



WSIB e-Clearance Launched



On January 17th the Workplace Safety & Insurance Board (WSIB) launched its new electronic clearance certificate program, referred to as 'eClearance'.

The WSIB outlined that this online service "will allow employers to easily check the validity of a potential contractors' clearance to avoid any financial liability when hiring independent operators/contractors. Employers will be able to obtain an electronic clearance certificate to verify their WSIB account is in good standing, and both contractors and sub-contractors will be able to view a clearance status at any time."

The WSIB further outlined that "users also have the option of requesting access to a 'customized version' of this eService which offers them the opportunity to manage lists of contractors, to automatically issue new clearances, to view your company's history of clearances, and to re-

ceive automatic e-mail notices." To review this new service members can log on to the WSIB homepage at <http://www.wsib.on.ca> and select "eServices".

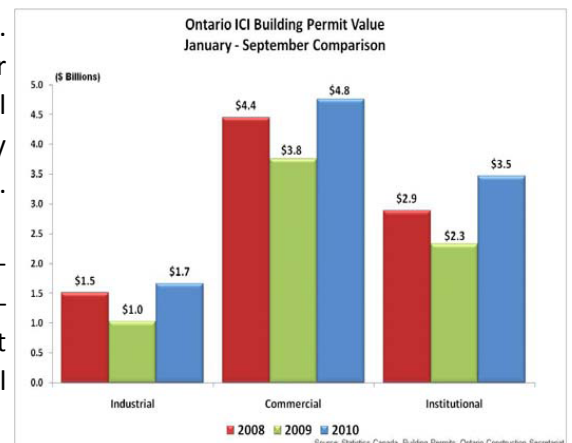
In addition to this new eService, the validity of clearance certificates have been extended from 60 days to 90 days for certificates that are issued as of January 17th. However, certificates issued prior to January 17th continue to be valid for only 60 days. Anyone who obtained a generic clearance certificate prior to this date can call the WSIB and ask for a specific clearance certificate to be issued.

For more information about clearance certificates, please refer to [OPM Doc. No. 14-02-04, "Clearance Certificates: Employer Accounts"](http://www.wsib.on.ca/en/community/WSIB/OPMDetail?vgnextoid=1684fcea9bfc7210VgnVCM100000449c710aRCRD): (<http://www.wsib.on.ca/en/community/WSIB/OPMDetail?vgnextoid=1684fcea9bfc7210VgnVCM100000449c710aRCRD>.) Members are advised that the policy has not yet been updated to reflect the fact that clearance certificates issued effective on January 17th are now valid for 90 days.

ICI Construction Rebounds in 2010

After a disastrous 2009, ICI construction rebounded in 2010. Through three quarters, the value of building permits in the ICI sector increased approximately 40% over the same period in 2009. Industrial construction lead the sector with a growth rate of 62%, followed by Institutional construction at 52% and Commercial construction at 26%. (see graph)

Looking at 2011, Institutional construction is expected to decline as projects that were "pulled forwarded" to meet the Federal government's stimulus criteria are completed and all levels of government being to tighten their spending. It is hoped that the private sector will continue to pick up the slack.



The Mathews Dinsdale Minute



The Workplace Safety and Insurance Board has implemented one policy change effective December 1, 2010 and is proposing a second one in 2011, both of which will have an impact on your obligations and how you handle them when a workplace injury occurs and what workplace injuries will cost you. Were you aware of these changes? Anybody in your organization that has responsibility for administering and managing your WSIB obligations needs to review these policies and be familiar with them. They can be found on the WSIB website.

Effective December 1, 2010, the WSIB issued new policies regarding the interim Worker Reintegration ("WR") program. This program replaces the Labour Market Re-Entry Program that had previously existed. The focus of the WR program is that an injured worker's prospects for successful return to work are highest if the worker returns to work with the injury employer. Thus, the WR program creates the following hierarchy of return to work opportunities:

- In the pre-injury job with the injury employer;
- In the pre-injury job with accommodation with the injury employer;
- In work comparable in nature and earnings to the pre-injury job with the injury employer with accommodation;
- In alternate suitable work with the injury employer with accommodation;
- Work comparable in nature and earnings to the pre-injury job in the labour market with accommodations; and
- Alternate suitable work in the labour market with accommodation.

The second policy involves strengthening the enforcement mechanisms in place relating to an injury employer's obligations to cooperate in returning employees to work. The WSIB has enacted significantly enhanced provisions for penalties and enforcement where employers are in breach of their duties to cooperate. Being up to speed on your obligations is going to be important as you manage your workforce and workplace injuries.

What is clear is that WSIB is positioning itself to push re-employment, of some form, with the injury employer and has increased mechanisms for enforcing obligations in this area. It is very important that all employers are well informed of their obligations before they find themselves facing notices and fines for non-compliance.

