

Office of the Employer Adviser

Business Plan

2023-2024

to

2025-2026

Ontario 

Table of Contents

Contents

EXECUTIVE SUMMARY	2
OEA MANDATE, VISION, AND MISSION	3
STRATEGIC DIRECTIONS	4
ACTIVITIES INVOLVING STAKEHOLDER GROUPS.....	6
OVERVIEW OF PROGRAMS	7
ENVIRONMENTAL SCAN.....	9
HUMAN RESOURCES.....	11
RESOURCES NEEDED TO MEET GOALS AND OBJECTIVES	12
IMPLEMENTATION PLAN and PERFORMANCE MEASURES.....	12
COMMUNICATION PLAN	13
APPENDIX A FINANCIAL RESOURCES – updated.....	15
APPENDIX B FTE CAP – updated.....	16
APPENDIX C PERFORMANCE MEASURES.....	18
APPENDIX D OEA ORGANIZATION CHART.....	21

BUSINESS PLAN 2023-2026

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)* and unlawful reprisal matters under section 50 of the *Occupational Health and Safety Act*.

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 continue to:

- promote awareness and enhance support for small business employers, including how OEA services can help employers; and
- strengthen our knowledge management and
- pursue continuous improvement of our processes and tools

The OEA raises awareness through multiple channels: live webinars; a content focused website; e-bulletins and Twitter. These virtual methods are directed throughout the province to employers and stakeholder groups.

Launched in 2022-23 the OEA Chair, Jim Dimanis, hosted an outreach project to employer associations to share information about the OEA, make connections, offer webinar presentations, highlight the availability of prepaid workers' compensation and unlawful reprisal assistance and request feedback. The project has seen early success and will continue in 2023-24.

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 2023-26 with expertise and innovation, grounded in excellent client service.

OEA BUSINESS PLAN 2023-2026

OEA MANDATE, VISION, AND MISSION

Pursuant to section 176(2) of the WSIA the mandate of the OEA 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 workplace safety and insurance (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 webinars and in-person presentations, our web site, social media via Twitter @askOEA, and e-bulletins.

- a) OEA Chair Outreach

Outreach to employer associations will continue, seeking to promote awareness of OEA services, strengthen connections throughout the province and seek feedback on the responsiveness and accessibility of OEA services.

- b) Webinars

The OEA has focused on webinars (e-sessions) to fulfil our education mandate.

During the 2022-23, the agency presented a webinar series in November-December 2022 and will present a second series in February-March 2023. The webinars are offered in a series over the course of 6 weeks. This approach was very positively received; an employer can choose to watch the whole series or dip into topics of interest.

These live, web based, education sessions focus on substantive issues affecting employers and include completing a Form 7, return to work, mental stress and the WSIB's new method to set premium rates. The content is approachable for individuals newly assigned to workers' compensation at their workplace and as reminders for individuals with some experience already. Participants may include a question in the chat, and a specialist staff will reach out to discuss the question in the individual employer's circumstances.

Live webinars are scheduled and advertised using e-bulletins, 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 webinars are a key tool to promote awareness of OEA services.

- c) Digital Tools and Social Media

The agency will explore methods and contacts to enhance our digital media presence and tools.

- d) Client Feedback

The OEA has successfully obtained client feedback following our webinars. During 2022-23, the agency is exploring a different survey tool to improve reporting capability. Our next area of focus will be client feedback after advice or case closure.

During November-December 2022, the agency's webinar series attracted 2,815 participants; 86% of survey respondents rated the webinar a 4 or a 5, with 5 as the highest rating.

During our extended series of 17 webinars in 2021-22, the agency attracted registration from 4941 participants; 85% of survey respondents rated the webinar a 4 or 5, with 5 as the highest rating.

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 recording or interview with staff 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 method 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 include digital awareness and capacity, to support the agency's strategic projects.

ACTIVITIES INVOLVING STAKEHOLDER GROUPS

The OEA's activities with stakeholders will continue.

The Agency Chair's outreach program launched successfully in 2022-23. The project reaches out to employer associations to share information about the agency's services. This project resulted in information sessions with several associations and webinar presentations by staff.

OEA management and 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. Examples includes:

- The Ontario Business Coalition
- The Canadian Manufacturers and Exporters
- The Council of Ontario Construction Associations
- The Ontario Mining Association
- Electrical Contractors Association of Ontario

This year, the agency partnered with the Health and Safety Association Workplace Safety and Prevention Services (WSPS) for OEA specialist staff to present at sessions across the province about mental stress.

The OEA is an effective, valued partner in the WSI system. The agency contributes to system improvement through strong relationships with stakeholders, partner agencies and the Ministry of Labour, Immigration, Training and Skills Development (MLITSD). And we help employers navigate the system for revenue and claims matters and work to resolve issues at the earliest point.

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.

Through our work with individual employers, education and outreach work we contribute to an accessible workplace safety and insurance system.

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 OHS 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 Advice Centre 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. Clients may also choose to call their local OEA Employer Specialist for advice and assistance.

The OEA website, at www.employeradviser.ca, is an efficient, readily accessible means for employers to get answers to straightforward issues and includes a web form for employer specific questions.

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). 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 and represent clients at the WSIB and WSIAT.

Education of Employers

The OEA focuses on the education of Ontario employers about WSI and OHS section 50 unlawful reprisal matters through its website, webinars, social media, e-bulletins, and live regional presentations.

The agency has offered webinars for several years presented by the agency's expert Law Society of Ontario (LSO)-licensed staff.

Webinars will be the forward focus of the OEA's work to meet its education mandate accompanied by the Chair's Outreach project, content development, social media and web site updates. During 2022-23, the agency partnered with a health and safety association to provide live presentations. The approach was well received and an excellent experience. The agency will explore similar partnerships.

OEA webinars 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 the WSIB's response to COVID-19.

ENVIRONMENTAL SCAN

External Factors

Funding for the OEA is a legislated obligation of the WSIB under the WSIA and the OEA operates within the Ontario 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. Assisting and informing employers about the changes is an opportunity for the OEA to heighten its profile across the employer community. Due to the complexity of the new rate setting method, it is anticipated that employers will benefit from 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 their education to meet this obligation and support employers through this transition.

As part of the WSIB's 2021 COVID-19 financial relief package, the transition into the new framework was deferred. The transition into the new rate framework resumed in 2022 and 2023 and therefore, the OEA expects employer questions and activity in this area.

Mitigation

Ongoing staff engagement with the new rate framework.

Video Conference Hearings and Webinars

System partners transitioned to virtual hearing options during COVID-19 and the use of video hearings and telephone hearings has continued in suitable cases.

The OEA's live webinars were a successful approach over the past few years. These live web sessions offer employers an opportunity to raise questions. Most questions are referred to specialist staff for conversations with employers to respond to their individual needs.

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 via MS Teams, Zoom, WebEx and other platforms. Further, we will develop opportunities for staff to practice webinars 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

The agency benefits from the skills and expertise of our experienced staff. It is anticipated that retirements will slowly occur and 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 could put financial pressure on our budget.

Mitigation: knowledge management project, training of Advice Centre (Intake) staff

Digital Delivery and Customer Service

E-Access to Files from System Partners

During the COVID-19 pandemic, the OEA started to receive e-file access from the WSIB. This led to an agency investment in new software and training to support staff transition to e-file review. The agency will monitor expanded availability of e-documents from system partners and support staff with the transition as it occurs.

Digital Tools

Digitally based client feedback surveys, search engine optimization, and user needs research, among others, are 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 projects and development in this area.

HUMAN RESOURCES

Priority	Key Activities	HR Issues and Impact	HR Priorities and Actions for 2023-24	Resource Implications (Y/N)
1	<p>Succession management and professional development is an ongoing focus.</p>	<p>Resources are currently aligned to meet service requirements. Retirements are likely to occur over the next few years.</p>	<p>Anticipate staffing changes to ensure business continuity; continue to adjust staffing levels based on work demands.</p> <p>Monitor budget and prepare for additional expenses wherever possible.</p> <p>Monitor workloads to adapt and respond to training needs and changes.</p> <p>Assess and update training and development plans and strategies for all OEA staff.</p>	<p>Severance payouts and replacement/recruitment costs may put financial pressure on the OEA budget if several staff leave the agency in the fiscal year.</p> <p>Training and development of new staff takes time.</p>
2	<p>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.</p> <p>OEA webinars are an effective way to promote awareness and deliver our education mandate.</p>	<p>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 to balance with new opportunities and needs.</p>	<p>Ensure adequate preparation/ education of OEA staff to remain experts in the areas of workers' compensation and unlawful reprisals.</p> <p>Monitor digital tools and develop opportunities to support staff presentations at video hearings and webinars</p>	<p>Alignment of staff, projects and resource requirements is ongoing.</p>

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

Our goal for the coming years is to guide the number of advice and representation services back to pre-covid levels, 2018-19 and 2019-20.

Performance measures:

- Advice and information
- Explore measures for representation case work that reflect significant milestones (i.e., hearings)

During 2023-26 we will continue to adapt webinar opportunities, work to enhance customer feedback pathways, and growing our digital tools.

Performance measures:

- Webinar series offered to employers
- Registrations for webinar sessions
- Content developed for clients and stakeholders
- Implement a client feedback survey after advice and case closure

OEA staff are expert, client focused and inclusive

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

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.

- 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 will be top of mind to improve the responsiveness of OEA services and to assess the effectiveness of OEA services.

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 2023-26 continues its focus on alerting clients and stakeholders to changing policies and priorities in the WSI system and promoting awareness of the OEA's pre-paid services.

The OEA is a significant provider of information and education about WSIB matters, for example, changes to policies and procedures, for stakeholder organizations and OEA clients. In 2022-23 our email distribution list grew to approximately 200,000 employers by including those who registered for e-services with the WSIB. To reach as many employers as possible, the OEA uses a number of different communication channels including its website, webinars, social media (Twitter), e-bulletins, and in-person regional presentations.

In 2023-24, the agency will enhance our client feedback survey methods by offering opportunities to share comments upon advice and case closure. The agency welcomes qualitative feedback from clients as an indicator of value provided to employers and stakeholders.

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

Webinars and Presentations

Webinars are a cost-effective, core component of the OEA's education and information sharing strategy. Adapting content to attract registrants will be the focus during fiscal year 2023-24.

System Partners

The WSIB, WSIAT and MLITSD inspectors remain 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 pre-paid services, made possible through the employers' WSIB premiums/administrative fees.

APPENDIX A FINANCIAL RESOURCES – updated

Standard Account	2023-24 Preliminary Planning Base	2024-25 Preliminary Planning Base	2025-26 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	293,900	293,900	293,900
Supplies & Equipment	89,800	89,800	89,800
Total ODOE	532,400	532,400	532,400
Grand Total	4,020,200	4,020,200	4,020,200

APPENDIX B FTE CAP – updated

Position Title	Job Code	Compensation Group	Head Count March 31, 2023	Change	Head Count March 31, 2024	Change	Head Count March 31, 2025	Change	Head Count March 31, 2026	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 2023-24 -- Advice provided to employers



Agency Contribution

The OEA Intake Team provides advice and information to employers about their workplace safety and insurance questions and issues; and supports employers with their questions about s. 50 OHSA reprisal matters.

Employers access services through phone, email, or website contact page.

The Intake Team supports employers as they navigate the WSI system and is also a referral function for the agency's representation services.

What does the graph show?

Advice numbers rose in 2019-20 as the agency worked to capture the different topics raised by clients during interactions to track in more detail the key issues to employers.

Advice numbers declined during 2020-21 and 2021-22 during the Covid-19 pandemic. (Current year statistics reflect April 1 to December 8, 2022.)

2023-24 Commitments

Our 2023-24 goal is to increase advice services by 5-10% over 2022-23.

Long-term Target

The long-term target is to return to pre-pandemic advice numbers

Proposed for Publication

Internal Use Only

Existing Measure

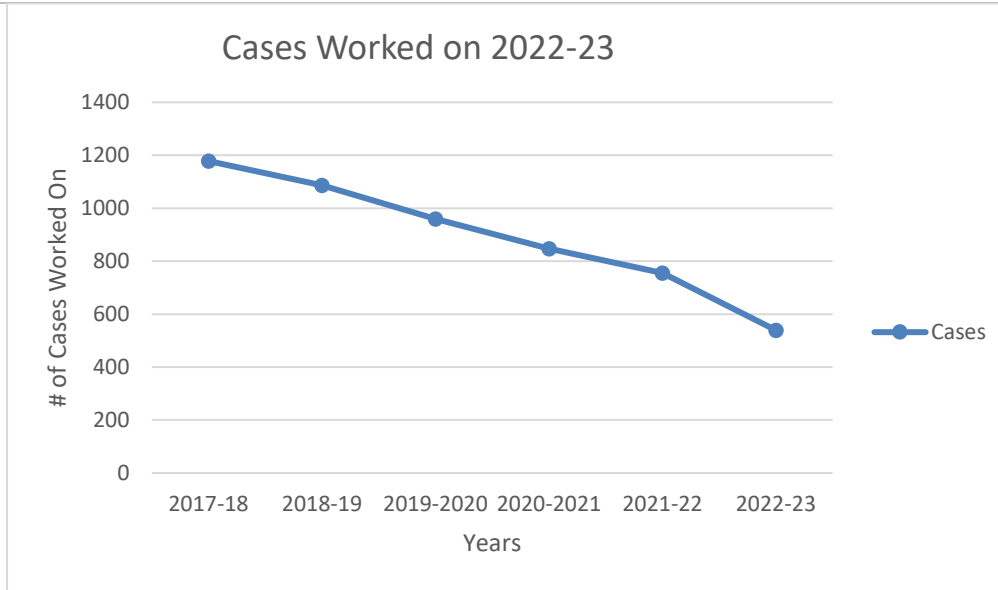
New Measure

APPENDIX C PERFORMANCE MEASURES (cont'd)

Key Activity: Advice and Representation Services

C2

Performance measure for 2023-24 -- Representation Cases



Agency Contribution

The agency’s expert and specialist staff provide representation before administrative tribunals in the area of WSIB matters and OHS unlawful reprisals.

Employers value the services in specialized areas of law, our services are pre-paid through WSIB premiums, and enable small-mid sized business owners to focus their time and energy on their business.

What Does the Graph Show?

Representation numbers decreased during the Covid-19 pandemic. The current year statistics reflect April 1 to December 8, 2022.

2023-24 Commitment

The commitment for 2023-24 is to increase our representation services by 5-10% over 2022-23 cases and to explore related measures that would reflect significant periods of work and service to employers, for instance hearings.

Long-term Target

The long-term target is to return to pre-pandemic representation numbers.

Proposed for Publication

Internal Use Only

Existing Measure

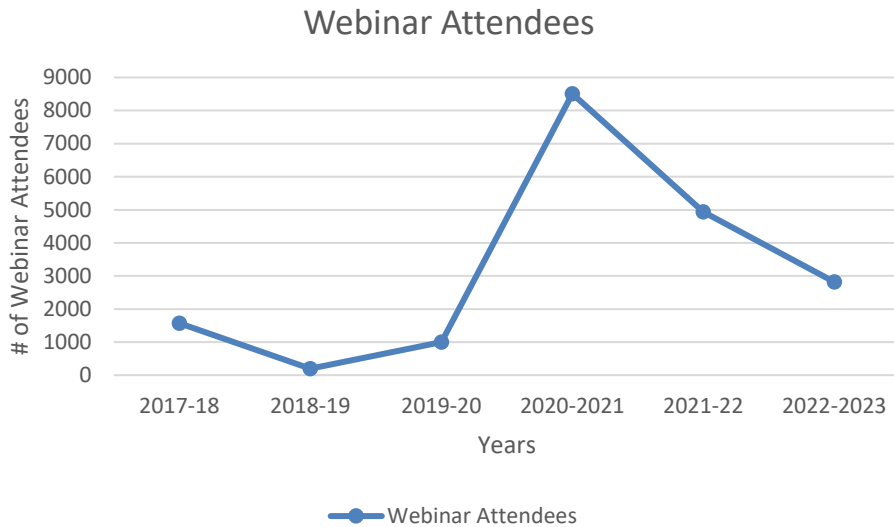
New Measure

APPENDIX C PERFORMANCE MEASURES (cont'd)

Key Activities: Education and Information to Employers

C3

Performance measure for 2023-24: Number of Webinar Sessions offered to Ontario Employers



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 webinars to share information with employers, raise awareness of responsibilities and draw attention to OEA services.

What does the graph show?

The OEA provides information about WSIB matters and s. 50 OHSAs reprisals to employers to raise awareness of employer responsibilities, WSIB process and OEA services. Webinar sessions were a successful approach during recent years. The agency will continue with this approach. Sessions are presented by the agency's expert, specialized staff.

The current year statistics reflect the November-December 2022 webinar series; a second series is planned in February-March 2023.

2023-24 Commitments

The commitment for 2023-24 is to offer 1-2 series of webinars. The 2023-24 fiscal year is an update year; our goal is to repackage our content in interesting ways to continue to attract attendees and offer value to employers.

Long-term Target

The long-term target is to offer 2 webinar series each fiscal year, with an interim year focused on content development and updates in response to employer feedback.

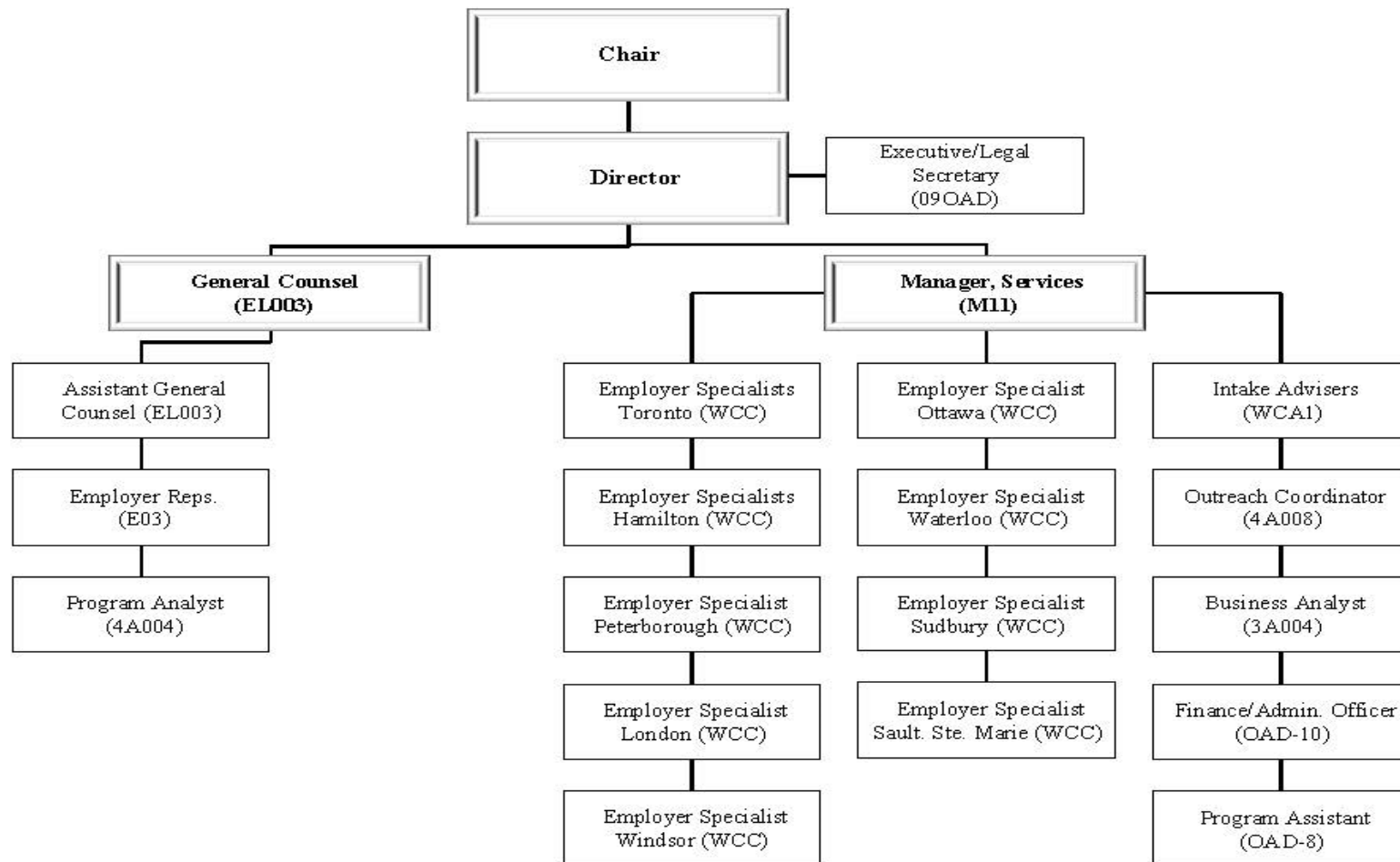
Proposed for Publication

Internal Use Only

Existing Measure

New Measure

APPENDIX D OEA ORGANIZATION CHART



OEA Organization Chart

Chair

- Director

Director

- 1 General Counsel (EL003)
- 1 Manager, Services (M11)
- 1 Executive / Legal Secretary (09OAD)

General Counsel

- Assistant General Counsel (EL003)
- 2 Employer Representatives (E03)
- 1 Program Analyst (4A004)

Manager, Services

- 5 Employer Specialists – Toronto (WCC)
- 2 Employer Specialists – Hamilton (WCC)
- 1 Employer Specialists – Peterborough (WCC)
- 1 Employer Specialists – London (WCC)
- 1 Employer Specialists – Windsor (WCC)
- 1 Employer Specialists – Ottawa (WCC)
- 1 Employer Specialists – Waterloo (WCC)
- 1 Employer Specialists – Sudbury (WCC)
- 1 Employer Specialists – Sault. Ste. Marie (WCC)
- 3 Intake Advisers (WCA1)
- 1 Outreach Coordinator (4A008)
- 1 Business Analyst (3A004)
- 1 Finance / Admin Officer (OAD-10)
- 1 Program Assistant (OAD-8)