Deemed earnings

"Deeming" is a process where the WCB reduces a worker's benefits by identifying a job it believes the worker could be doing and the level of income that the worker could be earning from the job.

In the past, "deeming" resulted in some workers not receiving the level of benefits they should have received based on a fair evaluation of their experience, skills and training.

The proposed changes would introduce provisions so the deeming process used by the WCB would be a last resort after other options – obligation to return to work, job search and retraining – have been exhausted

Medical examinations

Injured workers would have more choice in selecting a physician if they needed a medical examination. This would give injured workers the ability to better manage their own health care.

- Injured workers would be able to initiate the medical panel process.
- Health professionals other than physicians would be able to participate as advisors to the medical panels.
- An informal medical dispute resolution process would be established to ensure timely consideration of disputes.

Occupational disease and injury advisory committee

If passed, Bill 30 would establish an occupational disease and injury advisory committee to advise on diseases, injuries and conditions that may be linked to employment in a particular industry, process or activity, including Schedule B of the WCB Regulation.

- The committee could direct the WCB to deem commonly seen linkages between certain injuries and illnesses and certain types of employment and activity.
- A review of occupational diseases would be conducted on a regular basis by experts using the best sources of information. They would also promote the regular exchange of information on best practices.

Appeals commission

The appeals commission is the final level of appeal for workers and employers who disagree with a decision of the WCB and the Dispute Resolution and Decision Review Body (DRDRB).

Proposed changes would strengthen the appeal commission review and appeal process to:

- extend the timeframe to launch a formal review to two years