

## **4,441 Individuals and/or Families are forced on to Ontario Works and ODSP every month, as a result of intentional delays by the WSIB to injured workers!**

By Paul Taylor

December 16, 2016

<http://www.fightwcb.org>

As the festive holiday season approaches we need to be reminded of those less fortunate, not by their choice, but by the sheer greed of the WSIB, who is suppose to help workers when they are injured and fail to do so.

In Ontario, the Workers Compensation Board has been around since 1914 and was created an out of a need to economically protect workers, their families as well as society when workers are injured. The compensation system was put into place by the Government of Ontario in 1914, after Justice Sir Meredith had concluded his report on Workers Compensation Systems and developed the “Meredith Principles”.

*“There are various ways of articulating the Meredith Principles. However, articulated, they rest on the Historic Compromise that gave both sides financial security which can be summed up as:*

*Employers would be **protected from lawsuits by injured workers** and be able to calculate payments as a cost of doing business.*

*Injured workers would receive **prompt benefits** for as long as the disability lasted in a non-adversarial system.”<sup>1</sup>*

The “Meredith Principles” including the five principles: No Fault, Non-adversarial, Compensation for as long as disability lasts, Employer pays, Collective liability, and an Independent Public Agency.

### **“No Fault:**

*No need to prove the accident was the employer’s fault, no extra charge to the employer.*

### **Non-adversarial**

*An inquiry system, based on benefit of the doubt that “seeks to compensate,” and cannot be challenged in court. No blame.*

### **Compensation for as long as disability lasts**

*Worker can depend on security of benefits based on lost wages and promptly paid. The injured worker was not to become a financial burden on their family or the community.*

### **Employer pays**

*Employer pays the rates because the costs can be passed on to others (in prices of goods and services, and in wage negotiations). Meredith noted that workers cannot pass the cost on and pay in other ways, including some level of lost income despite the compensation.*

### **Collective liability**

*Employers pay into single accident fund and do not suffer financial consequences from the cost of a specific accident.*

<sup>1</sup> Information obtained form the following website <https://meredith100.ca/meredith-principles/>

### ***Independent Public Agency***

*Set up to be a non-partisan organisation to administer claims and assessments. Meredith indicated the system was to provide “full justice” not “half-measures,” to the injured worker. The early WCB had a motto: Justice and Humanity Speedily Rendered”<sup>2</sup>*

The Ontario Workers Compensation Board was changed on January 1, 1998, to what it is known now as the Workplace Safety & Insurance Board this was with the enactment of the Workplace Safety Insurance Act R.S.O. 1997.

According to information obtained from the Ministry of Community & Social Services since 1998, has consistently on a monthly basis, had approximately **891** individuals and/or families per month receiving social assistance benefits through the Ontario Works Program, who claimed to be awaiting benefits from the WSIB benefits. Additionally, the Ministry also since 1998, has consistently on a monthly basis, had approximately **3,550** individuals and/or families per month receiving social assistance benefits through the Ontario Disability Support Program, who claimed to be awaiting benefits from the WSIB benefits. This clearly indicates that approximately every month **4,441** individuals and/or families are receiving tax payer funded benefits from Social services programs, as a direct result of the failure of the WSIB to ensure injured workers are economically protected when they suffer work related injuries.

This information does not mention anything about other government social programs such as CTB, HST, CPP, and other non government programs such as foodbanks.

This proves that the WSIB is completely failing its mandate for approximately 4,441 individuals and families in Ontario every month. These numbers do not tell the tragic story of how people come to qualify for social assistance benefits. One has to have no income and no savings, sell all their assets, if they have any left. Then they may possible qualify for Ontario Works and/or ODSP.

In a recent interview on CBC radio, during the program, “Ontario Today”, which was conducted by Rita Celli, the President of the WSIB Mr. Teahan was proud of the fact that the appeals branch of the WSIB can render 90% of its decisions within six months of the hearing<sup>3</sup>. This does not mention how it can take up to 2 years to get an appeal hearing, then an additional 6 months to wait for a decision, which could go either way. Ironically when I was in school I was told a good financial practice was to keep approximately 3 months of my net salary in saving in the event of an emergency. The reality is average Canadian has little savings today and most are in deep debt. This means that when a person gets hurt, unless they are lucky enough they are doomed to financial ruin. The worst part is, that the WSIB after making a victim of a workplace accident wait almost 2 ½ years for a decision, only gives a maximum of 10% for delayed decisions. It does not pay the injured worker for their losses as a result of their lost income and the WSIB delays in rendering decisions. This means destroyed credit rating, lost house, cars etc. This why many injured workers, myself included, are taking action against the WSIB - for we feel the delays are deliberate and intentional. I have presently field a civil lawsuit against the WSIB and the WSIAT for \$16.5 million. I have also filed a constitutional challenge against the WCB act R.S.O. 1990 and

<sup>2</sup> Information obtained form the following website <https://meredith100.ca/meredith-principles/>

<sup>3</sup> Information obtained form CBC Radio One <http://www.cbc.ca/listen/shows/ontario-today/episode/10666307>

the WSIA R.S.O. 1997. I have heard of others attempting to file criminal charges against the WSIB.  
For more information please got to <http://www.fightwcb.org>

Thank you

Paul Taylor

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**Ontario - Average Monthly Number of Social Assistance Applicants\***

	Average Monthly Number of Applicants	
	Ontario Works	ODSP
2008-09	22,878	5,043
2009-10	24,122	5,537
2010-11	22,851	5,770
2011-12	23,249	6,092
2012-13	22,662	6,203
2013-14	20,413	6,087
2014-15	18,506	5,828
2015-16	17,057	6,449

Source: SDMT/SAMS databases

\* prior to eligibility determination

**Ontario - Social Assistance Cases in receipt of WSIB Benefit**

	Average Monthly Cases in receipt of WSIB		Average Monthly Cases		% of Cases in receipt of WSIB	
	Ontario Works	ODSP	Ontario Works	ODSP	Ontario Works	ODSP
1998-99	1,806	3,819	310,493	189,392	0.6%	2.0%
1999-00	1,479	3,729	262,439	189,536	0.6%	2.0%
2000-01	1,110	3,662	215,618	191,885	0.5%	1.9%
2001-02	860	3,452	196,596	192,048	0.4%	1.8%
2002-03	786	3,302	195,136	194,140	0.4%	1.7%
2003-04	749	3,207	192,097	200,087	0.4%	1.6%
2004-05	741	3,154	191,723	205,880	0.4%	1.5%
2005-06	771	3,149	198,377	212,058	0.4%	1.5%
2006-07	738	3,136	199,242	221,718	0.4%	1.4%
2007-08	648	3,203	194,920	235,672	0.3%	1.4%
2008-09	623	3,200	202,181	247,476	0.3%	1.3%
2009-10	708	3,254	237,634	261,509	0.3%	1.2%
2010-11	755	3,301	251,280	276,191	0.3%	1.2%
2011-12	787	3,350	260,766	289,676	0.3%	1.2%
2012-13	764	3,365	259,819	302,733	0.3%	1.1%
2013-14	676	3,377	252,767	314,033	0.3%	1.1%
2014-15	598	3,363	246,903	326,293	0.2%	1.0%
2015-16	549	3,332	250,640	335,933	0.2%	1.0%
	<u>15,148</u>	<u>60,355</u>				

Source: SDMT/SAMS databases

- A case refers to a single individual or a family unit on social assistance (e.g., a family on social assistance is counted as one case).

Average                      891.06                      3,550.29                      **Total Average of OW & ODSP**                      4,441

**From:** [Lan, Annie \(MCSS\)](#)  
**To:** [fightwcb@gmail.com](mailto:fightwcb@gmail.com)  
**Subject:** RE: Your email to the Ministry of Community and Social Services  
**Date:** Monday, December 12, 2016 3:22:40 PM  
**Attachments:** [OW ODSP applications and WSIB out.xlsx](#)

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To: Paul Taylor,

Thank you for your email to the Ministry of Community and Social Services. See attached for information on:

- (1) social assistance applicants as from fiscal year 2008-09, and
- (2) social assistance recipients who are also in receipt of WSIB benefits as from fiscal year 1998-99.

Please let me know if you have any questions.

Thanks,

*Annie*

Annie Lan  
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