webinars) will be advertised utilizing e-bulletins to our database of employers, along with our Twitter account. The agency will continue to try and improve the impact of its outreach and education efforts, and bring as many Ontario employers as possible to the OEA to address their WSI system needs.

In addition to the ‘hands-on’ education provided through casework, the OEA strives to meet the needs of its broad customer base by providing WSIB-related information through a variety of access/delivery mechanisms:

- ‘Director’s Message’ updates are posted on the OEA website as well as sent to the OEA electronic database as an e-bulletin.
- Topical e-bulletins continue to go out to the OEA database on an ad hoc basis, whenever there is anything deemed worthy of communicating to Ontario employers.
- The OEA electronic database now contains the email addresses of approximately 51,000 employers – consisting of email addresses obtained from the WSIB, along with clients of the OEA and presentation/webinar participants.
- Employers using the website can sign up for e-bulletin subscriptions while visiting.
- A small tri-fold brochure outlining the services available from the OEA has been routinely distributed to employers and has proven to be a very popular handout. Printed in both English and French, 2,115 were distributed in 2018-19. The OEA Services Overview brochures is scheduled for a redesign in 2019-20 – to reflect the branding of the new website.

In 2018-19, the OEA focused on meeting the need in the employer community for additional information about changes in policies under consideration at the WSIB and various other topical issues. The OEA also presented as invited guest speakers for different stakeholder groups. In 2018-19, 60 such presentations were provided, and staff participated in 1 trade show/symposia.

The OEA has continued to provide 'live' presentations to stakeholder/employer groups, although its emphasis has shifted to restricting such participation to those with larger registrations. In all, the OEA had more than 1,400 attendees at an agency presentation/briefing/workshop during the 2018-19 fiscal year, similar to last year's total of 1,534. The agency will continue to use webinars and 'live' presentations as opportunities arise and are considered appropriate.

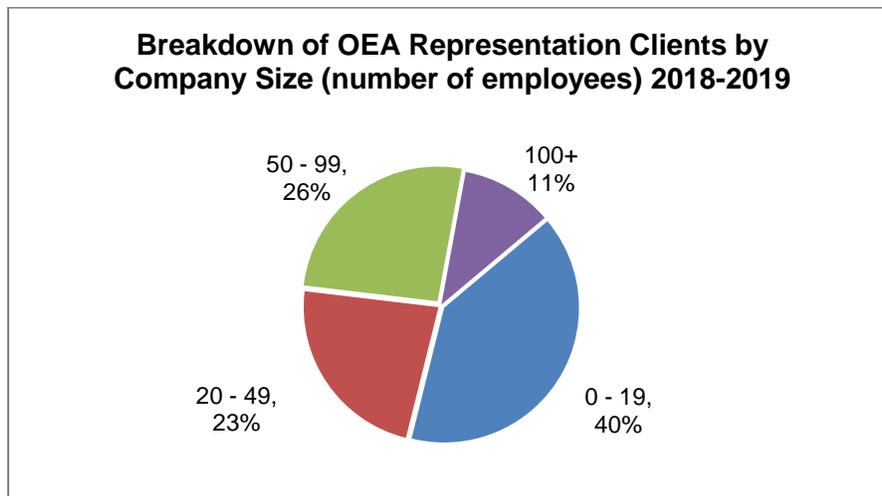
The agency provided 2 webinars live to the public in the 2018-19 reporting period. The webinars were well received with 197 participants taking part.

Note that we are modifying our delivery model, to post recorded webinars on the OEA website, in order to make them available to the most people as soon as possible. Webinars have been proven to be an ideal way to fulfill the OEA education mandate, directly providing relevant information to employers at locations convenient to them, and with the least time commitment from them. It is also a very good way for the OEA to disseminate information about upcoming issues, such as changes in policies or procedures, to affected employers in a timely fashion. Visitors to the OEA website can view all of the OEA educational webinars. These webinars will continue to be available on the new website – along with a mechanism to ask questions and request further information while watching the webinar.

Part 3 OEA Clients

Since the OEA's mandate is to serve primarily those employers with fewer than 100 workers, the merit review undertaken before the OEA represents an employer includes determining their size. In fiscal 2018-19, 11% of clients provided with agency representation had more than 100 employees.

Figure 5



It is not administratively viable to screen employers contacting the OEA Advice Centre in order to deny advice to those with more than 100 employees; and permitting access to advice to all Ontario employers is also accepted as beneficial to the system, overall. Thus 21% of all advices for 2018-19 were provided to employers with 100 plus employees. This is up from last year.

The OEA will continue to provide advice services to as many Ontario employers as contact us.

The sectorial analysis below is based upon WSIB classifications. The breakdown is consistent with the prevalence of small to medium sized employers in the different industry sectors. The construction industry continues to be the agency’s largest client group at 37%, equal to last year’s figure of 37%, and reflects the significant impact of Board policies on this sector. Other sectors are little changed from previous reporting periods, mirroring the overall business distribution of Ontario employers.

Figure 6

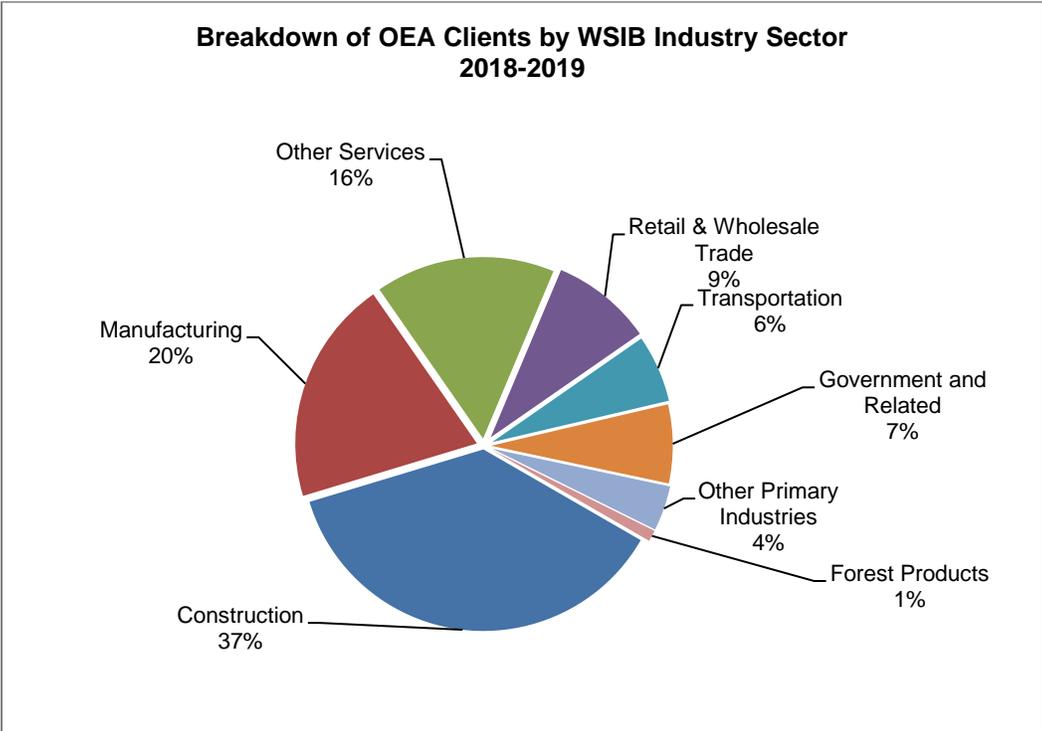
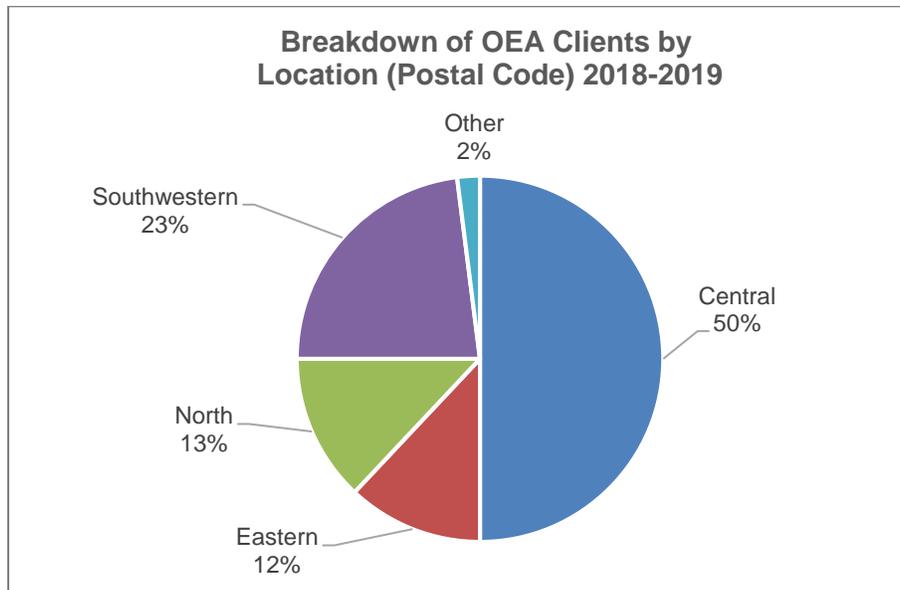


Figure 7 provides the breakdown of the regional distribution of OEA clients for 2018-19. Service delivery reflects the population and business demographics of the province, with the Central area, which includes the Greater Toronto Area, comprising the largest client group. The distribution is very similar to last year. The agency’s location of Employer Specialists around the province facilitates the provision of representation services to employers in their local area, as appropriate.

Figure 7



Value to Clients

Historically, informing Ontario employers of the existence of the OEA and the availability of free advice and representation services has been a significant challenge – and that challenge persists. There is no doubt, given our high satisfaction ratings, that the services being provided by the agency are valued. Providing that satisfaction to a larger number of employers continues to be our focus and goal.

Outreach and marketing is therefore a constant and ongoing effort. For the 2018-19 fiscal year, the OEA reports the following activities:

- The agency continued to distribute articles on workplace safety and insurance related topics to employer groups, to be shared with their membership. Articles were provided to 4 groups such as retail, trade and professional associations, as well as major franchisors in 2018-19.

- The OEA participated in 1 trade show/symposia this year. Since we have concluded that trade shows and symposia tend to attract an audience that is not sufficiently targeted to our services, we do not anticipate participating in many, if any such events on a go-forward basis. Were a specifically targeted opportunity to arise, it would be considered, and based on the cost-benefit analysis, we might participate.
- In total, more than 60 presentations on such topics as work reintegration, return to work, the WSIB Rate Framework, and Mental Stress – as well as an Introduction to the OEA - were provided to various stakeholder and employer groups by OEA staff. More than 1,400 attended OEA staff presentations this year.
- The OEA services overview brochure continues to be very popular with 2,115 pamphlets distributed in 2018-19, its sixth year of production. It continues to be a more cost-effective alternative handout (versus the printed Employer's Guides) and has the advantage of not losing currency as Board policies and procedures change. The OEA services overview brochure is scheduled for a redesign in 2019-20, to reflect the branding of the new website.
- As mentioned earlier, 2 live webinars were presented by the OEA. The webinar delivery model has been revamped. No longer will the agency provide multiple airings of a particular topic. Instead our webinars have been recorded. The recorded webinars are posted on the OEA website where they are accessible to a much larger audience on a more timely basis. In addition, users have to register to view the online webinars, adding valued names of interested parties to the OEA electronic database. This webinar feature will continue on the new website – along with a mechanism to ask questions, or request additional information, on line.
- The OEA maintains a Twitter presence. Since starting on Twitter in January 2013, the OEA has gained over 2,842 followers – 2,678 English and 164 French. Tweets are posted daily and include updates on changes in WSIB policy, 'did you know' facts from the OEA guidebooks and special tweets when the Board issues news releases on such things as premium changes for the upcoming year. Followers include employer associations and organizations, as well as individuals. Additional

social media channels continue to be evaluated as a means to effectively extend the agency's reach to the Ontario employer community.

The launch of the new OEA website will be advertised through sending ebulletins to the OEA electronic database and through our Twitter account.

Most of these efforts will be maintained and augmented in the next fiscal period.

Part 4 Overview of Section 50 Program and Activities

Advisory and Representation Services

Since April 2012, the OEA has been responsible for the provision of advice and representation services for Ontario employers facing Section 50 complaints under the Ontario Occupational Health and Safety Act.

There are 2 Employer Representatives at the OEA responsible for delivering on this mandate. In addition to the information and guidance provided on the OEA section 50 website, employers can call the Advice Centre for assistance. Referrals for representation services come through those two sources or through a direct referral from the OLRB (Ontario Labour Relations Board).

The OEA provided the following services to the employer community in 2018-19:

- 15 general informational calls were taken.
- 26 case-specific enquiries (advices) were provided.
- 19 representations (cases) were undertaken.
- 17 of the 19 representations were either settled or withdrawn, and 2 were withdrawn voluntarily by the applicant, in the year. Settlements range from the simple provision of a Letter of Employment to a (usually small) monetary payment. In most settled cases, the employer got a full and final release of any and all claims arising from employment or the termination thereof.
- Although detailed surveying of clients re their satisfaction was not undertaken during this period, informal feedback from employers has been very positive – especially considering the negative environment within which these services are required and delivered.
- Geographically, the case distribution ranged across the province as follows – Northern 8.3 %; Southwestern 35 %; Eastern 11.7 %; Central 45 %.

It must be noted, however, that the demand for Section 50 representation is intermittent and variable. Any representation is extremely time sensitive because of the stringent time limits imposed by the OLRB for responses to complaints. The OEA is staffed to provide advice and representation as and when requested.

Part 5 Client Testimonials

We are pleased to provide the following excerpts from communications received from OEA clients, commenting on the services they received from its staff; note that no spelling edits have been made to the quotes:

"You have done an amazing job for us in trying to get our voice heard.....many thanks for your time and energy!!!"

K.L.
Cornwall

"I'm sending you a message to thank you for all your advise and help over the years."

S.G.
Barrie

"As usual you have been a great support to us over the years, helping us learn more about our responsibilities and also our rights as an employer. We truly enjoy working with you and hope that we have the opportunity to network again in the future."

G.B.
Huntsville

"We thank you for all your guidance and work. It is unfortunate that we will probably not cross paths anytime soon. We have only had to work with lawyers 2 times in the last 30 odd years, but our experience with you was most pleasant, and by this I do not mean the outcome, but by your constant updates and reassurances. Thank you, Sir!!!"

E.A.
Ottawa

“I’m leaving you a voicemail as I write this I just wanted to say thank you for all your hard work on this claim and getting us a great result it is very appreciated.”

M.B.
Etobicoke

“Thank you so much!

You were a great help in guiding me through this process. I couldn’t have done it without you.”

I.C.
Caledon

”You did a great job presenting this information and it was received by all. I truly appreciate you sending this so that it can be further shared with with members of the management team and others who will gain from the professional knowledge you and other members of the OEA display. Thanks again for this and the support that you offer in clarifying a system that presents its challenges in sometimes navigating through”

J.P.
Timmins

“Thank you for all your help with this matter. I appreciate how quickly you responded to the mediation. It helped to get this resolved. You professional and personal approach helped us understand our options and proceed in the best interest of our company. Thank you. “

B.S.
Mississauga

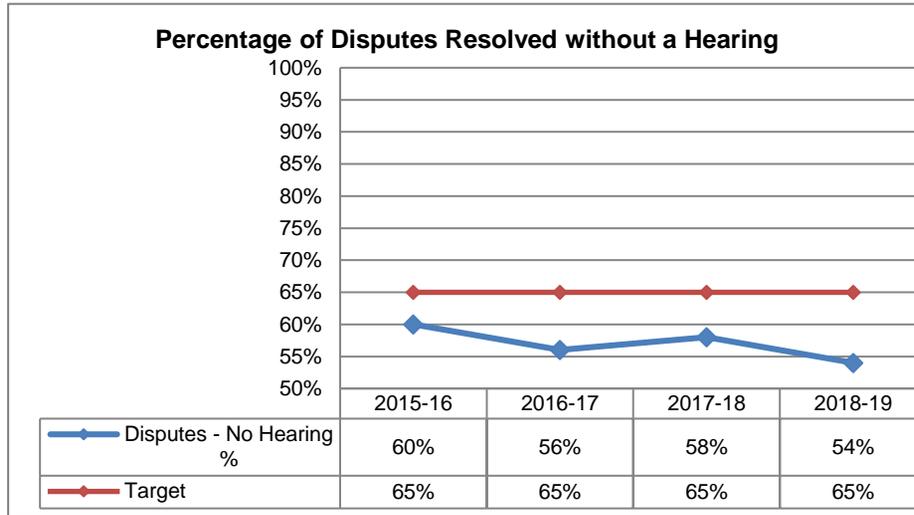
The OEA routinely receives letters of appreciation after presentations to employer stakeholder groups and we are proud that our participation contributes to greater employer knowledge of the WSI system and awareness of resources that are available to help them.

Appendix A: OEA Performance Measures 2018-2019

Key Activities: Advice and Representation Services

A1

Performance measure for 2018-2019 Percentage of disputes resolved without a hearing



Agency Contribution

OEA staff employs alternate dispute resolution strategies such as negotiation and mediation to help employers resolve disputes at an earlier stage.

In revenue matters where the dispute only involves two parties (i.e. the WSIB and the employer), every effort is made to resolve matters at the operating level. However, 95% of appeals are worker-driven and employers often contact the OEA for assistance after the dispute has proceeded to the appeal level. This limits the target that can realistically be achieved.

What does the graph show?

While the OEA consistently contributes to the reduction of adversity in the workplace safety and insurance system and helping employers to manage disputes more efficiently and effectively, the measure is not directly controlled or controllable by the OEA. Ultimately, since most appeals are worker-driven and employers have the final decision on whether or not to settle prior to a hearing, this measure will fluctuate according to employer climate and issues in any given year. This year the agency did not meet its target. The OEA continues to help a substantial number of employers prior to the hearing stage.

2018-19 Commitments

The commitment for 2018-19 was 65% of disputes resolved without a hearing, which was not met.

Long-term Target

The long-term target is 65%

Proposed for Publication

Internal Use Only

Existing Measure

New Measure

Appendix A: OEA Performance Measures 2018-2019

Key Activities: Advice and Representation Services		A2														
Performance measure for 2018-2019: Percentage of clients served in year that used OEA services for the first time																
<p style="text-align: center;">Percentage of New Clients Served</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <thead> <tr> <th></th> <th>2015-16</th> <th>2016-17</th> <th>2017-18</th> <th>2018-19</th> </tr> </thead> <tbody> <tr> <td>—◆— New Clients</td> <td>57%</td> <td>50%</td> <td>52%</td> <td>56%</td> </tr> <tr> <td>.....◆..... Target</td> <td>50%</td> <td>50%</td> <td>50%</td> <td>50%</td> </tr> </tbody> </table>		2015-16	2016-17	2017-18	2018-19	—◆— New Clients	57%	50%	52%	56%◆..... Target	50%	50%	50%	50%	<p>Agency Contribution</p> <p>Client feedback consistently calls on the OEA to ensure that more employers are aware of our services. The OEA also strives to ensure that employers become more self-reliant through casework.</p> <p>This measure helps to determine whether the agency is expanding its reach to those eligible employers who are paying for OEA services in their WSIB premiums, but who have not previously accessed our services.</p>
	2015-16	2016-17	2017-18	2018-19												
—◆— New Clients	57%	50%	52%	56%												
.....◆..... Target	50%	50%	50%	50%												
<p>What does the graph show?</p> <p>We continue to try and inform as many employers as possible of our no-charge, confidential, services. While we have met our target level, much work remains to be done to ensure that more Ontario employers are aware of, and avail themselves of, the OEA and its services.</p>	<p>2018-19 Commitments</p> <p>The commitment for 2018-19 was 50% new clients served in year. This target was exceeded.</p> <p>Long-term Target</p> <p>The long-term target is 50%.</p>															
Proposed for Publication	Internal Use Only	<input checked="" type="checkbox"/> Existing Measure	<input type="checkbox"/> New Measure													

Appendix A: OEA Performance Measures 2018-2019

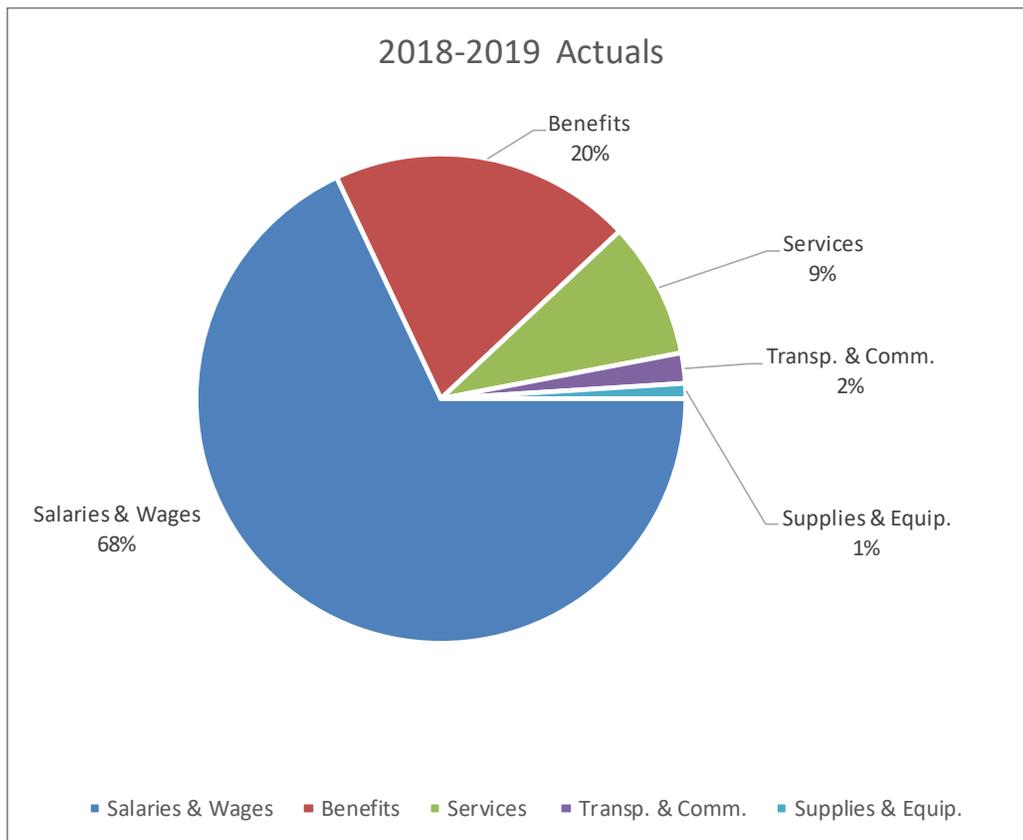
Key Activities: Advice and Representation Services		A3																
Performance measure for 2018-2019: A customer satisfaction rate of 90% or higher																		
<p style="text-align: center;">Percentage of Satisfied Clients</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th>2015-16</th> <th>2016-17</th> <th>2017-18</th> <th>2018-19</th> </tr> </thead> <tbody> <tr> <td>◆ Satisfied Clients</td> <td>99%</td> <td>98%</td> <td>99%</td> <td>94%</td> </tr> <tr> <td>◆ Target</td> <td>90%</td> <td>90%</td> <td>90%</td> <td>90%</td> </tr> </tbody> </table>			2015-16	2016-17	2017-18	2018-19	◆ Satisfied Clients	99%	98%	99%	94%	◆ Target	90%	90%	90%	90%	<p>Agency Contribution</p> <p>The primary complaint heard by agency staff is that employers were not aware of its services sooner. Most employers using the agency's services are very satisfied with the services they receive.</p> <p>In addition to OPS customer service standards, the OEA has a number of internal standards, policies and performance measures, including those for telephone services and for file review, client follow up, etc., to maximize the service experience of OEA clients. The OEA's case management system was designed to provide tools to OEA staff that help them monitor and meet these expectations.</p> <p>Additional refresher customer service staff training will be provided.</p>	
	2015-16	2016-17	2017-18	2018-19														
◆ Satisfied Clients	99%	98%	99%	94%														
◆ Target	90%	90%	90%	90%														
<p>What does the graph show?</p> <p>OEA clients are very satisfied with the service they receive.</p> <p>Note that this graph shows the combined rate for both OEA WSI business streams – Advice Centre and Employer Representation.</p>		<p>2018-19 Commitments</p> <p>The commitment for 2018-19 was a 90% client satisfaction rate. This target was exceeded.</p> <p>Long-term Target</p> <p>The long-term target is 90%.</p>																
Proposed for Publication	Internal Use Only	<input checked="" type="checkbox"/> Existing Measure	<input type="checkbox"/> New Measure															

Appendix B: OEA Financial Report 2018-2019

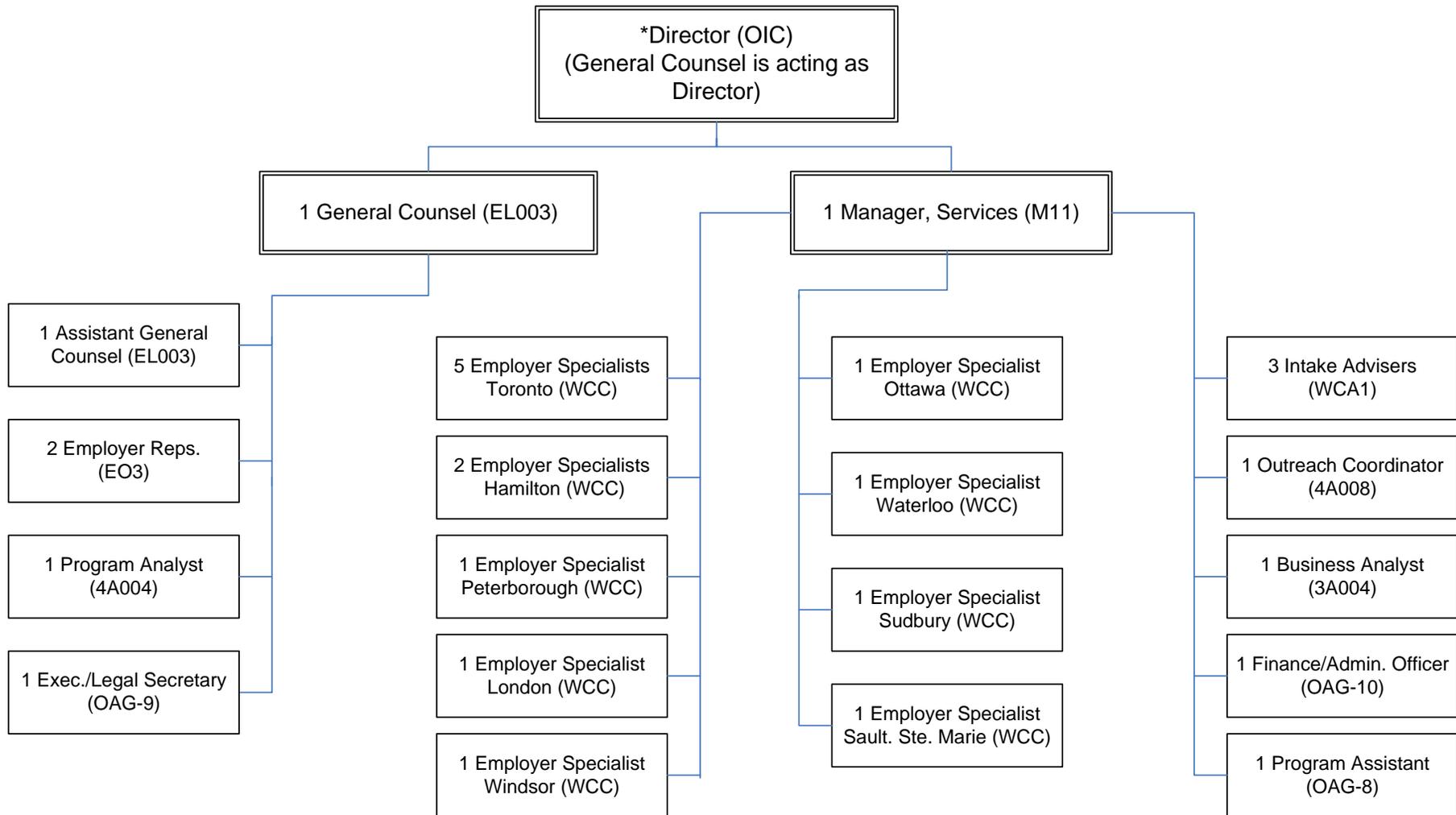
All Figures in \$000.0 thousand (except "% of Variance" column)

Account	Year-end Budget	Year-end Actuals	Variance	% Variance
Salaries & Wages	2,582.7	2,516.9	65.8	2.5%
Benefits	594.1	730.0	(135.9)	-22.9%
ODOE:				
Transportation & Communication	154.3	86.2	68.1	44.1%
Services	332.5	339.0	(6.5)	-2.0%
Supplies & Equipment	89.8	21.2	68.6	76.4%
Total ODOE	576.6	446.5	130.2	22.6%
Total	3,753.4	3,693.3	60.1	1.6%

Figure 8



Appendix C: OEA Organization Chart



The General Counsel is currently acting as the Director.

Office of the Employer Adviser

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