

AMC 310-10 Quarterly Meeting

Location: Days Inn, Portage La Prairie

Time: 8:30am to 3:30pm

Date: September 10, 2008

Note: This report is not verbatim but is complete and inclusive of all significant discussion to the best of the writer's ability. This is a Meeting Report rather than official Minutes and should be read in conjunction with the attached materials.

Agenda

Time	Activity
8:30—9:00	Registration & Coffee
9:00—9:45	Dr. Margaret Friesen-U of M Dept of Occ. Therapy--Injury and Attribute Assessment
9:45—10:15	Question Period
10:15-10:30	Break
10:30-11:15	Jenifer Hyra—WSH—Agricultural Safety Inspector—Machine Guarding
11:15-11:45	Question Period
11:45—1:00	LUNCH
1:00—1:45	George Anderson—MBWCB—Lead Fraud Investigator
1:45—2:20	Question Period
2:20—2:30	Marty Cobb—AMC Safety Program Manager
2:30—3:30	Roundtable talks

1. Introductions

2. Presentation by Dr. Margaret Friesen regarding Modified work, return to work, job accommodation, in the Ag industry.

- a. When someone has been on WCB you have to wait a year before you can fire them.
- b. WCB doesn't cover Stress leave or Physiological leave but they may cover some rehab costs.
- c. William from Morris Industries re-stated that the doctors are not working with the return to work program with a lot of the companies. Dr. Friesen said that it may be because the Doctors aren't aware of the jobs that are available. This was felt no to be the case.
- d. Warren Scott from Hi-Tech brought up the question if the companies are responsible for the retraining costs for an employee that cannot go back to their original jobs. Dr. Friesen said that the companies would have the cost show up on their statement from WCB.
 - i. HAND OUT: Sample of Physical Demands Letter
 - ii. HAND OUT: Physical demands characteristics of work. Sedentary on this form is now known in the industry as "Limited".
 - iii. HAND OUT: Fact sheet for Human Rights

- e. Ken Kostinuk asked if when they come in to assess someone will they look at the financials to see what the company can afford in terms of, example Sit stand stool. Dr. Friesen said that they would look at the amount of employees that work there and give them a money range of fixes. They would not look at the companies financial records.
- f. Comment: If an employee comes back to work after a non-covered WCB claim a good resource to look into for financial support could possibly be Manitoban's with Disabilities (SMD).
- g. Morley Wishart from Princess Auto asked if there is a difference between accommodations for someone that has been injured outside of the workplace. (MPIC Claim etc) Dr. Friesen said that she is only talking in regards to WCB Claims.
- h. Warren set an example of outside insurance and what Hi-Tech did. They hired a guy with a stroke but didn't think to educate the people that would be working along side of this person. They weren't sure if the employee wanted anyone to know but after the other employees getting frustrated because he didn't have short term memory and kept forgetting what he was suppose to do, they talked to the employee who had to stroke to see if it was o.k. to let his fellow workers know why he had a problem with short term memory. The employee agreed and the other employees were much more sympathetic and helped him out more.
- i. Peter Scarlett from Westeel brought up the issue with hiring people that have a condition that they don't disclose. The question was posed on how a company can avoid an accident or incident because of the person's condition. There was no answer for this. If anyone has an idea in regards to the please e-mail me at dani@a-m-c.ca.

3. Jennifer Hyra: Machine Guarding WPS&H Officer.

- a. Introduction
 - i. HANDOUT: Workplace Safety and Health Act and Regulations Book
 - ii. HANDOUT: Machine Guarding Handbook
- b. Lock out procedure must be included on your work procedure (Bulletin 249 on Safe Work Procedures)
- c. Encourages Preventative Maintenance
- d. Alternate means when not practical to machine guard. Must have steps taken on assessment
- e. After maintenance has been performed an assessment must be performed or make sure that the machine guarding is still functioning properly
- f. Tag out is no longer legal. Companies only had one year from the release date of the new Act and Regulations to get a lock out practice into the workplace
- g. Jennifer provided her e-mail address so that if any Companies had machine guarding questions, they could get some answers.
Jennifer.hyra@gov.mb.ca
- h. Machine guarding that is made in house does not have to be engineered.
- i. Another site that Companies can use for Machine Guarding issues is www.flexbar.com

- j. William Pugh from Morris Ind asked if Jigs can be considered guarding. Jennifer stated that it depended on the application of the jig and if it meets the CSA standards in regards to location the employee has to be in.
- k. WPS&H is in the works of developing a ½ day course on Machine Guarding
- l. Morley Wishart mentioned that he had attended a CSA training session on Machine Guarding and it was a good course that people can look into. **It is being offered in Winnipeg January 29, 2009 for a cost of \$535.00**
- m. The question was asked if Companies are responsible to make sure that Companies that they out-source work to, to make sure that they are working safety. Jennifer said that this was not the case. The only people that you, as a Company, are responsible for are sub-contractors that are working in house.

4. George Anderson: WCB Fraud Investigator

- a. Introduction
 - i. HANDOUT: Safe Work is Good for Business
 - ii. HANDOUT: RTW for Better Business
- b. There are only Two WCB Fraud Investigators but they do hire Private Investigators. The Fraud Unit has six regular firms that they hire for PI work.
- c. People can call into WCB Fraud Unit to initiate a Investigation depending on the context of the call
- d. George stated that all Government Agencies work together when it comes to fraud. If the RCMP or Police apprehend a person and realize that they are defrauding WCB they will give them a call to inform them.
- e. The time frame that an investigation can be launched is 24 hours from the time the call is taken and when someone looks into it.
- f. William Pugh asked if there is an anonymous tip, does the company get notified. George said that this isn't the case. He said that he would eventually get into context with the Company to find answers that the fraud unit requires and then it wouldn't be hard to figure out what is in the works.
- g. Bob Cater, Buhler Versatile Ind. Asked if a Company can fire someone that has been proven to be abusing WCB and George said that anyone with this concern should talk with a Human Resource person because they would know the answer to that.
- h. Previously at a 31010 meeting, Companies were misinformed in regards to taking someone's picture when out in public. Companies were previously told that you can't take someone's picture without their consent. George has informed us that this is not the case. The Supreme Court ruled against this and said that as Canadian Citizens were don't have the right to privacy expectations when you walk out your front door. This can be found on the Privacy Commissioner of Canada web site.
- i. William Pugh asked if the Fraud Unit or WCB advertise when someone has been charged with fraud. George said they do not. It was suggested that the companies should get together and send a letter to the Board of Directors of WCB and suggest this should be done to discourage people from attempting to initiate fraud.

- j. If someone has been charged with defrauding WCB it is possible that the companies will get their costs and lost days in WCB returned to them. Must be requested to guarantee results.
- k. The cost of an investigation does not show up on your WCB statement.
- l. WCB success rate for cases is 100%. They usually have approximately 3 to 4 cases a year.

5. **Marty Cobb AMC Manager took the time to inform the Companies of some of the things that we are planning on doing.**

- a. Transportation of Dangerous goods will now be included in the Fee for Service due to it not having any effect to accidents in the workplace.
- b. Reminded the Companies that we will be doing a TTT Respirator training October 15th and 16, 2008 in Winnipeg and October 17th and 18th, 2008 in Brandon.
- c. The previous suggestion on having a white board on the web site has been discussed and AMC has decided if there is something that you want posted on the white board you must send it into the head office in Regina and there it will be decided if it can be put onto the white board.
- d. Marty informed the Companies that there is going to be a charge instated for Companies that schedule training and there are no shows.

Next 31010 Meeting will be held on December 10th, 2008 in Winnipeg. Buhler Versatile has offered to host the meeting.

More information to come at a later date.

6. Meeting wrapped-up at 3:30pm