

Office of the Employer Adviser

Business Plan

2024-2025

to

2026-2027

Ontario 

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Business Plan 2024-2027

Executive Summary

The Office of the Employer Adviser (OEA) meets the needs of Ontario employers by providing advice, education 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* (OHSA).

OEA expert advice in a specialized subject area allows employers to focus their time and money on operating their businesses. The availability of expert, prepaid, confidential services is a considerable benefit to smaller employers.

During the upcoming fiscal years, the agency will promote awareness among smaller business employers about how OEA province wide services can help employers and pursue continuous improvement of our tools.

The OEA raises awareness of our services through live webinars, our website, e-mailed newsletters, presentations, engagement with stakeholder associations, local networking and social media.

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 look forward to serving the employer community and stakeholders during 2024-27 with expert and practical advice, grounded in excellent client service.

OEA Mandate, Vision, and Mission

Mandate

Pursuant to section 176(2) of the WSIA the mandate of the Office of the Employer Adviser (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, value-added advice, information and representation on a full range of workplace safety and insurance issues to all employers participating in the workplace safety and insurance system.

The OEA is also 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”).

Vision

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

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 about how OEA services can help smaller business employers.

The OEA shares information with Ontario employers, clients and stakeholders using webinars and presentations, our web site, e-mailed newsletters and social media.

a) Webinars

The OEA has focused on webinars to fulfil our education mandate.

During 2023-24, the agency presented a webinar series in November-December 2023 and will present a second series in February-March 2024. The webinars are offered in a series over the course of several weeks. 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-mailed newsletters, LinkedIn and Twitter.

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.

b) Digital Tools and Social Media

The agency will continue work to grow our LinkedIn presence, improve useability of our website and share pertinent information via e-mailed newsletters.

c) Client Feedback

The OEA has successfully obtained client feedback following our webinars. Our next area of focus will be a digital method for client feedback after advice or case closure.

2) Supporting Expert Staff

Education, advice and representation services depend on our dedicated, expert, and inclusive staff.

The OEA's ongoing in-house educational program is directed at maintaining a high level of knowledge about the workplace safety and insurance system and changes in policy and

procedures at the WSIB. The OEA provides team members with sufficient hours to meet their Law Society of Ontario continuing professional development hours and keep updated on WSIB policy and related changes.

In 2024-25, the agency will continue work to develop content to share with employers and stakeholders through multiple channels.

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, presentations to colleagues and updates from the Ontario Labour Relations Board.

Learning for our corporate services team will include digital awareness, plain language writing and accessibility to support the agency's strategic projects.

Stakeholder and System Partner Engagement

OEA management and staff attend system partner meetings as the opportunity arises. OEA management also present to stakeholder committees and identify and attend appropriate outreach opportunities with employer associations. Examples of engagement with associations includes: The Ontario Business Coalition, the Canadian Manufacturers and Exporters, the Council of Ontario Construction Associations and the Ontario Mining Association.

The Office of the Employer Adviser is an effective, valued partner in the WSI system. The agency contributes to system improvement through strong relationships with stakeholders, the Workplace Safety and Insurance Board (WSIB), the Workplace Safety and Insurance Appeals Tribunal (WSIAT) and the Ministry of Labour, Immigration, Training and Skills Development (MLITSD).

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.”

For s. 50 reprisal matters, management and staff meet with interested employer groups and attend Ontario Labour Relations Board (OLRB) stakeholder sessions 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 Ontario's smaller businesses with the specialized administrative and adjudicative WSIB system.

The OEA program:

- Supports employers with WSIB issues, allowing business owners to focus their time and money on growing their business
- Helps employers understand and meet their on-going obligations to their workers
- Raises awareness about workplace responsibilities
- Helps employers address OHSA section 50 worker reprisal issues

Advice for Employers

The OEA Advice Centre provides comprehensive legal advice to employers on all workplace safety and insurance system issues and general information for section 50 reprisal questions. Inquiries are received through phone and e-mail at askOEA@ontario.ca. Clients may also choose to call their local OEA Employer Specialist for advice and assistance.

The OEA website, at www.employeradviser.ca, is a 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 with issues at the Workplace Safety and Insurance Board (WSIB) and the Workplace Safety and Insurance Appeals Tribunal (WSIAT). Staff also provide advice and representation at the 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 workplace safety and insurance and occupational health and safety section 50 unlawful reprisal matters through its website, webinars, social media, e-mailed newsletter, and regional presentations.

OEA webinars and presentations cover areas of interest to employers such as claims management, chronic mental stress entitlement, and revenue-related issues. OEA social media works to raise awareness of relevant practical and new items.

Environmental Scan

External Factors

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

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 and mediations offered by partner agencies and to present via MS Teams, Zoom, WebEx and other platforms.

Process Changes at WSIB and WSIAT

During the 2023-2024 fiscal year the WSIB and the WSIAT consulted on changes to their appeals processes and implementation of changes by both WSIB and WSIAT is anticipated to take effect in 2024. The OEA participated in these consultation processes. OEA staff will attend training sessions offered by system partners as available. The agency will explore updates to our case management system, for instance to support team members with changes to filing deadlines. The OEA's expert team will support smaller employers and stakeholders adapt to changes to the appeals system.

Also, for premium year 2024, most Schedule 1 employers will experience the full implementation of the WSIB's Rate Framework. This generally means the possibility of a maximum premium rate increase or decrease of 3 risk bands, approximately 15%, from the prior year. Each class/subclass is assigned a series of risk bands, with a cost difference of approximately 5% per risk band.

Mitigation

Stakeholder information sessions and OEA team discussions will be valuable learning opportunities. During the fiscal year, the team will experience the new processes and timelines, assess implications for Ontario's smaller employers and provide feedback to partner agencies as opportunities arise.

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. The OEA will ensure it is aligned with Ontario Public Service (OPS) direction and guidelines on in-office attendance.

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.

When retirements occur, we expect a substantial increase in required payouts, which could put financial pressure on our budget.

Mitigation: succession planning, recruitment, and coaching of new 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 review and prepare PDF files electronically. In 2024, the WSIAT plans to expand its use of e-files and the agency will continue to support staff with these transitions.

Digital Tools

Digitally based client feedback surveys, search engine optimization, and social media and web site content 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.

Resources 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 retirements occur.

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 increase the advice and representation services provided to Ontario employers.

Performance measures:

- Advice and information provided to employers
 - For 2024-25, increase advice shared by 5-10% compared to prior year
 - Longer term, increase advice shared to pre-pandemic levels
- Representation work through Opened and Closed cases
 - For 2024-25, increase opened representation cases by 5-10% compared to prior year
 - Longer term, increase opened representation cases to pre-pandemic levels

During 2024-27 we will continue to raise awareness of our services.

Performance measures:

- Webinar series offered to employers, offer 1-2 series per fiscal year
- Content developed for clients and stakeholders
 - E-bulletin 3 times per year
- Implement a client feedback survey after advice and case closure

OEA staff are expert, client focused and inclusive

- Training sessions for LSO licensed staff to meet CPD requirements
- 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

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 2024-27 continues its focus on alerting clients and stakeholders to changing policies and priorities in the WSIB system and promoting awareness of the OEA's pre-paid services.

The OEA is a significant provider of information and education about WSIB matters including changes to policies and procedures. To reach as many employers as possible, the OEA uses its website, webinars, social media (LinkedIn, Twitter), e-mailed newsletters and occasionally in-person regional presentations.

In 2024-25, the agency will continue the shift to digital 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 through the number of attendees for agency webinar sessions, presentations and statistics for employer advice and information.

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 ongoing.

During November-December 2023, the agency's webinar series attracted 10,235 participants.

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 OEA communications is that the OEA provides 'free, confidential and expert' services for Ontario's smaller employers.

OEA marketing and outreach work to increase client awareness and promote 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 and administrative fees.

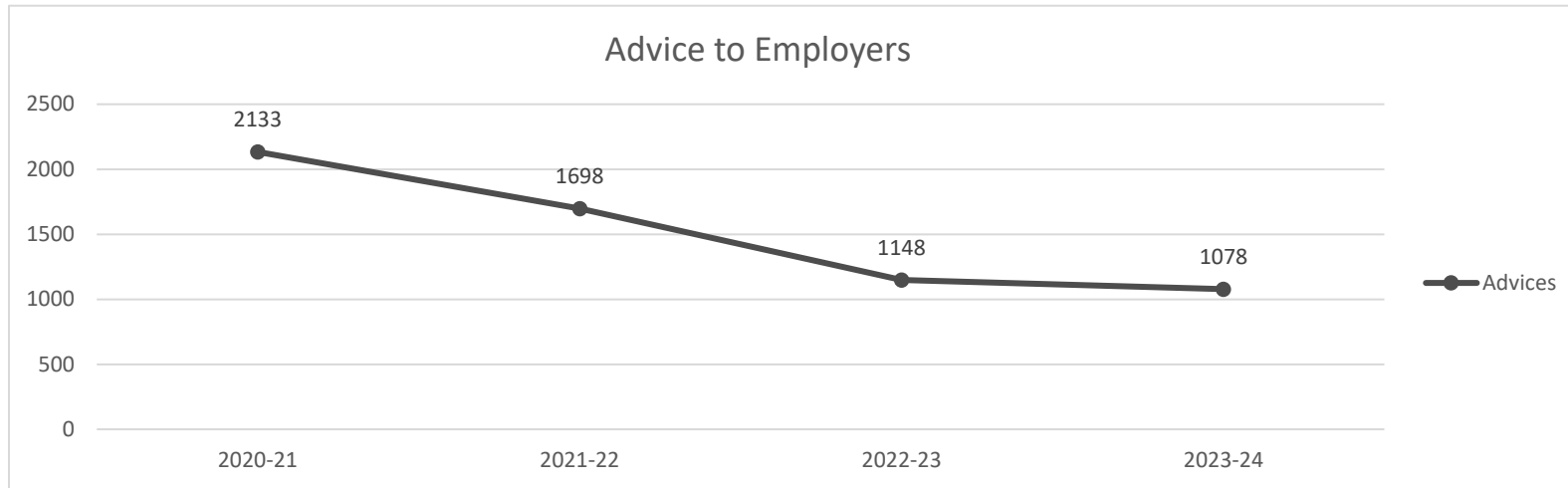
Appendix A Financial Resources

Standard Account	2024-25 Preliminary Planning Base	2025-26 Preliminary Planning Base	2026-27 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 Performance Measures

Key Activity: Advice and Representation Services C1

Performance measure for 2024-25 -- Advice provided to employers



Agency Contribution

The OEA 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 is the key contact at this initial stage. The Team supports employers as they navigate the WSI system and is also a referral function for the agency's representation services. Representation staff also provide advice.

What does the graph show?

Agency advice statistics capture the different topics raised by clients during interactions to track the key issues to employers.

Advice numbers declined during Covid-19 pandemic and have stabilized to date in 2023-24, in part due to the success of the Fall 2023 webinar series. Attendee questions were referred to staff as a meet and greet opportunity with individualized advice.

Current year statistics reflect April 1 to November 17, 2023.

2024-25 Commitments

Our 2024-25 goal is to increase advice services by 5-10% compared to the prior fiscal year.

Long-term Target

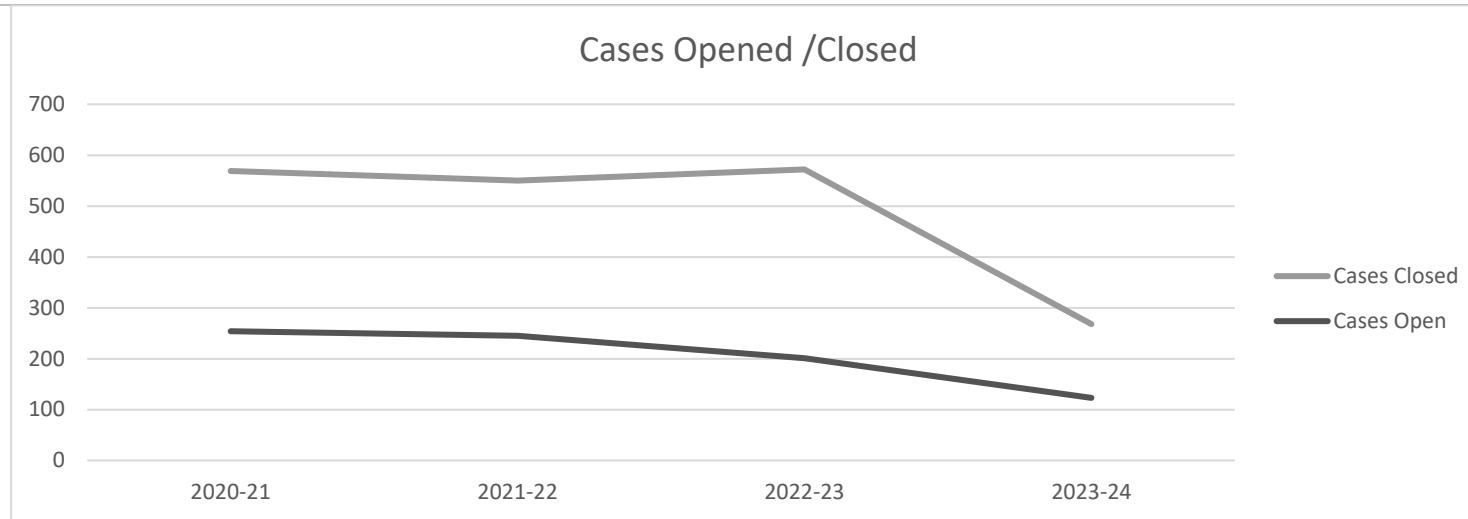
The long-term target is to return to pre-pandemic advice numbers

This is an existing measure.

Appendix B Performance Measures, continued

Key Activity: Advice and Representation Services C2

Performance measure for 2024-25 – Opened and Closed Cases



Agency Contribution

The agency's expert and specialist staff provide representation before the Workplace Safety and Insurance Board, Workplace administrative tribunals in the area of WSIB matters and OHSA unlawful reprisals.

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

What Does the Graph Show?

Representation cases decreased during the Covid-19 pandemic. The OEA continued to serve clients by resolving cases before the WSIB, WSIAT and OLRB.

In 2020-21, the agency opened 254 cases and closed 315. Year to date in 2023-24, the agency has opened 123 cases and closed 145. The agency hopes to convert advice calls from webinars into future services to Ontario employers. Case timelines from open to closed varies depends on issues and appeals.

Year to date statistics reflect April 1 to November 17, 2023.

2024-25 Commitment

The commitment for 2024-25 is to increase the number of opened representation cases by 5-10% compared to 2023-24 cases.

Long-term Target

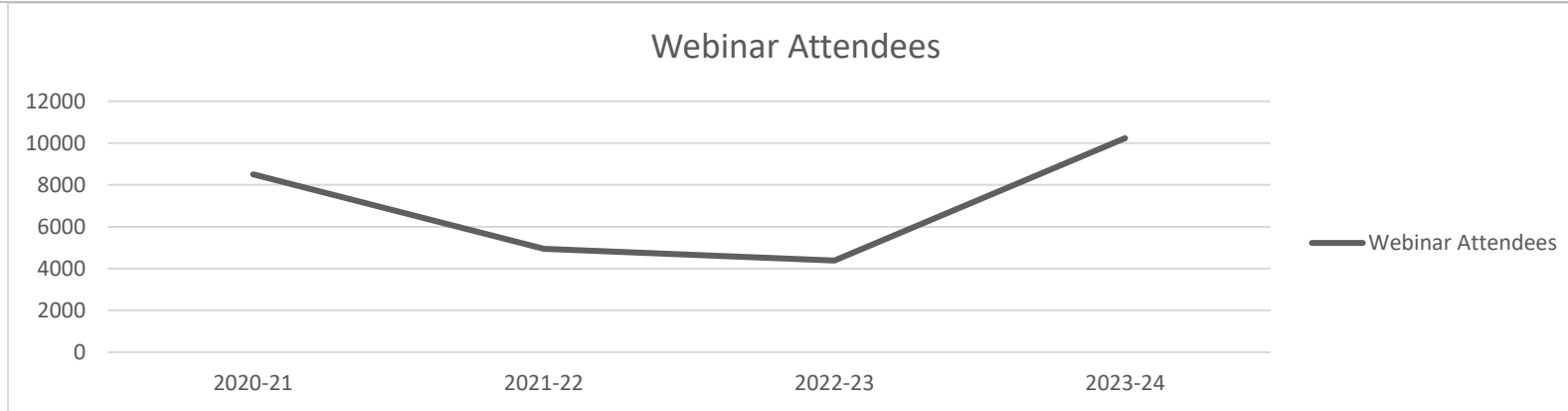
The long-term target is to return to pre-pandemic representation numbers.

This is a new measure.

Appendix B Performance Measures, continued

Key Activities: Education and Information to Employers C3

Performance measure for 2024-25: 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 OHSA reprisals to employers to raise awareness of employer responsibilities, WSIB process and OEA services. Webinar sessions were a successful approach during recent years. Sessions are presented by the agency's expert, specialized staff.

The current year statistics reflect the November-December 2023 webinar series; a second series is planned in February-March 2024.

During 2020-21 there were 8508 attendees. During November-December 2023, there were 10,235 attendees.

2024-25 Commitments

The commitment for 2024-25 is to offer 1-2 series of webinars.

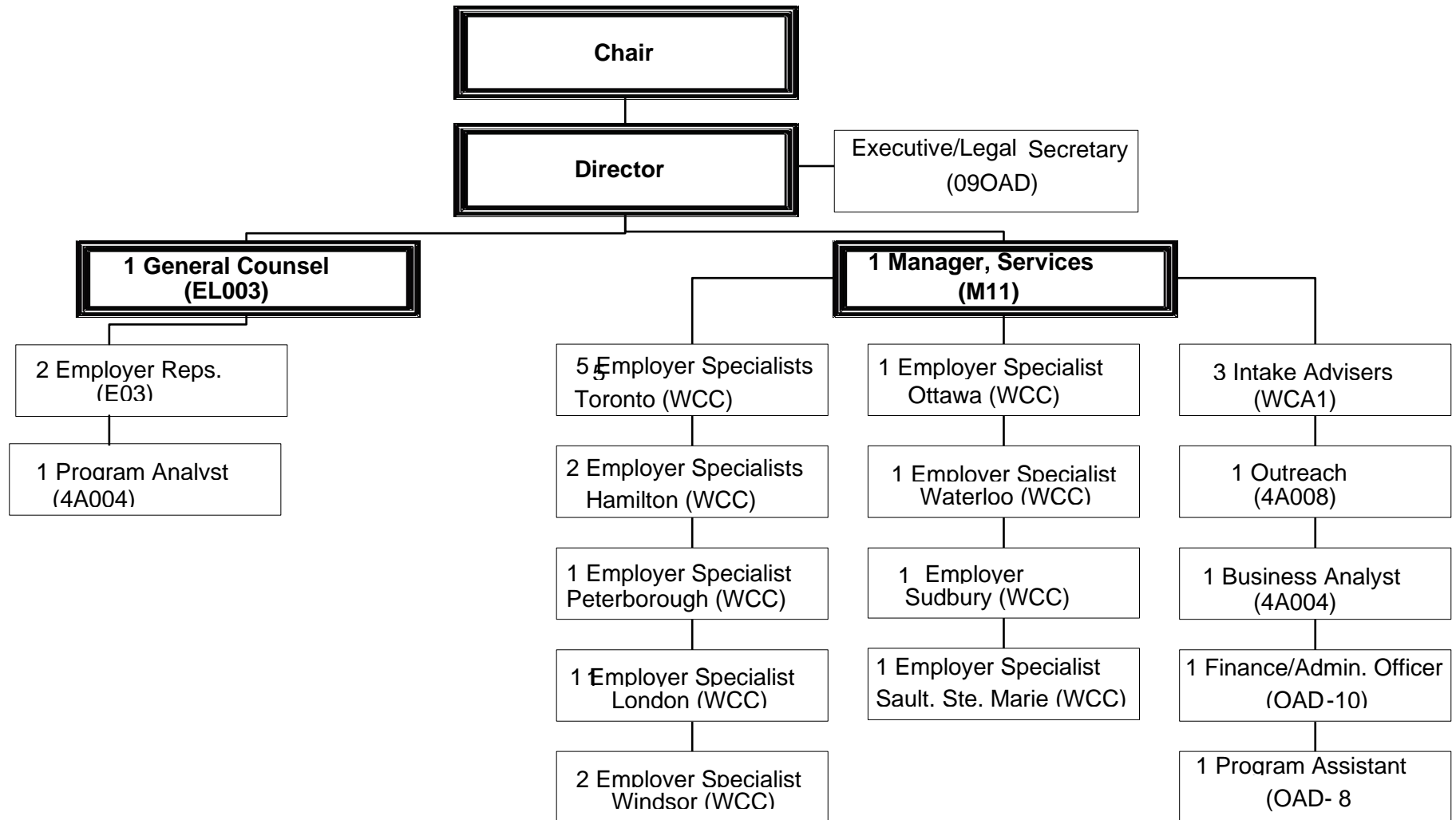
Long-term Target

The long-term target continues at offering 1-2 webinar series each fiscal year. Pauses are planned periodically to focus on content development and updates in response to employer feedback. For the OEA's team, 1-2 series per fiscal year is a significant project.

This is an existing measure.

Appendix C Organization Chart

The agency is assigned 29.0 full time equivalent (FTE) staff positions. The OEA Chair is the agency's only Order in Council (OIC) appointee.



Organization Chart, text version

Chair, Part-Time

- Director

Director

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

General Counsel

- 2 Employer Representatives (E03)
- 1 Program Analyst (4A004)

Manager, Services

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