Comparative Analysis of Workers’ Compensation Systems in Select Jurisdictions

JURISDICTION: **BRITISH COLUMBIA**

**ENVIRONMENT**

Population Size 3,766,000 (1995, Stats Canada)

Labour Force 1,935,000 (1995 Stats Canada; estimated at 1,982,000 in 1996).

Demographic and Economic Indicators

Primary and secondary forest production, and other natural resource based industries such as agriculture, mining and fishing, including aquaculture, form the core of the British Columbia economy. British Columbia relies heavily on international and interprovincial trade for goods and commodities. Almost 75% of British Columbia's total economic output is in the service sector which consists of transportation; communications and storage; wholesale and retail trade; finance, insurance and real estate; community, business and personal services; public administration; and defense.

In 1996, though growth has slowed, the British Columbia economy grew for the twelfth consecutive year. Real GDP grew about 1.0% in 1996, as compared to 1.9% in 1995 and 4.7% in 1994.

British Columbia is the third largest province in terms of size of population (12.9% of total population of Canada) with a population density of 4.1 persons per square kilometre. British Columbia's population grew at a rate of 2.74% between 1991 - 1995.

The average weekly wage rate for British Columbia in 1995 was $585.82. The unemployment rate in 1996 was 8.9% down slightly from 9.0% in 1995.
GOVERNANCE & ADMINISTRATION

Nature of System
An exclusive provincial fund.

Principles and Mandate
The goals of the B.C. system are:
• creation of workplaces that are safe and secure from injury and disease;
• successful rehabilitation and return-to-work of injured workers;
• fair compensation for workers suffering injury or illness on the job;
• sound financial management to ensure a viable WCB system;
• protection of the public interest.

Access to Litigation
Workers' compensation is an exclusive remedy in British Columbia.

However, a worker can elect to claim compensation or pursue an action against a third party, who is neither a worker nor an employer under the Act. There is a three month time limit for making this election, but this period can be extended. Where the worker elects to take action, the WCB is subrogated to the rights of the party taking the action. British Columbia legislation also provides for a right of action from a worker not covered by the legislation against an employer or a person contracting with a contractor or subcontractor.
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Scope of System

Who is Covered? All employees are covered, except those exempted by order of the Workers' Compensation Board. Coverage includes all provincial and municipal employees, including members of fire departments and ambulance staff working with or without remuneration. There is the option for voluntary coverage for certain members of the employer's family and unpaid employments. The board may also extend coverage to include persons engaged in an undertaking in the public interest, persons engaged in a vocational or training program, or persons engaged in a work study program or other program of self improvement.

Exceptions are based on a specific review by the board; existing exceptions include such employees as professional athletes.

It is estimated that 90.0% of the British Columbia workforce is covered by the scheme. There were 149,582 employers registered in 1996.

What is Covered? The scheme covers all personal injury to an employee "arising out of" and "in the course of" employment.

The scheme also covers "occupational disease" as defined in Schedule B to the legislation. The board, by general regulation or specific order, can designate or recognize any other disease as an occupational disease.

Post traumatic stress is covered. Other form of stress are evaluated on a case by case basis and may be covered where the condition is related to the treatment of a severe or traumatic injury. As well, repetitive strain disorders may be accepted if the work was unaccustomed or personal injury can be shown.

1 Prior to January 1, 1994, B.C. legislation contained an inclusive list of industries covered by the workers compensation scheme. Bill 53, 1993, extinguished this list and introduced a general provision that the legislation, and its compulsory coverage would apply to all employers and workers in British Columbia, except those workers or employers specifically exempt by an order of the board. Subsequent policy established that exemptions would be few and far between as the exemption policy was that only those exceptional industries whose circumstances do not fit the purpose and intent of the Workers Compensation Act would be exempt.
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Self Insurance
Self insurance is not permitted in British Columbia\(^2\).

Organizational Framework
The Workers' Compensation Board of British Columbia is a statutory body responsible for the administration of the Workers' Compensation Act. The mandate of the board is to monitor and promote occupational health and safety through inspection, enforcement of regulations, education and consultation and research and technical support; provide rehabilitation and compensation to workers injured on the job or who suffer an occupational disease; and provide compensation to dependents of workers who have died on the job.

To carry out this mandate the board has organized itself into the following divisions: Prevention; Rehabilitation and Compensation; Finance and Information Services; Legal Services; Human Resources/Corporate Development.

The board is highly centralized with most functions provided out of its head office in Richmond. It has ten area offices and seven work centres located throughout the province, which provide prevention and assessment and non-compensation services. The board employed 2,434 full-time equivalent employees in 1996. Employees are subject to the Public Sector Employees Act.

The board is also responsible for administering the Criminal Injury Compensation Act\(^3\) and the Workplace Act (see Prevention and Health and Safety).

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\(^2\) The B.C. WCB is not allowing anyone else to apply for self insurance, so self insurance is not considered an allowable option in British Columbia. There are five existing self insured deposit classes in British Columbia: Class 10, Canadian Pacific Limited; Class 12, CNR, VIA Rail and Air Canada; Class 13, Government of British Columbia; Class 18, Burlington Northern; Class 19, federal government employees (through administered by the B.C. WCB). Entities in these classes do not pay assessments, but pay an amount equal to actual claim and administration costs to the board.

\(^3\) The Criminal Injury Compensation Act provides compensation for personal injury or death resulting from a crime in the province. Money to fund criminal injury compensation comes from the Consolidated Revenue Fund. The program is administered by the WCB BC for the Ministry of Attorney General.
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**Governance Structure**

Since 1995, the WCB BC has been governed by a Panel of Administrators. In 1995, special legislation was passed to replace the Board of Governors established under the Act -- a 13 member board consisting of a neutral chair (who in practice only voted in the event of a tie), five representatives of workers, five representatives of employers, and two representatives of the public interest -- with a Panel of Administrators. This action was taken by government in response to concerns that the governors were putting the interests of their specific constituencies ahead of the broader interest of workers' compensation in general.

The Panel of Administrators has all the powers, duties and responsibilities of the Board of Governors. The members of the Panel of Administrators are appointed by order of the Lieutenant Governor in Council for terms of up to 12 months or longer as ordered by the LGIC. The LGIC may designate one of the members as the chair of the Panel.

The President and Chief Executive Officer is responsible for implementing the policy and direction of the Panel of Administrators and for the day to day operations of the board. The Medical Review Panel Department and the Policy and Regulation Development Bureau report directly to the Panel of Administrators, through the Chair. The Appeals Division reports directly to the Panel through the Chief Appeals Commissioner.

**Policy Development**

The Policy and Regulation Development Bureau has been established to develop "policies for the Panel of Administrators so it can meet its obligation to create policies consistent with the will of the legislature, the laws of the land, and the needs of stakeholders" (extract, WCB BC internet website).
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Accountability

There is no express provision in the legislation respecting the reporting relationship of the board to government or the responsible Minister. There is however, an organizational reporting relationship to the Minister of Labour.

Performance Assessment

In April 1996, the Panel of Administrators endorsed a strategic plan for the WCB BC\(^4\). The plan sets out four objectives for the system that are "to be the key outcomes for the future". Progress on these objectives is tracked in the Annual Report of the board. The plan has recently been reviewed and reendorsed by the Panel of Administrators without change to the objectives or goals through the year 2000.

The WCB BC has also been subject to a number of administrative inventories of both its general operations, excluding the prevention division (1991 and 1996), of the Assessment Department and its medical and rehabilitation programs (in 1992 and 1993), and the Prevention Division (1992 and 1997)\(^5\).

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\(^4\) Transforming the Workers' Compensation Board of British Columbia: A Strategic Plan, prepared by the Senior Executive Committee of the WCB, Approved by the Panel of Administrators, April 4, 1996.

Claims Adjudication Process

Claims may be initiated by the injured worker, the employer, or the treating physician. An injured worker must report the injury to their employer as soon as possible in order to qualify for benefits under the Act. A claim must be made within 12 months.

The decision as to whether to accept the claim is made by board adjudication staff. Board physicians assist claim adjudicators by providing advice on the worker's eligibility for medical benefits, the extent of the disability and pension assessments.

The WCB and the Office of the Provincial Ombudsman have worked together to establish an internal ombudsman office to receive and help solve complaints and issues respecting the workers' compensation claims process. This is not part of the appeal process, but is simply designed to help individuals "navigate their way" through the workers compensation process. This special office of the Ombudsman reports to the President and is funded by the board.

The Compensation Advisory Services department of the Ministry of Labour is also designed to help people in their communications with the WCB. There are offices of both Workers' Advisers and Employers' Advisers to help workers and employers with advice and legal help information and assistance on workers' compensation law, rules and regulations and policy, decisions and appeals process.

Dispute Resolution

Mediation / Conciliation

There is no formal mediation / conciliation process in the B.C. workers' compensation system.

The Offices of the Workers' Adviser and the Employers' Advisers and the Ombudsman play a role in assisting claimants with the dispute resolution process. Disputed cases proceed directly to the appeals process.

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6 The Rehabilitation and Compensation Division has a large medical staff. In 1996, there were 80 medical personnel, including physicians, psychologists, and a psychiatrist, employed in the head office and area offices throughout the province.
Appeals Process

A decision of the WCB involving an injured worker may be appealed to the Workers' Compensation Review Board, an independent appeal agency under the Ministry of Labour created to hear appeals of decisions involving workers. An appeal of a decision of the board must be made within 90 days and may be made by a worker, the children, spouse or common law partner of a worker who has died, or an employer.

A worker can appeal a decision of the Review Board to the Appeals Division of the WCB. Such an appeal must be brought within 30 days. The Appeals Division is the only level of appeal for employers respecting assessment decisions or prevention penalties or orders (there is no right of appeal to the Appeals Division on an order unless there is also a penalty).

An appeal on a medical issue can be brought to the Medical Review Panel, after a decision by an WCB adjudicator, the Review Board or the Appeals Division. A request for a medical review must be made within 90 days of the decision of the adjudicator, the Review Board or the Appeal Division. The Medical Review Panel is the last appeal level for appeals on medical issues. Claimants can appeal directly to the Medical Review Panel; there is no requirement that a claimant must first proceed through the Review Board and/or the Appeal Division.

Any appeal decision may be taken for judicial review.
Assessment or premium rates are set by WCB through classifying employers into industry groupings and then establishing an assessment rate based on a percentage of $100 payroll for each industry group according to the industry rate groups' claims cost experience. In British Columbia, in 1996, there were 390 industries and 69 industry rate groups and 15 sectors or classes, five of which are self insurers.

All employers are also subject to an experience rating system. The B.C. system is a prospective merit / demerit system. Individual firms, which participate at a 100% rate, are granted a rebate of up to 33.3% of their base assessment if their individual claims experience is better than the average experience of the firm's industry group and are subject to a surcharge of up to 33.3% of their base assessment if their claims experience is worse the industry group average. Firms participating at a 50% rate are subject to a rebate or surcharge of 16.7% and firms participating at a 25% rate are subject to a 8.3% rebate or surcharge. No further discounts or incentives are offered.

For 1998, the average assessment rate is $2.12 with a low of $0.16 and a high of $17.50. The maximum wage rate is $56,900.

In 1997, the average assessment rate in British Columbia was $2.23 with a low of $0.20 and a high of $17.50, before experience rating. (In 1996, the average assessment rate was $2.34; the lowest rate was $0.22 and the highest was $24.67.) In 1997, in British Columbia maximum assessable earnings were $55,800 ($54,200 in 1996).

The British Columbia system includes a program similar to a second injury fund which provides compensation for "a disability enhanced by reason of a preexisting disease, condition or disability". An employer who employs a worker with a preexisting injury is only liable for experience rating purposes for the accident cost as if the worker did not have a preexisting injury. The second injury program is supported by the general Accident Fund.
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COMPENSATION

BENEFITS

Claim Rate There were 189,418 claims reported in 1996, down slightly from the total claims of 194,280 reported in 1995 and 197,911 reported in 1994\(^7\). The injury rate or claims rate for 1996 was 5.0 (five short term disability claims per 100 person years of employment). There were 200 reported fatalities in 1995 of which 120 were accepted, 31 were disallowed and 49 were awaiting adjudication as at February 22, 1996.

Medical Aid

Nature of Aid Medical aid coverage is comprehensive; it includes all necessary medical benefits including coverage of hospital costs.

The board provides set allowances for mileage and meals and subsistence allowances for individuals attending medical examinations or treatment programs\(^8\).

Choice of Provider In general, the injured worker has right of choice in selection of treating physician. In some cases the board controls the choice of physician, such as where the worker wishes to change and the board considers that this may be harmful, or it appears that the worker is "doctor shopping".

Medical Cost Containment Initiatives A fee schedule, agreed upon through negotiation with the board and the B.C. Medical Association, is used to set the fees paid by the WCB for medical services. At present, this schedule is based on the BCMA/Medical Service Plan fee schedule with some adjustments and additions to cover items particular to the workers' compensation system.

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\(^7\) Total claims reported in 1996 is the lowest since 1988.

\(^8\) In 1997, the meal allowance was $9.01 for breakfast, $11.10 for lunch and $19.09 for dinner; the mileage allowance was $0.28 per kilometre and the subsistence allowance was $15.92 per day.
Rehabilitation

**Physical/ Occupational/ Vocational**

Vocational rehabilitation is at the discretion of the board. Each case is judged on its own merits; refusal to participate in a recommended rehabilitation program may impact wage loss benefits entitlements. Injured workers undergoing rehabilitation receive the equivalent of wage loss compensation during the period of rehabilitation. Rehabilitation services include a full range of placement, counseling and training programs.

The WCB maintains and operates a rehabilitation centre at the head office location in Richmond. The centre offers a wide range of physical and occupational rehabilitation programs for injured workers (Appendix 1 is a listing of the Rehabilitation and Treatment Programs offered through the Centre). Annually, the centre treats about 3,000 injured workers at a cost of approximately $22 million per year. In addition, "work hardening" or work conditioning" and other physical therapy programs are offered in community based locations throughout the province by a network of private providers.

**Social**

British Columbia offers psychological services as a component of its rehabilitation services. The board may also cover the costs of providing training or retraining for a surviving dependent spouse.

**Rehabilitation Incentives**

The board will cover the cost of modifying workplaces and will support graduated return to work (light or modified duties).

**Trends in Treatment of Subjective Complaints**

The Interdisciplinary Pain Programs provide rehabilitation, both physical and vocational, for injured workers suffering chronic pain. As well the board contracts with private providers for early chronic pain treatment programs.

**Disability Benefits**

**Short-Term Benefits -**

Weekly "loss of earnings or wage loss" compensation:

Rate: A disabled worker is entitled to wage loss benefits equal to 75% of their average gross earnings; in 1997, to a maximum of $802.60 per week and to a minimum of $277.10 or 100% of

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9 On an as needed basis, particularly for treatment of brain injuries and post-traumatic stress and other stress related cases.
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Disability

earnings if less.

Indexed: Benefits are subject to semi annual CPI indexing\(^{10}\).

Duration: For term of disability.

Taxable: No.

Employer's Excess / Waiting Periods: There is no employer excess or worker waiting period. The employer pays the portion of the day on which the injury occurred and the board compensated from the day following the injury.

Long-Term Benefits - Permanent Partial and Total Disability

Economic "loss of earnings or wage loss" award or pensions:

Rate: In 1997, for PTD, 75% of pre-accident average gross earnings is payable, subject to set minimum and maximum (in 1997, maximum $3,487.50 per month; minimum $1,204.06).

For PPD, a proportion of 75% earnings is payable based on the degree of disability, according to a disability awards schedule\(^{11}\). If more equitable, compensation may be based on a projection of earnings loss.

Indexed: All pensions are subject to semi annual CPI\(^{12}\) adjustments.

Duration: For life\(^{13}\).

Taxable: No.

Offset Against Other Social Security Benefits: No\(^{14}\).

Award for permanent physical impairment\(^{15}\):

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\(^{10}\) A claimant misses the first CPI date following their injury; for example, if injured April 1, the worker misses the July 1 CPI indexing, but is entitled to the indexing at January 1.

\(^{11}\) Some awards are not covered by the schedule. For small awards, the board may give the present value of the periodic pension as a lump-sum and may on request, commute some or all of the monthly pension as a lump-sum.

\(^{12}\) In cases where an injury occurred ten years or more, the board may, on application, reconsider the level of benefits and, provided that the worker is still suffering from the disability, the board may raise the level of benefits without reference to the pre-accident earnings rate, up to an amount which is equivalent to the award a worker in a similar occupational category would be currently granted, using a projected earnings approach and based on current level of earnings. If over 65, projected retirement income is used.

\(^{13}\) In the case of a loss of earnings pension, there may be an adjustment at age 65 if the worker was over 50 at the time of injury. Under this rule, one-fifteenth of the loss of earnings pension continues after the worker reaches the age of 65.

\(^{14}\) Only survivor benefits are offset against other benefits.

\(^{15}\) Though not specifically considered a distinct award for physical impairment, the PPD award is often an award for physical impairment.
Periodic (pension or annuity): None.
Lump-sum: None.
Covers Disfigurement: N.A\textsuperscript{16}.

\textit{Impairment Schedule:} Disability awards schedule, Appendix 4, of the Rehabilitation Services and Claims Manual.

\textsuperscript{16} Though not included in the awards schedule, disability awards for cosmetic disfigurement are provided.
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*Supplemental Awards:* Allowances for personal or attendant care are provided. In 1997, from $363.54 to $1,463.97 per month based on five categories. There is also an "independence" allowance of up to $192.17 per month to provide for house and garden maintenance. As well, there is a clothing allowance for wear due to prosthetics - for 1997, $231.03 for a single upper limb and $463.28 for bi-lateral upper or lower limb; and $694.36 for upper and lower limb.

**Hearing Loss**

The Audiology Department of the board is responsible for assessing hearing loss. The cost of hearing aids is covered and pensions are provided for hearing loss that is caused by both a traumatic event and for gradual onset where there is a history of exposure to noise in the workplace.

**Death Benefits**

**Funeral Expense Benefits**

*Funeral Costs:* Up to $2,249.41 (1998 rate, $2,239.64 in 1997) is provided from the workers' compensation fund to cover funeral costs; additional amounts are provided to cover incidental expenses related to the death, and transportation of the body from the undertaker (the cost of transporting the body to the place of business of the nearest undertaker is covered by the employer) ($749.82 in 1998 and $746.55 in 1997 for either expense).

*Emergency Lump-sum:* A dependent spouse, with or without children, receives an immediate emergency lump-sum of up to $1,874.62 (1998 rate; $1,866.49 in 1997).

**Survivor Benefits**

<table>
<thead>
<tr>
<th>Survivor Category</th>
<th>Lump-sum</th>
<th>Pension[^17^]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dependent spouse without</td>
<td>If under 40 and not an invalid,</td>
<td>Between age 40 and 50, monthly sum</td>
</tr>
<tr>
<td>children</td>
<td>lump-sum of $37,490.84 in 1998</td>
<td>under Schedule C; if 50 or older[^18^],</td>
</tr>
<tr>
<td></td>
<td>($37,328.04 in 1997).</td>
<td>or an invalid, monthly payment equal to</td>
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<td></td>
<td></td>
<td>60% of deceased's PTD, combined with</td>
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<td></td>
<td>federal benefits.</td>
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</tbody>
</table>

[^17^] The length or the term of the pension depends upon age; pension benefits continue after remarriage.

[^18^] A recent decision of the Appeal Division ruled that the pension provisions that vary with age are contrary to the Charter on the basis of age discrimination, but to date no change has been made.
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<table>
<thead>
<tr>
<th>Dependent</th>
<th>None.</th>
<th>85% of deceased's P.T.D. award, combined with federal benefits.</th>
</tr>
</thead>
<tbody>
<tr>
<td>spouse with one dependent child</td>
<td>None.</td>
<td>100% of the P.T.D. award, combined with federal benefits, plus $243.61 (1998 rate, $242.55 in 1997) per any child in addition to two.</td>
</tr>
<tr>
<td>spouse with two dependent children</td>
<td>None.</td>
<td>One child - 40% of the P.T.D. award, combined with federal payment, 2 children - 50%, and 3 or more - 60%, plus $243.61 per month for each additional child, until age 18 or 21 if in school.</td>
</tr>
<tr>
<td>children, no surviving parent</td>
<td>None.</td>
<td>Based on pecuniary need, but not to exceed in the whole a set amount.</td>
</tr>
<tr>
<td>Other dependents</td>
<td>None.</td>
<td></td>
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</tbody>
</table>
HEALTH & SAFETY & PREVENTION

Organization Structure

Agencies Responsible

The B.C. WCB is responsible for occupational health and safety in the province. The Workers' Compensation Act is the primary authority for the board's OHS authority. In 1985, the Workplace Act replaced the Factory Act and the WCB was also made responsible for this relatively minor OHS statute.

The Prevention Division of the WCB

- provides information about health and safety to industry, to workers and the general public;
- helps establish standards and guidelines for occupational health and safety;
- provides educational presentations on occupational health and safety matters or concerns;
- educates and consults with employers and workers about regulations;
- undertakes worksite inspections;
- enforces regulations through warning letters, orders, additional assessment or penalties and prosecutions and closure orders; and
- communicates with the provincial and federal agencies and ministries and other standard setting agencies.

Source of Funding

The prevention and OHS activities of the board are fully funded by employers assessments through the fund.

Accident Reporting

An employer must notify the WCB within three days of receiving notice or of learning of an accident; immediately in the case of a fatality. An employer is also required to keep a record or log of all first aid or accident situations.

OHS Representatives & Committees

A worksite with 20 or more workers in an industry classified as "A" or "B" hazard, and a worksite with 50 or more workers, in an industry classified as "C" hazard by the board's First Aid Regulations, must establish an Industrial Health and Safety Committee. There is no requirement for health and safety representatives in smaller worksites or as an alternative to committees.
Offenses & Penalties

Contraventions of the Legislation

Types of Offenses and Maximum Fines:
The following are OHS related offenses under the Workers' Compensation Act:

- An employer or supervisor who is found guilty of inducing threatening or otherwise attempting to dissuade a worker or dependent from reporting an injury, disease, death, or other hazardous condition is subject to a maximum fine equal to $18,664.24 in the case of an employer and to $3,732.87 in the case of a supervisor\(^{19}\).

- Any person found guilty of withholding information from an officer making inquiries or otherwise obstructing or interfering with the officer is subject to a maximum fine of $18,664.24 and/or imprisonment not exceeding three months.

- An employer found guilty of neglecting to refusing to comply with a closure order, and any director, officer or supervisor found guilty of conniving or facilitating through neglect, is subject to a maximum fine of $186,640.52 and/or imprisonment of up to six months.

- Every person found guilty of contravening or failing to comply with a certain regulations (for example, the Industrial Health and Safety Regulations) or an order under section 71 is subject to a maximum fine of $37,328.07 and/or imprisonment of up to three months.

- An employer who is found guilty of neglecting or refusing to comply with an order or a provision of the Act or regulations concerning occupational first aid, and any director, officer or supervisor who is found guilty of conniving or facilitating by neglect, is subject to a maximum fine of up to $3,732.87.

Convictions:
There are 12 prevention related prosecutions currently underway.

\(^{19}\) All maximum fines are subject to consumer price index adjustment. The figures listed are effective July 1, 1997.
Comparative Review

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**Administrative Penalties**
The B.C. WCB may levy additional assessment surcharges (section 73(1) of the *Workers Compensation Act*) or charge claim costs (section 73(2)) where an employer has breached the occupational health and safety legislation (such as, where the employer has not taken sufficient precautions to prevent injury and diseases; place of employment or working conditions are unsafe; or the employer has not complied with OHS regulations, order or directions). Assessment surcharges range from $1,500 to $30,000 depending upon the seriousness of the breach and the size of the employer's payroll.

1996 - 318 fines or assessment surcharges were levied.
1995 - 403 fines or assessment surcharges were levied.

**OHS Legislative Review**
There is no legislated or mandatory systematic and regular review requirement for the OHS provisions of the *Workers' Compensation Act* or the OHS regulations. However, the regulations have recently been updated following a comprehensive review process carried out between 1992 and 1997.

**Health and Safety and Loss Prevention Initiatives**
The WCB offers a variety of educational and consultation services to promote a good safety and health practices in the workplace.

A key initiative sponsored by the Prevention Division is the WorkSafe program which is an umbrella "brand" name for a comprehensive series of strategies, including targeting high risk industries and large firms, education and consultation, preparation of training materials, on-site workshops and research into injury causation.

The Division also operates a Prevention Information Line to answer questions from workers, employers and the general public on health and safety regulations, employer and worker responsibilities, education and consultation, reporting an accident, and safety and hygiene. The line also receives anonymous calls about workplace safety concerns.
FRAUD PREVENTION

The WCB BC has had a Fraud unit since the mid 1960s. The unit is attached to the Claims Department and is centralized at the head office in Richmond. It is headed by a manager with 11 investigators (one located in Naniamo and one in Vernon) and two support staff.

The Fraud unit is principally involved in the investigation of claims fraud, but will also undertake investigations for the Prevention Division, though not all prevention investigations are handled by the unit. As well, the unit investigates, collects evidence and submits reports to crown counsel on criminal prosecutions under the legislation. In 1995, there were 1,894 investigations and in 1996 about 1,700 investigations related to claims were undertaken. Currently, nine criminal cases have been approved by crown counsel to go forward for prosecution; 15 cases are pending consideration by crown counsel.

The board estimates that for every dollar spent by the unit, five dollars are recovered. Estimated savings to the board as a result of the unit's activities was $4 million in 1996 and $3.3 million in the first quarter of 1997.
APPENDIX 1

Rehabilitation Programs Offered by the WCB BC

- Hand Program, which treats acute and chronic hand or wrist injuries;
- Amputee Program, which services workers who have lost a limb;
- Head Injury Program, which provides assessment and rehabilitation plans for those with mild to moderate brain injuries;
- Work site Reintegration Program, which identifies and solves barriers to return to work, educates and supports both claimants and employers in ergonomics and body mechanics in the workplace, and negotiates return to work agreements;
- Work Conditioning Program, which provides early reactivation and cardiovascular training to those with soft tissue injuries;
- Medical Rehabilitation Program, which assesses and manages those with outstanding medical issues, recurrent injuries or unsuccessful prior treatment;
- Occupational Rehabilitation Program which identifies barriers to return to work and develops a plan involving work simulation, psychology, education and job site analysis;
- Interdisciplinary Pain Programs, which provides care for those with chronic pain;
- the Functional Evaluation Unit assesses abilities and return to work and conducts research.

Each program involves a multi-disciplinary team, including as appropriate, a physician, a psychologist, a physical therapist, an occupational therapist, a vocational rehabilitation counselor, an industrial workshop counselor and a case coordinator.