

Building the Future

of Nova Scotia's Workplace
Safety and Insurance System

Quarterly Performance Report to the WCB Board of Directors
Quarter Ending March 31st, 2006



Final report prepared: May 30, 2006

For the June 2006 Board of Directors meeting

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EXECUTIVE SUMMARY

WORKPLACE SAFETY AND INSURANCE SYSTEM (WSIS) QUARTERLY REPORT – QUARTER ENDING DECEMBER 31, 2005

As identified in Government's Response to the Dorsey Report (and subsequently the Workplace Safety and Insurance System Strategic plan), the System agencies will "provide reports to the WCB Board of Directors on a quarterly basis to update and get feedback from the Board on issues and results" (Nova Scotia Workers' Compensation Program Response Plan pg. 3, WSIS strategic plan pg. 23).

This quarterly report includes information covering the period January 1 – March 31, 2006 from all agencies – the Workers' Compensation Board, Workers' Compensation Appeals Tribunal, Workers' Advisers Program, and Occupational Health and Safety Division of the Department of Environment and Labour. Detailed agency reports are attached as appendices, for your information.

In addition to the detailed agency reports, this report includes an update on the implementation of the System Strategic Plan and, for the first time, the report includes data on the proposed new system performance measures.

REPORT HIGHLIGHTS

- ▶ *System Strategic Plan Implementation:* All System Strategic Plan initiatives that were scheduled to begin by the beginning of 2006 are underway and on schedule.
- ▶ *WSIS Performance Measures:* Data on some of the new proposed system performance measures is provided below:
 - ▶ *Composite Duration Index* – Nova Scotia's composite duration index (including TST claims) at the end of 2005 was 119 days. Latest data available for jurisdictional comparison is for 2004 where NS has the highest duration compared to NB, MB, NL and SK.
 - ▶ *% Labour Force Covered* – In 2005, 71.49% of Nova Scotia's labour force was covered by workers' compensation. Compared to other jurisdictions (NB, MB, NL, SK), NS has the second lowest % of labour force covered for 2004.
 - ▶ *% RTW at 100% Pre-Injury Earnings* – 92.74% of injured workers returned to work at their full pre-injury earnings in 2005.
 - ▶ *Injury Frequency* – For 2004, Nova Scotia has the third highest injury frequency compared to NB, MB, NL and SK.
 - ▶ *Appeals Overturned for Reasons other than New Evidence* – For 2005/06, 7% of appeals overturned by WCAT were for reasons other than new evidence.
 - ▶ *Percentage Funded* – For 2005, Nova Scotia was 74.9% funded. Compared to other jurisdictions (NB, MB, NL, SK), NS has the lowest percentage funded for 2004.
 - ▶ *Average Actual Assessment Rate* – For 2005, Nova Scotia's average actual assessment rate was \$2.63. Compared to other jurisdictions, only Newfoundland has a higher assessment rate than NS for 2004.

WSIS STRATEGIC PLAN INITIATIVES – PROGRESS TO DATE

Initiatives

Timeline

Progress

Goal: To improve outcomes for workers and employers

Prevention Initiatives	Ref. Pg*	2006				
		Q1	Q2	Q3	Q4	
Social Marketing Campaign	10	O	O	O	O	work is underway & on schedule
Core Curriculum	11	O	O	O	O	work is underway
Youth education program	11	O	O	O	O	this is an ongoing initiative
Explore options for Certification of Trainers Program	11	O	O			Deferred to Q4 2005 due to PEP implementation
Employer Account Look Up	12	O	O	O	O	Work well underway and on schedule
Develop industry support networks	12	O	O	O	O	this is an ongoing effort
Investigate experience rating range	12	O	O	O	O	Program underway
Develop new safety incentive program	12	O	O	O	O	Program to be rolled out in Q4 2005 and implemented in 2006
Develop safety audit program	12	O	O			Criteria in final draft- reviewed in September
Develop disincentives	13	O	O	O	O	Ongoing initiative

Return to Work Initiatives

Develop baseline measurements & set targets	15	O	O	O	O	Baseline measures & targets established based on current measurement approach. Will revisit once new RTW model is done
Develop survey tool for RTW	15			P		This will be incorporated in an overall review of the stakeholder survey in 2006
Develop strategy & train staff to educate employers	15	O	O	O	O	Work underway. Will be integrated with Prevention and RTW Redesign efforts.
Consult stakeholders & train staff re. best practices	16	P	P			Work underway. Will be addressed in the delivery model for RTW (above). Further best practice work to occur later. Consultation with stakeholders started in Sept. 2005
Improve mgmt of service provider contracts	16	O	O	O	O	New physio contracts implemented in Sept. 2005. Other health care disciplines to follow.
Explore certificate in Occupational Health	16		P			not starting until Q2 2006
Support Disability Prevention & Mgmt Course	16	O	O	O	O	Worker is underway. Primary Care Physicians trained by ACOM in June 2005.
Educate physicians on RTW	16	O	O	O	O	this is an ongoing effort

Goal: To improve service delivery

Accessibility Initiatives

Youth education program	19	O	O	O	O	this is an ongoing effort
Regional workshops	19	O	O	O	O	this is an ongoing effort
New service channels	19	O	O	O	O	this is an ongoing effort
Investigate integrated telephone inquiry service	20					to be investigated in Service Delivery Model Analysis in 2007
Develop single document describing System	20		P			not starting until 2006
Determine reading level of clients	20		P			Waiting for results from Dept. of Education study of Canadian Reading Levels by Prov.
Develop plan for communicating with special needs clients	21		P			Will be linked to Service Delivery Model review for WCB component and start in 2006

Issue Resolution Initiatives

Joint working group to explore new forms of issue resolution	22	O	O	O	O	ongoing
Develop opportunities for joint agency training	22	O	O	O	O	ongoing
Provide WAP with access to expedited services	22	O	O			Assigned to Issues Resolution Working Group

Initiatives**Timeline****Progress****Goal: To ensure effective governance of the System****2006****Ref. Pg. Q1 Q2 Q3 Q4**

Produce quarterly agency reports	23	O	O	O	O	1 st joint report in Nov. 03
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Additional WSIS Initiatives

Governance Review – as announced by Minister of E&L	N/A	O	O	O	O	Recommendation presented at AGM in 2005 Implementation of governance principles underway
System Navigator	N/A	O	O			Meeting with stakeholders Nov. 30 2005. Sub working group created to further examine the issue in 2006

Completed WSIS Initiatives

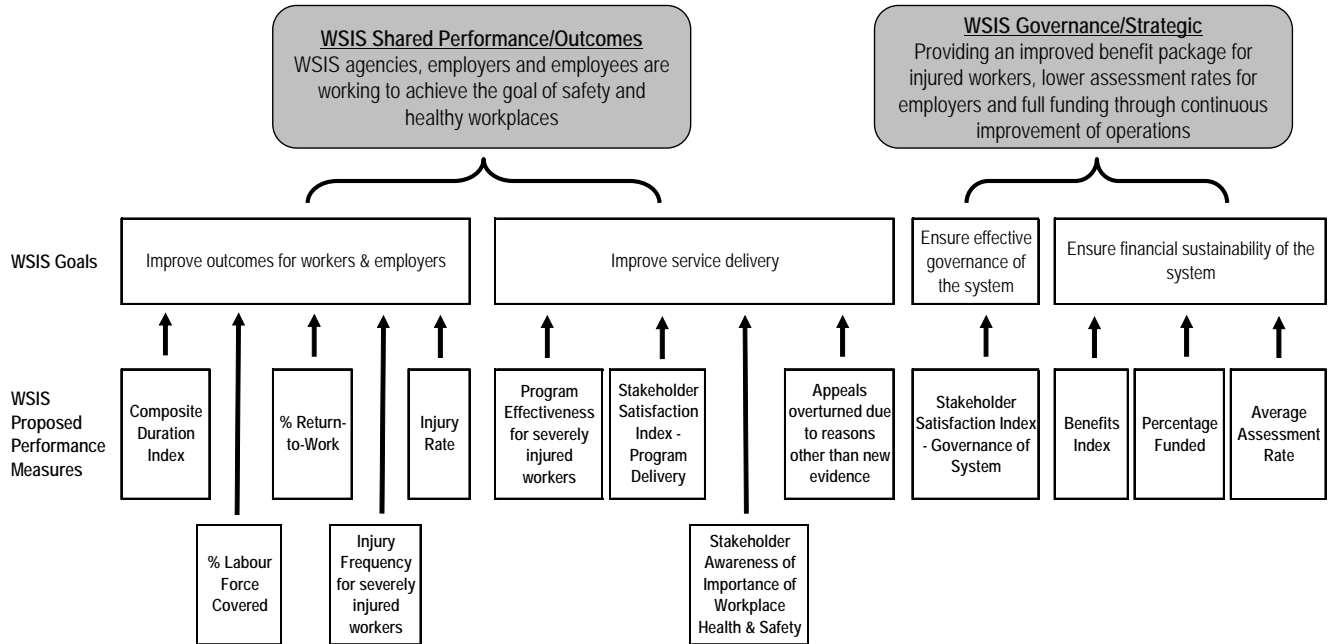
Collaborate with Medical Society re. web-site	16					completed in 4th quarter, 2003
Organize first WSIS Annual General Meeting	25					completed in Q2, will be an annual event
Develop policy for stakeholder consultation	25					presented to BoD Q1 2004
Establish inter-agency policy forum	26					Completed in Q1 2004
OH&S Grant Program	10					Completed in Q2 2005
Establish System performance measures group	26-27					Inaugural meeting June 4/04
Create System web-site	20					Phase 1 (design of gateway pg for system) completed in Q4 2004
Develop priority employer program	12					Completed in Q4 2005 and is now operational
Implement most effective delivery model for RTW	15					Monitoring began in Q3 2005

*Refers to the page in the System Strategic Plan where the initiative is discussed

O = Ongoing Activity; P = Planned Activity; C = Completed Activity

WSIS PERFORMANCE MEASURES

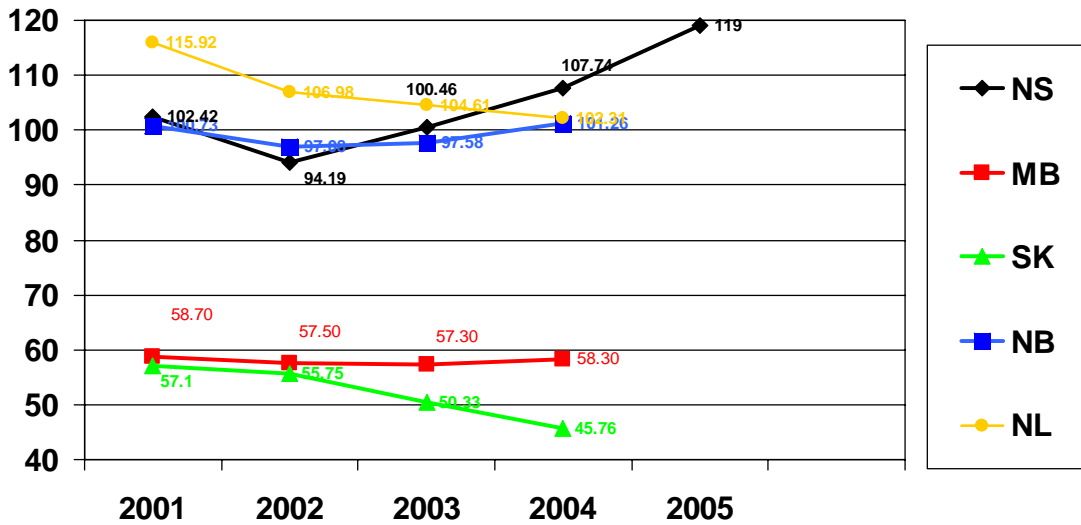
The System Performance Measures Advisory Committee (SPMAC) completed its recommendation regarding System Performance Measures in August 2005. As a follow-on to this work, the System Goals Advisory Committee (SGAC) has been formed to consider these recommendations in light of the revised system strategic plan and make a final recommendation on performance measures for the System. The following diagram outlines the 13 proposed system performance measures recommended by SGAC in the context of the WSIS goals:



The following graphs provide data for the new System performance measures. Note, this is still a work-in-progress as some of the measures still need to be created and others require further refinement.

Graph 1 – Composite Duration Index

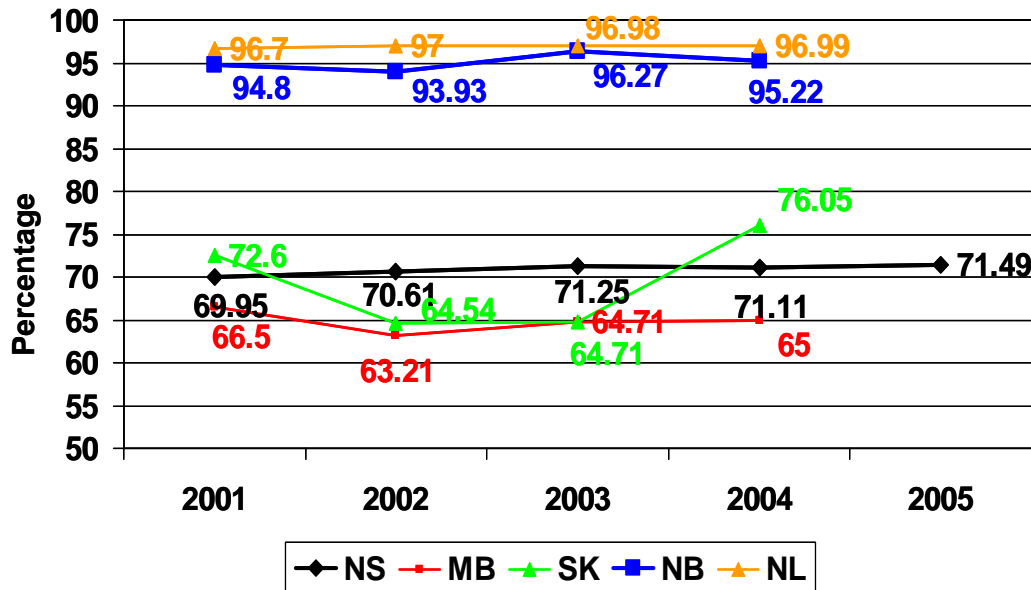
Definition: Composite duration is the estimated total number of calendar days compensated for short-term disability over the first five calendar years of duration/lifetime of a typical lost-time claim if current conditions are continued for the future years. Short-term disability benefits are all income benefits during the initial period after the injury, before the injury has stabilized, plateaued or consolidated



The 2/5ths waiting period in NS means that a significant number of short term claims are excluded therefore results will always appear higher when comparing to a jurisdiction with no waiting period. Note NB has a three day waiting period and therefore is impacted in the same manner as NS. *Source: AWCBC Key Statistical Data.*

Graph 2 – % Labour Force Covered

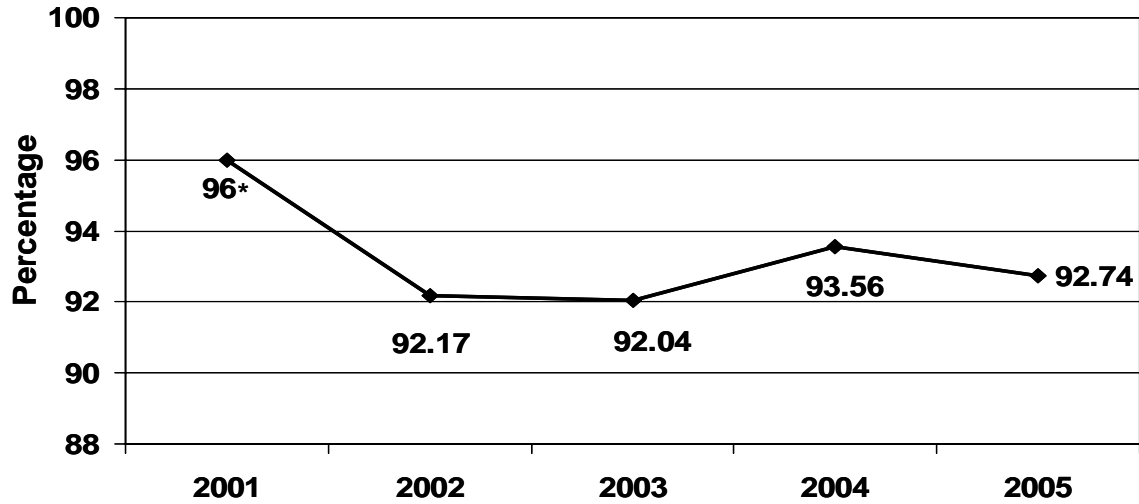
Definition: The percentage of the workforce that is by the *Workers' Compensation Act*



Source: AWCBC Key Statistical Data

Graph 3 - % RTW at 100% Pre-injury Earnings

Definition: Percentage of injured workers that have returned to work at their full pre-injury earnings.



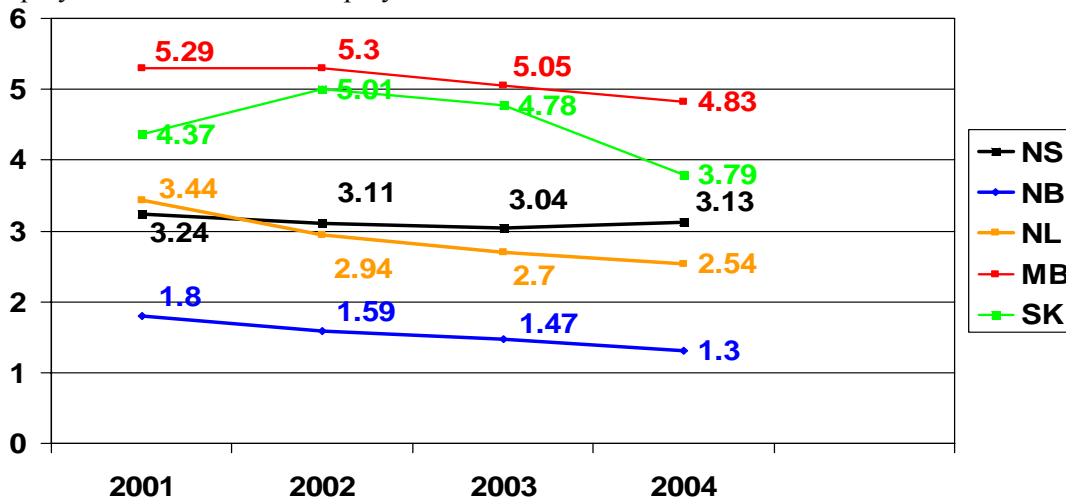
This measure does not consider capacity to return-to-work, it considers actual RTW

* WCB suspects coding issues may make 2001 data unreliable

Source: WCB Statistics Department

Graph 4 – Injury Frequency

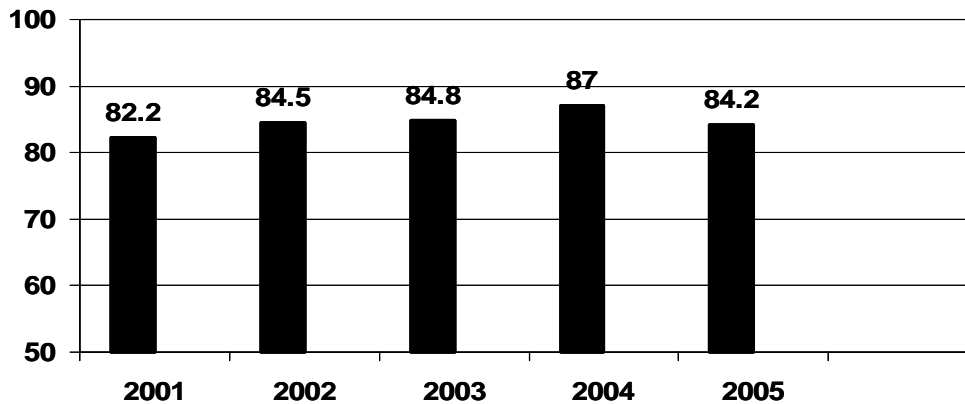
Definition: Number of new time-loss claims for assessable employers per 100 person years of employment for assessable employers



New Brunswick and Nova Scotia have a waiting period which will reduce the number of time-loss claims relative to jurisdictions with no waiting period. Numbers may differ from Annual Reports as AWCBC statistics include regular classified firms only. *Source: AWCBC Key Statistical Data*

Graph 5 – Injured Worker Satisfaction Index – Program Delivery

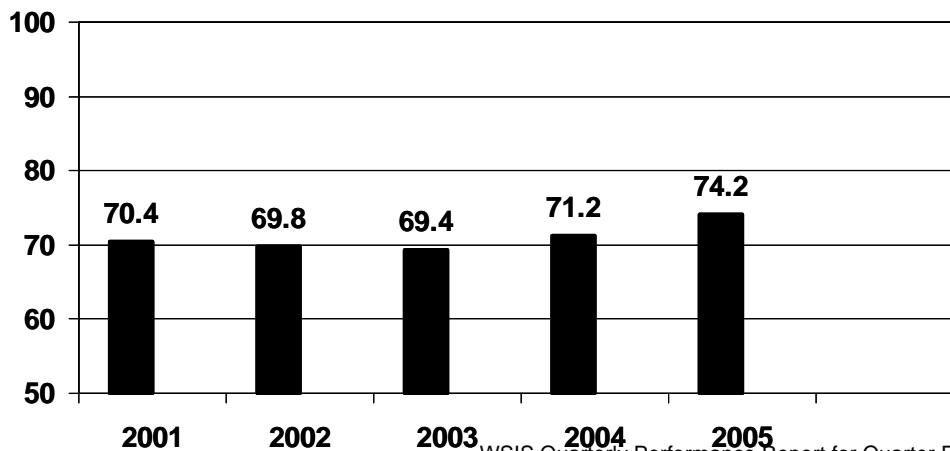
Definition: Based on responses to “treated fairly, outcome, employee effectiveness, ability to answer questions, respect, flexible, and understands needs” which are questions that analysis has indicated drive injured worker satisfaction



Note: Approximately 1600 workers with a time-loss claim (medium and high risk injuries only) completed the survey, creating a confidence level of 95%. *Source: WCB Injured Worker Satisfaction Survey*

Graph 6 – Employer Satisfaction Index – Program Delivery

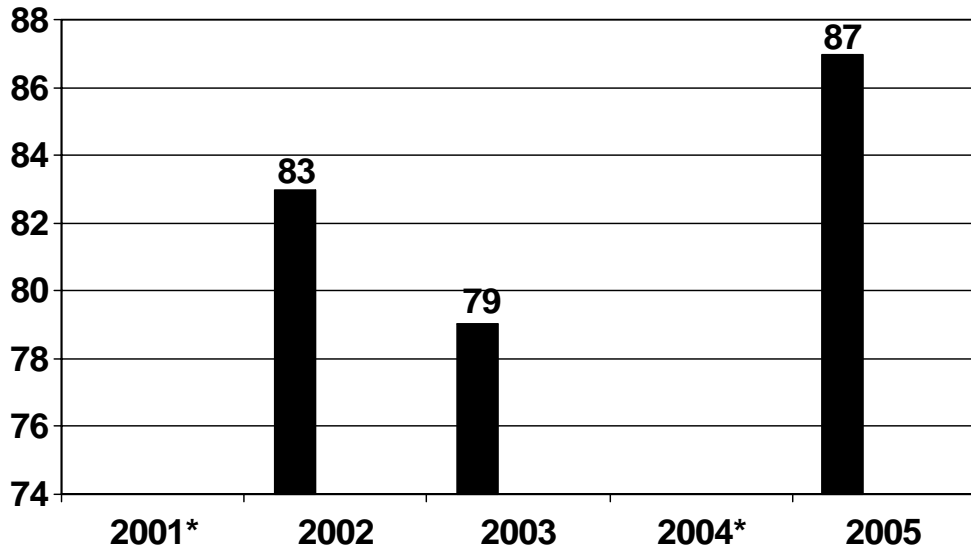
Definition: Based on responses to “treated fairly, ability to answer questions, employee effectiveness, politeness, affordable, employers assessed fairly and coverage provided to workers” which are questions that analysis has indicated drive employer satisfaction.



Note: Approximately 1000 firms responded to the survey, creating a confidence level of 95%. *Source: WCB Employer Satisfaction Survey*

Graph 7 – Awareness of Importance of Workplace Health & Safety

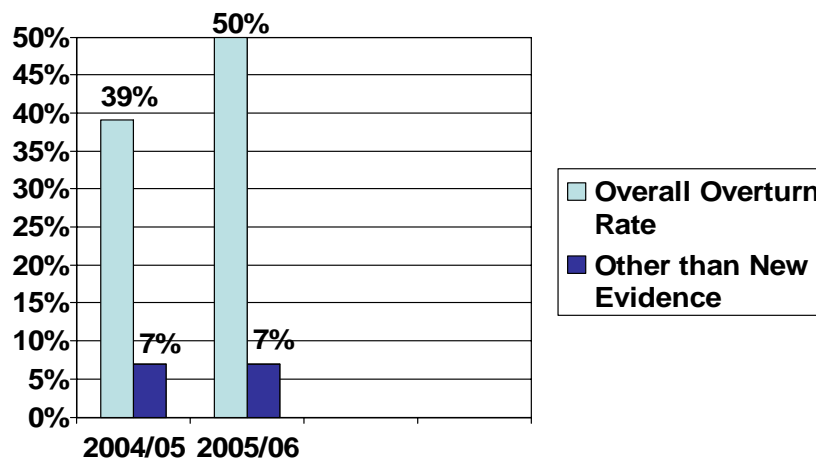
Definition: Percentage of Nova Scotians (sample of 400 surveyed) responding “critically important” or “important” to the question “How important is Occupational Health & Safety to you in your day to day work?”



* No Omnibus Survey was conducted in 2001 and 2004. *Source: Atlantic Quarterly Omnibus Survey*

Graph 8 – Appeals Overturned for Reasons Other than New Evidence

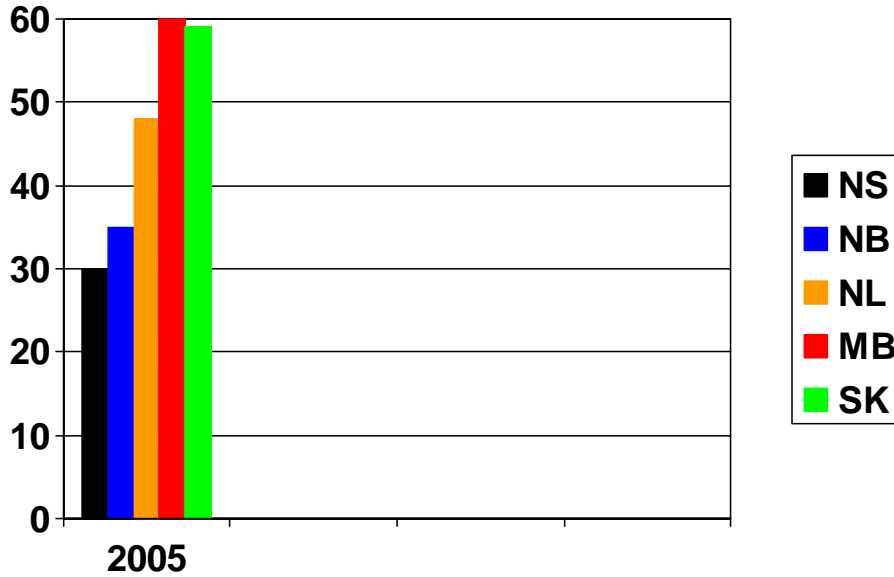
Definition: Overturn rate of appeal decisions issues by WCAT. Other than New Evidence is the rate of overturn where there is no new evidence introduced in the appeal.



Source: Workers’ Compensation Appeals Tribunal

Graph 9 – Benefits Index*

Definition: Comprised of ten benefit factors and each factor will receive an equal rating out of ten (max score 100), compared to other provincial jurisdictions

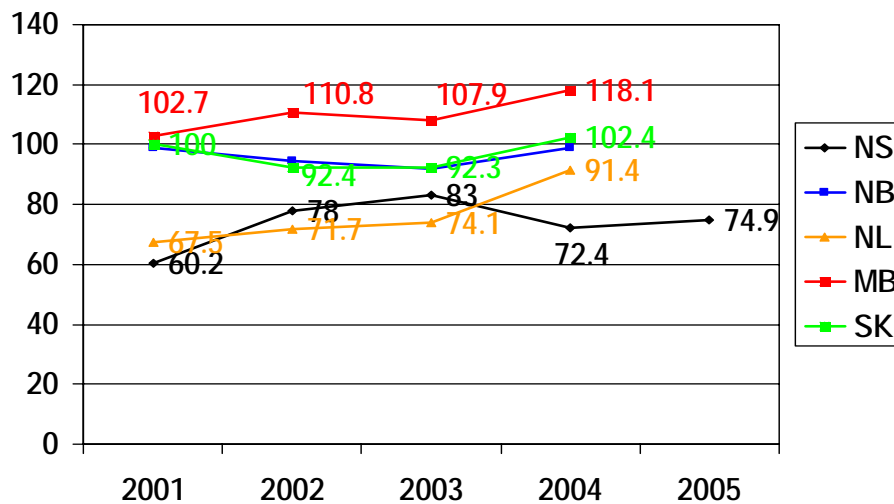


Benefit Factors include waiting period, CPP/annuity offset, % of earnings covered, fatal benefits, max. earnings covered, average PMI/PIB, supplementary benefits, CPI indexing, minimum compensation for weekly earnings * Measure under review

Source: AWCBC 2006 Comparison of Workers' Compensation Benefits

Graph 10 – Percentage Funded

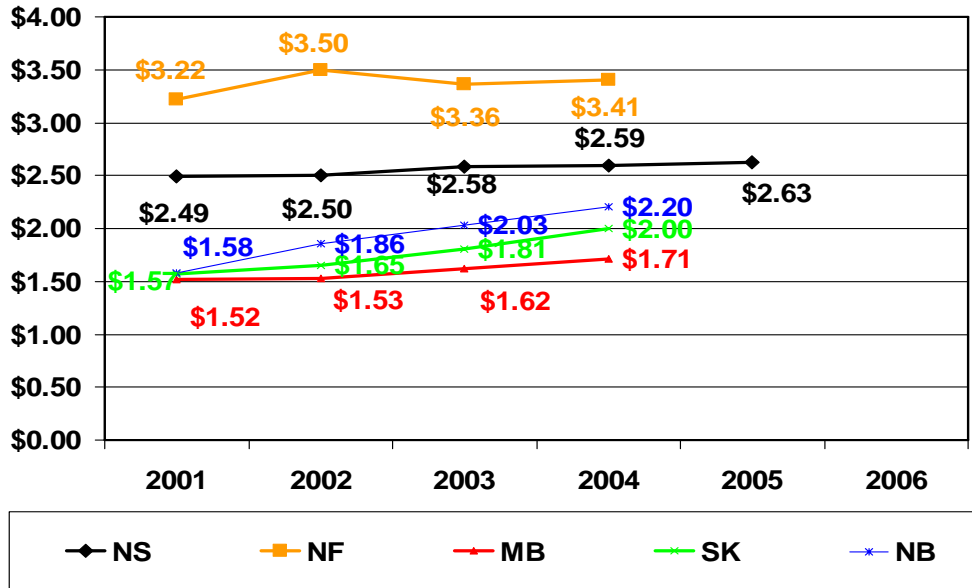
Definition: Ratio of total assets to total liabilities plus reserves



Source: AWCBC Key Statistical Data

Graph 11 – Average Actual Assessment Rate

Definition: Assessment revenue divided by assessable payroll



Source: AWCBC Key Statistical Data

System Performance Measures in Development

The following three system performance measures are not currently measures and will be developed over next year:

- Injury Frequency for Severely Injured Workers
- Program Effectiveness for Severely Injured Workers
- Stakeholder Satisfaction Index – Governance of System

APPENDIX 1 - WORKERS' ADVISERS PROGRAM DETAILED REPORT

General Summary

(Full details for each summary are contained in the body of the Report)

Operations

The Program continues to monitor the waiting time for service on a monthly basis. The target remains as 2-4 weeks. Subject to delays requested by the worker or extraordinary circumstances, we are able to maintain a reasonable wait for service that is well within this range. The provincial average is **2.6** weeks (includes local and out of town wait times).

In accordance with s. 263 (b) we continue to monitor the caseload of the Program by County to determine if the numbers warrant an office in another area of the Province. The numbers do not warrant the opening of an additional office at this time.

Resources/Early Assistance continues to provide service to workers and others who require general information and assistance. We received 400 Resource/Early Assistance calls during this quarter.

Financial

Budget figures ending March 31, 2006 from the Department of Finance indicate we have spent **82.55%** of our authority (\$2,289,000) and **95.54%** of our present forecast (\$1,977,900).

Client Operations

Surveys continue to be sent to all workers when we close their files. The Program closed 201 client files during this period and received 56 returned surveys representing 27.86 percent of those sent out.

Of the 56 surveys returned during this quarter, 35 had a positive outcome and 21 were not successful. In general, we continue to receive detailed and valuable information. Only two returned surveys contained negative comments in relation to the services provided by the Workers' Advisers Program.

Operations

Table 1: Case Summary Statistics

	# Active Files	*Requests for Service + Resource Calls	Files Opened	Files Closed	Pending Files	Second Opinions Approved	# Clients Served to Date this Year
January:							
2006	789	157+84=241	193	60	20	0	1469
2005	1007	45+123=168	43	195	1	0	1910
February:							
2006	849	105+105=210	107	48	12	0	1576
2005	897	86+183=269	71	180	22	0	1981
March:							
2006	899	142+108=250	143	93	12	0	1719
2005	866	64+129=193	71	101	13	0	2052
Jan/Feb/Mar Quarter							
2006	899	404+297=701	443	201	n/a	0	1719
2005	866	196+435=630	185	476	n/a	0	2052

*Includes Requests directly to intake + calls referred to resource not forwarded to intake

On a monthly basis, the figures listed under pending files represent requests for service that have not been assigned by the end of the month. These files do not accumulate and therefore are not reported for the quarter.

Process

Table 2: Service Waiting Time Local Offices

Intake Period	Halifax		Sydney	
	2006	2005	2006	2005
January	3.2	1.8	1.4	0.6
February	3.1	2.8	1.5	1.1
March	3.4	3.0	1.1	1.5
Average	3.2	2.5	1.3	1.1
Local Offices Average Waiting Period	Jan/Feb/Mar 2005		1.78 weeks	
	Jan/Feb/Mar 2006		2.3 weeks	

Table 3: Service Waiting Time Out of Town

	<i>Bridgewater/ Yarmouth</i>	<i>Digby/Kentville Amherst/Truro</i>	<i>New Glasgow/ Antigonish/ Port Hawkesbury</i>
<i>January</i>	3.0	2.8	1.8
<i>February</i>	3.8	2.6	3.7
<i>March</i>	2.2	3.1	2.8
<i>Quarterly Average for area</i>	3.0	2.8	2.8
<i>Out of Town Average Waiting Period for the Quarter</i>			2.9

Table 4: Client Count by County

County	Jan 06	Jan 05	Feb 06	Feb 05	Mar 06	Mar 05
Annapolis	11	12	12	10	15	13
Antigonish	13	8	13	8	11	9
Cape Breton	261	281	282	267	281	257
Colchester	19	28	22	25	23	26
Cumberland	36	43	36	34	39	36
Digby	6	15	5	12	5	12
Guysborough	9	9	11	5	12	5
Halifax	214	276	234	243	256	235
Hants	21	32	24	26	30	25
Inverness	13	11	11	11	10	10
Kings	37	60	38	56	38	49
Lunenburg	72	92	70	84	77	82
Pictou	21	57	23	42	25	38
Queens	9	12	10	12	12	9
Richmond	13	17	17	13	18	13
Shelburne	9	13	12	12	13	12
Victoria	3	9	3	5	5	4
Yarmouth	7	15	7	15	10	14
Other	15	17	19	17	19	17
Total	789	1007	849	897	899	866

Although the number of files in January 2006 were significantly lower (21.6 percent) than January 2005, by the end of the quarter the Program carried a similar number of files as were carried at the end of March 2005.

Advisers conduct file reviews quarterly to confirm that all files they are responsible for meet eligibility criteria . The Chief Worker Adviser audits randomly selected files twice a year to monitor quality and compliance.

Table 5: Program Statistics

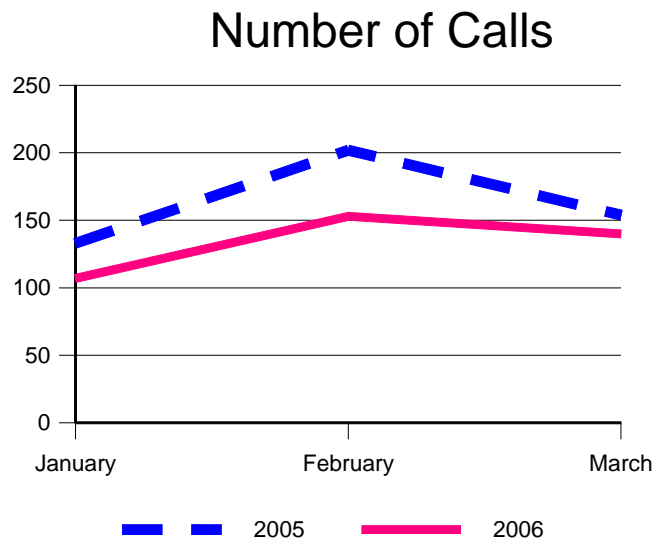
	Submissions/Hearings Done			New Appeals Filed		
	Court	Hearing Officer	WCAT	Court	Hearing Officer	WCAT
January						
2006	4	2	22	0	9	19
2005	1	5	35	0	22	22
2004	1	12	25	1	18	29
February						
2006	2	3	25	0	11	22
2005	6	9	41	1	15	21
2004	1	14	35	0	20	26
March						
2006	1	21	28	0	12	26
2005	4	8	25	0	12	44
2004	0	18	35	0	38	29
January/February/March Quarter						
2006	7	26	75	0	32	67
2005	11	22	101	1	49	87
2004	2	44	95	1	76	84

Table 6: Resource/Early Assistance

	January	February	March	Program Total
# Calls Taken	107	153	140	400
Time Recorded (hours)	37.2	45.6	47.7	130.5
Questions/Categories	#	#	#	#
General	107	153	140	400
No Written Decision	2	4	1	7
Needs More Evidence	3	2	3	8
Assist with Forms	20	27	23	70
Calls by WAP	1	2	5	8
Resolved at EA	0	0	0	0
Ancillary Issues (ie CPP/EI)	2	7	6	15
Referred to Intake	23	48	32	103
Proforma plan **	3	4	7	14

Each call may deal with multiple questions/categories

** Refers to assistance WAP could have provided had mandated and resources existed to do so.



Financial

The March 31, 2006 report provided by the Department of Finance indicate the following expenditures:

Table 7: WAP Expenditures

	2006	2005	2004
Salaries & Benefits	\$1,222,202.71	\$1,336,684.00	\$925,854.00
Administrative	\$529,693.19	\$421,692.00	\$297,447.00
Medical Reports & Expert Fees	\$109,815.91	\$225,628.00	\$178,707.00
External Legal Fees & Disbursements	\$1,006.59	\$36,739.00	\$36,651.00
Consulting Fees	\$26,874.69	\$82,787.00	\$61,866.00
TOTAL	\$1,889,593.09	\$2,103,530.00	\$1,500,525.00
% of Authority Spent	82.55%	89.20%	63.60%
% of Present Forecast (\$1,977,900	95.54%		

Client Satisfaction

Table 8: Client Survey Results

The Program began mailing satisfaction surveys to clients with their closed file in April 2003. This practice will continue so that future results will allow us to track and address any satisfaction trends.

	January 2006	February 2006	March 2006	Total	% Return for Quarter
Closed Files	60	48	93	201	
Returned Surveys	19	16	21	56	27.9%
Provided Comments	15	11	14	40	71.4%
Not Positive Outcome	5	4	12	21	37.5%
Negative Comments	0	1	1	2	3.6%
% Monthly Return	31.7%	33.3%	22.6%		

Although 37.5 percent of the client's returning their survey did not have a positive outcome with respect to their appeal during this quarter, only 2 negative comments were received (3.6%).

Based on the above data, we can determine that **96.4 percent** of our clients (54/56) **“strongly agreed”** or **“agreed”** that the service provided by the Program staff satisfied their requirements.

Specific results to our questions are as follows:

		Strongly Agree	Agree	Disagree	Strongly Disagree	Question Not Answered	Total
<i>1. The program staff I dealt with were professional and friendly at all times.</i>	Jan.	73.7%	26.3%	0.0%	0.0%	0%	100%
	Feb.	75.0%	25.0%	0.0%	0.0%	0%	100%
	Mar.	81.0%	19.0%	0.0%	0.0%	0%	100%
% for Quarter		76.6%	23.4%	0.0%	0.0%	0.0%	100%
<i>2. In my experience, I felt the program staff had the knowledge and experience for dealing with my situation.</i>	Jan.	73.7%	26.3%	0.0%	0.0%	0%	100%
	Feb.	62.5%	31.3%	0.0%	0.0%	6.3%	100%
	Mar.	61.9%	23.8%	14.3%	0.0%	0%	100%
% for Quarter		66.0%	27.1%	4.8%	0.0%	2.1%	100%
<i>3. I felt the program staff did their very best to provide me with the best possible service.</i>	Jan.	73.7%	21.1%	5.3%	0.0%	0%	100%
	Feb.	56.3%	31.3%	12.5%	0.0%	0%	100%
	Mar.	76.2%	19.0%	4.8%	0.0%	0%	100%
% for Quarter		68.7%	23.8%	7.5%	0.0%	0.0%	100%
		All the time	Most of the time	Sometimes	Never	Question not Answered	Total
<i>4. My calls were returned within 24 hours.</i>	Jan.	73.7%	26.3%	0.0%	0.0%	0%	100%
	Feb.	50.0%	37.5%	12.5%	0.0%	0%	100%
	Mar.	71.4%	19.0%	9.5%	0.0%	0%	100%
% for Quarter		65.0%	27.6%	7.3%	0.0%	0.0%	100%
<i>5. My question were answered to my satisfaction.</i>	Jan.	89.5%	10.5%	0.0%	0.0%	0%	100%
	Feb.	62.5%	25.0%	12.5%	0.0%	0%	100%
	Mar.	76.2%	14.3%	4.8%	4.8%	0%	100%
% for Quarter		76.1%	16.6%	5.8%	1.6%	0.0%	100%

A sample of comments contained in the returned surveys: The names have been omitted to ensure confidentiality.

Thank you for a job well done.

I had a very serious injury and recovery has been long and painful. It was very difficult dealing with Workers' Compensation. Since I have required the assistance of the Workers' Advisers Program on several occasions, the results of their effort have been greatly appreciated.

I felt that I was treated as a person and not just a number. Thank you.

I feel strongly that I have been well served by the Workers' Advisers Program and I am grateful for the professional assistance provided.

[The Adviser] was professional in every way while dealing with my case. Thank you.

I found that [the Adviser], the lawyer assigned to my case, was extremely knowledgeable and professional and it was a pleasure to work with him on my case.

I was very satisfied in every way. [The Adviser] handled my case. He was extremely helpful and explained everything in detail. He made a very hard time go much easier. Thank you very much.

I was very impressed in the manner in which [the Adviser] handled my case. It was very interesting to talk with him. Also I am very pleased with the Workers' Advisers Program. Thank you very much.

If not for the Workers' Advisers Program, I do not know what I would have done without them.

Workers' Advisers did a lot of work on my behalf. I would have had no recourse if it wasn't for [adviser] of the Sydney office, and I thank them very much.

Since [adviser] took over my case, my phone calls were returned almost immediately and my questions were answered by her to my satisfaction.

I was more than pleased with the service.

I have to give thanks to [adviser] and [adviser] who in my opinion went above and beyond the call of duty. I would not have received a positive outcome in my dealings with WCB without them. Thank you very much.

Many thanks to [adviser] and [adviser] for a job well done. I hope you can help others as you have me.

I was surprised at the amount of time you spent on my behalf. Thank you.

It was a very stressful experience and we appreciate the help we received from the Workers' Advisers Program. [Adviser] was great.

The staff need to receive operational training re: holistic medicine.

I was very pleased in the manner in which [adviser] presented himself and my cases. Very professional and I always felt I could count on him totally. I can't thank him enough. All the best.

This service is great. It really helps people in not so good situations. Thanks for everything.

APPENDIX 2 – WORKERS’ COMPENSATION APPEALS TRIBUNAL DETAILED REPORT

OPERATIONS (see charts 1 to 10)

- *Appeals received:* The average number of appeals received per month for the period January-March 06 was 69. This compares with 51 per month for the same period in 2005.
- *Decisions rendered:* WCAT rendered an average of 39 decisions per month in the period January-March 06. The average for the same period in 2005 was 56.
- *Appeals outstanding:* 275 appeals remained outstanding as of the end of March 06. This compares with 302 outstanding at the end of the same period in 05.
- *Timeliness:* 81% of appeals decided in the period January-March 06 were resolved within six months. For the fiscal year 2004-2005, 53.37% of appeals decided were resolved within the same time frame (not represented in a chart). For the period January-March 06, the average days to decision was 154.
- *Outcomes:* of the 118 decisions rendered in the past three months, 44% were accepted or accepted in part, 34% were denied and 22% resolved by other means (including appeals returned to the Hearing Officer).
- *Mode of hearing:* oral hearings represented 52% of decisions rendered in the period January – March 2006. *Decisions by appellant type:* of the 118 decisions rendered in the period January-March 06, 95% were filed by workers. Employers participated in 33% of worker claim appeals.
- *Worker representation:* WAP represented approximately 66% of workers, while workers were self-represented in 20% of appeals and represented outside of the WAP in 14% of appeals.
- *Appeals to the Court:* As of March 31, 2006, there were 10 appeals before the Nova Scotia Court of Appeal. No new appeals were received in the period January-March 06. In year 04-05, the number of appeals represented 3% of decisions rendered. During the period January to March 2006, three applications for leave to appeal were denied by the Court of Appeal, one appeal was remitted back to the WCB and one appeal was remitted back to WCAT by consent. (Not represented in a chart)

FINANCE

WCAT's actual expenditures as of the end of the 4th quarter for 05-06 (January – March 06) were within 79% of budget authority.

CLIENT SATISFACTION

WCAT has not conducted any client surveys during the period January - March, 2006.

STRATEGIC PLAN INITIATIVES

WCAT Initiatives:

Appeal Commissioners and Staff met for a full day in February to discuss strategic priorities for the coming year. Initiatives identified focused on quality and excellence in the delivery of services, improving clarity of communication and planning programs to communicate with stakeholder groups.

In our continuing efforts to assist participants who appear before the Tribunal, WCAT has prepared an article on the right to sue and applications under S.29 of the Act. The article will appear in the April edition of the Law News. WCAT has also prepared a compendium of all decisions dealing with Section 29 Applications since the Tribunal's creation in 1996. Both the article and compendium are available on WCAT's website.

WCAT has also finalized French translations of a notice of appeal form and information pamphlet on appealing a Hearing Officer decision. Both documents are available on WCAT's website.

WSIS Joint Initiatives:

WCAT, in the last quarter, has also participated in ongoing joint initiatives with partner agencies in WSIS. The Heads of Agencies Committee, which includes the WCAT Chief Appeal Commissioner, finalized a presentation for the system annual meeting. The inter-agency committee also finalized an update to the system strategic plan and finalized a report on the implementation of the system performance measures identified by stakeholders.

WCAT Report Summary
Fiscal Year 2005-2006
(April 1, 2005 - March 31, 2006)

Table 9: Appeals Received Volume by Month

Appeals Received Volume	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Total
Fiscal 05-06	39	41	29	44	52	56	24	41	34	52	54	100	566
Fiscal 04-05	47	36	76	70	55	40	53	58	72	48	36	68	659
Fiscal 03-04	70	83	94	76	97	48	81	86	87	71	42	55	890
Fiscal 02-03	85	72	71	96	65	68	80	83	129	58	61	59	927

Table 10: WCAT Decisions Rendered by Month

WCAT Decisions Rendered	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Total
WCAT Decisions Rendered Fiscal 05-06	58	55	44	49	35	37	44	43	34	41	35	42	517
WCAT Decisions Rendered Fiscal 04-05	53	53	35	45	108	174	53	40	54	65	55	48	783
WCAT Decisions Rendered Fiscal 03-04	97	83	70	69	58	43	83	60	50	24	34	56	727
WCAT Decisions Rendered Fiscal 02-03	87	79	78	83	69	57	59	78	41	58	64	78	831

Table 11: Appeals Outstanding at Month End

Appeals Outstanding at Month end	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
WCAT Outstanding 05-06	267	245	226	215	227	240	213	209	203	208	223	275
WCAT Outstanding 04-05	479	460	491	510	453	317	309	325	341	319	292	302
WCAT Outstanding 03-04	365	361	378	380	411	413	406	425	457	501	501	489
WCAT Outstanding 02-03	399	386	368	372	358	361	370	363	445	437	424	398

Table 12: Timeliness to Decision (Months)

Timeliness to Decision (cumm. %)	1	2	3	4	5	6	7	8	9	10	11	12&>
WCAT Decisions Rendered 1 st Quarter	0.00%	5.06%	17.72%	37.97%	51.90%	68.99%	77.22%	82.91%	86.08%	88.61%	93.04%	100.00%
WCAT Decisions Rendered 2 nd Quarter	0.00%	5.79%	17.36%	48.76%	58.68%	70.25%	81.82%	85.95%	87.60%	90.08%	90.08%	100.00%
WCAT Decisions Rendered 3 rd Quarter	0.83%	14.88%	31.40%	49.59%	56.20%	72.73%	80.17%	86.78%	89.26%	91.74%	91.74%	100.00%
WCAT Decisions Rendered 4 th Quarter	0.00%	11.02%	35.59%	52.54%	66.95%	81.36%	91.53%	93.22%	94.07%	95.76%	98.31%	100.00%

Table 13: Average Days to Decision

Average Days to Decision (from date received)	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
2005 - 2006	184	170	174	155	168	228	161	177	173	145	179	138

Table 14: WCAT Appeal Decisions by Outcome

WCAT Appeal Decisions by Outcome	Accepted	Accepted in Part	Denied	Other Disposition (RTH, S29)	Total
1 st Quarter 05-06 (April - June)	58	30	51	18	157
2 nd Quarter 05-06 (July - Sept)	37	20	44	20	121
3 rd Quarter 05-06 (Oct - Dec)	42	19	49	11	121
4 th Quarter 05-06 (Jan - Mar)	36	16	40	26	118

Table 15: Decisions Rendered by Mode of Hearing

Decisions Rendered by Mode of Hearing	Oral Hearings	Paper Review	Total
1 st Quarter 05-06 (Apr - Jun)	87	70	157
2 nd Quarter 05-06 (Jul - Sep)	61	60	121
3 rd Quarter 05-06 (Oct - Dec)	78	43	121
4 th Quarter 05-06 (Jan - Mar)	61	57	118

Table 16: Decisions by Appellant Type

No. of Appeal Decisions by Appellant Type	Worker Claim Appeals	Employer Claim Appeals	Employer Assessment Appeals	Section 29 Applications	Total
1 st Quarter 05-06 (Apr - Jun)	153 30 (20%)*	3	1	0	157
2 nd Quarter 05-06 (Jul - Sep)	109 29 (26.6%)*	8	3	1	121
3 rd Quarter 05-06 (Oct - Dec)	114 26 (22.8%)*	4	3	0	121
4 th Quarter 05-06 (Jan - Mar)	112 37 (33%)*	2	2	2	118

*Employer participation on worker claim appeals.

Table 17: Worker Representation

WORKER REPRESENTATION	Self-Represented	WAP	Injured worker groups & others	Outside Counsel	Total
1 st Quarter 05-06 (Apr - Jun)	48	101	7	0	156
2 nd Quarter 05-06 (Jul - Sep)	25	82	7	3	117
3 rd Quarter 05-06 (Oct - Dec)	24	77	15	2	118
4 th Quarter 05-06 (Jan - Mar)	23	76	14	2	115

Table 18: Financial Information

OPERATING BUDGET	Actual Expenditures	Authority	Percentage of Total
1 st Quarter 2005-06 (Apr - Jun)	\$ 239,855.00	\$1,699,000.00	14%
2 nd Quarter 2005-06 (Jul - Sep)	\$ 595,949.00	\$1,699,000.00	35%
3 rd Quarter 2005-06 (Oct - Dec)	\$1,001,357.00	\$1,699,000.00	59%
4 th Quarter 2005-06 (Jan - Mar)	\$1,350,079.26	\$1,699,000.00	79%

Table 19: Detailed Financial Information

	Authority	Final Forecast	Actual Expenditures
Salaries & Benefits	\$1,265,500.00	\$1,162,000.00	\$1,087,084.02
Travel	\$57,000.00	\$58,000.00	\$26,947.51
Special Services	\$125,000.00	\$58,500.00	\$34,559.45
Supplies & Services	\$52,500.00	\$55,500.00	\$38,734.01
Office Rent, Purchases, Dues, Taxes, Rentals	\$199,000.00	\$219,500.00	\$162,754.27
Sub Total	\$1,699,000.00	\$1,553,500.00	\$1,350,079.26
Less Recoveries	\$37,000.00	\$1,000.00	\$1,016.55
Totals	\$1,662,000.00	\$1,552,500.00	\$1,349,062.71

APPENDIX 3 – OHS DIVISION, NOVA SCOTIA DEPARTMENT OF ENVIRONMENT AND LABOUR DETAILED REPORT

1) Highlights

- A) The OH&S Division's Quality Management System was fully implemented on April 1, 2006.
- B) Work continued on updating the General Blasting Regulations and transferring the Blaster Certification Program to the Department of Education.
- C) The pilot of the Inspection Satisfaction Survey was successfully completed (see results below).
- D) Work continued on the new Activity Tracking System and the MY Account Project (the latter in cooperation with the WCB).

2) Time Intervals in Tables

With the exception of the financial tables presented in Section 4 (where data is grouped by fiscal year), all of the data displayed in this Quarterly Report is based upon the calendar year – January 1 to December 31. In many of the tables, you will see rows or columns that are entitled March, June, September and December (or shortened forms of these). These represent each of the four quarters in a year and pertain to the following time periods:

March = January 1 to March 31
June = April 1 to June 30
September = July 1 to September 30
December = October 1 to December 31

3) Operational

Table 20 - Workplace Fatalities in NS

	2003	2004	2005	2006 (YTD)
Fatalities	22	27	23	2

**Please note: These values were obtained from a combination of reports to the OH&S Division, WCB data, news releases and other sources in which fatalities were being reported.*

A workplace fatality is counted where all of the following are met:

1. *The injury that caused the fatality occurred at a place that meets the definition of a 'workplace'*
2. *At the time of the injury that caused the fatality, the deceased was:*
 - a. *an employee of a company,*

- b. *a self employed person, or*
- c. *neither an employee nor a self employed person but who, at the time of the fatality, was contributing to work at the workplace*
- 3. *The injury that caused the fatality occurred*
 - a. *within the physical boundaries of Nova Scotia, or*
 - b. *occurred outside the physical boundaries of Nova Scotia and involves an employee of an organization or a self employed person under NS OH&S legislation at the time of the fatality.*

Table 21 – OH&S Division Activity By Type

Period	General Inspect	Re-Inspect	Targeted Inspect	Complaint	Work Refusal	Discrim Action	Incident Invest	Total
2003	1,398	515	255	765	16	45	261	3,896
2004	1,139	475	482	882	27	77	321	4,162
2005	907	361	156	782	16	43	264	2,734
March	190	89	87	236	3	3	64	743

Table 22 - Orders Issued Broken Down By Law

Period	OHS Act	FPSR	FAR	GBR	OHR	OSGR	TWTCR	WHMISR	UMR	Total
2003	2096	592	795	7	27	2492	10	541	14	6574
2004	2397	627	769	34	27	2901	39	530	169	7493
2005	1538	298	457	13	11	1637	51	281	11	4297
Mar	499	165	158		7	638	13	137	2	1637

Acronym Definitions for Table 20

- FAR First Aid regulations
- FPSR Fall Protection and Scaffolding Regulations
- GBR General Blasting Regulations
- OHR Occupational Health Regulations
- OHS Act Occupational Health And Safety Act
- OSGR Occupational Safety General Regulations
- TWTCR Temporary Workplace Traffic Control Regulations
- UMR Underground Mining Regulations
- WHMISR Workplace Hazardous Materials Information System Regulations

Table 23a) Full Form Prosecutions Initiated and SOTs issued & decided

Period	Full Form Prosecutions initiated (non-SOT)	SOTs Issued		SOTs Decided		
		Non Compliance with Order	No Compliance Notice	No trial	Trial	
				Paid	Verdict = Guilty	Verdict = not Guilty or withdrawn
2003	43	NA	NA	NA	NA	NA
2004	53	10	6	5	6	3
2005	14	4	1	2	5	1
Mar	4	0	0	0	0	0

**In certain instances, the total number of SOTS decided may exceed the total # of SOTS issued for a given Quarter. This is a result of SOTS which were issued in a previous Quarter being decided in a future Quarter (in other words, the SOTS issued in a Quarter and the SOTS decided / paid in a Quarter are not always one in the same).*

Table 23b) – Full Form Prosecution Outcomes (individual charges)

Period	Charges Laid	Charges Decided				Total Decided Charges
		Guilty	Not Guilty	Dismissed	Withdrawn	
2003	NA	29	0	2	29	60
2004	114	54	6	12	52	124
2005	58	24	3	19	15	61
Mar	8	3	0	3	2	8

**Note - charges laid are from prosecutions initiated in the quarter, decided charges may stem from other quarters that were decided in the current quarter.*

Table 24 - Additional Tracked Activities and Statistics

Period	Closed Orders That Went Past the Stated Compliance Date (%)	Stop Work Orders Issued	Deviation Requests	Deviations Granted	Codes of Practice Granted	Appeals Filed of Officer's Decisions or Orders	Appeals Filed of Director's Decisions or Orders
2003	47.7	129	70	28	15	20	10
2004	44.1	119	24	21	30	27	8
2005	41	79	13	8	31	16	3
Mar	32.5	18	5	4	2	0	0

Table 25 - Outcomes and Outcome Measures

Measure	Target	2003	2004	2005	Mar
Percentage of targeted inspections where an order is not issued.	Increase the Percentage from the base year (2001 - 43.5% .)	52.5	36	44.32	37.5
No. of WCB claims per 100 employees, compared to the 5-year running average.	Maintain or decrease number of claims relative to 5 year running average (7.97)	7.73	7.72	Provided Annually by WCB	Provided Annually by WCB
Average no. of compensable days for all new compensable time loss claims filed in the year and receiving benefits during the year, compared to the 5-year running average.	Maintain or decrease the average number of days relative to the 5-year running average (35.42)	38.2	41.01	Provided Annually by WCB	Provided Annually by WCB

* Data not available.

The above outcomes and outcome measures are noted in the Department's 2005/2006 Business Plan (see <http://www.gov.ns.ca/enla/pubs/docs/NSELBusinessPlan06.pdf>).

Table 26 – Complaints and Inquiries Received

	2004	2005	Mar
# Complaints Received	1170	1190	238
# Complaints for Which no Follow-Up Inspection was Performed (by Quarter end)	NA	NA	188
Avg. # Days Between Receipt of Complaint and Inspection (if one is conducted) (by Quarter end)	NA	NA	6.94
# Inquiries Received	2302	2564	128

Table 27 – OH&S Toll-Free calls received

	2003	2004	2005	Mar
OH&S Toll-Free calls received	4988	4548	3650	*

Insufficient data available.

4. Financial

* The following table showing financial data is broken down by fiscal year- April 1 to March 31 (as opposed to the calendar years used in all other tables in the report).

Table 28- Financial Summary

Business Area	2004/2005 Actual Expenditures	2005/2006 Actual Expenditures	2006/2007 Estimate*
OHS Administration	\$1,644,656	\$1,443,696	
OHS Professional Services	\$964,792	\$769,442	
OHS Inspection & Compliance Services	\$381,002	\$328,905	
OHS Inspection & Compliance Services, Central	\$1,134,177	\$995,818	
OHS Inspection & Compliance Services, Southwest	\$528,667	\$548,647	
OHS Inspection & Compliance Services, Northeast	\$571,297	\$516,471	
OHS Inspection & Compliance Services, Cape Breton	\$589,715	\$505,658	
Blaster's Board	\$15,409	\$9,859	
OHS Advisory Council	\$111,780	\$57,066	
Total	\$5,941,495	\$5,175,562	

* 2006/2007 budget not yet available.

5. Client Satisfaction

Table 29 - Client Satisfaction with Email Question / Answer Service

Question	Percent of maximum score				
	2005 / 2006	2004/ 2005	2003/ 2004	2002/ 2003	2001 / 2002
The information answered my question.	81.8	82.2	86.5	86.1	83.1
The information was clear, concise and understandable.	82.4	80.7	87.0	87.1	85.5
The information was received within an acceptable time frame.	90.5	87.9	86.8	88.5	87.4
You are pleased with the service you received.	83.8	87.7	89.3	88.7	86.8
Average	84.6	84.6	87.4	87.6	85.6

* Note that not every respondent to the client satisfaction survey answers every question.

Table 30 - Client Satisfaction with Inspection Service

	Management	Non-Management	<i>Overall</i>
Number of responses	10	7	17
Percentage	58.8	41.2	
	Percentage Satisfied with . . .		
Explanation of process	87.5	78.6	83.8
Explanation of law	87.5	78.6	83.8
Answer questions	90.0	71.4	82.4
Give chance for feedback	80.0	75.0	77.9
Understandable report	92.5	85.7	89.7
Overall professionalism	92.5	85.7	89.7
Inspection helped	82.5	71.4	77.9
Order was clear	87.5	75.0	82.1
Order time was adequate	87.5	62.5	76.8
Average	87.5	76.0	82.7

6. Strategic Plan / Business Plan

6.1 Workplace Safety and Insurance System

The Strategic Plan for the Workplace Safety and Insurance System is being implemented.

APPENDIX 4 – WORKERS’ COMPENSATION BOARD DETAILED REPORT

The Workers’ Compensation Board has revised its performance reporting based on (a) a request from its Board of Directors to provide a more streamlined performance report; and (b) adjustments made to the WCB Corporate Performance Measures following the development of the WCB’s Long Term Business Plan in the spring of 2005. The newly streamlined report was reformatted in 2nd Quarter 2005 and provides quantitative results that support the WCB’s corporate goals and objectives as well as the goals outlined in the WSIS Strategic Plan. The format does not yet reflect recent Board discussions on corporate performance measures. Changes will be incorporated once a final recommendation is made.

1st Quarter 2006 Results

The results reported this quarter (generally data as of March 31, 2006) showed improving operational performance in a number of areas including number of time-loss injuries, % return-to-work, and employer satisfaction.

As of the end of Q1 2006, worker satisfaction for all three corporate performance measures is below the year-end target and results have trended down slightly compared to previous quarter results. The Client Services Management Team is investigating this downward trend to determine the root causes and will address areas where improvements can be made.

There has been a spike in the volume of appeals at Internal Appeals in the first quarter of 2006. This increase can be attributed to an increase in appeals regarding chronic pain. This increased volume has also had a negative impact on the timeliness of internal appeals decisions, with only 76% of appeals completed within 90 days versus 99% for the same quarter last year. Internal Appeals is confident that this additional workload can be managed and are committed to improving the timeliness of appeals decisions in the second quarter of 2006.

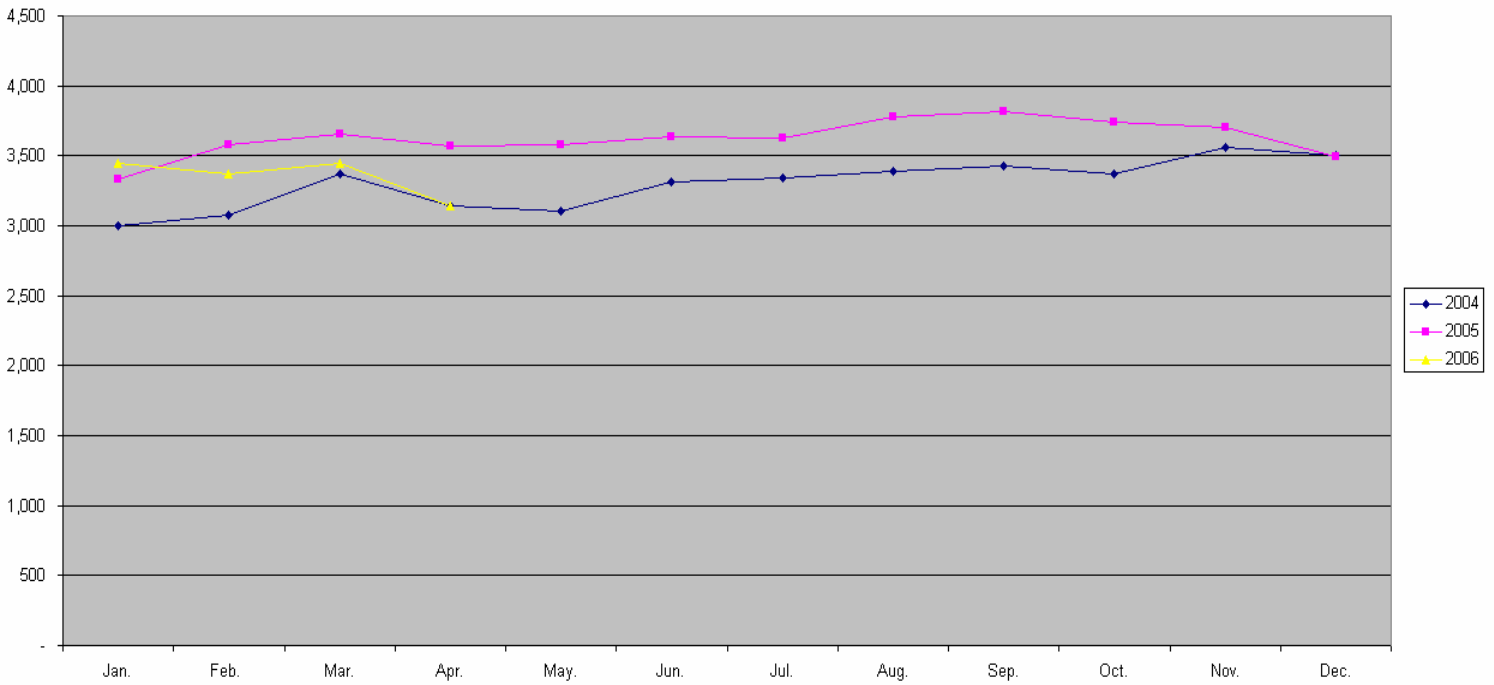
In January 2006, the composite duration index increased from 114 to 116 and remained static at 116 in February. The January 2006 increase was due to the period shift (moving average) and a corresponding increase in the volume of claims included in the calculation.

December 2005	reports on the period January 2005 – December 2005
January 2006	reports on the period February 2005 – January 2006

In January 2006, the claims paid in January 2005 were eliminated from the measure (3330 claims; the lowest monthly volume experienced in 2005) and the claims paid in January 2006 were added to the measure (3448 claims; higher than the volume in January 2005).

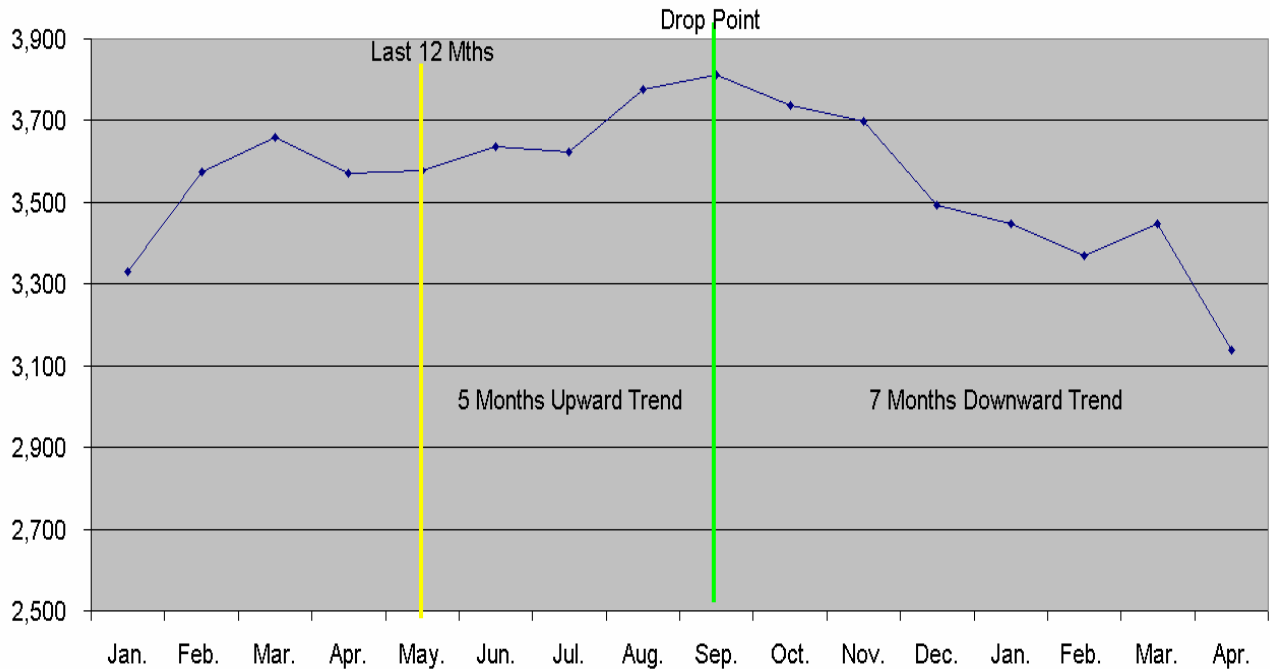
Since January 2006, the volume of claims paid each month is below the volumes paid in 2005 and continues to decrease as illustrated in the graph below. In April, we reduced to the volumes paid in 2004.

Claims Paid Monthly



For the past 7 months we have experienced a continued decrease in the volume of claims paid each month as illustrated in the graph below. We are now at a point where the downward trend is beginning to outweigh the unfavorable upward trend we experienced last year.

Claims Paid Each Month



At this time, we are pleased with our progress. While the index remains high, we are seeing positive changes in all lead indicators on claims durations. Of particular note, in April 2006 we saw a decrease in YTD temporary earnings replacement benefits of approx. \$1 million compared to the same period last year. We remain committed to the 104 year end target.

<i>WCB CORPORATE OBJECTIVES HIGHLIGHTS</i>						
	Year-End Target 2006	1 st Quarter 2006	4 th Quarter 2005	Quarterly Variance	Year End 2005	Year End 2004
Worker Satisfaction						
Treated fairly	91%	88%	88%	0%	88%	91%
With outcome	76%	72%	74%	(2%)	71%	74%
With employee effectiveness	75%	68%	69%	(1%)	68%	73%
Employer Satisfaction						
Treated fairly	73%	80%	76%	4%	73%	70%
With ability to answer questions	70%	81%	77%	4%	74%	69%
With employee effectiveness	37%	49%	40%	9%	37%	35%
	Year-End Target 2006	1 st Quarter 2006	4 th Quarter 2005	Quarterly Variance	Year-End 2005	Year End 2004
% RTW at 100% pre-injury earnings	93%	91%	91%	0%	93%	n/a
	Year-End Target 2006	February 2006	January 2006	Variance (YTD to YE Target)	Year End 2005	Year End 2004
Time-loss injuries	2.92	2.82	2.85	(3%)	2.87	2.96
Duration – Composite (days)*	104	116	116	12%	114	108

* excludes Transition Services Team (TST)

<i>OPERATIONAL PERFORMANCE HIGHLIGHTS</i>						
	Year-End Target 2006	1 st Quarter 2006	1 st Quarter 2005	Quarterly Variance	Year End 2005	Year-End 2004
Timeliness of First Payment	83%	76%	80%	(4%)	81%	81%
New Appeals Received Internal Appeals (Total appeals received)	n/a	754	452	67%	1,497	1,553
Timeliness of Internal Appeals Decisions	95%	76%	99%	(23%)	100%	87%