

Building the Future

of Nova Scotia's Workplace
Safety and Insurance System

Quarterly Performance Report to the WCB Board of Directors
Quarter Ending June 30, 2005



Date report prepared: August 22, 2005

For the September 2005 Board of Directors meeting

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EXECUTIVE SUMMARY

WORKPLACE SAFETY AND INSURANCE SYSTEM (WSIS) QUARTERLY REPORT – QUARTER ENDING JUNE 30, 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 April 1 – June 30, 2005 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 a summary of data on key indicators for the System that are identified in the Strategic Plan.

REPORT HIGHLIGHTS

- ▶ *System Strategic Plan Implementation:* All System Strategic Plan initiatives that were scheduled to begin by June 30, 2005 are underway and on schedule.
- ▶ *Compliance with Statutory Requirements:* For the quarter ending June 30, 2005, all agencies are compliant with the applicable sections of their respective Acts.
- ▶ *WSIS Performance Measures:* Data on key indicators for the System have been summarized from the agency detailed performance reports. The available data for these indicators are provided below:
 - ▶ *Injury Rate* – In prior editions of this report, injury frequency (number of time loss claims per 100 person years of employment) was calculated using the date a claim was opened. The calculation is revised and now uses injury date as we believe this more accurately reflects the frequency of workplace injuries in Nova Scotia. The latest data available is for March 2005 and the injury rate is 2.92.
 - ▶ *Fatalities* – For the quarter ending June 2005, there were 6 workplace fatalities (4 covered by WCB and 2 not covered) in the province. Results for the same quarter last year totaled 3 workplace fatalities.
 - ▶ *Number of Appeals* – Appeals volumes received continued on a downward trend. For WCAT, appeals received from April – June decreased 31% compared to the same quarter last year while Internal Appeals decreased 12% compared to the same quarter last year.
 - ▶ *Timeliness of Internal Appeal Decisions* – WCB timeliness of internal appeals decisions is above the 95% target with 100% of paper review decisions issued within 90 days of receipt of the appeal.

- ▶ *Client Satisfaction* – For the quarter ending June 30, 2005, 75% of injured workers were satisfied with the promptness of benefits provided by the WCB. WAP's survey of injured workers showed that ninety-three percent of respondents were satisfied with the service provided by WAP staff.

A number of other significant developments for the System occurred during this period including:

- ▶ WAP continues to work on controlling the waiting time for service. In Halifax, the average wait time for service was 2.2 weeks for the quarter ended June 30, 2005 and for Sydney, the average wait time for service was 1.3 weeks for the same period. The target is 2 – 4 weeks.
- ▶ For WCAT, 69% of appeals during the last quarter were resolved within six months. The average number of days to decision was 176. Timeliness statistics for WCAT include all appeals, paper reviews and oral hearings.
- ▶ The number of inquiries and complaints for the OHS Division increased from 1st quarter to 2nd quarter as did the number of toll-free calls.
- ▶ The Issue Resolution committee, comprised of representatives of the WCB/WAP/WCAT, continues to meet on a monthly basis. This committee focuses on the sharing of information, raising process issues, and exploring joint training ventures. Joint training ventures have included a presentation by Gail Boone on case planning. These meetings have resulted in a joint initiative, between the WCB and the WAP, to deal with Chronic Pain appeals (from TST) in a more collaborative and efficient manner. In addition, the three agencies are preparing a reference/training manual dealing with specific adjudication issues.
- ▶ The System Performance Measures Advisory Committee (SPMAC) submitted its final report to Louis Comeau on Tuesday, August 23rd. With completion of its mandated task, the Committee was disbanded. Go-forward, the task of measurement recommendation will be the responsibility of the System Goals Advisory Committee (SGAC). Membership of this stakeholder committee is yet to be determined.

WSIS STRATEGIC PLAN INITIATIVES - PROGRESS TO DATE

Initiatives

Timeline

Progress

Goal: To improve outcomes for workers and employers

Prevention Initiatives	Ref. Pg*	2004		2005				
		Q3	Q4	Q1	Q2	Q3	Q4	
OH&S Grant Program	10				C			completed
Social Marketing Campaign	10	O	O	O	O	O	O	work is underway & on schedule
Core Curriculum	11	O	O	O	O	O	O	work is underway
Youth education program	11	O	O	O	O	O	O	this is an ongoing initiative
Explore options for Certification of Trainers Program	11	O	O	O	O	O	O	Deferred to Q4 due to PEP implementation
Employer Account Look Up	12	O	O	O	O	O	O	Work well underway and on schedule
Develop industry support networks	12	O	O	O	O	O	O	this is an ongoing effort
Investigate experience rating range	12	O	O	O	O	O		Program underway – completed by Sept 05
Develop new safety incentive program	12	O	O	O	O	O	O	Policy complete program to be rolled out in Q4
Develop priority employer program	12	O	O	O	O	O	O	Well underway – Policies approved and employer engagement initiated
Develop safety audit program	12	O	O	O	O	O		Criteria in final draft- to be complete for final review in September
Develop disincentives	13	O	O	O	O	O	O	Ongoing initiative

Return to Work Initiatives

Develop baseline measurements & set targets	15	O	O	O	O	O	O	Baseline measures established based on current measurement approach. Targets established. Will be revisited once new RTW model is established.
Develop survey tool for RTW	15							This will be incorporated in an overall review of the stakeholder survey
Develop strategy & train staff to educate employers	15	O	O	O	O	O	O	work is underway. This education effort will be integrated with Prevention and RTW Redesign efforts.
Implement most effective delivery model for RTW	15	O	O	O	O	O	O	New model in design; planning to roll out in September 2005.
Consult stakeholders & train staff re. best practices	16			P	P			Work is underway. In part this will be addressed in the delivery model for RTW (above). Further best practice work to occur later.
Improve mgmt of service provider contracts	16			P	O			Work on physiotherapy and primary care underway. Expect to have new contracts implemented by September 2005. Other health care disciplines to follow.
Support Disability Prevention & Mgmt course	16	O	O	O	O		O	Worker is underway. Primary Care Physicians trained by ACCOM in June 2005.
Explore certificate in Occupational Health	16			P	P			not starting until 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	O	O	this is an ongoing effort
Regional workshops	19	O	O	O	O	O	O	this is an ongoing effort
New service channels	19	O	O	O	O	O	O	this is an ongoing effort
Create System web-site	20	O	C					Phase 1 (design of gateway pg for system)
Investigate integrated telephone inquiry service	20			P	P			to be investigated in MYBP
Develop single document describing System	20			P	P			not starting until 2005
Determine reading level of clients	20		P					scheduled to begin in Q4
Develop plan for communicating with special needs clients	21			P	P			not starting until 2005

Issue Resolution Initiatives

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

Initiatives**Timeline****Progress****Goal: To ensure effective governance of the System**

	Ref. Pg.	<u>2004</u>			<u>2005</u>		Progress
		Q2	Q3	Q4	Q1	Q2	
Produce quarterly agency reports	23	O	O	O	O	O	1st joint report in Nov. 03
Additional WSIS Initiatives							
Governance Review - as announced by Minister of E&L	N/A				O	O	Recommendation presented at AGM
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
Establish System performance measures group	26-27						Inaugural meeting June 4/04

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

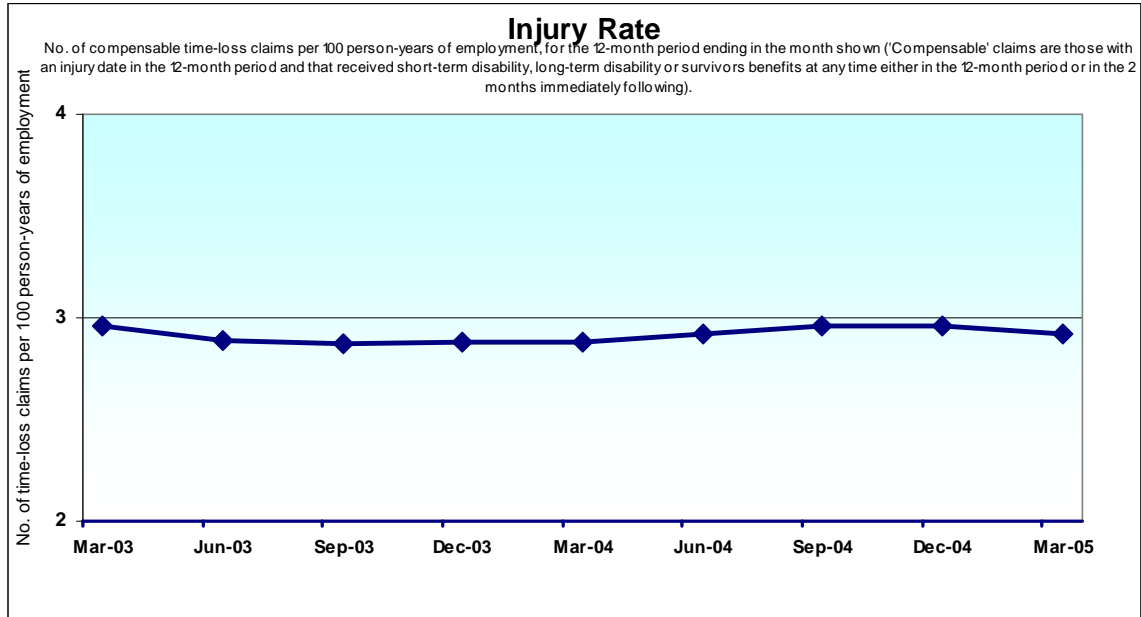
O = Ongoing Activity; P = Planned Activity; C = Completed Activity

WSIS PERFORMANCE MEASURES

Please note this section is a 'work in progress'. Enhancements will be made over the next year as the System Performance Measures Advisory Committee continues their work.

Currently, the agencies collect some data on key indicators for the System identified in the Strategic Plan. The available data for these indicators are provided in Figures 1 – 3 and Tables 1 – 3.

Figure 1 Injury Rate (from WCB Performance Report)



Mar-03	Jun-03	Sep-03	Dec-03	Mar-04	Jun-04	Sep-04	Dec-04	Jan-05	Mar 05
3.01	2.99	2.92	2.96	2.93	3.01	3.05	2.96	2.98	2.92

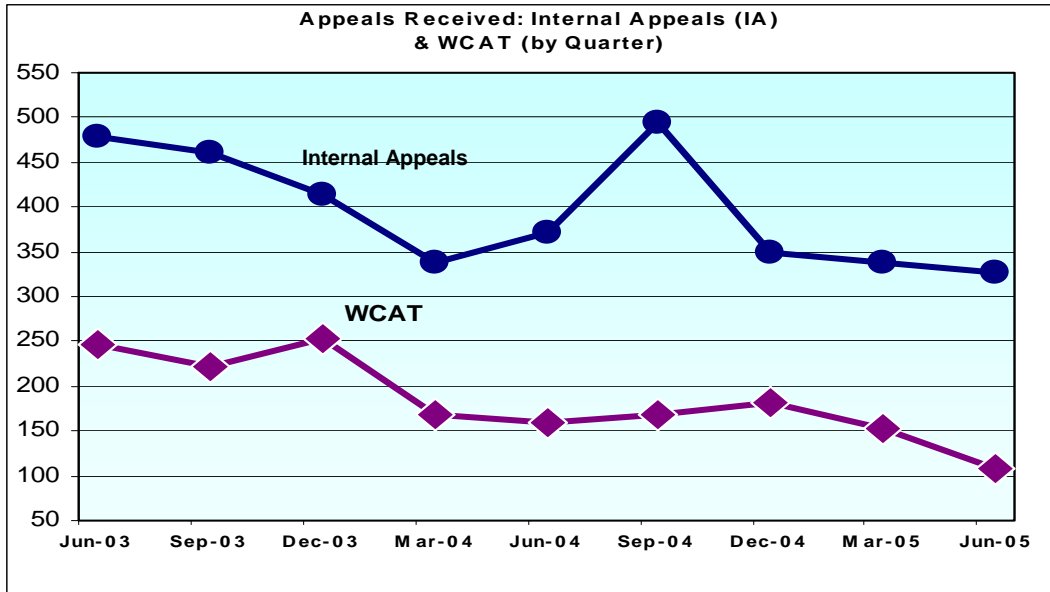
In prior editions of this report, injury frequency was calculated using the date a claim was opened. The calculation has been revised and now uses injury date as we believe this more accurately reflects the frequency of workplace injuries in Nova Scotia. The injury rate has remained relatively consistent through 2003 and 2004 and is currently at 2.92.

Table 1 Number of Fatalities (from OH&S Performance Report)

Year	March 31 st	June 30 th	Sept. 30 th	Dec 31 st	Annual Total
2005	4	6			10
2004	6	3	3	15	27
2003	10	3	6	3	22
2002	11	9	3	5	28

**Please note: These values were attained from a combination of WCB data, news releases and other sources in which fatalities were being reported. In terms of accuracy, we have records of additional fatalities for which there was no date specified – as such, these are not represented in these figures.*

Figure 2 Number of Appeals Received (from WCB & WCAT Performance Report



	Mar-03	Jun-03	Sep-03	Dec-03	Mar-04	Jun-04	Sep-04	Dec-04	Mar-05	Jun 05
WCAT	180	247	221	254	169	159	168	181	152	109
IA Received	462	479	461	414	338	372	495	348	338	327

Appeals volumes received continued on a downward trend. For WCAT, appeals received from April – June decreased 31% compared to the same quarter last year while Internal Appeals decreased 12% compared to the same quarter last year.

Table 2 WAP Requests for Service Quarterly Totals (from WAP Performance Report)

Active Files 2005 = 710

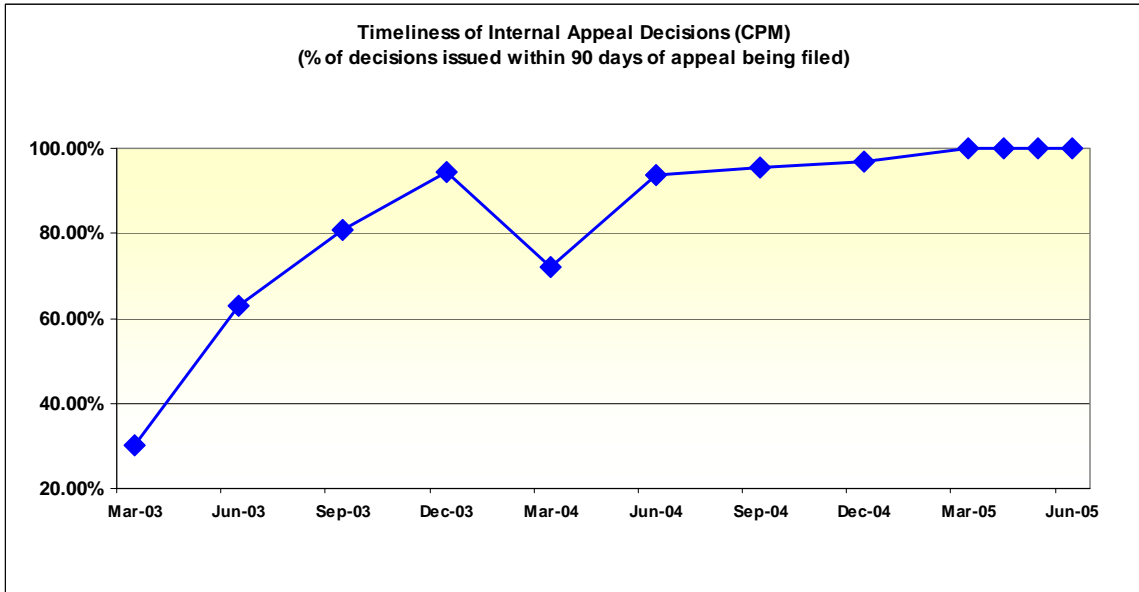
#Active Files 2004 = 1199

Year	*Requests for Service + Resource Calls	Files Opened	Files Closed	Pending Files	Second Opinions Approved	# Clients Served to Date this Year
2005	137+173 = 310	148	303	12	1	986
2004	224+338 = 562	222	310	33	0	1463

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

Total requests for service are 45% lower than the same period in 2004 and the total number of active files at the end of the period is lower (41%). The number of files opened to date in 2005 is 33% lower than for the same period in 2004 and the number of files closed is 2% lower. To the end of the quarter, WAP served 33% fewer clients than were served to the end of the same period in 2004.

Figure 3 Timeliness of Internal Appeal Decisions (from WCB Performance Report)



Mar-03	Jun-03	Sep-03	Dec-03	Mar-04	Jun-04	Sep-04	Dec-04	Mar-05	Jun 05
30.00%	62.90%	80.80%	94.40%	72.00%	93.60%	95.30%	96.90%	100.00%	100.00%

Internal Appeals is above the 95% target with 100% of paper review decisions issued within 90 days of the receipt of the appeal.

Table 3 Client Satisfaction with Service (from WAP & WCB Performance Reports)

	% of clients satisfied with service provided by WAP staff*	% of clients satisfied with promptness of benefits**
Client Satisfaction	93	75

*WAP data from WAP surveys that began in April 2003

**WCB data provided by the quarterly Injured Worker Survey

APPENDIX 1 - WORKERS' ADVISERS PROGRAM DETAILED REPORT

OPERATIONS

The Program continues to work on controlling the waiting time for service. In Halifax, the average wait for service was 2.2 weeks and in Sydney, the average wait was 1.3 weeks. In Bridgewater/Yarmouth, the average wait for service was 3.2 weeks and in Digby, Amherst, Kentville, and Truro, the average wait was 3 weeks. Finally, in New Glasgow, Antigonish, and Port Hawkesbury, the average wait was 3.5 weeks. Wait for service continues to be monitored monthly. 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.

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 227 Resource/Early Assistance calls in this period. 6.6% of workers had no denial and 0.9% required additional evidence to proceed. Advisers assisted with forms in 6.2% of the calls and 23.8% were referred to intake. In 1.3% of the calls, the worker's issue was resolved at this level.

FINANCIAL

Budget figures ending June 30, 2005 from the Department of Finance indicate we have spent 16.6 % of our authority.

CLIENT OPERATIONS

Surveys continue to be sent to all workers when we close their files.

The Program closed 303 client files during this period and received 61 returned surveys representing 20.13% of those sent out. Fifty-one were successful appeals and ten were not successful. In general, we continue to receive detailed and valuable information.

OPERATIONS

Table 4 April Case Summary Statistics

Active Files 2005 = 838

#Active Files 2004 = 1241

Year	*Requests for Service + Resource Calls	Files Opened	Files Closed	Pending Files	Second Opinions Approved	# Clients Served to Date this Year
2005	67+60 = 127	70	96	2	0	908
2004	70+105 = 175	66	112	6	0	1307

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

Table 5 May Case Summary Statistics

Active Files 2005 = 776

#Active Files 2004 = 1248

Year	*Requests for Service + Resource Calls	Files Opened	Files Closed	Pending Files	Second Opinions Approved	# Clients Served to Date this Year
2005	56+41 = 97	58	121	8	1	966
2004	79+132 = 211	79	72	15	0	1386

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

Table 6 June Case Summary Statistics

Active Files 2005 = 710

#Active Files 2004 = 1199

Year	*Requests for Service + Resource Calls	Files Opened	Files Closed	Pending Files	Second Opinions Approved	# Clients Served to Date this Year
2005	14+72 = 86	20	86	2	0	986
2004	75+101 = 176	77	126	12	0	1463

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

Table 7 Quarterly Case Summary Totals

Active Files 2005 = 710

#Active Files 2004 = 1199

Year	*Requests for Service + Resource Calls	Files Opened	Files Closed	Pending Files	Second Opinions Approved	# Clients Served to Date this Year
2005	137+173 = 310	148	303	12	1	986
2004	224+338 = 562	222	310	33	0	1463

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

Table 8 Service Waiting Time Local Offices

Time Frame	Average Waiting Time in Weeks for Halifax		Average Waiting Time in Weeks for Sydney	
	2004	2005	2004	2005
April	2.6	2.4	1.0	1.2
May	2.5	2.25	1.3	1.5
June	2.7	2.2	1.6	1.2
Quarterly Average	2.6	2.2	1.3	1.3

Table 9 Service Waiting Time Out of Town

Location	Average Waiting Time in Weeks		
	Bridgewater / Yarmouth	Digby / Amherst / Kentville / Truro	New Glasgow / Antigonish / Port Hawkesbury
April	2.6	2.4	2.7
May	2.9	2.7	3.3
June	4.1	4.0	4.6
Quarterly Average	3.2	3.0	3.5

Table 10 Client Count by County

County	April 05	April 04	May 05	May 04	June 05	June 04
Annapolis	14	25	14	25	11	24
Antigonish	9	10	8	11	9	11
Cape Breton	248	313	225	320	206	320
Colchester	25	40	24	39	19	35
Cumberland	35	56	28	54	27	51
Digby	8	24	7	21	8	18
Guysborough	7	8	7	7	3	6
Halifax	227	385	211	379	191	352
Hants	26	41	26	41	22	41
Inverness	8	15	7	14	18	15
Kings	48	70	48	72	45	73
Lunenburg	78	88	76	94	71	90
Pictou	39	62	29	65	28	60
Queens	8	14	8	14	8	15
Richmond	14	27	15	27	14	25
Shelburne	11	11	11	12	11	12
Victoria	4	14	4	16	4	15
Yarmouth	13	14	15	14	13	14
Other	16	24	13	23	13	22
TOTAL	838	1241	776	1248	710	1199

Table 11 April Program Statistics

	Submissions/Hearings Done			New Appeals Filed		
	Court	Hearing Officer	WCAT	Hearing Officer	Court	WCAT
2005	2	7	38	15	0	22
2004	0	12	21	31	0	27
2003	1	18	55	28	9	61

Table 12 May Program Statistics

	Submissions/Hearings Done			New Appeals Filed		
	Court	Hearing Officer	WCAT	Hearing Officer	Court	WCAT
2005	1	7	25	19	0	19
2004	0	22	44	24	1	28
2003	0	19	42	27	2	53

Table 13 June Program Statistics

	Submissions/Hearings Done			New Appeals Filed		
	Court	Hearing Officer	WCAT	Hearing Officer	Court	WCAT
2005	2	5	37	12	0	24
2004	0	18	31	23	0	39
2003	0	8	52	22	5	53

Table 14 Quarterly Program Statistics

	Submissions/Hearings Done			New Appeals Filed		
	Court	Hearing Officer	WCAT	Hearing Officer	Court	WCAT
2005	5	19	100	46	0	65
2004	0	52	96	78	1	94
2003	1	45	149	77	16	167

Table 15 Resource/Early Assistance

	April	May	June	Program Total
# Calls Taken	75	50	102	227
Time Recorded	18.8	13.6	30.5	62.9
Questions/Categories	#	#	#	#
General	75	50	102	227
No Written Decision	0	0	15	15
Needs More Evidence	1	0	1	2
Assist with Forms	4	1	9	14
Calls by WAP	3	1	2	6
Resolved at EA	2	0	1	3
Ancillary Issues (ie CPP/EI)	3	2	0	5
Referred to Intake	15	9	30	54
Proforma plan **	2	0	6	8

Each call may deal with multiple questions/categories

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

FINANCIAL

The June 30, 2005 report provided by the Department of Finance indicates the following expenditures:

Table 16 WAP Expenditures

	2005	2004
Salaries & Benefits	280,697.80	301,875.00
Administrative	52,377.06	48,242.00
Medical Reports & Expert Fees	30,703.05	65,442.00
External Legal Fees & Disbursements	0.00	15,750.00
Consulting Fees	26,849.69	0.00
TOTAL	390,627.60	431,309.00
% of Authority Spent	16.6%*	18%*

* Based on fiscal year for WAP of April 1, of any given year to March 31, of the next year

CLIENT SATISFACTION

Client Survey Results

The surveys began in April 2003 and will continue so that future results will allow us to track and address any satisfaction trends. Specific results to our questions are included in the following tables.

Table 17 The percentage of clients who agreed with statements regarding service

Question	Strongly Disagree %	Disagree %	Agree %	Strongly Agree %	No Answer %
<i>The Program staff I dealt with were professional and friendly at all times.</i>	1.6	0	16.3	80.3	1.8
<i>In my experience, I felt Program staff had the knowledge and experience for dealing with my situation.</i>	3.2	1.6	18	75.4	1.6
<i>I feel Program staff did their very best to provide me with the best possible service</i>	3.2	1.6	19.6	73.7	1.7

Table 18 The percentage of clients reporting a certain level of service

Question	Never %	Sometimes %	Most of the time %	All the Time %	No Answer %
<i>My calls were returned within 24 hours</i>	1.64	11.4	19.6	65.5	1.8
<i>My questions were answered to my satisfaction</i>	3.2	3.2	11.4	80.3	1.9

Comments Section

Forty-two clients took the time to make a personal comment at the bottom of their survey and all but one were complimentary. Examples are as follows:

I want to thank you and your staff for providing me with your very best services. Thank you.

Your help was greatly appreciated.

The Workers' Advisers Program staff helped me through a situation that I was totally overwhelmed by - with positive results. Thank you.

Very helpful and compassionate people to work with. Kept me informed and advised.

Couldn't ask for better help and support. Really appreciated the help. Thank you for everything.

APPENDIX 2 – WORKERS’ COMPENSATION APPEALS TRIBUNAL DETAILED REPORT

OVERALL RESULTS

April 1, 2005 marks the beginning of a new fiscal year for WCAT. The number of appeals received continues to decrease. Compared to the same period last year, appeals are down approximately 31%. The number of decisions, however, remain constant. Compared to the same period last year, decisions rendered have increased by 10%. Overall parameters (appellant type, representation, appeal issue type and mode of hearing) in the first quarter of 05-06 have varied slightly from the overall results of fiscal 2004-05. As of June 30, 2005, there were 226 appeals before WCAT.

OPERATIONS (SEE TABLES 19 – 28)

- ▶ *Appeals received:* The average number of appeals received per month for the period April-June 05 is 36. This compares with 53 per month for the same period in 2004 and with 55 per month for the year 04-05.
- ▶ *Decisions rendered:* WCAT rendered an average of 52 decisions per month in the period April-June 05. The average for the same period in 2004 was 47 and the average for the year 04-05 was 65.
- ▶ *Appeals outstanding:* 226 appeals remained outstanding as of the end of June 05. This compares with 491 outstanding at the end of the same period in 04 and 302 outstanding at the end of the 4th quarter of fiscal 2004-05.
- ▶ *Timeliness:* 69% of appeals decided in the period April-June 05 were resolved within 6 months. For the fiscal year 2004-2005, 53% of appeals decided were resolved within the same time frame (not represented in a chart). WCAT has begun monitoring average days to decision. For the period April-June 05, the average days to decision was 176.
- ▶ *Outcomes:* of the 157 decisions rendered in the past three months, 56% were accepted or accepted in part, 32.5% were denied and 11.5% resolved by other means (including appeals returned to the Hearing Officer). This compares with 39% accepted/accepted in part in 04-05, 57% accepted/accepted in part in 03-04 and 51% accepted/accepted in part in 02-03.
- ▶ *Mode of hearing:* oral hearings represented 55% of decisions rendered in the period April – June 2005.
- ▶ *Decisions by appellant type:* of the 157 decisions rendered in the period April-June 05, just over 97% were filed by workers. This compares to 94% filed by workers for the year 04-05. Employers participated in approximately 20% of worker claim appeals.
- ▶ *Worker representation:* WAP represented approximately 65% of workers, while workers were self-represented in 31% of appeals and represented outside of the WAP in 4% of appeals.
- ▶ *Issues on appeal:* recognition of claim comprised 16% of the issues decided in appeals in the past three months; new/additional temporary benefits comprised 14%;

new/increased benefits for permanent impairment comprised 25% and medical aid comprised 24%. (Not represented in a chart)

- ▶ *Appeals to the Court:* As of June 30, 2005, there were 12 appeals before the Nova Scotia Court of Appeal. Four new appeals were received in the period April-June 05. This is approximately 2.5% of the volume of decisions rendered in that period. In year 04-05, the number of appeals represented 3% of decisions rendered. During the period April-June, 2005, 14 appeals were resolved. Five (5) chronic pain appeals were remitted back to the WCB by consent order; 7 applications for leave to appeal were denied by the Court of Appeal and one (1) application for leave was denied by the Supreme Court of Canada. A decision of the Court upheld a WCAT decision on the merits. There are no decisions pending. (Not represented in a chart)

FINANCE

- ▶ WCAT's actual expenditures as of the end of the 1st quarter for 05-06 (April-June 05) were within 14% of budget authority.

CLIENT SATISFACTION

- ▶ WCAT conducted a worker survey during the month of June 2005; results will be available in September 2005.

STRATEGIC PLAN INITIATIVES

WCAT Initiatives

- ▶ *Video and Website Revision:* WCAT completed the revision of its website. WCAT's oral hearing video can be viewed on the site and all WCAT forms are available in three formats, WD, WP and PDF. WCAT's practice manual can also be accessed and is organized by relevant sections.
- ▶ *CCAT conference:* Commissioner Andrea Smillie and the CAC Louanne Labelle participated in the Canadian Council of Administrative Tribunals' annual conference in Ottawa in June 2005 and gave presentations on WCAT's self represented process and WCAT's experience with constitutional issues. These were well received and WCAT's oral hearing video generated many positive comments.
- ▶ *Annual report:* WCAT's Annual Report was published in mid June 2005 and was circulated to stakeholder representatives. It is also available on WCAT's website.

WSIS Joint Initiatives

- ▶ *WSIS annual meeting:* WCAT participated in the WSIS annual meeting on Monday, May 9, 2005 and the CAC Louanne Labelle presented on the many cooperative initiatives undertaken by the WSIS agencies in the past year.
- ▶ *TST Joint Training:* On May 26, 2005, WCAT also participated in a decision writing training program intended for the adjudicators in the WCB Transition Services Team. Also part of the discussion group were representatives from WAP and WCB Internal Appeals.
- ▶ *Other Initiatives:* WCAT, in the last quarter, had participated in ongoing joint initiatives with partner agencies in WSIS such as the issues resolution working group and appeal issues discussion group.

Table 19: 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										109
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 20: 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										157
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 21: 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									
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 22: 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%
WCAT Decisions Rendered 2 nd Quarter												
WCAT Decisions Rendered 3 rd Quarter												
WCAT Decisions Rendered 4 th Quarter												

Table 23: Average Days to Decision

Average Days to Decision	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
2005 – 2006	184	170	174									

Table 24: 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)					
3 rd Quarter 05-06 (Oct - Dec)					
4 th Quarter 05-06 (Jan - Mar)					

Table 25: 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)			
3 rd Quarter 05-06 (Oct - Dec)			
4 th Quarter 05-06 (Jan - Mar)			

Table 26: Decisions by Appellant Type

Decisions by Appellant Type	Number of Appeals	Employer Participation*
Worker Claim Appeals	153	20% (30)
Employer Claim Appeals	3	
Employer Assessment Appeals	1	
Section 29 Applications	0	
Total:	157	

*Employer participation on worker claim appeals.

Table 27: 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)					
3 rd Quarter 05-06 (Oct - Dec)					
4 th Quarter 05-06 (Jan - Mar)					

Table 28: 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)			
3 rd Quarter 2005-06 (Oct - Dec)			
4 th Quarter 2005-06 (Jan - Mar)			

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

HIGHLIGHTS

- ▶ The number of page views and downloads from our Internet site continued its upward trend. There appeared to be a slight slowdown of the increase comparing quarter 1 to quarter 2. This may be a result of a redesign of the Department of Environment and Labour Internet site and associated difficulties in navigating the new site.
- ▶ The numbers of inquiries and complaints both increased from quarter 1 to quarter 2, as did the number of toll-free calls.
- ▶ Work continued on a quality management program with an expected completion date sometime in 2005/2006.
- ▶ Work continued on an overall work plan for the OH&S Division. The plan will be finished in July, 2005.

TIME INTERVALS IN TABLES

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

March = January 1st to March 31st

June = April 1st to June 30th

September = July 1st to September 31st

December = October 1st to December 31st

OPERATIONAL

Table 29 Breakdown of All Recorded Workplace Fatalities in NS Over Previous 3 Year Period

Year	Annual Total
2003	22
2004	27
2005 – as of June 30rd	10

**Please note: These values were obtained from a combination of WCB data, news releases and other sources in which fatalities were being reported.*

Table 30 Breakdown of Tracked Workplace Activity By Type Over Previous 3 Year Period

Period	General Inspections	Re-Inspections	Targeted Inspections	Complaints	Work Refusals	Discriminatory Action	Incident Investigation	Total
2003 Totals	1398	515	255	765	16	45	261	3896
2004 Totals	1139	475	482	882	27	77	321	4162
March 05	251	120	59	173	2	10	73	893
June 05	45	25	15	46	0	3	6	172
Sept 05	0							
Dec 05								
2005 Totals	296	145	74	219	2	13	79	1,065

**Please note: The 2005 values shown above were attained from Inspection Tracking System data compiled in June, 2005.*

Acronym Definitions for Table 21 – presented below

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

Table 31 Breakdown of Orders Issued By Law Over 3 Year Period

Period	OHS Act	FPSR	FAR	GBR	OHR	OSGR	TWTRC	WHMIS R	UMR	Total Orders Issued
2003 Totals	2096	592	795	7	27	2492	10	541	14	6610
2004 Totals	2397	627	769	34	27	2901	39	530	169	7576
March 05	569	101	161	3	2	554	1	115	2	1531
June 05	166	17	44	0	0	142	0	20	0	389
Sept 05										
Dec 05										
2005 Totals	735	118	205	3	2	696	1	135	2	1897

**Please note: The 2005 values shown above were attained from Inspection Tracking System data compiled in June, 2005.*

Table 32 Breakdown of Prosecutions and SOT Outcomes Over Previous 3 Year Period

Period	Prosecutions Initiated			SOTS Decided		
	Full Form Prosecutions (i.e. non-SOT)	SOTS Issued		Paid, no trial	Trial	
		Non Compliance with Order	No Compliance Notice		Verdict = Guilty	Verdict = not Guilty
2003 Totals	43	NA	NA	NA	NA	NA
2004 Totals	53	10	6	5	6	3
March 05	5	2	0	0	4	0
June 05	0	2	1	0	1	1
Sept 05						
Dec 05						
2005 Totals	5	4	1	0	5	1

**Please note: 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 that 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 33 Breakdown of Full Form Prosecution Outcomes Over Previous 3 Year Period

Period	Charges Decided Guilty	Charges Decided Not Guilty	Charges Decided Dismissed	Charges Withdrawn	Charges Stayed	Total Decided Charges
2003 Totals	29	0	2	29	0	60
2004 Totals	114	54	6	12	52	48
March 05	16	12	3	6	3	24
June 05	0	4	0	3	4	11
Sept 05						
Dec 05						
2005 Totals	16	16	3	9	7	35

Table 34 Breakdown of Additional Tracked Activities Over Previous 3 Year Period

Period	Closed Orders That Went Past the Stated Compliance Date (%)	Stop Work Orders Issued	Regulation Deviation Requests	Regulation Deviation Granted	Codes of Practice Under Regulations	Appeals Filed of Officer's Decisions or Orders	Appeals Filed of Director's Decisions or Orders
2003 Totals	47.7	129	70	28	15	20	10
2004 Totals	44.1	119	24	21	30	27	8
March 05	39.6	12	4	3	4	4	0
June 05	**	**	5	0	0	1	0
Sept 05							
Dec 05							
2005 Totals		12	4	3	4	4	0

**Please note: The 2005 values shown above were attained from Inspection Tracking System data compiled in June 2005.*

*** Unable to calculate due to programming issues*

The following 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 35 Breakdown of Outcomes and Outcome Measures Over Previous 3 Year Period

Measure	Target	2003	2004	Mar 05	Jun 05	Sep 05	Dec 05	2005 All
Annual Percentage of targeted inspections where a health and safety order is not issued.	Increase the Percentage from the base year (2001) measure of 43.5% .	52.5	36.0	49.2	53.3			N/A
Number of registered WCB claims per 100 employees, compared to the 5-year running average.	Maintain or decrease number of claims relative to 5 year running average (8.14). **	7.73	7.72	Provided Annually by WCB				
Average number 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 (32.88). **	38.2	41.01	Provided Annually by WCB				

**Please note: The 2005 values shown above in row 1 were attained from Inspection Tracking System data compiled in June, 2005.*

*** Also: the 5-year running averages giving in Table 25 are based on data from 2000 to 2004.*

Table 36 Statistics from the Divisions Contact Tracking System (CTS)

	2004 Totals	March 05	June 05	Sept 05	Dec 05	2005 Totals
# Complaints Received	1170	243	317			560
# Complaints for Which no Follow-Up Inspection was Performed	N/A	59	N/A			--
Avg. # Days Between Receipt of Complaint and Inspection (if one is conducted) (by Quarter End)	N/A	6.04	N/A			--
# Inquiries Received	2302	784	835			1619

** Please note: The Quarterly figures presented above were tabulated shortly following the end of the Quarter. That said, the values for rows 2 & 3 could be drastically different at a later time.*

Table 37 OH&S Web Site Tracking Statistics

Period	Total # Page Views (Laws)	Total # Downloads
2003 Totals	245,653	59,505
2004 Totals	334,937	119,934
March 05	95,319	29,737
June 05	90,394	29,991
Sept 05		
Dec 05		
2005 Totals	185,713	59,728

* Please note: The total # of Downloads figures do not include the # of OHS Act downloads as we are unable to track the activity on the server where this document resides.

Table 38 OH&S Toll-Free calls received

Period	Total # Calls received
2003 Totals	4,988
2004 Totals	4,548
March 05	990
June 05	942
Sept 05	
Dec 05	
2005 Totals	1,842

FINANCIAL

* Please note: 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 39 Financial Summary

Business Area	2004/2005 Actual Expenditures	2005/2006 Estimate
OHS Administration	1,644,656	1,546,400
OHS Professional Services	964,792	2,103,200
OHS Inspection & Compliance Services	381,002	437,500
OHS Inspection & Compliance Services, Central	1,134,177	1,264,900
OHS Inspection & Compliance Services, Southwest	528,667	620,500
OHS Inspection & Compliance Services, Northeast	571,297	638,600
OHS Inspection & Compliance Services, Cape Breton	589,715	675,500
Blaster's Board	15,409	12,000
OHS Advisory Council	111,780	51,000
Total	\$5,941,495	\$7,349,600

CLIENT SATISFACTION

Table 40 Client Satisfaction with Email Question / Answer Service

Question	Percent of maximum score (No. of responses*)				
	2004 / 2005*	2003 / 2004	2002 / 2003	2001 / 2002	2000 / 2001
No. of email surveys sent	95	43	131	251	220
Response Rate (%)	31	63	71	41	40
The information answered my question.	83.0	82.2	86.5	86.1	83.1
The information was clear, concise and understandable.	82.9	80.7	87.0	87.1	85.5
The information was received within an acceptable time frame.	86.9	87.9	86.8	88.5	87.4
You are pleased with the information you received.	83.0	87.7	89.3	88.7	86.8
Average		84.6	87.4	87.6	85.6

* Please note: Not every respondent to the client satisfaction survey answers every question.

STRATEGIC PLAN / BUSINESS PLAN

Workplace Safety and Insurance System

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

Occupational Health and Safety Division, Department of Environment and Labour

During the 2nd Quarter of 2005, the Division:

- 1) Completed work on:
 - a. Two plain language documents related to the Occupational Safety General Regulations
- 2) Started or continued work on:
 - a. a quality management program, expected to be completed in 2005/2006
 - b. a plan to improve occupational diving safety, including Occupational Diving Regulations
 - c. an overall work plan for the OH&S Division. The plan will be finished in July, 2005
 - d. the 2004/2005 annual report.

APPENDIX 4 – WORKERS’ COMPENSATION BOARD DETAILED REPORT

HIGHLIGHTS

In June the percentage of injured workers receiving their first cheque within 15 days of injury was 78.29%, below the target of 83%. Injury Reporting continued below target and this has a direct impact on the ability to pay claims on time. As well, the 83% target for Timeliness of First Payment is based on the assumption that 53% of claims are low risk. However, only 43.9% were low risk. The timeliness target is being reconsidered in light of these uncontrollable variables.

Average duration for medium-risk claims remains satisfactory and below the 13-week target. For June 2005, duration for high-risk claims is 46.05 weeks, an 11% decrease over last quarter. A Duration Status Update was provided to the Board in December outlining the complexity of the duration challenge and the multi-faceted duration reduction strategy. Client Services and Health Services are focused on implementing this strategy during 2005.

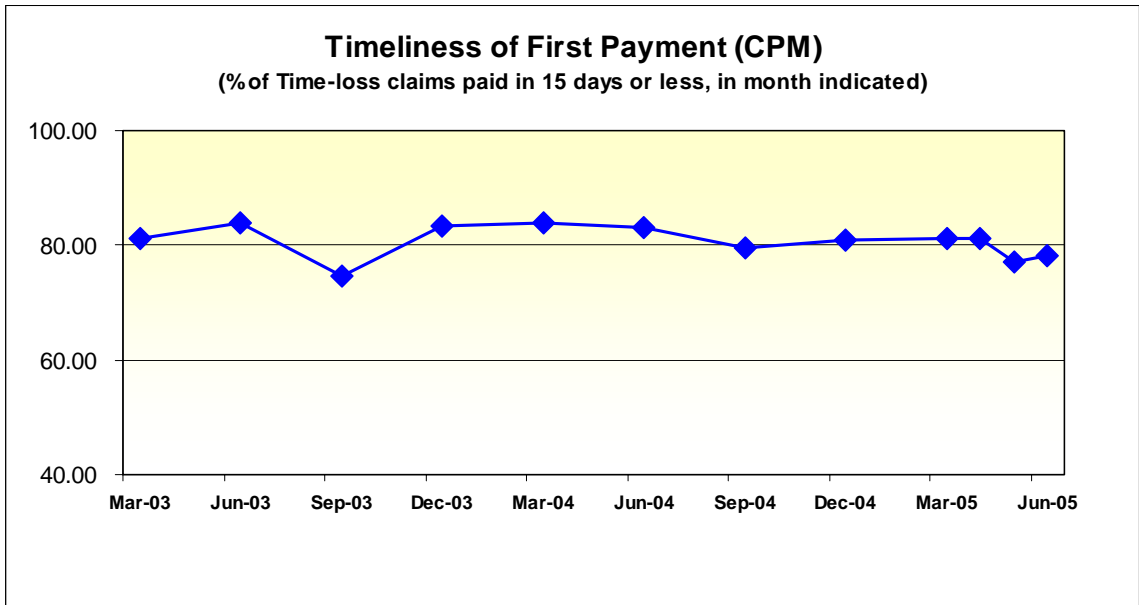
The return-to-work rates continue to show positive results. Almost 95% of medium risk claims returned to work (target is 90%) and 91.66% of high-risk claims returned to work (target is 80%).

The number of new appeals received at Internal Appeals (327 for April – June 2005) remained constant compared to the last quarter and decreased by 12% compared to same quarter last year (372 for June 2004). For June 2005, Internal Appeals is above the 95% target with 100% of paper review decisions issued within 90 days of receipt of the appeal.

In general, results from the 2nd quarter 2005 surveys indicate that injured workers’ satisfaction with WCB service remained relatively stable for Client Services compared to 1st quarter 2005 results.

The ‘injury rate’ (the number of time-loss claims per 100 person-years of employment) was previously calculated using the date a claim was opened. The calculation is revised and now uses injury date as we believe this more accurately reflects the frequency of workplace injuries in Nova Scotia. This has resulted in slightly lower injury rates. For example, December 2004 decreased from 3.04 to 2.96. The latest data available is for March 2005 and the rate is 2.92.

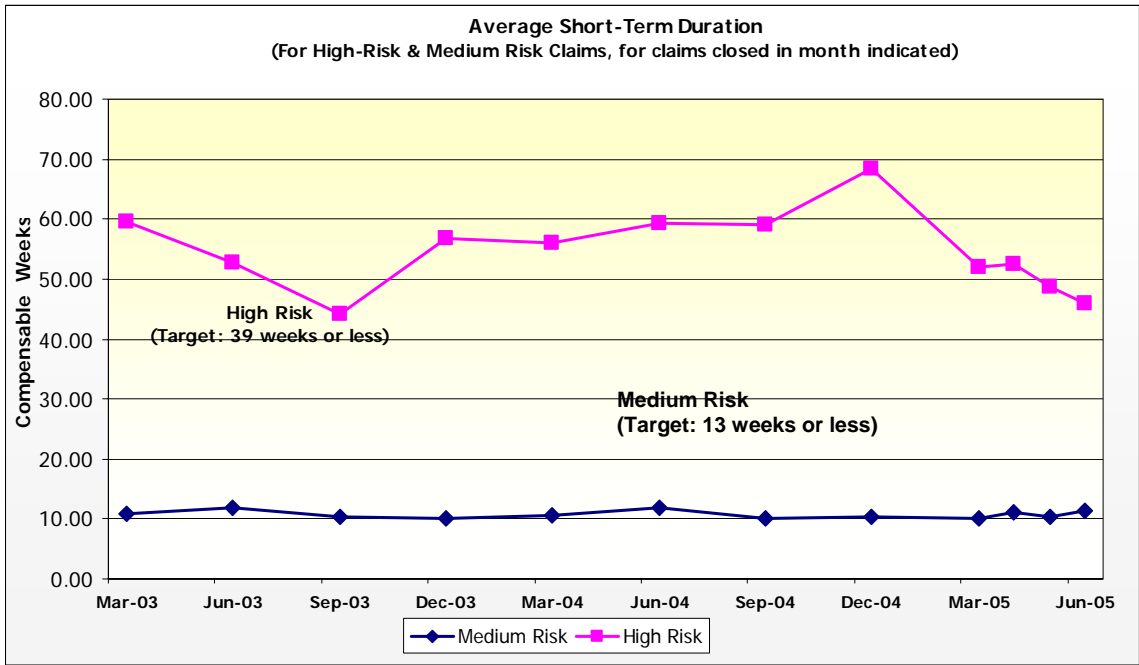
Figure 4 Timeliness of First Payment



Mar-03	Jun-03	Sep-03	Dec-03	Mar-04	Jun-04	Sep-04	Dec-04	Mar-05	Jun 05
81.20	83.80	74.60	83.40	83.90	83.20	79.5	80.9	81.29	78.29

Commentary: In June the percentage of injured workers receiving their first cheque within 15 days of injury was 78.29%, below the target of 83%. Injury Reporting continued below target and this has a direct impact on the ability to pay claims on time. As well, the 83% target for Timeliness of First Payment is based on the assumption that 53% of claims are low risk. However, only 43.9% were low risk. The timeliness target is being reconsidered in light of these uncontrollable variables.

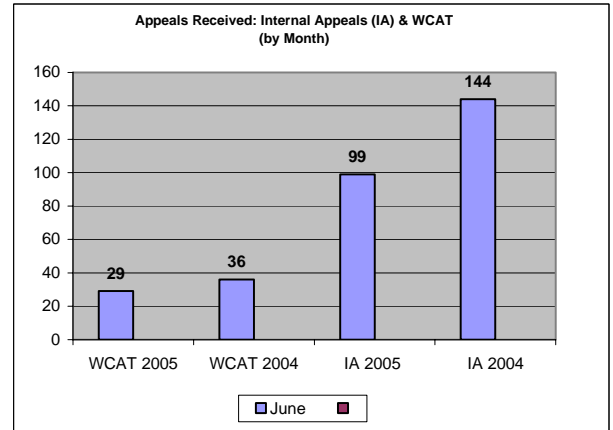
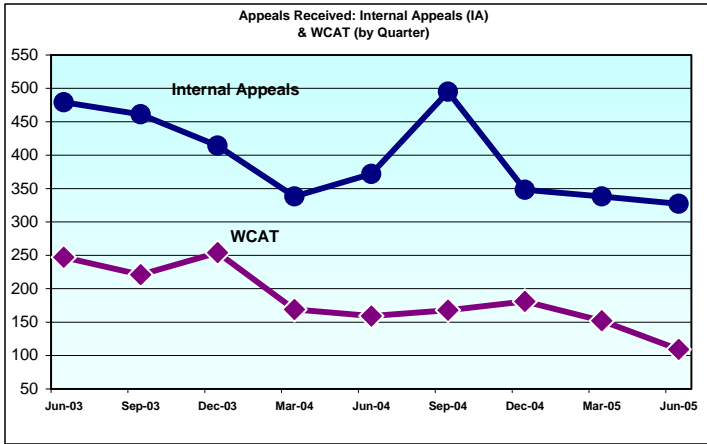
Figure 5 Average Short-Term Duration



Claims	Mar-03	Jun-03	Sep-03	Dec-03	Mar-04	Jun-04	Sep-04	Dec-04	Mar-05	Jun 05
Medium Risk	10.80	11.86	10.33	10.01	10.63	11.82	9.98	10.43	10.02	11.34
High Risk	59.60	52.70	44.16	56.88	55.96	59.31	59.1	68.45	51.91	46.05

Commentary: Average duration for medium-risk claims remains satisfactory and below the 13-week target. For June 2005, duration for high-risk claims was 46.05 weeks, an 11% decrease over last quarter. A Duration Status Update was provided to the Board in December outlining the complexity of the duration challenge and the multi-faceted duration reduction strategy. Client Services and Health Services are focused on implementing this strategy during 2005.

Figure 6 Appeals Received

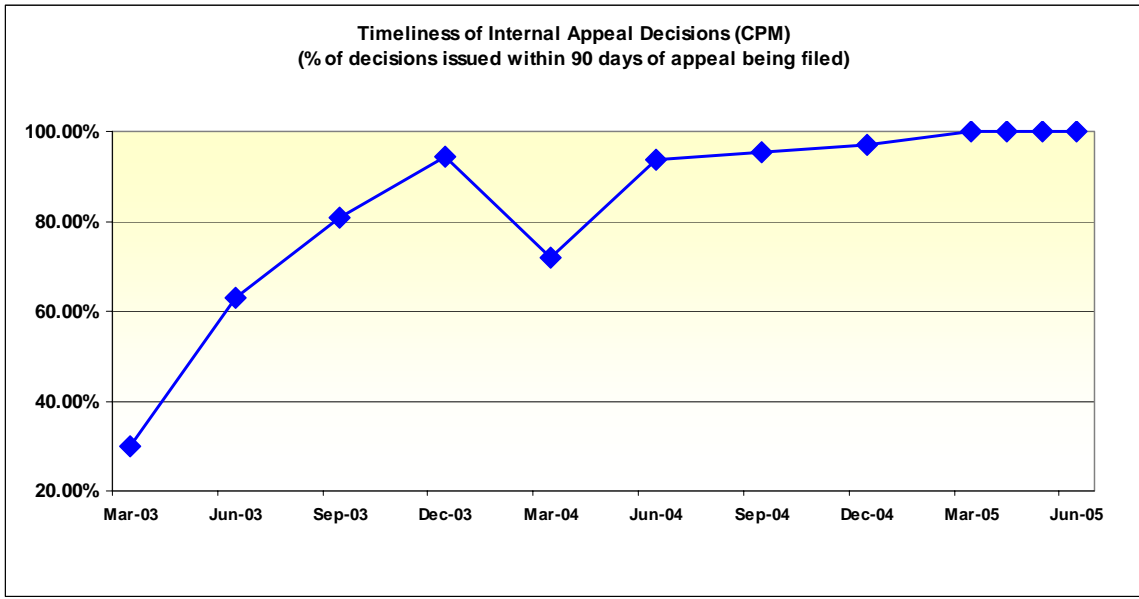


	Jun-03	Sep-03	Dec-03	Mar-04	Jun-04	Sep-04	Dec-04	Mar-05	Jun-05
WCAT	247	221	254	169	159	168	181	152	109
IA Received	479	461	414	338	372	495	348	338	327

	June
WCAT 2005	29
WCAT 2004	36
IA 2005	99
IA 2004	144

Commentary: Appeals volumes received continued on a downward trend. For WCAT, appeals received from April - June decreased 31% compared to same quarter last year while Internal Appeals decreased by 12% compared to the same quarter last year.

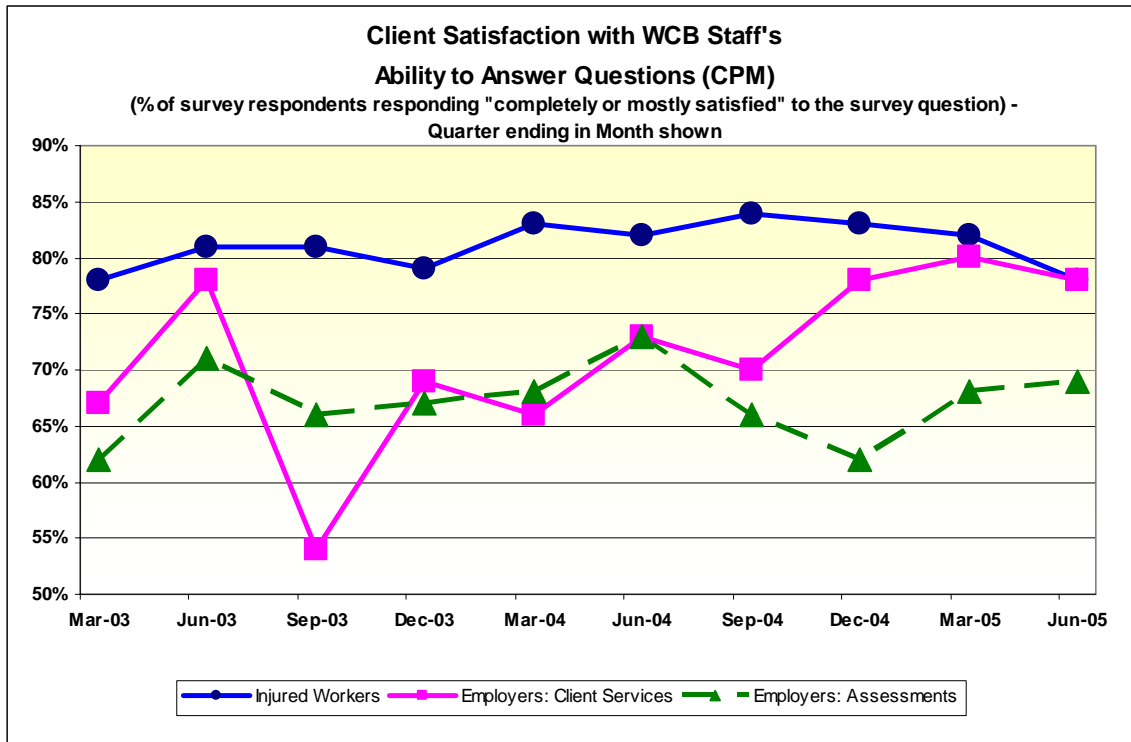
Figure 7 Timeliness of Internal Appeal Decisions



Mar-03	Jun-03	Sep-03	Dec-03	Mar-04	Jun-04	Sep-04	Dec-04	Mar-05	Jun 05
30.00%	62.90%	80.80%	94.40%	72.00%	93.60%	95.30%	96.90%	100%	100%

Commentary: In June 2005, Internal Appeals was above the 95% target with 100% of paper review decisions issued within 90 days of receipt of the appeal.

Figure 8 Client Satisfaction with Ability to Answer Questions

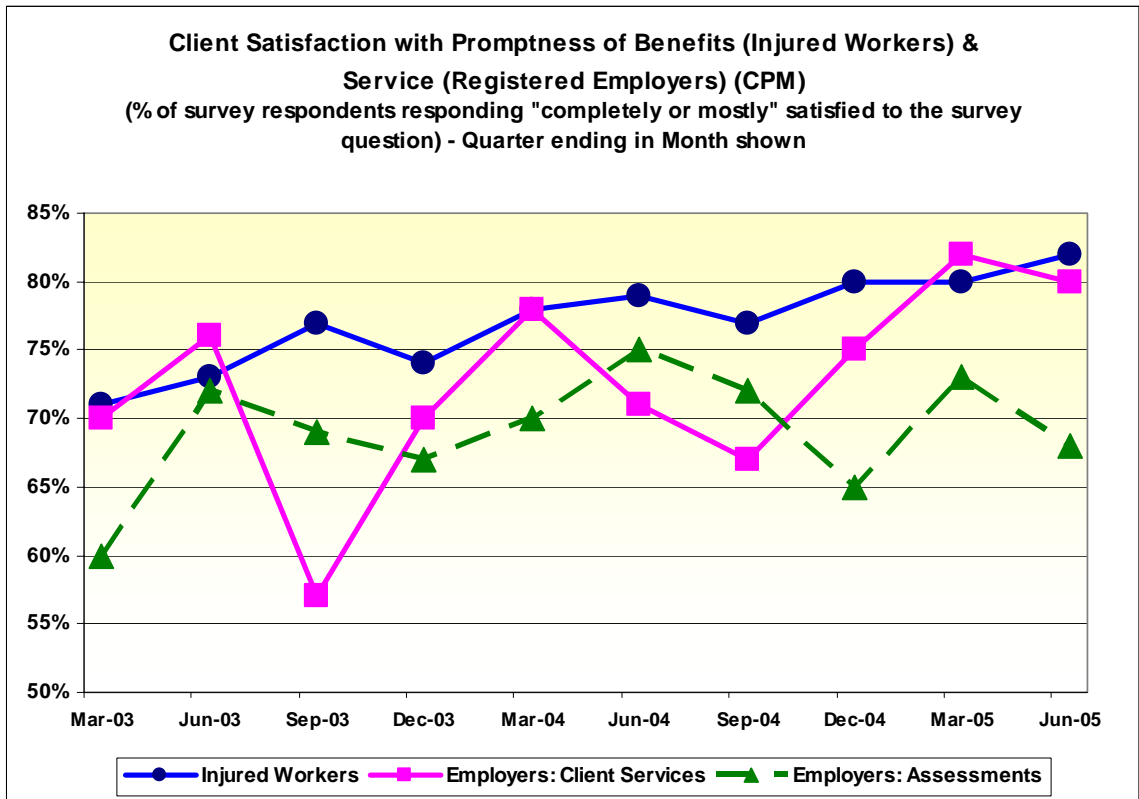


	Mar-03	Jun-03	Sep-03	Dec-03	Mar-04	Jun-04	Sep-04	Dec-04	Mar-05	Jun-05
Injured Workers	78%	81%	81%	79%	83%	82%	84%	83%	82%	78%
Employers: Client Services	67%	78%	54%	69%	66%	73%	70%	78%	80%	78%
Employers: Assessments	62%	71%	66%	67%	68%	73%	66%	62%	68%	63%

Commentary: Data provided by the Injured Worker Survey (IWS) and Registered Employer Survey (RES)

Injured workers are asked about service provided by WCB Client Services staff; registered employers are asked about service provided by Client Services and Assessments Staff.

Figure 9 Client Satisfaction with Promptness of Benefits and Service

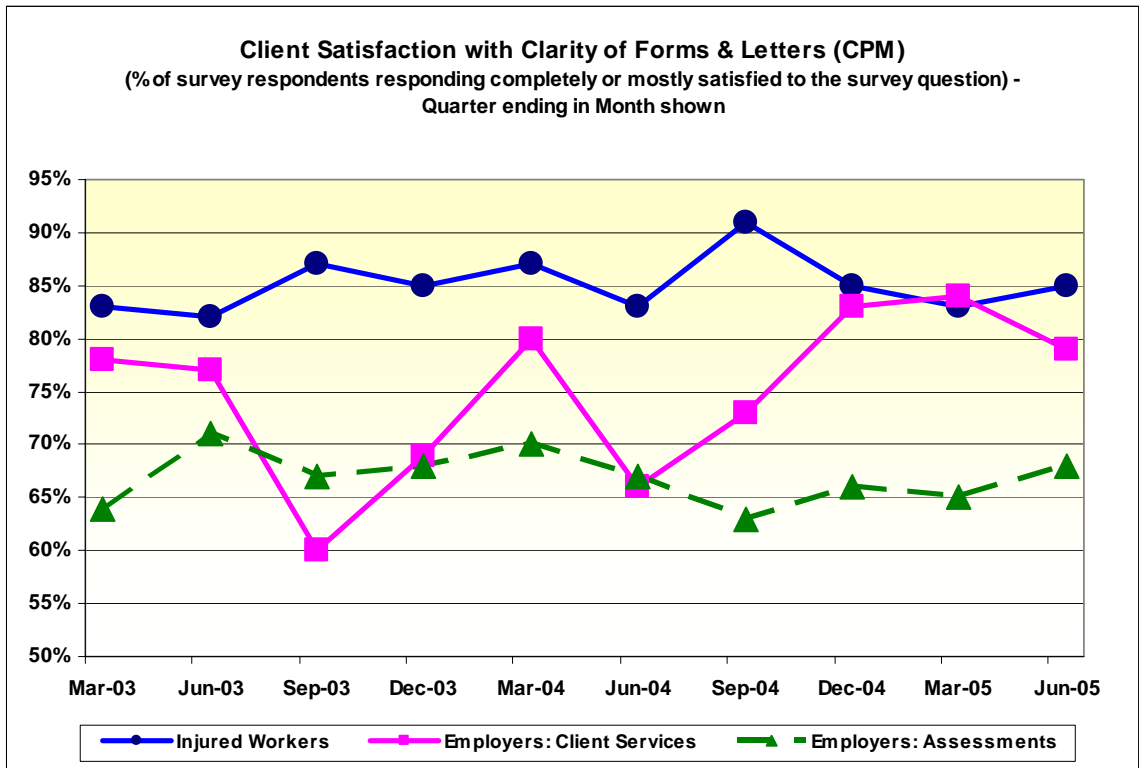


	Mar-03	Jun-03	Sep-03	Dec-03	Mar-04	Jun-04	Sep-04	Dec-04	Mar-05	Jun 05
Injured Workers	71%	73%	77%	74%	78%	79%	77%	80%	80%	82%
Employers: Client Services	70%	76%	57%	70%	78%	71%	67%	75%	82%	80%
Employers: Assessments	60%	72%	69%	67%	70%	75%	72%	65%	73%	68%

Commentary: Data provided by the Injured Worker Survey (IWS) and Registered Employer Survey (RES)

Injured workers are asked about service provided by WCB Client Services staff; registered employers are asked about service provided by Client Services and Assessments Staff.

Figure 10 Client Satisfaction with Forms

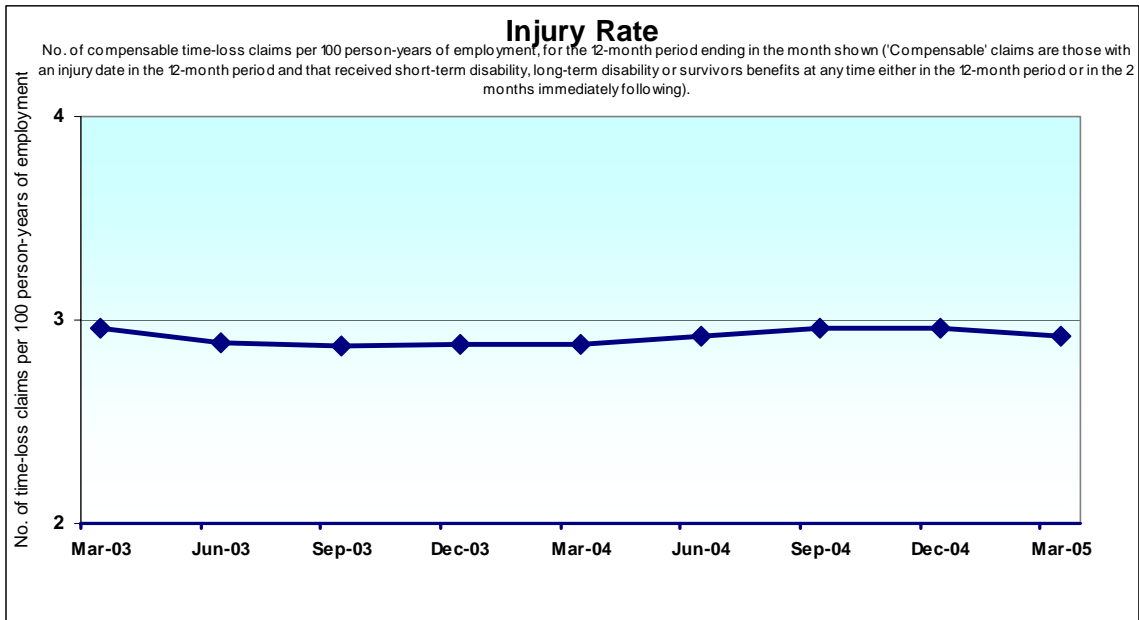


	Mar-03	Jun-03	Sep-03	Dec-03	Mar-04	Jun-04	Sep-04	Dec-04	Mar-05	Jun 05
Injured Workers	83%	82%	87%	85%	87%	83%	91%	85%	83%	85%
Employers: Client Services	78%	77%	60%	69%	80%	66%	73%	83%	84%	73%
Employers: Assessments	64%	71%	67%	68%	70%	67%	63%	66%	65%	68%

Commentary: Data provided by the Injured Worker Survey (IWS) and Registered Employer Survey (RES)

Injured workers are asked about service provided by WCB Client Services staff; registered employers are asked about service provided by Client Services and Assessments Staff.

Figure 11 Injury Rate



Mar-03	Jun-03	Sep-03	Dec-03	Mar-04	Jun-04	Sep-04	Dec-04	Jan-05	Mar 05
3.01	2.99	2.92	2.96	2.93	3.01	3.05	2.96	2.98	2.92

Commentary: In prior editions of this report, injury frequency was calculated using the date a claim was opened. The calculation is revised and now uses injury date as we believe this more accurately reflects the frequency of workplace injuries in Nova Scotia.