



## *Educating for Change*

2012 Year-end Report

Office of the Worker Counsellor— 250-3700 Kempt Road, Halifax, Nova Scotia B3K 4X8

**T:** 902-455-5455 **E:** [information@workercounsellor.ca](mailto:information@workercounsellor.ca)

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## Executive Summary

The mandate of the Office of the Worker Counsellor focuses on four areas: Advice, Assistance, Education and Advocacy. Education is the connector for all four areas. While our office focus is our education program called, Educating for Change, education plays a prominent role in assisting and advising injured workers, their families and their workplace representatives. We educate in a different way when we advocate for fairness and equity in the Workers' Compensation system.

We worked hard to fulfill our mandate and are pleased with our decision to focus on education as a cost-effective way to reach workers and help them and their representatives. We intend to continue our focus on education in 2013.

The marketing and operational plans reflect the importance of education in everything we do. In 2012 we launched our web site: [www.workercounsellor.ca](http://www.workercounsellor.ca) and have been using it to promote our office and our workshops. We have supported the two injured workers associations enabling them to participate in our workshops and events, we are starting a mentorship program to train more facilitators to deliver workshops and are establishing yearly schools-a selection of workshops over a weekend at a designated location every year.

Advocacy is a large part of the Worker Counsellor's job and 2012 was no exception. Jessie Parkinson maintained and strengthened our relationships with the injured workers associations, the Workers' Advisers Program staff and WCB staff, responded to requests for input on WCB policy and provided her expertise to unions responding to WCB policy.

In 2012, we published our report on the WCB Early and Safe Return to Work program, which was distributed to WCB Board members and widely throughout the province to interested organizations, unions and individuals. Jessie also represented five injured workers at Canada Pension Plan disability hearings winning four of the cases.

The Office of the Worker Counsellor has made progress in developing a data management system and expects it to be operational in the first half of 2013. This will allow our office staff to reduce the amount of paper files while increasing efficiencies and improving reporting.

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## TABLE OF CONTENTS

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Executive Summary	2
I Mission Statement	4
II Introduction	4
III Mandate	4
IV Staff	5
V Marketing Plan	6
VI Operational Plan	7
Education	7
Seminars/Conferences	9
Advocacy	9
Assistance	10
Capital Expenditures	11
Advisory Support	12
VIII Performance Measures	12
Education	12
Advice & Assistance	13
Advocacy	13
IX External Relationships	14
X Summary	14

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# I Mission Statement

The Office of the Worker Counsellor provides assistance and advice to injured workers and their families on matters related to Workers' Compensation and Occupational Health and Safety in Nova Scotia.

Through a series of workshops, the program provides education to workers and their representatives in the workplace on the compensation system.

The Worker Counsellor represents the interests of workers in consultations, provides feedback on proposals for system change and advocates on behalf of workers for improvements and enhancements.

# II Introduction

In 2012, the Office of the Worker Counsellor built upon the format that was established during the 3-year pilot project phase. We developed our work plans based on our mandate to provide advice, assistance, advocacy, and education to injured workers, their families and their representatives. The mandate was outlined in our contract with the Workers' Compensation Board of Nova Scotia.

This report addresses all areas of the business plan for 2012 under the following headings which also incorporate our mandate goals: Marketing Plan, Operational Plan, Management and Organizational structure, Performance Measures, and External Relationships.

This report highlights our activities and successes and points out areas where the Office of the Worker Counsellor is experiencing challenges.

# III Mandate

The Office of the Worker Counsellor has a mandate to provide Advice, Assistance, Education and Advocacy to injured workers, their representatives in the workplace and their family members on all aspects of workers' compensation.

The Office of the Worker Counsellor has an active education program called *Educating for Change*. The core workshop in this program is a nine-hour workshop called *Navigating Your Way: A worker's guide to workers' compensation in Nova Scotia*. There are other workshops which have been developed to complement the core workshop, they are: Return to Work Programs: A worker's guide (3 hours), Appealing WCB Decisions: A union activist's guide (6 hours), and Stress @ Work, which is currently under revision (6 hours). The office is also in the process of developing a new workshop on occupational health and safety. There is increasing demand for workshops, which is expected to grow as unions and workers become aware of the existence of the Office of the Worker Counsellor.

One of the most frequent phrases we hear is; "I didn't know your office existed." Our new web site will help remedy this, as will word of mouth advertising. But, the reality is that many workers do not know that the Office of the Worker Counsellor exists, so we are working to increase awareness through contact with unions and injured worker associations, advertising in print and use of social media.

When workers call the Office of the Worker Counsellor for advice or assistance the Worker Counsellor's function is to help interpret the Workers' Compensation Act as part of helping to resolve any issues they may be facing. The Worker Counsellor actively advocates for fairness and equity in the Workers' Compensation System. She does this by maintaining a good working relationship with the two injured workers associations, the Workers' Advisers Program staff and the WCB staff. The Worker Counsellor accepts speaking engagements, contributes to policy papers and reviews, participates in surveys and sits on committees. These advocacy activities include an educational component and help to promote the Office as well as provide services to and for injured workers.

*We have found that education has become the overriding theme of the work we do.*

While the Office of the Worker Counsellor focus is on assistance and advice for injured workers and their representatives and families, we have found that education has become the overriding theme of the work we do. We believe that education is a preventative measure and a better use of our expertise than one-on-one communication with injured workers. It is a cost-effective way of reaching groups of workers and affecting the way they interact with the Workers' Compensation system.

## IV Staff

The Office of the Worker Counsellor has 3 full-time positions: a Worker Counsellor, an Education Coordinator, and an Administrative Assistant.

The Worker Counsellor is responsible for the oversight of all programming and office functions. Her duties include: oversight of the work plan for staff members and offering advice and assistance to injured workers, their families and representatives. As the public face of the Office of the Worker Counsellor, she also fulfills the advocacy mandate, which includes consultation and participation on stakeholder committees, responding to requests for input on policy and speaking engagements.

The Education Coordinator is responsible for development and delivery of new workshops, keeping current workshops up-to-date, training Facilitation Team members to deliver workshops, scheduling workshops and other events, oversight of designing communication tools such as the web site, posters, etc. In addition she is responsible for gathering data and filing quarterly reports and financial reports to the Nova Scotia Federation of Labour and the program funder, the Workers' Compensation Board of Nova Scotia.

The Administrative Assistant is responsible for answering the phone and taking messages, opening mail, typing case files, filing, answering emails, printing workshop and special event materials, graphic work, helping with event planning, office organization and other clerical tasks. This position became full-time on July 1, 2012 when the Office of the Worker Counsellor became unionized and reached a first collective agreement. At that time, more duties were expanded. The Administrative Assistant is now responsible for maintaining the web site and monitoring the 3 forum groups hosted on the web site. New duties will be added as needs arise.

## V Marketing Plan

In 2011, an external evaluation of the Office of the Worker Counsellor by Dominika Wranik, School of Public Administration, Dalhousie University, recommended the increase of marketing and outreach efforts for the program.

A second evaluation that examined both the Office of the Worker Counsellor and the Office of the Employer Advisor, conducted by Alidade Marketing, for the Nova Scotia Workplace Safety and Insurance (WSIS) Coordinating Committee was also completed in 2011. This evaluation made recommendations that were similar to the first evaluation. It stated; “Demand will likely grow for both programs, especially if they focus on increasing awareness, the capacity to meet that demand will become an issue.”

The business plan for the Office of the Worker Counsellor included: development of a website, an advertising campaign that included a mail out of posters to all health care providers in the province as well as some targeted industries, and set a goal to attract a broader range of participants to our workshops, in particular more non-unionized workers.

The Office of the Worker Counsellor is pleased to report that our website is up and running and is generating interest. The day of the launch included Twitter messages, which helped to build interest in our site to the point that there were 420 hits the first day. We used the website to advertise the fall workshops, launched an aggressive mail out to unions and followed up with emails that provided information about the workshop schedule on the website. We found that registration increased and the workshop at the Tatamagouche Centre in November was actually over-registered (23 registrations). The Office of the Worker Counsellor found that there has also been a slight increase in the non-union participation at workshops. Since the website has been functioning since September 28, the Tatamagouche workshop is the only one that was impacted by its use. There was one student from Dalhousie’s Health and Disabilities Management program. We hope to improve on that small start in 2013.

The Office of the Worker Counsellor made the difficult decision not to conduct a large mail-out of posters for the simple reason that our staff is currently working at capacity and the Office would not be able to handle an increase in the number of requests for assistance and advice. Instead we have decided to focus on education, as that is a more cost-effective way to reach higher numbers of workers. The Office of the Worker Counsellor believes that education will help reduce the need for one-to-one assistance and advice because more workers will understand their rights and obligations under the Act.

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## VI Operational Plan

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### Education

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As well as being an overriding theme in the work of the Office of the Worker Counsellor, education is a separate function. The planning and advertising of the spring and fall workshop schedule, revising current workshops and developing new ones is a full-time job currently staffed by Linda Wentzel.

In 2012, the Office of the Worker Counsellor scheduled workshops around the traditional labour schedules of spring and fall schools. Where possible, we tried to work with labour councils that were hosting schools. Where that was not possible, the Office of the Worker Counsellor hosted workshops. The Office also accepts requests from unions and organizations that want customized workshops. The table shows that there were some glitches in the scheduling of workshops with 2 cancelled due to low registration. Those workshops that did take place had full registrations of 20 participants. As normal with workshops there were some people who registered and did not show up.

The Office of the Worker Counsellor staff learned that advertising earlier and following up with email reminders increased registration, as did the launch of our website on September 28. We were able to establish a yearly school at the Tatamagouche Centre. We took this step because there is no labour council in the area to help organize and run a school. Where there are labour councils, we do normally get requests for workshops and this year was no exception. We received requests from the South Shore Labour Council and the Annapolis Valley Labour Council, but there were no firm commitments from either to host a school in 2012. However, it did take the Education Coordinator's time to work with those labour councils during the preparation stage. In 2013, the Education Coordinator plans to target labour councils in the 5 districts where there are councils and work with them to identify educational needs. We have identified a need for education in the Yarmouth area, and Linda established and met with a coordinating committee from that area to set up programs for them.

The Office of the Worker Counsellor also supports the injured workers associations by offering each organization 2 seats with registration fees waived and accommodations, meals, mileage and per diems provided at Nova Scotia Federation of Labour rates. In 2012, this amounted to approximately \$3,430.70.

The Office of the Worker Counsellor is currently struggling to find facilitators and resource persons for our workshops. Therefore, in 2013 we are implementing a mentorship program to train union facilitators to deliver our workshops and injured workers to act as resource persons. We decided to use a mentorship program instead of the more expensive means of training facilitators in a weeklong school. It means that we can only accept facilitators who have previous training and experience through their unions, but it is a cost-effective way to get the facilitators we need. The Office of the Worker Counsellor will train 2 union facilitators and 2 resource persons in 2013. The Education Coordinator believes this is the maximum number she can supervise.

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Workshop	Date	Location	# of participants	Host Organization
<b>Appealing WCB Decisions: A guide for union activists PILOT</b>	January 13	Citadel Hotel, Halifax	33	Office of the Worker Counsellor
<b>Navigating Your Way: A worker's guide to workers' compensation in Nova Scotia</b>	May 4-5	Tatamagouche Centre	Cancelled	Low registration
<b>Navigating Your Way: A worker's guide to workers' compensation in Nova Scotia/Return to Work Programs: a worker's guide</b>	September 23-24	CUPE Building, New Glasgow	20	CUPE requested the workshop be customized & include the full Return to Work workshop.
<b>Navigating Your Way: A worker's guide to workers' compensation in Nova Scotia</b>	October 26-27	NS Carpenter Millwright Building, Lower Sackville	Cancelled	Low registration
<b>Navigating Your Way: A worker's guide to workers' compensation in Nova Scotia</b>	November 23-24	Tatamagouche Centre	23 registered 19 attended	Office of the Worker Counsellor & Tatamagouche Centre



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## Seminars/Conferences

The evaluation of the Healthy Workers – Healthy Workplaces conference held at St. F. X. University, June 24-26, 2011 provided strong evidence that workers in Nova Scotia would like to participate in yearly health and safety conferences. We believe it is more cost effective for our office to work with other organizations to deliver conferences, seminars and other forms of educational activities to targeted audiences on timely topics. Our proposed budget for 2013 includes a modest budget that would allow the Office of the Worker Counsellor to partner with another organization to deliver a conference or seminar. Our contribution will include staff time and expertise in organizing the event. This would still fulfill our desire to work with a partner to reach a targeted audience, minimize our costs and maximize our exposure to a new organization and their membership. We will also explore the possibility of utilizing existing Health and Safety Conferences to increase awareness of our program and expand our educational opportunities.

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## Advocacy

In 2012 the Office of the Worker Counsellor through Jessie Parkinson spent considerable time meeting with injured workers associations, the Workers' Advisers Program staff, responding to requests for input on WCB policy, participating in stakeholder groups that offered input on things such as reforms and enhancements to the system, new manuals, brochures and advertising campaigns. She also responded to requests from unions to contribute expertise to the Nova Scotia Government Employees Union (NSGEU) and the Canadian Union of Public Employees (CUPE) response to the WCB policy paper on Vocational Rehabilitation living allowances.

The Office of the Worker Counsellor worked with Brigid Hayes Consulting to complete a report to the Workers' Compensation Board of Nova Scotia on their Early and Safe Return to Work program. The core material for the report was gathered at a forum *Work as Therapy*, which was held at St. F. X. University on June 25, 2011. Brigid Hayes and Linda Wentzel collected other material, such as reports and background materials before and after the forum. The report was distributed to stakeholders and interested parties in April. It was also available to attendees of the WSIS AGM. The Office of the Worker Counsellor staff continues to distribute the report as requests are received.

Worker Counsellor, Jessie Parkinson, was Co-chair of the Stakeholder Liaison Committee until it was disbanded on May 1. Although our 2012 business plan anticipated Jessie's continued participation on this committee, the time allotted to this activity was very quickly used in other advocacy activities.

Jessie met with Kelcy Benedict and WCB staff to consult on the review of Internal Appeals, reviewed a background paper on the WCB rate setting model enhancements and prepared a submission on the topic. She also made submissions to the WSIS end-of-year report, participated in a survey on Return to Work promotional materials and presented a customized version of the workshop; *Appealing WCB Decisions: A guide for union activists to members of NSGEU*.

In addition to the activities listed above, Jessie Parkinson also accepts requests for speaking engagements when her schedule allows.

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### Advocacy Activities

- Meeting with Injured Workers Associations
- Meeting with Workers' Advisers Program staff
- Co-chair Stakeholder Liaison Committee
- Contributed expertise to NSGEU & CUPE policy paper on Vocational Rehabilitation living allowances
- Consultation on review of Internal Appeals
- Review & input on WCB advertising campaign
- Review of background paper: WCB rate setting model enhancements & preparation of a submission

### Assistance

The Office of the Worker Counsellor provides assistance with claims for Workers' Compensation, up to but not including representation at appeals or legal advice, with the exception of Canada Pension Plan disability hearings where we do represent injured workers. The mandate to provide assistance is carried out in a number of ways including answering phone calls, in-person meetings, attending return to work meetings with injured workers and representing at CPP Disability Hearing Appeals.

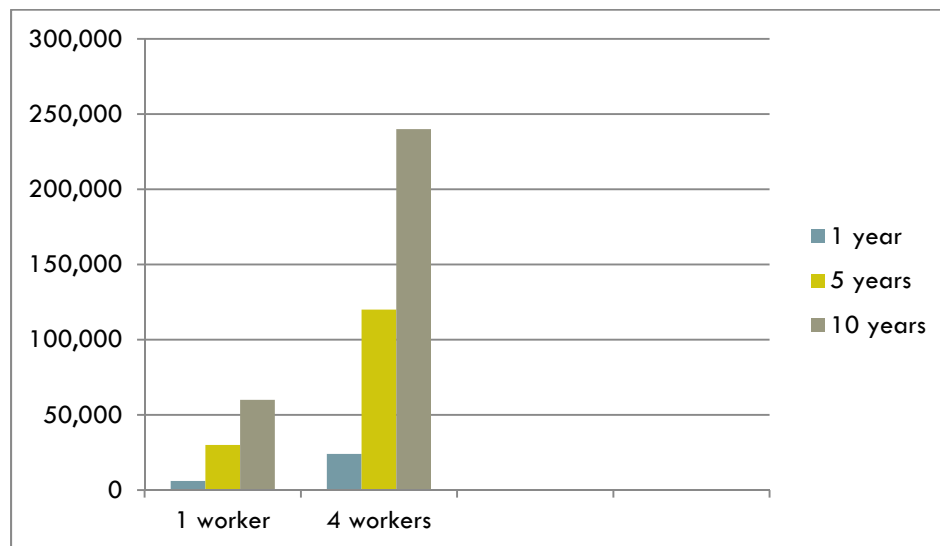
The Office of the Worker Counsellor averages 14 calls per day from individuals for assistance with claims management. When injured workers contact us, it is usually because their relationship with their Case Manager has broken down. Our role is to assist in repairing that relationship so that staff at the WCB can do their work of adjudicating claims. The length of calls varies based on the complexity of the complaint or case. Most requests for assistance are satisfied by information and advice provided over the phone. On occasion there are follow-up actions taken by the Worker Counsellor.

The requests for in-person meetings are variable with an average of one per week. Of course some weeks are busier than others, but the average for 2012 was one meeting per week. The meetings themselves take about an hour and involve additional preparation time and in some cases follow-up actions by the Worker Counsellor.

On occasion, the Worker Counsellor also assists injured workers at Return to Work meetings. The amount of time and travel involved in these cases is significant which makes this a poor use of the Worker Counsellor's time. In 2012 the Worker Counsellor was involved in 4 cases, which required 9 meetings with travel expenses.

Canada Pension Plan disability hearing appeals also take an extraordinary amount of time. The Office of the Worker Counsellor provides the only assistance of this kind to injured workers free of charge. The

amount of time spent includes preparation for the hearing and representation during the appeal. These cases usually include travel, which adds to the time and costs. At a low estimate of approximately \$3,600.00 per case, this is the most time-consuming and expensive activity the Office of the Worker Counsellor is involved in. It also saves the Workers' Compensation Board money because 50% of the CPP disability pension is treated as income under the Act. This amount, on average, is about \$500.00 per month. As the chart below shows, while the cost to the Office of the Worker Counsellor is high for the year in which the work is done, the savings to the Workers' Compensation Board are also high on a continuum. In 1 year for a cost of \$3,600.00, the WCB is able to save \$6,000.00 on a claim. Over five years that figure climbs to \$30,000.00 and over ten years to \$60,000.00. In 2012, the Worker Counsellor was involved in 5 cases and won 4 of them saving the WCB an estimated \$240,000.00 over the next 10 years while costing only \$18,000.00. Fewer hearings were scheduled in 2012 than in past years due to impending changes in the appeal system. Effective April 1<sup>st</sup>, 2013 the Office of the Commissioner of Review Tribunals will be disbanded and will be replaced by a new appeal entity. As a result, the Office of the Commissioner scheduled no new hearing from August 1<sup>st</sup> 2012 for the balance of the year. We currently have three cases which should have been heard in 2012 but will hopefully be scheduled in 2013 in addition to the new cases we are receiving. The new appeal process will also present a learning curve for the Office as we work our way through an entirely new system.



## Capital Expenditures

The 2 external evaluations of our program have recommended the implementation of a reliable data management system. This is essential if we are to fulfill the reporting requirements as outlined in our contract. Our 2012 business plan foresaw a system which will provide the ability to track client information, allow a triage of incoming calls with the Administrative Assistant gathering preliminary

information and creating a file for each client, the ability to share files between Worker Counsellors if the office grows and the ability to track the educational component of the program.

The WCB Board of Directors has committed funds to develop a data management system for the Office of the Worker Counsellor. Therefore, we are pleased to report that we have begun working with the Office of the Employer Advisor (OEA) coordinated by Mary Kingston, WCB.

The OEA had worked with an IT person, David Ewer, on other projects and recommended him. We have met with him and are in the process of bringing him up to speed on our needs and the way we work. He is doing much the same thing with the OEA staff. The Office of the Worker Counsellor expects that we will have a data management system that will meet our needs in the early New Year. 2013 will be a year of working with the new system and eliminating any glitches, but we expect it to be an exciting time in which we should be able to move toward a paperless, secure data management system.

Our goal is, in future, to make the system developed available to other organizations that report to the Workers' Compensation Board such as the injured workers associations.

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## Advisory Support

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The Office of the Worker Counsellor Program is managed by a Steering Committee made up of: Rick Clarke, President, Nova Scotia Federation of Labour, Kyle Buott, Treasurer, Nova Scotia Federation of Labour, Tony Tracy, National Representative, Canadian Labour Congress and Ray Larkin, member-at-large representing the community. This Steering Committee receives and approves all reports to the WCB, oversees the fiscal management of the program and ensures that the Office of the Worker Counsellor undergoes a yearly financial audit.

The staff members of the Office of the Worker Counsellor have appreciated the direction and support of the Steering Committee.

## VIII Performance Measures

In 2012, the Office of the Worker Counsellor designed a logic model with the assistance of Horizons Community Development Associates Inc. As the program will continue to provide the same services as outlined in that model, we will continue to utilize it as a framework to measure short-, mid- and long-term outcomes.

The data management system, which the Office of the Worker Counsellor is in the process of acquiring, will be an important tool to house the information and use it to complete reports as well as manage our client information.

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## Education

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Our objectives for 2012 included an increase in workers' knowledge of the Workers' Compensation system by 50%. Starting in mid-2012, we included questions in our workshop evaluations to gather

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feedback from participants. To date we have achieved a much higher percentage, but the survey numbers are low since we only started collecting this information in the latter part of 2012. We hope to have a more complete picture of knowledge improvement in 2013.

Another goal for 2012 was to increase participation by non-unionized workers. This goal will be carried forward to our 2013 business plan.

The third education goal for 2012 was to increase the number of workshop participants. We fell short of our goal, but saw an improvement in the number of participants in the fall schools, which was probably a result of improved marketing using our new website and targeted mail-outs.

As well, each time the Office of the Worker Counsellor hosts an event such as a forum or symposium, the opportunities for contact with workers and their unions should not be overlooked or undervalued. These events also have a value that is hard to measure. They attract a lot of people from within the labour movement and from outside it. There are spin-offs such as contacts made that lead to speaking events, workshops and individuals who need assistance. They raise the profile of the Office of the Worker Counsellor and when we can partner with another organization the event can foster new relationships and sharing of expertise.

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## Advice & Assistance

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At every point of contact with a client, the information acquired should be entered into a data management system. This will begin to happen in 2013. When it does we will be able to gather information and report on the effectiveness of the program in the following key areas: knowledge of the compensation system, understanding how decisions are made, communication with WCB, advice on appropriateness of an appeal and assistance in filing an appeal if required, satisfaction with the service provided and whether or not the service changed the outcome.

Our goal for 2012 was to increase client understanding and satisfaction with the compensation system by 50%. While we believe that we have fulfilled this goal, we will be able to document it more accurately in 2013. The information will be housed in the data management system and will form the basis of our semi-annual and annual reports.

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## Advocacy

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Jessie Parkinson has participated on committees and provided input on policy development, advertising campaigns, and program review. She has been involved in consultations on Internal Appeals and the Vocational Rehabilitation living allowances. Her position as a Worker Counsellor with familiarity with the WCB system, but not involved in case management, enables her unique perspective of a complex system and allows her to make valuable contributions to these activities. This type of activity is ongoing, as evidenced by this report. The fact that the Office of the Worker Counsellor continues to receive requests tells us that our office is making a valuable contribution that will improve the WCB system.

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The Office of the Worker Counsellor has produced a report on the Workers' Compensation Board's Early and Safe Return to Work Program. Copies have been distributed to all members of the Board of Directors, WCB.

## IX External Relationships

One of the functions of the Office of the Worker Counsellor is mediation. The Worker Counsellor not only works with clients and their Case Managers to mend the lines of communication, there are other relationships that benefit from the input of this office.

External relationships with injured workers associations are an important part of the duties of the Worker Counsellor. Jessie Parkinson meets regularly with the Cape Breton Injured Workers Association and the Pictou County Injured Workers Association to discuss matters of common interest. The Office of the Worker Counsellor also provides both associations with the resources to attend all of our educational programs and events as a means to assist in their professional development. As well, the Worker Counsellor meets frequently with the staff of the Workers Advisers Program.

We believe that each of these relationships helps to grow confidence, trust, and good communication between our office and the organizations. This will help injured workers navigate through the WCB system in a timely manner.

## X Summary

The Office of the Worker Counsellor has continued to build upon the format that was established during the pilot phase. We take seriously our mandate to provide advice, assistance, education and advocacy to injured workers, their families, and their representatives.

We have placed even more emphasis on education in 2012 and will continue to do that in 2013. We believe this is a cost-effective way to reach more workers and their representatives and educate them on their rights and obligations under the Workers' Compensation Act of Nova Scotia. Our evaluation summaries at the end of our workshops have convinced us that the workshops we deliver are valuable and appreciated.

Through increased outreach, we have continued to reach more injured workers on a 1-to-1 basis, assisting them with their claims and CPP disability applications.

Our relationship with our system partners is congenial and collaborative. By working together we are helping to strengthen and enhance workers' compensation for all of the people of Nova Scotia.