

# Paul Taylor

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**Sent by: Electronic Drop Box**

August 19, 2022

Workplace Safety and Insurance Board  
200 Front Street West  
Toronto, Ontario M5V 3J1

**Re: WSIB claim [REDACTED]**

I am writing the WSIB to request clarity regarding initial entitlement for an injury to my finger on my left hand and request entitlement to a permanent impairment award.

On March 16, 1995, I commenced my employment with Action Force Driver Services. Eventually they changed their name to Pivotal Integrated HR Solutions, (“**Pivotal**”). Pivotal is located at 2333 North Sheridan Way, Unit 200, Mississauga, Ontario L5K 1A7.

Pivotal was what was commonly known as a temporary help agency. Pivotal provided all types of workers to their clients. I was a licensed tractor trailer driver and was placed at Canadian Tire Transportation. I received all my work assignments directly from Canadian Tire Transportation and had little interaction with Pivotal, aside from payroll issues.

During my work at Pivotal with Canadian Tire, I would drive tractor-trailers. The trailers were hand-loaded. I would deliver the trailers to various Canadian Tire stores across Ontario. I was then required to hand unload the trailers, on most occasions, this was done by myself. My start times varied. My finish times also varied. This is because my finish time was based on when the work was done. This meant my average workday was between 13 and 15 hours per day. I worked for Pivotal until the Summer of 1999, when I was terminated, without cause.

On December 14, 1995, I was driving Canadian Tire’s tractor-trailer to Cambridge Ontario. This was to make a delivery to the stores located in Cambridge Ontario. The weather was snowing, with temperatures in the negative temperature range. The windshield wipers were continually

freezing. This was because Canadian Tire never had installed winter wiper blades. The wiper blades accumulated so much ice, I could no longer safely operate the tractor-trailer. I pulled the tractor-trailer onto the shoulder of highway 401. This was in the area of Guelph Ontario, between highway six south and north. I turned off the windshield wipers. I climb up onto the side of the truck. This was to bang the ice off the wiper blade on the driver's side. Just as I had the wiper in my left hand, the wiper turned on and ripped my finger open. The wiper was a metal summer wiper blade. The switch for the windshield wipers was later determined to be defective and replaced. I was bleeding severely from my finger. I used paper towels to stop the bleeding. I did not have a cell phone at the time. I was out of two-way radio range of Canadian Tire dispatch. I proceeded to the store in Cambridge Ontario. On my way I felt very faint and weak. I arrived at the Cambridge Canadian Tire store. They unloaded the truck and provided first aid to me. They provided a gauze and bandage. I contacted Canadian Tire dispatched at approximately 7:00 am. I advised Betsy at Canadian Tire dispatched what happened. That I had cut my finger on my left hand and was feeling faint. Betsy told me to return the tractor-trailer and remainder of the load to the warehouse. Then to seek further medical attention. I could not go to the hospital right away. This is because I had a tractor-trailer loaded with valuable Canadian Tire product. There was clearly nowhere securely to park a tractor-trailer with Canadian Tire logos all over the trailer and valuable product inside. I returned the tractor-trailer and remainder of the load to the warehouse at approximately 9:30am. Also, at approximately 9:30am I then reported the incident and injury to Monique Rivard of Pivotal. I advise them I had to leave work early to seek medical attention. I could not report it any sooner to Pivotal. This was because Pivotal was only open during normal business hours, at the time. After leaving Canadian Tire's warehouse, I went to the Emergency Department at Credit Valley Hospital and was seen by Dr. Moore. Dr. Moore saw me at approximately 2:00pm and treated me with me four stitches.

I was only paid four and a half hours for the day, which was for the time from 5:00am until 9:30am, for the entire day of work.

On February 20, 1996, I saw my family doctor as a follow up. My Family doctor removed the stitches and advised me I would have a permanent scar and loss of feeling in the area of the scar. My doctor reported to the WCB that I could return to work and as a result was fully recovered.

On January 31, 1996, Ms. C Panciw of Pivotal wrote to the WCB stating I never reported the injury and that I did not work for Pivotal.

WCB never advised me of Pivotal's letter or any WCB decision to deny entitlement for benefits including entitlement for a permanent injury. It is only recently that I found the connection that Pivotal had intentional and knowingly mislead the WCB as to the truth of the accident and injury.

I am therefore requesting a decision for:

- Entitlement to total temporary disability benefits for 8.5 hours for December 14, 1995, and

- Entitlement for a permanent injury to my finger on my left hand with an MMR date of February 20, 1996.

Respectfully yours,



Paul Taylor