



2008 REPORT
TO STAKEHOLDERS



*Let's Make Workplace Injuries
a Thing of the Past*

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www.worksafenb.ca

LETTER FROM THE CHAIR AND PRESIDENT AND CEO

We are proud to present this 2008 Report to Stakeholders, a testament of WorkSafeNB's commitment to our vision of healthy and safe workplaces in New Brunswick.

We saw several significant changes in 2008, many based on recommendations made by the Independent Review Panel, which evaluated New Brunswick's health and safety and compensation system. The panel's report, *Strengthening the System*, was tabled on June 4, 2008. As a result of the review, the *Workers' Compensation Act* was amended to improve pension benefits for injured workers. The review panel also recommended changes to the *Workplace Health, Safety and Compensation Commission Act*, changes that support best practices in governance and ensure continuity. These include extending the terms of board members, appointing a vice-chairperson, eliminating the position representing the general public, and adding a fourth member to each group representing the workers and employers.

We were pleased that the panel endorsed our operational name change, from the Workplace Health, Safety and Compensation Commission to WorkSafeNB.



Our new name more accurately reflects our focus on prevention, return to work, and customer service.

The WorkSafeNB name enables us to firmly establish ourselves as the province's champion of workplace health and safety. We believe it will be the catalyst to change societal attitudes which, in 2006, had 69% of New Brunswickers believing that workplace injuries were inevitable.* While we are pleased that this attitude is changing (a recent Omnibus survey reports the number of New Brunswickers who believed that workplace injuries were inevitable was 57%, a full 12 percentage points down from 2006), we know that there is much work to be done to turn the thinking around so that all

New Brunswickers view workplace injuries and illness as unacceptable.

The Independent Review Panel suggested improving stakeholder engagement, and in the fall we began this process with a provincial consultation session with stakeholders in the construction industry. This meeting will serve as a model for future stakeholder consultation and engagement.

Other recommendations we have acted upon include hiring additional health and safety officers to enhance enforcement activities, and changing our industrial classification code from SIC to NAICS, a move that will improve accuracy and ensure fairer assessment rates to employers while minimizing risk to WorkSafeNB.

While 2008 saw assessment rates reduced for the fourth year in a row, representing the lowest rates in the Atlantic provinces, the turmoil in capital markets resulted in lower than projected invested income and our funding level fell below 100%. We

* Based on a study by Corporate Research Associates

realize we are not immune to the impact of volatile economic cycles, but we are confident that our systems and long-term funding strategies will help us return to our mandate of a fully-funded liability.

There will always be challenges to overcome, but we are confident that the commitment, expertise and hard work of our staff, under the governance of a knowledgeable and dedicated board of directors, will ensure that WorkSafeNB will continue to position itself as a model for injury prevention and workers' compensation in Canada, providing the best possible services to the province's employers and workers.



Roberta Dugas
Chairperson, Board of Directors



Douglas C. Stanley
President and CEO

2008 BOARD OF DIRECTORS



Front row, left to right

Conrad Pitre, *Vice-Chairperson*
Doug Stanley, *President & CEO*
Roberta Dugas, *Chairperson*
Lin Hupman,* *Employer Representative*
Daniel Hughes, *Employer Representative*

Back row, left to right

Morris Mendelson, *Worker Representative*
Paul LeBreton, *Chairperson, Appeals Tribunal*
Sharon Tucker, *Worker Representative*
Keith Rogers, *Employer Representative*
Mary Martell, *Employer Representative*
Danny King, *Worker Representative*
Brad Brinston, *Worker Representative*

*Term expired December 20, 2008

WorkSafeNB is governed by a board of directors whose members are appointed by the Lieutenant-Governor in Council. Under the board's stewardship, WorkSafeNB administers three acts governing workers' compensation and workplace health and safety in New Brunswick. These are:

- *The Workers' Compensation Act*
- *The Occupational Health and Safety Act*
- *The Workplace Health, Safety and Compensation Commission Act*

The board is comprised of a chairperson, a vice-chairperson, four members representing employers, four members representing workers, and two non-voting members – WorkSafeNB's president and CEO and the chairperson of the Appeals Tribunal. This mix provides a level of expertise that ensures balance in the interest of all stakeholders.

VISION, MISSION, MANDATE AND VALUES

VISION

Healthy and safe workplaces in New Brunswick.

MISSION

WorkSafeNB will promote a safe and healthy work environment to the workers and employers of New Brunswick, and efficiently provide quality services, just adjudication, and fair administration of the legislation.

MANDATE

Promote the creation of a workplace safety culture in which all employees and employers view all occupational diseases and accidents as being preventable.

Provide timely compensation benefits, medical aid, rehabilitation, and safe return-to-work services to injured workers.

Provide sustainable insurance and insurance-related services to the employer community.

Represent stakeholders and provide recommendations and advice to government with respect to legislation, and publish such reports, studies, and recommendations.

VALUES

We dedicate ourselves to the provision of prompt, effective, efficient, and caring services to each of our clients.

We believe that a team approach ensures that all members of WorkSafeNB are working towards a shared Vision, Mission, Values, and Goals.

We are committed to providing competent and energetic leadership that is focused on a clear direction for WorkSafeNB.

We ensure that our decisions are made with integrity, credibility, and accountability.

We ensure that our communications are based on trust, mutual respect, openness, and clear and reliable information.

We manage our human, material, and financial resources effectively in responding to our mandate and established priorities.

GOALS

SAFETY GOAL

Our vigorous pursuit of a safe work culture will lead to a decline in the overall frequency of accidents and a significant decline in the overall frequency of accidents in industries and firms where our resources are focused.

SERVICE GOAL

We will provide effective programs and services, implemented with care, compassion, efficiency, promptness, and fairness, to benefit both workers and employers.

RETURN TO WORK GOAL

We will decrease the time by which injured workers return or are ready to return to employment.

EFFICIENCY GOAL

We will provide the best possible benefits to injured workers while maintaining the lowest possible assessment rates for employers.

STAFF SATISFACTION GOAL

Our employees will feel their work is valuable and makes a difference, motivated by the understanding of how their role and individual contribution is critical to achieving our Vision, Mission, Mandate, Values, and Goals.

THE FOUNDATION OF THE WORKERS' COMPENSATION SYSTEM

In 1910, Justice William Meredith was appointed to a Royal Commission to study workers' compensation in Ontario. In his report, published three years later, Meredith proposed a trade-off where workers gave up the right to sue their employers in exchange for no-fault compensation benefits. Meredith's concepts, known as the Meredith Principles, became the basis for workers' compensation legislation in Canada.

Canada's first workers' compensation act was proclaimed in Ontario in 1915, while New Brunswick's workers' compensation act was enacted in 1918. Although the act has evolved to reflect a changing economy and workforce, the roots of our workers' compensation system continue to be solidly embedded within the Meredith Principles.

THE MEREDITH PRINCIPLES

No-fault compensation

Workers are eligible to receive benefits for work-related injuries or occupational diseases, regardless of fault, while workers and employers waive the right to sue.

Collective liability

All registered employers share responsibility for fully funding the cost of workers' compensation insurance, and for the system's financial liability.



Security of payment

The system is operated to ensure its long-term stability, availability, financial security, and cost-effectiveness. Compensation should be fair and reduce the financial burden of injury. Employer premiums should be fair, competitive and account for the full cost of the system including claims, reserves and administration.

Exclusive jurisdiction

WorkSafeNB has final decision-making authority – it is not bound by legal precedent, and must judge each case on its individual merits.

Board independence

The governing board is stakeholder-driven, autonomous, non-political, and financially independent of government or any special interest group.

We dedicate ourselves to the provision of prompt, effective, efficient, and caring services to each of our clients.

SAFETY

GOAL

Our vigorous pursuit of a safe work culture will lead to a decline in the overall frequency of accidents and a significant decline in the overall frequency of accidents in industries and firms where our resources are focused.

MEASURE

A decline in the overall accident frequency rate:

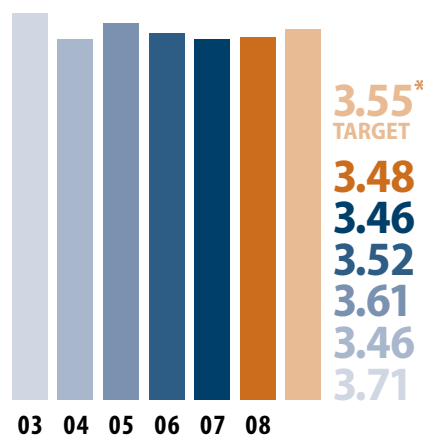
- Within the province
- Compared to other workers' compensation jurisdictions
- By payroll

RESULTS

PROVINCE-WIDE

Accident frequency increased slightly to an estimated 3.48 accidents per 100 full-time employees, representing a slight increase from 2007 (3.46 per 100 workers), but better than the target of 3.55.

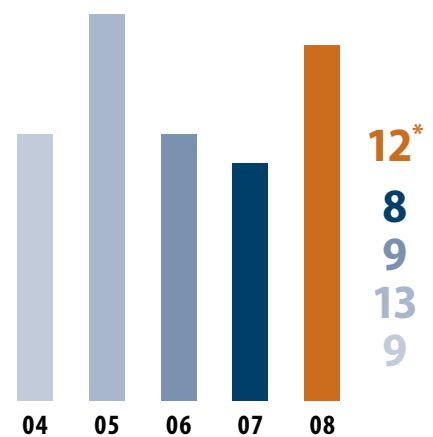
Provincial Accident Frequency Rate (Rate per 100 FTEs)



*Previous years adjusted to reflect the most current data.

In 2008, WorkSafeNB adjudicated 13,150 applications for claims, a 1% increase from 2007; 991 were rejected as being unrelated to work, or because the employer was not insured. Of those accepted 6,461 involved lost time of at least one day (a 5% increase over 2007), and 5,690 were no lost-time claims (medical costs only, and similar to 2007). There were 12 fatalities.

Fatalities by Year of Accident



Note: Represents workplace fatalities by year of accident or disease, regardless of date of death.

*Has been restated from the 2008 Annual Report to reflect new information.

JURISDICTION

Comparison information for the Canadian jurisdictions is available for 2007. The lost-time accident frequency in New Brunswick in 2007 was 1.36 claims per 100 full-time employees, up slightly from 1.33 in 2006. This represents the lowest accident rate of the reporting jurisdictions.

■ Our legislation, policies, programs and services provide New Brunswick’s employers, workers and youth with the framework and tools they need to help ensure our province remains one of the safest places to work in Canada. Through education and enforcement, we continue to build a culture of safety—a culture that we hope one day will view all workplace injuries as unacceptable, rather than inevitable. ■

PAYROLL

The number of accidents per \$1 million in assessable payroll continued to decrease in 2008, with 1.34 accidents per \$1 million in payroll. This is improved from 1.36* accidents in 2007.

**Has been restated from the 2008 Annual Report to reflect new information.*

WorkSafeNB worked with four focus industries: sawmills, nursing homes, fish processing, and supermarkets. WorkSafe Services Division staff met with employer associations in these industries to discuss safety issues, recommend improved practices, and encourage active health and safety promotion. Our health and safety officers increased their visits and inspections to these industries, and staff helped them improve their relevant programs. WorkSafeNB’s strategy to focus safety resources in these industries has been successful, resulting in an 8% improvement in accidents over the previous five-year average. Two of these focus industries – sawmills and fish processing – have seen significant improvements since 2004, enabling us to re-allocate resources.



“I joined WorkSafeNB in 1989, when it was the Occupational Health and Safety Commission. Since then, I’ve seen many changes in workplace health and safety, but to me, the most significant is the shared acknowledgement by both workers and employers for safety in their workplaces. A tripartite model of workers, employers and government, working closely together to enact and enforce legislation, was established some 30 years ago; WorkSafeNB is well positioned to be a leader in occupational health and safety and a standard for injury prevention because this tripartite model still exists today. We at WorkSafeNB can continue to help maintain New Brunswick’s status as one of the safest places to work in Canada through ongoing promotion and support of the internal responsibility principle in all New Brunswick workplaces.”

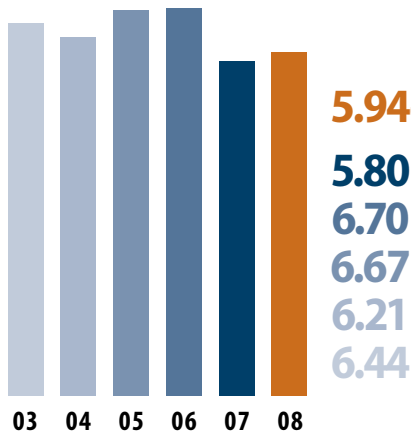
Ray Blanchard, *Assistant Regional Director, Northeast*



“Education is paramount to prevention. For a small jurisdiction I continue to be impressed with what we at WorkSafeNB achieve in that area. We continue to be a leader in Canada with the integration of health and safety education into the K-12 curriculum in New Brunswick. We owe our success to our dedicated staff, whose expertise in the area of education and consulting services is unmatched by any other jurisdiction in Canada. I am particularly proud of our ever-expanding work with youth. We have just developed a new website for teachers, and implemented mandatory training on health and safety for all students in the New Brunswick Community College network – just to mention two of our many activities aimed at educating our future workforce on workplace health and safety.”

Perley Brewer, *Manager, Client Consulting and Education Services*

**WorkSafeNB Active Focus Industries
Accident Frequency Rate (Rate per 100 FTEs)**



WorkSafeNB continued to work with focus firms (companies with poorer accident and cost records). Accident frequency in focus firms decreased by 11%, from 9.01 accidents in 2007 to 7.99 in 2008.

Enforcement and education are key to prevention. Our health and safety officers and occupational hygienists conducted 6,230 workplace inspections, and wrote 5,309 orders under the *OHS Act* and regulations. They continued to promote and enforce our zero tolerance programs in the areas of fall protection, trenching and equipment lockout.

**Prosecutions:
Occupational Health and Safety Act**

	2005	2006	2007	2008
Number of charges	42	20	30	49
Number of convictions*	13	19	12	14
Value of fines**	\$35,715	\$85,600	\$61,300	\$56,505
Complaints filed	12	9	8	19

*Does not reflect the number of individual counts for which a defendant was found guilty or entered a guilty plea. An employer found guilty of three counts, for example, shows here as one conviction.

**Includes cases begun in previous years but only concluded in 2008.

WorkSafeNB's education consultants conducted 456 workshops at workplaces throughout the province, on topics ranging from due diligence and worker/ employer responsibilities to trenching and fall protection. We also hosted a number of public workshops on topics such as lockout, WHMIS, contractor health and safety and musculoskeletal injuries (MSIs), with more than 250 people attending. More than 1,300 attended our three-day core training workshops for joint health and safety committees.

The 28th Annual Health and Safety Conference provided additional opportunities to educate New Brunswickers. About 550 participants attended the conference, featuring workshops on topics such as machine safety, electrical safety hazards and standards, noise reduction, and MSI reduction.

In 2008, WorkSafeNB partnered with the New Brunswick Community College (NBCC) network to develop a health and safety education curriculum that includes a minimum of 14 hours of health and safety training in all programs beginning in the fall of 2009. Each campus has identified a mentor, who will be trained to help deliver the curriculum and share their knowledge and resources with their colleagues. This initiative will help us reach more than 6,500 students.

We continue to work closely with the Department of Education by being involved in curriculum writing, providing support resources and introducing new programs. Between August 2007 and August 2008, close to 78,000 students, from kindergarten to Grade 12, were exposed to health and safety information through programs such as Stella the Safety Skunk, Progressive Agriculture™ Safety Days, and Passport to Safety, as well as through resources such as our YouthSafe website.

We believe that a team approach ensures that all members of WorkSafeNB are working towards a shared Vision, Mission, Values, and Goals.

SERVICE

GOAL

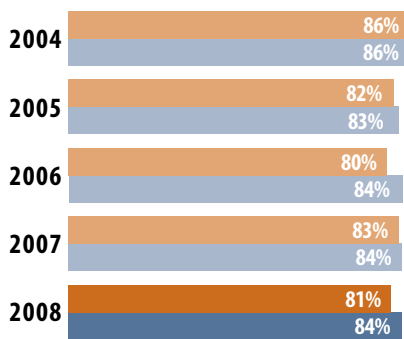
We will provide effective programs and services, implemented with care, compassion, efficiency, promptness, and fairness, to benefit both workers and employers.

MEASURE

We will continue to maintain or exceed the high level of satisfaction, in excess of 80%, that both our injured worker and employer clients have come to expect.

RESULTS

Client Satisfaction Index



Injured Workers
Registered Employers
Target 80%

CLIENT SATISFACTION INDEX: INJURED WORKERS

In 2008, 81% of injured workers indicated satisfaction with WorkSafeNB's service attributes included in the Client Satisfaction Index. This achieves the expectations established in the board's measure, but demonstrates a slight decrease in satisfaction over the 2007 level (83%).

CLIENT SATISFACTION INDEX: EMPLOYERS

In 2008, 84% of registered employers reported satisfaction with WorkSafeNB's service attributes included in the Client Satisfaction Index. This achieves the expectations established in the board's measure and is on par with the level of satisfaction reported in 2007.

Note: The Client Satisfaction Index examines injured workers' and employers' satisfaction with WorkSafeNB's delivery of service specifically as it relates to professionalism,

willingness to listen, level of understanding, accuracy of information provided, amount of benefits, communications, timeliness of handling claims, promptness of service, respect, fairness, competency, and effective problem solving.

WorkSafeNB works toward client satisfaction by offering workers fair claims adjudication, timely delivery of benefits, hands-on case management and return-to-work services, and easy to read and informative communication tools.

In 2008, WorkSafeNB created 25,691 claim files; approximately one-half of these had no application for benefits or involved no claim costs (notification of event only, or billing from physician with no subsequent application from the worker for benefits). We adjudicated 13,150 applications for claims, a 1% increase from 2007; 991 were rejected as being unrelated to work, or because the employer was not insured. Of

■ WorkSafeNB is dedicated not only to meeting but exceeding our clients' expectations, every day, in everything we do. Client satisfaction is the key indicator of our success, and our client satisfaction surveys are the tools that measure our performance. They represent our clients' voices and we listen carefully to what they say so we can continue to improve our service. ■

those accepted, 6,460 involved lost time of at least one day (a 5% increase over 2007), and 5,690 were no lost-time claims (medical costs only), and similar to 2007.

The average number of days from injury to first cheque for manageable claims increased slightly, from 23.1 in 2007 to 23.4 in 2008. Client satisfaction with timeliness of cheque remains high, at 78%. The WorkSafe Services Division is examining the issue to try to improve the number.

The Workers' Rehabilitation Centre (WRC) continued to focus on improving communication with treating physicians to increase their knowledge of our services and improve their treatment planning for individual injured workers. Activities included hosting an educational booth at the New Brunswick Medical Society Annual General Meeting in September and holding an accredited education program in conjunction with the WRC's 7th Annual Open House. We also conducted and responded to a survey with family physicians.

"Our service goal directs us to provide effective programs and services, implemented with care, compassion, efficiency, promptness and fairness. By developing and training in best practices, the Program Development and Evaluation Department (PDED) supports not only the service goal but also our return to work goal. The PDED performs comprehensive reviews of rehabilitation and case management services, including detailed audits of current practice, literature reviews and jurisdictional scans. We work closely with WorkSafeNB's chief medical officer, regional staff and treatment providers to pilot and implement new practices and services, and I believe our recommendations greatly improve client service and outcomes.

We are very excited about two of our current projects – improving case management practices for complex cases, and best practice rehabilitation for clients with shoulder injuries. And we look forward to a new challenge—that of evaluating prevention services. Our aim is to ensure that our workers receive the best treatment possible by identifying and developing high performance standards not only for ourselves, but for all our service providers."

Barb Keir, *Director, Program Development and Evaluation Department*



We continued research on Work-Related Chronic Musculoskeletal Pain: Factors Influencing Compensation and Treatment Decision, which began in March 2006 with the University of New Brunswick. Results will benefit both patient and industry groups by furthering our understanding of the decision-making process and contributing to improving current practices and guidelines for health care professionals and insurance adjudicators. We also continued work on the Insomnia Intervention Program, a collaborative project with Dalhousie University. Research is being done with clients in the Work Recovery Program.

WorkSafeNB consulted with stakeholders on possible changes to the *Occupational Health and Safety Act* and the *Workers' Compensation Act*, forestry safety and liquefied natural gas regulations. To improve accessibility to current health and safety legislation, we produced a legislation CD with a search component. In addition to the acts, the CD includes hazard alerts, risk alerts and interpretations.

WorkSafeNB's Communications Department maintains and populates three websites (www.worksafenb.ca, www.youthsafe.ca, www.nomercy.ca) and produces a number of publications for both workers and employers. These include a monthly electronic newsletter, E-News; Contact, our print newsletter; a workshop calendar; the annual and stakeholder reports; hazard and risk alerts; posters; pamphlets; pocket cards, etc. All publications are available in both official languages, and in 2008, Translation Services translated or managed the translation of close to 432,000 words. The department plans and delivers events and public relations activities, and supports the operational divisions with stakeholder activities.

WorkSafeNB works toward client satisfaction by offering employers a balanced and well-managed assessment system, designed to reward efforts for those employers whose promotion and improvements of health and safety practices produce positive results.

To improve the accuracy of classification, and ensure fairer assessment rates, in 2008 we converted to the North American Industry Classification System (NAICS), replacing the outdated Standard Industrial Classification (SIC) system. Also, to further enhance fairness and level the playing field for all employers, we entered into an information sharing agreement with the Canada Revenue Agency, helping to identify businesses that are not registered with one or both agencies, but should be.

To promote and discuss our services, WorkSafeNB's Assessment Services Department hosted 12 information sessions with employers, employer associations and groups.

The WorkSafe Services Division prevention staff conducted 12,702 activities, in the areas of education, ergonomics, occupational hygiene, general consulting and officer interventions, with 2,485 firms.

We are committed to providing competent and energetic leadership
that is focused on a clear direction for WorkSafeNB.

RETURN TO WORK

GOAL

We will decrease the time by which injured workers return or are ready to return to employment.

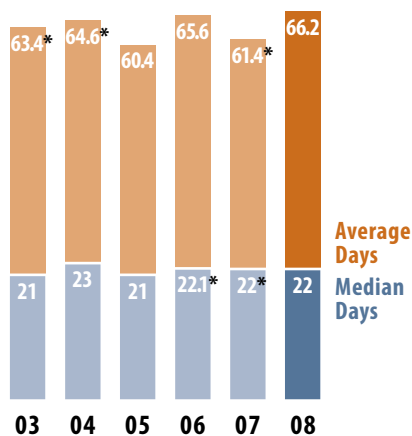
MEASURE

When compared to the previous five-year average, a decline in the average paid compensation days for claimants with a return to work goal.

RESULTS

The average number of days of paid compensation increased to 66 days in 2008, from 61 days in 2007, based upon

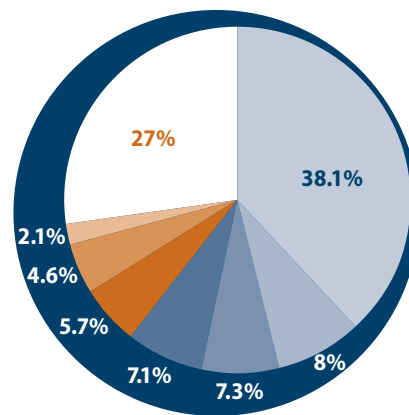
Days of Paid Compensation



*Has been restated from the 2007 Stakeholder's Report to reflect new information.

information available at year-end; the median number of days remained the same. The 2008 average is expected to improve as more complete information becomes available, resulting in a stable pattern over the years.

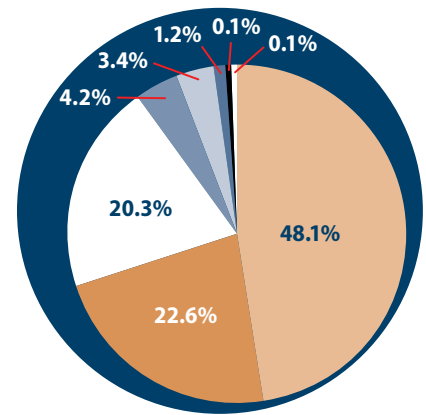
Nature of Injury 2008



- 38.1% Sprains, strains, tears, unspecified
- 8% Bruises, contusions
- 7.3% Fractures
- 7.1% Traumatic injuries to muscles, tendons, ligaments, joints, etc. unspecified
- 5.7% Cuts, lacerations
- 4.6% Back pain, hurt back
- 2.1% Traumatic tendinitis
- 27% Other

Ninety-six percent of injured workers who lost time from work returned to employment or their pre-employment status following their injury. Two percent were not employed immediately following their claim closure, and 2% were fully disabled and incapable of employment.

Nature of Event 2008

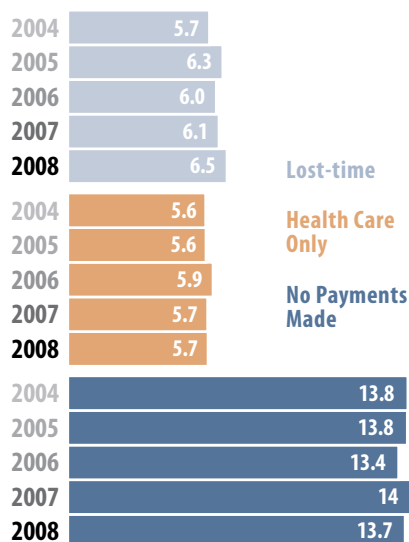


- 48.1% Bodily reaction and exertion
- 22.6% Contact with objects and equipment
- 20.3% Falls
- 4.2% Exposure to harmful substances or environments
- 3.4% Transportation accidents
- 1.2% Assaults and violent acts
- 0.1% Fires and explosions
- 0.1% Other events and exposures

■ Our return to work goal is about providing comprehensive, caring services to facilitate early return to employment while respecting an injured worker’s physical, emotional and financial needs, and promoting the benefits of return to work for both the worker and employer. ■

There were 6,460 lost-time claims processed in 2008, and the average payment per claim was \$4,501. The maximum insurable earnings for injured workers with lost-time claims, or their dependants, was \$54,200, based on 85% of their net income, and benefits are based on 85% of their net income (gross income less income tax and CPP/EI contributions).

Number of Claims Processed by Type (in thousands)



“I didn’t know what to expect when I went to the Workers’ Rehabilitation Centre (WRC) – I just knew I wanted to get back to work, and they helped me do that. The staff was so understanding, so receptive; I was really quite overwhelmed at the concern for me. Everyone – the occupational therapists, the physios, the psychologist, and team leader – worked together with me for a common goal of getting me back to work. And they don’t just treat a problem – they treat your problem. It’s customized. I can’t say enough good things about my experience. It was phenomenal.”

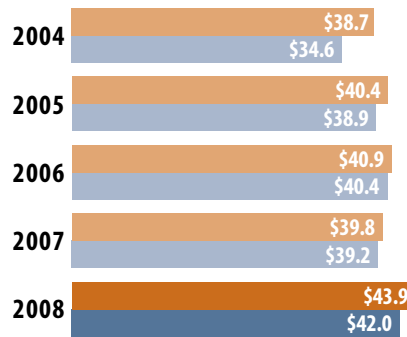
Shirley Goguen, former WRC client who is back at work

Some injured workers require more comprehensive support to help recover from their injuries and return to work. This help is provided through case management teams located in the regional offices, and may last for several months, or, in the most severe cases, several years. In 2008, 4,572 claimants received case-managed services.

WorkSafeNB's Continuum of Care model for case management is an incremental care and treatment approach to getting an injured worker safely back to employment at the earliest possible opportunity. This approach is evaluated on an ongoing basis to identify areas for improvement in process and services. In 2008, WorkSafeNB evaluated the management of shoulder injuries, the services of primary physiotherapy, work conditioning, gradual return to work, and work capacity evaluations, and the process of workplace accommodation. These reviews have resulted in several quality improvements.

Also in 2008, WorkSafeNB began a pilot project to identify and manage clients at risk of long-term chronicity. Clients scoring high on a pain and activity questionnaire are assigned to designated case managers who apply best practices in the management of these cases. An interim review of the pilot project's results indicates that return to work and claim duration has improved.

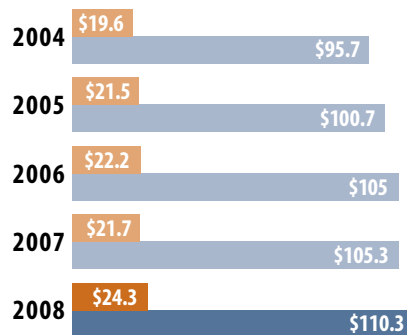
Short-term Disability and Rehabilitation and Health Care Payments (in millions)



Short-term Disability and Rehabilitation Payments Health Care Payments

Because work-related musculoskeletal injuries make up a significant portion of claims and claim costs, WorkSafeNB continues to promote its MSI program. This strategy saw a full year of application, and included helping employers implement ergonomic programs, MSI-reduction education, and compliance. The initial focus was on back and shoulder injuries, concentrating on forceful exertion in the manual handling of materials specific to our four focus industries: sawmills, nursing homes, fish processing and supermarkets.

Benefit Payments (in millions)



Current Year Injuries Prior Years' Injuries

Historically, health care payments to treat injured workers have increased significantly year after year. When adjusted for inflation, this trend has slowed in recent years, and payments have remained relatively flat since 2005; this is encouraging because the rate of inflation for health care services has generally exceeded the consumer price index (CPI).

In general, the total lost-time payments for injured workers, when adjusted for inflation, has declined annually since 2001.

WorkSafeNB provides pension and long-term disability benefits to workers with a residual disability resulting from the accident. At the end of the year, there were 1,189 pre-1982 accident pensioners, a 4% reduction from 2007, and 2,570 injured workers receiving long-term disability, an increase of 2%. Pension benefits were provided to 517 spouses and dependants, a 2% decrease.

To improve the potential for a safe and early return to work for injured workers, WorkSafeNB offers employers training and assistance with workplace accommodation and return-to-work programs, available through our regional offices. In 2008, WorkSafeNB identified and made available a network of job search providers to optimize a successful return to work for clients participating in vocational rehabilitation.

We ensure that our decisions are made with integrity, credibility, and accountability.

EFFICIENCY

GOAL

We will provide the best possible benefits to injured workers while maintaining the lowest possible assessment rates for employers.

MEASURE

At a minimum, we will maintain a fully-funded liability.

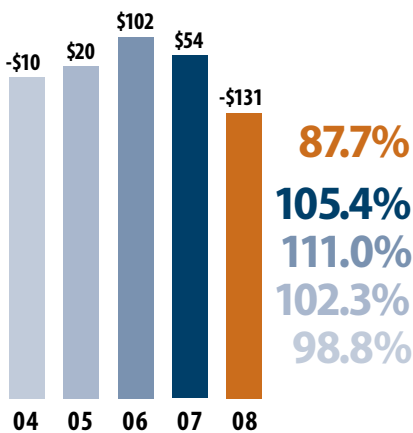
RESULTS

FUNDED LIABILITY AND INVESTMENT PORTFOLIO

WorkSafeNB generates revenues through investments to pay expenses not covered by assessment revenues. Our investment portfolio's assets, and its anticipated future income, provide for the benefit

Funding History

Dollar Amounts (in millions) and Percentage Funded

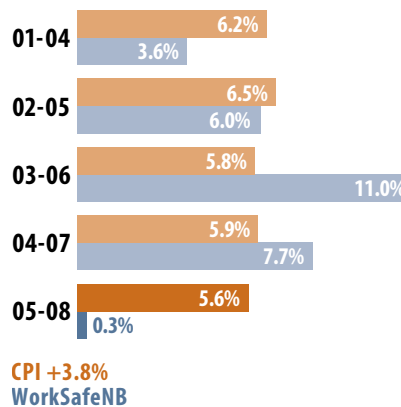


liabilities payable to injured workers, their dependants and service providers. At the end of 2008, these investments reached \$724 million, representing a 87.7% funded liability. WorkSafeNB's investment portfolio produced an annual return of -17.98%.

PERFORMANCE OBJECTIVES

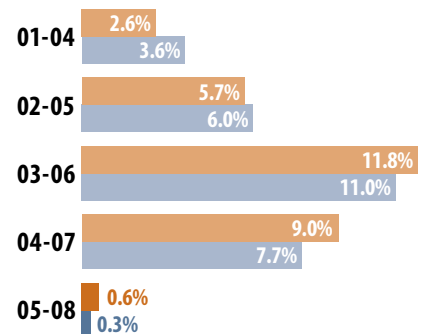
Objective 1:

The investment portfolio's rate of return is to exceed the increase in the consumer price index (CPI) + 3.8%, on a four-year moving average basis. (Before 2006, the objective was CPI + 4%.)



Objective 2:

The investment portfolio's rate of return is to exceed the return generated by the investment policy defined benchmark portfolio by 0.75%, on a four-year moving average basis.



Benchmark + 0.75%
WorkSafeNB

■ WorkSafeNB is faced with the challenge of maintaining a fully-funded liability while balancing the best possible benefits to injured workers with fair assessment rates for employers. Under the governance of its board of directors, WorkSafeNB responds to this challenge by taking a disciplined and informed approach to rate setting, investment management, strategic planning, policy development, legislation review and fraud control. ■

ASSESSMENT RATE

The provisional 2008 assessment rate of \$2.05 represents a decrease of \$0.05 from the 2007 value. The decrease reflects an improvement in WorkSafeNB's funding status. In 2008, New Brunswick's rates continued to remain the lowest in Atlantic Canada.

BENEFITS TO CLIENTS

Payments to injured workers or third parties on their behalf totalled \$134.5 million, a 5.6% increase over 2007 payments of \$127.0 million.

FRAUD AND ABUSE

WorkSafeNB conducted 271 investigations in 2008, based on referrals from our adjudication, case management and long-term disability departments. These investigations ranged from simple fact-finding for administrative purposes to detecting possible cases of fraud and abuse, and resulted in present and future claim cost savings in excess of \$1.4 million. The number of referrals continues to increase annually. In 2007, the Investigation Unit completed 241 investigations, compared to 206 investigations in 2006.



"To help meet our goal of maintaining a fully-funded liability, we focus on how we can increase efficiency and decrease administration costs, both for us and for employers. We've developed an electronic version of our accident report, the Form 67, to help do this. The new reporting method has been rolled out to employers throughout the province and the results are great. Electronic reporting helps employers meet their legislated reporting requirements under the *Workers' Compensation Act*, and relieves some of the pressure in meeting the three-day reporting deadline. The online form ensures all the necessary information is captured, significantly reducing call-backs looking for more information. Complete applications enable WorkSafeNB to proceed with adjudication and referral to case management more quickly, which can lead to an earlier return to work. A further bonus for employers is a more accurate way to allocate the costs to the proper operation, ensuring an appropriate rate is determined during the assessment process."

Mike Bourque, *WorkSafeNB Employer Services Representative*



"The transition from paper to online reporting for Form 67 has been very easy. We didn't encounter any issues and I am positive that it will continue that way. The online form is much shorter and simpler, and with much of the information that had to be input manually already on the form in drop-down boxes, it cuts down on time spent in data entry. We're pleased with the service – it's user-friendly and a lot more efficient."

Guillaume Doiron, *Human Resources & Process Control Manager, Allsco Building Products Ltd.*

THIRD PARTY ACTIONS

The General Counsel Department annually oversees 75-90 third-party motor vehicle claims, either acted upon within the department or handled by external lawyers. The 22 finalized cases in 2008 enabled WorkSafeNB to recover \$696,022 of claim expenses, and provided the same amount of cost relief to employers. (The cost relief provided is equivalent to the revenue generated by \$0.01 on the average assessment rate.) Excess damages totalling \$219,344 were paid to injured workers, in addition to compensation benefits of \$804,260.

FUNDING

As with thousands of other organizations in 2008, WorkSafeNB did not escape the impact of volatile capital markets and a global economy in crisis. And while we fell below our funding level, we undertook several initiatives that will improve efficiency and help us accelerate a return to our legislated mandate of a fully-funded liability.

WorkSafeNB's funding is based on employer assessments; employers are assigned an industry classification, and pay assessments based on their industry class and experience. To improve the accuracy of classification, ensuring fairer assessment rates and minimizing our risk, WorkSafeNB replaced its outdated Standard Industrial Classification (SIC) system with the North American Industry Classification System (NAICS). The 2009 assessment rates were established using NAICS.

Canada – Average Assessment Rates (in 2009 Ascending Order)

Jurisdiction	Actual 2004	Actual 2005	Actual 2006	Actual 2007	Provisional 2008*	Provisional 2009**
Alberta	\$1.96	\$1.83	\$1.63	\$1.46	\$1.32	\$1.32
British Columbia	\$1.99	\$1.99	\$1.89	\$1.54	\$1.56	\$1.56
Manitoba	\$1.71	\$1.72	\$1.72	\$1.71	\$1.60	\$1.60
Saskatchewan	\$2.00	\$1.99	\$1.87	\$1.87	\$1.69	\$1.66
Northwest Territories & Nunavut	\$1.82	\$1.96	\$2.00	\$1.76	\$1.71	\$1.71
New Brunswick	\$2.20	\$2.16	\$2.09	\$2.08	\$2.05	\$2.03
Quebec ¹	\$2.15	\$2.29	\$2.32	\$2.19	\$2.14	\$2.10
Prince Edward Island	\$2.39	\$2.34	\$2.24	\$2.20	\$2.15	\$2.16
Ontario ¹	\$2.19	\$2.23	\$2.24	\$2.24	\$2.26	\$2.26
Nova Scotia	\$2.59	\$2.63	\$2.63	\$2.64	\$2.65	\$2.65
Newfoundland	\$3.41	\$3.30	\$2.66	\$2.73	\$2.75	\$2.75
Yukon ²	\$1.54	\$1.79	\$2.28	\$2.87	\$2.94	\$3.00

Note: Comparisons of average assessment rates can be very misleading and are influenced by the various methods adopted by WCBs for developing these averages. For example, weighting of individual rates by payroll or by industry can significantly impact the average rate. The mix of industry, the varying benefit levels and earnings ceilings, extent of industry coverage and degree of funding of liabilities can also result in distorted comparisons of average assessment rates by jurisdiction. Extreme caution should, therefore, be exercised in how average WCB assessment rates are used.

All rates, except for the two most recent years, are the actual average assessment rates for all jurisdictions except Ontario and Quebec. Ontario and Quebec rates for all years are provisional average assessment rates that are set at the beginning of each year.

* Rates estimated except Quebec

** 2009 estimated rates projected as of January 2009, except Quebec. In Quebec the rate represents the decreed rate set at the beginning of 2009.

¹ Provisional rates set at the beginning of each year.

² Rates for Yukon have been restated and are based on rate-assessed employers

*Source: Association of Workers' Compensation Boards of Canada
Certain figures may have been restated to reflect more up-to-date information.*

By entering into an information-sharing agreement with the Canada Revenue Agency, we were able to identify 400 New Brunswick businesses not registered with WorkSafeNB, but who should have been. Full compliance helps create a level playing field for all businesses and helps ensure that New Brunswick's workers receive the benefits to which they are entitled.

Our Workplace Information System (WIS) records data and helps our field staff plan their work. WIS was upgraded in 2008 to provide our field staff with remote access, enhancing efficiency by optimizing the time spent at workplaces. An online Form 100, the form used by annually assessed employers to report payroll estimates, increased the accuracy of their submissions, reducing the time staff spent verifying data and collecting missing information.

We ensure that our communications are based on trust, mutual respect, openness, and clear and reliable information.

STAFF SATISFACTION

GOAL

Our employees will feel their work is valuable and makes a difference, motivated by an understanding of how their role and individual contribution is critical to achieving our Vision, Mission, Mandate, Values, and Goals.

MEASURE

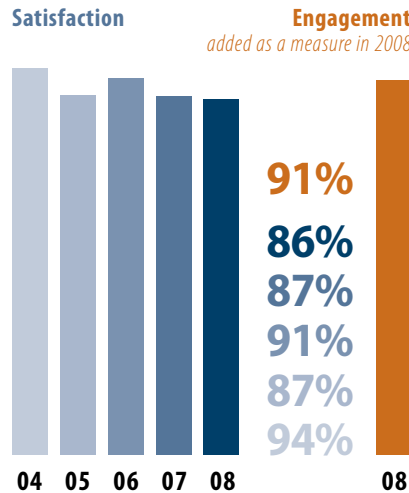
We will continue to maintain or exceed the high level of satisfaction, in excess of 80%, that our employees have come to expect. We will also maintain or exceed a high level of engagement, in excess of 80%.

Other indicators that will be measured in support of the goal and compared to the most recent five-year average include:

- Absenteeism
- Health and safety
- Staff turnover

RESULTS

The response rate to the annual satisfaction survey was 92%, with 86% of those respondents indicating that they find WorkSafeNB “a good place to work.” The measure, as set by the board of directors, indicates maintaining or exceeding the high level of satisfaction, in excess of 80%, that our employees have come to

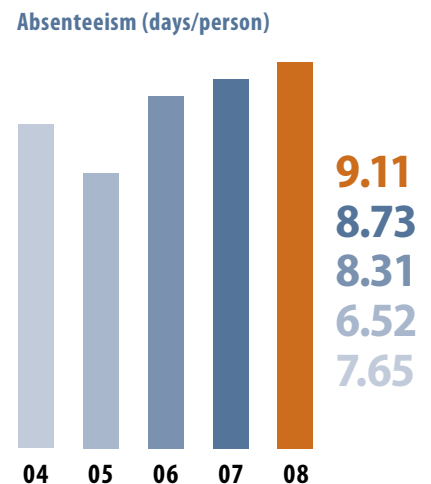


expect. In 2008, responses to new survey questions to measure staff engagement indicated that 91% of our employees are engaged. Engagement measures employee commitment to their work, and if they believe it is valuable, makes a difference, and contributes to the organizational goals.

ABSENTEEISM

On average, employees were absent from work 9.11 days, slightly higher than the

five-year average of 7.96 days. The Human Resources Department, along with the directors and managers, will monitor attendance and help employees through the attendance management program.



Despite the higher absence rate, 11% of our employees were recognized for perfect attendance in 2008 and a significant number have this record for more than one consecutive year. These include:

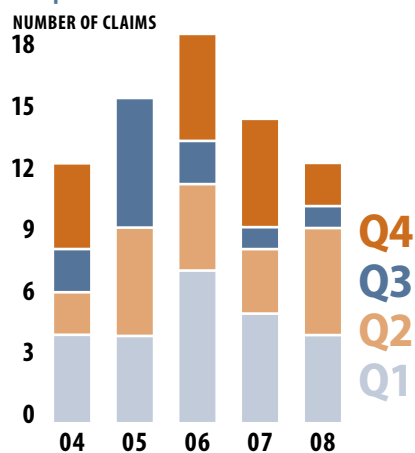
■ WorkSafeNB knows that its safety, service, return to work and efficiency goals can only be achieved when staff satisfaction is high. Maintaining a fair, respectful, healthy and safe workplace ensures that WorkSafeNB attracts and retains a caring, capable and diversified workforce – one committed to delivering the best service possible. ■ We do this by offering a competitive wage and benefits package, encouraging educational and professional development, maintaining relevant wellness, health and safety, and employee assistance programs, and providing opportunities for advancement. ■

21 employees for one year, 10 for two consecutive years, 10 for two consecutive years, four for three consecutive years, seven for four consecutive years, and eight for five consecutive years.

HEALTH AND SAFETY

The number of accepted claims in 2008 was 11, representing 2.52 of accepted claims per 100 full-time equivalents (FTEs), and lower than the five-year average of 3.45 per 100 FTEs. Two were lost-time claims totalling 42 days and, at just over \$12,000, representing the lowest claims cost since 2002. WorkSafeNB's active incident and hazard reporting procedure supports a positive health and safety environment. In 2008, the health and safety index from our survey was 86%,

Accepted Claims for WorkSafeNB staff



“WorkSafeNB looks to attract a diversified, caring and capable staff who feel their work is valuable and makes a difference. We know that having the right people in the job is key to delivering quality service, so selecting the right employee is critical. That’s why our interviews are behaviour-based. Through the behaviour-based interview, we can learn about a candidate’s professional behaviours by having them relate examples of past situations that are similar to circumstances they may face on the job. Although traditional types of interview questions may also elicit information regarding skills and abilities, they fail to explore real-life situations of how candidates have actually applied these skills and abilities in the past. The behaviour-based interview approach is designed to hone in on specific competencies required for success—competencies such as adaptability, leadership and problem solving.”

Rose-Anne Comeau, *Manager, Staffing*

less than our two-year average of 88%. Managers review individual results to work on improving this average.

WorkSafeNB strives to improve the health and safety of our staff and reduce claims by vigorously supporting programs such as wellness, employee assistance and disability management.

Our Wellness Program provides employees with a variety of activities supporting the four global objectives of physical, nutritional, psychological and basic health. Activities included: aquacise classes; flu vaccinations; fitness challenges; and wellness lunch and learn sessions.

WorkSafeNB supports an effective Employee Assistance Program. In 2008, usage was at 14.7%.

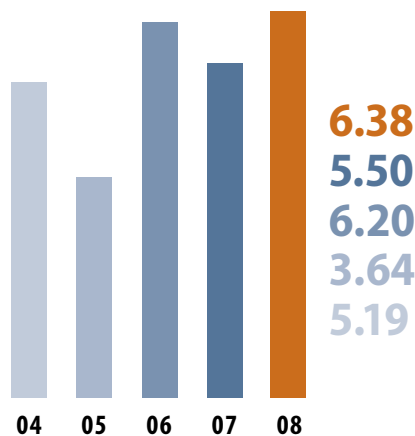
Our Disability Management Program helped nine employees: seven employees returned to work during the year through the Gradual Return to Work Program, one employee remained on the job through workplace adjustments, and one employee returned to work in a part-time position.

Health and Safety Program activities included: job hazard reviews; steps to reduce repetitive strain injuries; researching and updating our employee responsibilities within the health and safety program; implementing a code of practice for respirators; improving emergency response plans and WHMIS program; developing an organization tag and lock out procedure and delivering a course on Dealing with Violence in the Workplace.

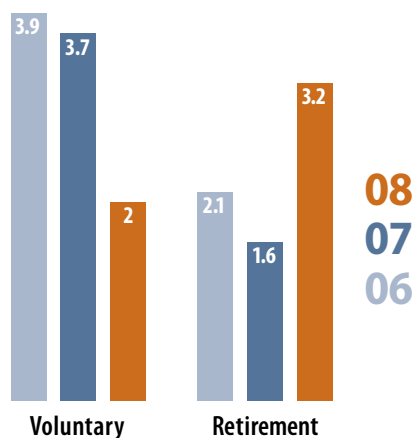
STAFF TURNOVER

The staff turnover rate in 2008 was 6.38%, consistent with the five-year average of 5.3%. Of the 27 people who left the organization, 14 retired. We predict retirements will account for 50% of the turnover in the next five years. This does present a risk to WorkSafeNB, but we've developed a recruitment action plan to ensure we obtain and maintain a dedicated, highly capable and caring staff.

Staff Turnover (percentage)

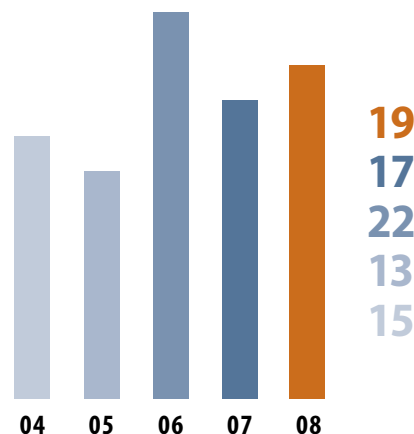


Staff Termination Reasons* (percentage)



*Does not include those who left because of performance issues, or death.

Internal Positions



By promoting existing staff, we retain valuable knowledge within the organization. In 2008, 19 employees were promoted from within. Opportunities for advancement are supported through professional development, and in 2008 \$862,679 was budgeted for educational and professional development. In addition, the Human Resources Department sponsored 30 workshops and six French language programs, in which 322 staff took part. Through yearly performance reviews, our staff and their managers discuss professional development opportunities and review job descriptions and job hazards. In 2008, performance reviews were conducted with 97% of the staff, and 110 job descriptions were reviewed and updated.

EMPLOYMENT MILESTONES AND RETIREMENTS.

IN 2008, WORKSAFENB RECOGNIZED 77 EMPLOYEES FOR THEIR YEARS OF PUBLIC SERVICE.

Those with 5 Years of Government Service

Denice Anderson, Nancy Boutcher,
Monica Brown, Yvon Collette,
Fidèle Cormier, John Debly,
Kim Despres, Yves Dorais, Angela Dunham,
Jeff Duplessie, John Duplessis,
Dorothy Eldridge, Yves Lapointe,
Dwayne Nice, John Price, Roland Roy,
Stella Taillefer, Joan Vautour, James Walker.



*From left to right: John Duplessis,
Stella Taillefer, Yves Dorais,
Monica Brown, Angela Dunham,
Denice Anderson, Fidèle Cormier,
Joan Vautour.*

Those with 10 Years of Government Service

Donald Bernard, Jacek Brachaniec,
Troy Brake, Peter Ferris, Doug Fillmore,
Frank Forestell, Krista Hartery,
Krista Kraitzek, Suzanne Labelle,
Pauline LaCroix, Lysbeth Larooi,
Edythe McDermott, Gerard Richard,
Suzanne Sharpe, Paula Taylor.



*From left to right: Frank Forestell,
Lysbeth Larooi, Suzanne Sharpe,
Krista Kraitzek, Donald Bernard,
Paula Taylor, Jacek Brachaniec,
Krista Hartery, Pauline LaCroix.*

Those with 15 Years of Government Service

Diane Baker, Chantal Corbin,
Patricia Darrah, Marina Forestell,
David Greason, Sally MacCallum,
Heather Murray, Eric Sparkes.



*From left to right: Diane Baker,
Heather Murray, Sally MacCallum.*

Those with 20 Years of Government Service

Patricia Arsenault, Gary Carter,
Nadine Cormier, Christine Crawford,
Sharon Driscoll, Joanne Gaudet,
Amber Graham, Josiane Hewitt,
Paul LeBreton, Jose Ledezma, Paul Leger,
Angela Morin, Penny Nichols,
Jacqueline Phinney, Jeannette Richard,
Juliette Robichaud, Lynne Roy-Dow,
Robert Thomas, David Woodward.



*From left to right: David Woodward,
Juliette Robichaud, Jose Ledezma,
Jacqueline Phinney, Patricia Arsenault,
Joanne Gaudet, Paul Leger,
Nadine Cormier, Amber Graham,
Gary Carter.*

Those with 25 Years of Government Service

Roland Bordage, Michael Bourque,
Maurice Cormier, Linda Laforge,
Scott Lockhart, Wesley Logan,
Brenda Malcolm, Jim Stoddard.



*From left to right: Jim Stoddard,
Brenda Malcolm, Wesley Logan,
Maurice Cormier, Michael Bourque.*

Those with 30 Years of Government Service

Sheilah Bacon, Gerard Gionet, Brent Hoyt,
William McFarlane, Pauline Roy,
Harley Thibault.



*From left to right: Presenter Doug Stanley
(president & CEO), Harley Thibault,
Brent Hoyt, presenter Ron Hyson
(member, board of directors).*

Those with 35 Years of Government Service

Ron Corvec, Pamela Gallop.

Those who retired during 2008

Muriel Albert, Lois Biddiscombe,
Nicole Daigle, Elizabeth Ferris,
Rose-Marie Godin, Bandu Imbulgoda,
Pauline LaCroix, Gilles LeBlanc,
Nola McGinn, Fran Metcalfe,
Gilles Pelletier, Sally Secord-Fritz,
Michel Soucy, Richard Tingley.



*From left to right: Presenter
Roberta Dugas (chair, board of
directors), presenter Doug Stanley,
president & CEO, Lois Biddiscombe,
Fred Hoyt, Nola McGinn, Gilles LeBlanc,
Pauline LaCroix, Richard Tingley.*

We manage our human, material, and financial resources effectively
in responding to our mandate and established priorities.

APPEALS TRIBUNAL

GOAL

To deliver the highest quality services possible, and the fair and timely resolution of appeals.

TARGET FOR 2008:

To increase the number of appeals processed and to continue improving the processing time of decisions from hearing to the decision being mailed.

2008 RESULTS SUMMARY:

The Appeals Tribunal processed 4% more appeals in 2008 than in the previous year. The processing time from hearing to the decision being mailed was reduced by 9%.

The Appeals Tribunal, operating at arm's length from WorkSafeNB, offers employers and workers the opportunity to appeal WorkSafeNB decisions. The Appeals Tribunal's primary responsibility is to provide fair, consistent and impartial decisions in a timely manner.

THE APPEALS TRIBUNAL CONSISTS OF THE FOLLOWING:

- **Chairperson:** Reports to the board of directors on the administrative operation of the Appeals Tribunal. He also acts as a chairperson for appeal hearings.
- **Vice-chairpersons:** We currently have six part-time vice-chairpersons who chair appeal hearings.
- **Appeals Panel members:** Appeals Panel members, representatives of workers or employers throughout the province, are appointed by the board of directors. At present, we have 19 part-time members.
- In support of the activities of the Appeals Tribunal, 12 staff members work to schedule hearings, prepare the necessary documentation and ensure decisions are sent to all parties concerned.

ACHIEVING FAIR, CONSISTENT, IMPARTIAL AND TIMELY COMPLETION OF APPEALS REQUIRES:

- Well-trained vice-chairpersons, panel members and staff
- A consistent approach to deciding appeals
- Supportive legislation and policies

THE APPEALS TRIBUNAL OFFERS THE FOLLOWING SERVICE:

Workers, dependants, and employers can appeal WorkSafeNB decisions. As an administrative tribunal, the Appeals Tribunal is a quasi-judicial body that follows the rules of Natural Justice in its decision-making.

■ The Appeals Tribunal strives to provide fair, consistent and impartial decisions as quickly as possible, with a commitment to streamlining procedures and generating efficiencies. ■

APPEALS PANEL HEARINGS

An Appeals Panel will consider an appeal at an Appeals Panel hearing. The Appeals Tribunal holds its hearings in regions throughout the province in the official language chosen by the person submitting the appeal. Appeals Panel decisions are final and delivered in writing. The Appeals Panel consists of a Three-Person Panel or a Single-Person Panel.

THREE-PERSON PANEL

A Three-Person Panel is made up of a chairperson and two panel members. The chairperson is chosen from the Appeals Tribunal's list of individuals appointed for that purpose. The two remaining panel members consist of a worker representative and an employer representative, also chosen from pre-established lists. Panel members are required to act impartially, and as such, do not represent any particular group.

SINGLE-PERSON PANEL

A Single-Person Panel is subject to the consent of all parties and consists of a chairperson acting alone.

"After having brought the number of outstanding appeals within reasonable limits in 2004-2005, the Appeals Tribunal again began receiving an increased number of notices of appeal. While the Appeals Tribunal has been able to reduce the number of appeals waiting to be heard, to permanently overcome these difficulties, a fundamental change must be made in the way appeals are processed and heard. To do this, the Appeals Tribunal should be given, by legislation, the ability to determine the manner of hearing while respecting the rules relative to procedural fairness. Changes have already been made to the timeliness of appointments of vice-chairpersons, but additional changes are needed in the way advocates carry out their functions and the manner in which WorkSafeNB documents its decisions."

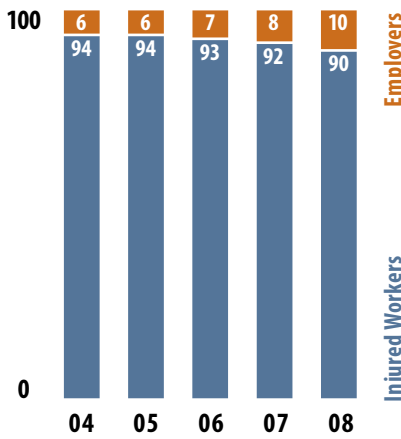


Paul M. LeBreton,
Chairperson of the Appeals Tribunal

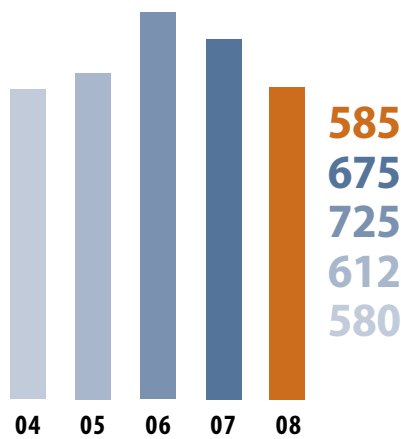
HIGHLIGHTS:

- The amount of appeals received decreased by 13% from 2007.
- The amount of appeals processed and resolved increased by 4%.
- The overall processing time from the hearing to the decision being mailed was further reduced by 9% from the 2007 level.
- The inventory of appeals to be heard decreased by 21% from 2007.
- The amount of postponed appeals increased by 29% over last year's level. In previous years, the amount of postponed appeals was a concern to us as these files remain in our inventory of appeals to be scheduled. Since 2006, we monitored postponed appeals to determine if a trend was developing and took one measure of withdrawing appeals in lieu of postponing when it was determined that the appeal was not ready to proceed. In late 2007 and the first part of 2008, the amount of appeals postponed increased due primarily to inclement weather experienced in our hearing locations.
- Appeals withdrawn before the hearing have increased by 30%. Although some of this increase can be attributed to appeals being withdrawn in lieu of postponing, we are aware of other reasons for this increase. On several occasions, appellants will submit an appeal application before seeking assistance with the workers' or employers' advocates. After seeking assistance, these appeals are sometimes withdrawn to allow the representative time to review the file and to obtain additional information to be sent to WorkSafeNB for review.

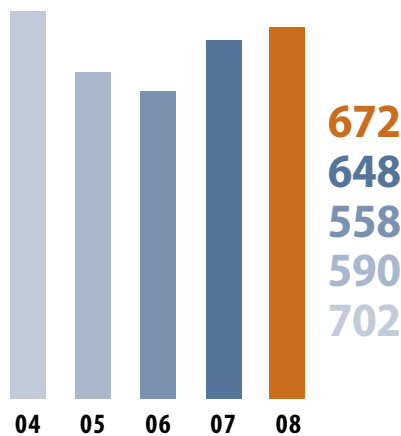
Appeals Initiated



Appeals Received



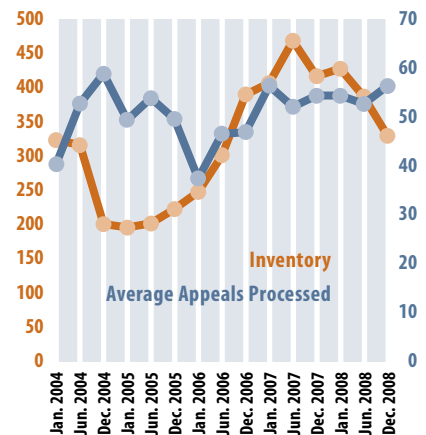
Appeals Resolved



- In late 2007, the Canadian Legal Information Institute (CanLII) asked that the Appeals Tribunal send them our decisions to be published on its

website. In 2008, all new decisions of the Appeals Tribunal were sent for publication. As well, during the summer, a student was hired to catalogue previous year's decisions to be published on the CanLII website (www.canlii.org). Decisions going back to 2000 were sent, although only those to late 2004 have been published to date. This project complements the work already completed to publish Appeals Tribunal decisions on our website and provides the public with another source of accessing our decisions for research purposes or when preparing for an appeal.

Overview of Inventory of Appeals



Appeals Results

	2004	2005	2006	2007	2008
Accepted	59%	62%	68%	67%	68%
Partial	6%	7%	3%	5%	6%
Denied	33%	30%	28%	25%	25%
Withdrawn (at hearing)	2%	1%	1%	3%	1%

appeals.tribunal@ws-ts.nb.ca

The Appeals Tribunal's primary responsibility is to provide fair, consistent and impartial decisions in a timely manner.

CONTACT INFORMATION

TOLL-FREE NUMBERS

Health and Safety Emergencies
 Claims Inquiry
 Assessment Services
 Workers' Rehabilitation Centre
 Appeals Tribunal
 1 800 222-9775

Physician Inquiry Line
 1 877 647-0777

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SAINT JOHN

*Mailing address for all WorkSafeNB
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 1 Portland Street
 P.O. Box 160
 Saint John, NB E2L 3X9

HEAD OFFICE

ASSESSMENT SERVICES

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APPEALS TRIBUNAL

Phone: 506 632-2200
 Toll-free: 1 800 222-9775
 Toll-free fax for claims: 1 888 629-4722
 Appeals Fax: 506 633-3989

DIEPPE

30 Englehart Street, Suite F
 Phone: 506 867-0525
 Toll-free: 1 800 222-9775
 Fax: 506 859-6911

BATHURST

Place Bathurst Mall,
 1300 St. Peter Avenue, Suite 220
 Phone: 506 547-7300
 Toll-free: 1 800 222-9775
 Fax: 506 547-7311 or 506 547-2982

GRAND FALLS

166 Broadway Blvd., Suite 300
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 Fax: 506 475-2568

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