June 10, 2016

TO:

Tom Teahen

President and CEO

Workplace Safety and Insurance Board

Kathleen Wynne

Premier of Ontario

Kevin Flynn

Minister of Labour

Members of the Provincial Legislature

Dear Mr. Teahen and Honourable Members of the Legislature,

We the undersigned are writing to express our concerns about how the Workplace Safety and Insurance Board (WSIB) has shifted the way it funds healthcare to the 200,000 workers who are injured every year in this province. We are deeply concerned that injured workers are unable to get the treatment that their doctors recommend and that the WSIB is taking patient care out of the hands of treating doctors.

The WSIB is moving to direct patient care itself with the goal of managing claim costs. From 2005 to 2014, the WSIB more than doubled its spending on “specialized clinical services and programs”.[[1]](#footnote-1) Workers and their advocates tell us that these programs often push injured workers to return to work prematurely and predict recovery dates, which WSIB adjudicators frequently use to end claims without any follow up with the worker or their physician. Meanwhile, in the same 2005-2014 time period, the WSIB cut spending by more than 40% on: physiotherapy, chiropractic and other non-physician treatment services (which include psychological treatment).[[2]](#footnote-2) And, since 2009, the WSIB has cut its spending on drug benefits by close to 30%.[[3]](#footnote-3)

Rather than moving to direct patient care themselves, WSIB should be: listening to injured workers’ doctors and paying for proper treatment in the workers’ community, providing psychological support, providing compensation to injured workers whose doctors recommend time away from work, and collecting needed medical information rather than asking the worker to do it.

The WSIB’s actions are having a devastating impact on injured workers, especially those who are already marginalized. In addition to workers who lack private health plans and unions to help protect modified jobs after the WSIB closes claims, one group that faces some of the WSIB’s harshest healthcare-related adjudicative practices are injured migrant workers.

In 2013, the Canadian Medical Association Journal reported that from 2001 to 2011 approximately 800 migrant workers were medically repatriated for injuries and illnesses sustained while working in Ontario.[[4]](#footnote-4) Upon return to their home countries, the WSIB requires migrant workers to pay upfront for transportation, medical services, tests and prescriptions. As highlighted in the launch of a recent human rights case, these medical costs are often prohibitive.[[5]](#footnote-5)

As organizations and individuals that advocate with injured workers for reforms, we call on the Provincial Government and the Workplace Safety Insurance Board (WSIB) to undertake the following reforms:

* Heed the advice of injured workers’ treating doctors and psychologists
* Promptly pay for all healthcare expenses including physiotherapy, medication, assistive devices and mental health supports that treating doctors recommend for workplace injuries
* Collect medical information that is needed to adjudicate a claim, while respecting the privacy of injured workers, rather than asking workers to collect reports
* Recognize the impact of workplace injuries on mental health and grant the appropriate WSIB entitlements so workers can be treated for these conditions
* Offer accommodation expenses to injured migrant workers so they have the option of remaining in Ontario for healthcare

We urge you to take action immediately to address the concerns raised by injured workers so that they can live with dignity.

Yours Truly,

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Brook Thorndycraft

Canadian Environmental Law Association

Canadian Union of Public Employees (CUPE) Ontario

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Cathy Crowe, RN, Distinguished Visiting Practitioner, Ryerson University

Claire Mumme, Faculty of Law, University of Windsor

CNFIU, LiUNA Local 3000

Coalition of Black Trade Unionists - Ontario

Colombia Action Solidarity Alliance

Community Advocacy and Legal Centre - Belleville

Community Legal Clinic - Brant, Haldimand, Norfolk

Community Legal Clinic - Simcoe, Haliburton, Kawartha Lakes

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Dr. Miriam Garfinkle

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Food Forward

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Grey-Bruce Community Legal Clinic

Hamilton Community Legal Clinic / Clinique Juridique Communautaire de Hamilton

Hamilton and District Injured Workers Group

Hijin Park, Associate Professor, Sociology Brock University

Industrial Accident Victims Group of Ontario (IAVGO)

Income Security Advocacy Centre (ISAC)

Injured and Ill Workers of Ottawa

Injured Workers Action for Justice

Injured Workers Consultants (IWC)

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International Association of Machinists Local Lodge 905

International Migration Research Centre

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Jessica Lyons Registered Nurse

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Juan Jose Ariza

Judy Rebick

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Lesley Wood, Associate Professor, York University

Leslie Fauvelle

London & District Injured Workers Group

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Luin Goldring, PH.D Professor Sociology York University

Maggie's - Toronto Sex Workers Acton Project

Manitoulin and North Shore Injured Workers Group

Manitoulin Legal Clinic

Marcella Jones

Maroussia Hajdukowski-Ahmed, French, Gender Studies and Feminist Research McMaster University

Matthew Ferguson, Paralegal, Durham Community Legal Clinic

Melanie Spence, Registered Nurse, Toronto

Michaela Beder MD, Toronto

Michele Landsberg

Migrant Worker Health Project

Migrante Ontario

Migrant Workers Rights - Canada

Min Sook Lee

Mississauga Community Legal Services

Najib Safieddine MD, FRCSC, Assistant Professor, University of Toronto

Nandita Sharma, Director, International Cultural Studies Program and
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Nanky Rai, MPH, MD

National Union of Public and General Employees

Neighbourhood Legal Service London and Middlesex

Nicolai Popov

Nipissing Community Legal Clinic

No One is Illegal - Toronto

Ontario Coalition Against Poverrty

Ontario Council of Agencies Serving Immigrants

Ontario Federation of Labour

Ontario Network of Injured Workers' Groups (ONIWG)

Ontario Public Service Employees Union

Ontario Secondary School Teachers’ Federation

OPIRG Guelph

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Parkdale Community Legal Services

Paul Chislett President, Windsor Workers' Education Centre

Peel Injured Workers

Peter Rosenthal

Pike Krpan, Hamilton, Ontario, Postdoctoral Fellow, Professor, Disability Studies

PSAC-Ontario

Put Food in the Budget, Queen's University, Kingston, On

Radical Action for Migrant Workers in Agriculture (RAMA) BC

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Scarborough Community Legal Services

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South Asian Community Legal Clinic of Ontario

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Sudbury Community Legal Clinic

Tania Correa Nurse Practioner

Tanya Basok, Professor, Department of Sociology, Anthropology and Criminology

Tanya Titchkosky, Professor, Disability Studies Dept. of Social Justice Education,

The HIV & AIDS Legal Clinic Ontario (HALCO)

Timothy Chung

Toronto Workers’ Health and Safety Legal Clinic

Thunder Bay and District Injured Workers Support Group

UNIFOR Canada

Unison Health and Community Services

United Food and Commercial Workers Canada

Urban Alliance for Race Relations

Vasanthi Venkatesh, Chair, Board of IAVGO

Wendy Glauser, Health Journalist, Toronto, ON

West Scarborough Community Legal Services

Wilfrid Laurier University

Winnie Ng, PhD CAW Sam Gindin Chair in Social Justice and Democracy at

RyersonUniversity

Workers United Canada Council

1. Source: WSIB By the Numbers 2014, http://www.wsibstatistics.ca/s1benefit-payment/s1health-care-payments/, March 17, 2016 Data Request information provided to IAVGO by WSIB. [↑](#footnote-ref-1)
2. ibid. [↑](#footnote-ref-2)
3. ibid. [↑](#footnote-ref-3)
4. Source: Medical repatriation of migrant farm workers in Ontario: a descriptive analysis, http://cmajopen.ca/content/2/3/E192. [↑](#footnote-ref-4)
5. #  Source: Migrant worker launches discrimination complaint against WSIB, https://www.thestar.com/news/gta/2016/03/21/migrant-farm-worker-launches-discrimination-complaint-against-wsib.html

 [↑](#footnote-ref-5)