



WORKERS' COMPENSATION LAW

A Documentary History in Ontario

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ORIGINS & FOUNDATIONS

From the law of Employers' Liability to Workers' Compensation Law

Workers' compensation was established in Ontario in 1914 following an examination of workers' compensation schemes by Sir William Ralph Meredith. Prior to this, workers had to sue their employers in court to get compensated for their injuries. In 1886, the Legislative Assembly enacted the *Workmen's Compensation for Injuries Act*,¹ which was essentially an employer liability act.

In 1910, Sir W. R. Meredith was appointed to head a Royal Commission to investigate workers' compensation, which resulted in the *Workmen's Compensation Act* of 1914 which went in effect Jan. 1, 1915.

The administration of the workers' compensation system was given to an independent agency, initially called the Workmen's Compensation Board (the name was changed to "Workers' Compensation Board" in 1981).

Workmen's Compensation for Injuries Act, S.O. 1886, 49 Vict., c. 28

Workmen's Compensation Act, S.O. 1914, c. 25

Report on workmen's compensation for injuries
Mavor, James. -- Toronto: Warwick Bros. & Rutter, 1900

This report was submitted to the Legislative Assembly by James Mavor, a professor of political philosophy at the University of Toronto in 1900. He recommended that Ontario should observe British and Continental reforms before taking any steps to establish a no-fault workers' compensation system.²

The Meredith Reports

The interim report by Ralph W. Meredith summarizes the laws of European countries, provinces of Canada, and U.S. states covering workers' compensation at the time of writing (1912). An analysis of principles and comparison of systems follows along with the Minutes of Evidence taken before Meredith.

¹ S.O. 1886, 49 Vict., c. 28

² See The law of employers' liability in Ontario 1861-1900: the search for a theory. / Tucker, Eric. -- Osgoode Hall law journal. 1984 v.22(2) p.216-280. 1984. MF 3674

Meredith's final report submitted to Sir John Morison Gibson, Lieutenant-Governor of the Province of Ontario. Meredith proposed that a workers' compensation system be set up based on the following principles:

- Security of Payment
- No fault system
- Collective liability
- Administration by an independent agency

All of Ralph W. Meredith's Reports

Interim report on laws relating to the liability of employers to make Compensation to their Employees for Injuries received in the course of their employment, which are in force in other countries, and as to how far such laws are found to work satisfactorily
Meredith, Ralph W. -- Toronto: L.K. Cameron, 1912.

Second interim report on laws relating to the liability of employers ..
Meredith, Ralph W. -- Toronto: L.K. Cameron, 1913.

Final report on laws relating to the liability of employers ..
Meredith, Ralph W. -- Toronto: L.K. Cameron, 1913.

Final report on laws relating to the liability of employers to make compensation to their employees for injuries received in the course of their employment which are in force in other countries . . . with appendixes
Meredith, Ralph W. -- Toronto: L.K. Cameron, 1913.

Commissioned and Task Force Reports: 1932 - 1973

1932 – Middleton

Report of the Commissioner in the matter of The Workmen's Compensation Act
Middleton, W.E. / Ontario. The Workmen' Compensation Commission. -- Toronto: King's Printer, 1932.

Roach

Report on the Workmen's compensation act ; report of the Hon. Justice Roach, commissioner appointed to inquire into and report upon, and to make recommendations regarding the Workmen's Compensation Act upon subjects other than detail administration
Roach, Mr Justice. / Ontario.

Commission to inquire into and report upon and to make recommendations regarding the Workmen's Compensation Act upon subjects other than detail administration. -- Toronto: Baptist Johnston, 1950.

"Appointed as Commissioner in October 1949 by the Lieutenant-Governor of Ontario, Wilfred Daniel Roach examined scales of compensation, payment of claims, industrial diseases, assessments, appeals, accident prevention, merit rating, rehabilitation, investments, and composition of the Board." ³

McGillivray

Report of the Royal Commission in the matter of the Workmen's Compensation Act
McGillivray, George A. / Ontario. Royal Commission in the Matter of the Workmen' s
Compensation Act. Ontario, 1967.

"This Royal Commission inspected all phases of the Ontario Board's operation and concluded that the revised administrative structure implemented in 1965 was operating smoothly. The inquiry resulted in forty-one recommendations for improving the system." ⁴ "The system" referred to was the Board's internal appeal process.

The Ontario workers' compensation system remained relatively stable through the 1960's. However, late in that decade, a period of intensive debate about the workers' compensation system began.

1973 The Task Force

The administration of workmen's compensation in Ontario
Ontario. Workers' Compensation Board. -- Toronto: The Task Force, 1973.

Task Force members: A. R. Ard, R.D. Johnston, Michael Starr
Report of the Task Force Workmen's Compensation Board, 1972

This Task Force was appointed in January 1973 by the Honourable Fern Guindon, Ont. Minister of Labour. It proposed a major reorganization of the WCB, pointing out that its organization lacked sensitivity and effectiveness and advocated for a stronger service orientation. ⁵

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http://www.worksafebc.com/about_us/library_services/reports_and_guides/sources_of_information/Default.asp#Part4

⁴ *supra*.

⁵ *supra*.

FIRST MAJOR REFORM

Background: 70s - 80s

By the late 60s and early 70s, the compensation system was perceived by injured workers to contain a number of fundamental flaws. In 1974, injured workers joined together to form the Union of Injured Workers (UIW), in an effort to bring pressure on the government and the WCB. Of critical importance to the Union was the question of permanent partial disability awards – pensions.

On February 11, 1980, the Minister of Labour announced the appointment of Professor Paul C. Weiler to make recommendations with respect to the workmen's compensation system in Ontario. (The law reform debate was largely framed around processes emanating from the appointment of Professor Paul Weiler to study the system.)

1984 - Bill 101 brought changes to benefits for injured workers, the administrative structure of the WCB, and the establishment of four independent new bodies.

1989 -Bill 162 introduced the dual-award system (compensation for economic and non-economic loss), new vocational rehabilitation and re-employment provisions. The year 1989 marked the 75th anniversary of the Workers' Compensation Act in Ontario.

The last half of the 1980s witnessed a significant transformation of the workers' compensation system in Ontario. This overhaul affected every aspect of the system: legislative, organizational, operational, financial and cultural.⁶

Changes in the 1980s and 1990s

Legislation

Workers' Compensation Act, R.S.O. 1980, c.539 (**pre-1985**)

Workers' Compensation Amendment Act, 1984 (No. 2), S.O. 1984 c. 58 (Bill 101) (**pre-1989**)

Workers' Compensation Amendment Act, 1989, S.O. 1989, c. 47 (Bill 162) (**post-1989**)

Workers' Compensation Act, R.S.O. 1990, c. W. 11 (**pre-1997**)

Bill 101, 1984

(Effective April 1, 1985)

Benefits:

Did not include the dual award wage loss system for permanent partial disability compensation. Various amendments broadened the scope of supplementary awards to the existing permanent pension.

⁶ Workers' compensation in Ontario : system in transition, 1985 - 1990 / zz No Author. -- Toronto: Workers' Compensation Board, 1990. KF 3615 ZB3 W67 1990 1-2

Administration:

WCTA was created as an independent body to serve as the final level of appeal from decisions of the WCB.

IDSP was created as an independent agency to recommend on compensation criteria for occupational diseases (Occupational Disease Panel by Bill 165-/abolished by Bill 99)

Office of the Worker Adviser & Office of the Employer Adviser established
The name of the Board was changed from the "Workmen's" to the Workers' Compensation Board.

1990 amendments- Bill 162, 1988
(R.A July 26, 1989-Effective January 2, 1990)

The second half of the implementation of the Weiler proposals began in June 20, 1988, with the tabling of Bill 162.⁷ Bill 162 comprehensively reformed the system of compensation for permanent disabilities and enacted for the first time strong re-employment provisions.

Bill 162, an Act to Amend the Workers' compensation Act, is the most significant change to the Act since its inception. It contained three main initiatives: 1) the dual – award model of disability compensation, 2) vocational rehabilitation, and 3) re-employment obligations.⁸ Several new time limits were included in the Act and some benefits payment periods were restricted.

Towards Weiler and the First Major Reform

The report known as the "Grey Paper" was prepared for the WCB by Ken Harding, former secretary of the Association of Canadian Workers' Compensation Boards in 1979. It would be studied with a view to restructuring the compensation system in Ontario. It was perceived as extremely narrow and subjective by the Injured Workers Consultants (IWC), which called on the government to institute a broad enquiry of the whole system by an independent source.

Current concerns in workmen's compensation. [WCB Grey Paper]
Workmen's Compensation Board WCB Ontario. -- Paper prepared by WCB. Tabled in the Legislature, Dec 19, 1979 by Hon Mr Elgie. 21 p.and appendices. Journals of the House. 1979.

The 1978 actuarial report prepared by the Wyatt Company, raised questions about the financial soundness of the workers' compensation system.⁹ The report recommended that a much more broadly-based study was needed to resolve what were perceived to be controversial items in the workers' compensation system.

⁷ See Dee, Garth, "A Short History of Workers' Compensation" p. 14

⁸ Backgrounder MF 8962

⁹ Examination of the Financial Structure of the Workmen's Compensation Board and an Assessment of the Actuarial Deficit (Toronto: Wyatt Co., 1978)

Examination of the financial structure of the Workmens' Compensation Board and an assessment of the actuarial deficit : report.
Ontario. Ministry of Labour Wyatt Company. -- Toronto: The Company, 1978.

Weiler Report

Professor Paul Weiler was commissioned by the Honourable Robert G. Elgie, Ont. Minister of Labour, to review the system of Workers' Compensation in Ontario. "Recommendations were submitted respecting the decision-making procedures of the WCB, the scheme of compensating injured workers, the method of financing compensation, the relationship between the WCB and the OS&H division of the Ministry of Labour, the role of workers advisors, and the decentralization of claims adjudication."^{10 11}

First Report

In his first report, Weiler reviewed the philosophical underpinnings of workers' compensation; he outlined the issues and made a number of proposals aimed at overhauling the benefit system and the administrative structure of workers' compensation. On November 18, 1980, Labour Minister Elgie tabled Weiler's first report, *Reshaping workers' compensation for Ontario*.

Reshaping workers' compensation for Ontario
Weiler, Paul C. -- Toronto: Ministry of Labour, 1980.

Reshaping workers' compensation for Ontario
Weiler, Paul C. -- Toronto: Ministry of Labour, 1980b.

Second Report

Weiler's second report addressed the issues of how industrial disease should be handled within worker's compensation, the relationship of this program to others involved in the compensation and prevention of disabling injuries to Ontario workers, and systemic reform. The second report pointed the way toward consideration of a system of universal disability compensation as one possible solution.

¹⁰ http://www.worksafefbc.com/about_us/library_services/reports_and_guides/sources_of_information/Default.asp#Part4

¹¹ For more background on the context and goals of the Weiler report, see Will injured workers get a fair hearing? : an educational forum on workers' compensation and the Weiler Study : current problems and issues. / Weiler, Paul C. Toronto: Committee on the Weiler Study, 1980. KF 3615 ZB3 C65 1980. This background paper was prepared by the Committee on the Weiler Study for the Educational Forum held Sunday, June 8th, 1980 in Toronto. It included an overview of problems with the Ontario WCB, a discussion of perceived racism and sexism at the Board, the relationship of workers' compensation and educational health and safety, the precursors to the Weiler study, an analysis of the financial workings of compensation, a look at legislation in Saskatchewan and British Columbia.

Protecting the worker from disability : challenges for the eighties
Weiler, Paul C. / Ontario. Ministry of Labour. -- Toronto: Ministry of Labour, 1983.

Third Report

In this Report Weiler re-examined the original dual-award proposal in light of the debate since 1980 and changes in the compensation system. He recommended a new variant of the dual award system, moving from an "actual wage loss" system to a "projected wage loss" proposal.

Permanent partial disability : alternative models for compensation
Weiler, Paul C. / Ontario. Ministry of Labour. -- Toronto: Ministry of Labour, 1986.

Summary of the Weiler report on workers' compensation benefits for permanent partial disability. [Dual award]
Weiler, Paul. -- Ontario. Ministry of Labour? December 1986 11p. [possibly part of press release with Weiler 3rd report] 1986.

Professor Weiler in Phase II of his study entitled Protecting the Worker from Disability: Challenges for the Eighties, issued in April of 1983, gave considerable attention to the compensation of occupational disease in Ontario. The research for Professor's Weiler's study was done by Dr. Annalee Yassi and her findings are detailed in this document.

Occupational disease and workers' compensation in Ontario : report prepared for Paul Weiler in his study of workers compensation in Ontario.
Weiler, Paul C.; Yassi, Annalee. / Ontario. Ministry of Labour. -- Toronto: Ministry of Labour, 1983.

Responses

Responses to the study of the workmen's compensation system in Ontario (Weiler report)
Weiler, Paul C. Toronto, 1980.

Submissions

Submissions to the study of the workmen's compensation system in Ontario (Weiler report)
Toronto, 1981.

Submission of the Ontario Federation of Labour to Professor Paul C. Weiler].
Ontario Federation of Labour. 1981 10 29.

Coverage since 1915 of industrial diseases under the Workmen's Compensation Act, Ontario.
Workers' Compensation Board

Commentaries

This report was prepared for the Minister of Labour, Robert G. Elgie, pursuant to arrangements made with Professor Paul. C. Weiler, by Professor Terence G. Ison.

Compensation for industrial disease under the Workers' Compensation Act of Ontario
Ison, Terence G. / Ontario. Industrial Disease Standards Panel. -- Toronto: Industrial Disease Standards Panel, 1989. <http://www.canoshweb.org/odp/default.htm>

Terms of reference for the review of the Ison Report (dated Feb.28,1989) entitled: 'Compensation for industrial disease under the Workers' Compensation Act of Ontario.' Industrial Disease Standards Panel. 1989.

re: Ison Report. [Weiler's review of Professor Ison's report on compensation for industrial disease, prepared for the I.D.S.P.]
Weiler, Paul. 1989.

Proposing the Creation of an Independent Appeals Tribunal

White Paper – 1981 & 1983

The Minister of Labour, Elgie, introduced this White Paper on June 25, 1981. The White Paper is a two-part Ministry response to the Weiler Report. The first half consists of a 71 page distillation of Weiler's recommendations into 21 major proposals. The second part is draft legislation putting these proposals into legislative language.

The White Paper proposed the creation of an independent appeals Tribunal and increased access by workers to documents concerning them. These recommendations were adopted in Bill 101, which established the Workers' Compensation Appeals Tribunal. WCAT became operational on 1 October 1989.¹²

White paper on the Workers' Compensation Act
Weiler, Paul C. / Wyatt Company.; Ontario. Workers' Compensation Revision Committee. Toronto, 1981.

White paper on the Workers' Compensation Act
Weiler, Paul C. / Ontario. Workers' Compensation Revision Committee. Ontario. Ministry of Labour Ontario. -- -- 2nd ed. -- Toronto: The Ministry, 1983.

Standing Committee on Resources Development

The Standing Committee on Resources Development has frequently examined the operations of the Ontario Workers' Compensation Board. Between 1980 and 1988, the Standing Committee reviewed the Board's Annual Report on a regular basis. The Standing Committee also held public hearings in 1984 and 1989 to assist in its review of Amendments to the Workers' Compensation Act (Bills 101 and 162, respectively)."¹³

¹² See Workers' Compensation in Ontario: a decade of reform. / Derstine, Dirk Nathu Shamash. -- University of Toronto Faculty of Law review. 1990 v.48 p.22-47. 1990. (p. 36)

¹³ See GP WSI Report Stand. Com. Res. Dev. 1991

On September 8, 1982, The Standing Committee on Resources Development began hearings on the Weiler Report and White Paper with a mandate to invite briefs and public appearances on WCB reform. This is the final report of the Standing Committee on Resources Development with respect to the Weiler Report and the Government White Paper.

Report on 'Reshaping workers' compensation for Ontario' by Paul C. Weiler - 1980 ('The Weiler Report') and 'Government of Ontario White paper on the Workers' Compensation Act' - 1981 ('The White paper') : final report
Weiler, Paul C. / Ontario. Ministry of Labour. Ontario. Legislative Assembly. Standing Committee on Resources Development. -- Toronto: Ontario Pub. Centre, 1983.

[Transcripts of the Standing Committee on Resources Development re Annual Report, Workers' Compensation Board, 1983].
Ontario. Legislative Assembly. Standing Committee on Resources Development. 1983. GP WSI Transcripts Stand. Com. Res. Dev. 1983

Report on the 1984 Annual Report of the Workers' Compensation Board
Laughren, Floyd. / Ontario. Legislative Assembly. Standing Committee on Resources Development. Toronto, 1985.

In keeping with the statutory requirement of s. 85 of the Workers' Compensation Act, the WCB's report was referred to the Standing Committee on Resources Development. NOTE: In 1984 the practice differed from previous years in two respects: groups were invited to comment on the report in public hearings and the Committee made a decision that a report of its own would come out of its deliberations.

[Submission of 1985 10 08 to the Standing Committee on Resources Development on the Workers' Compensation Board Annual Report 1984].
Employers' Council on Workers' Compensation. 1985 10 08.

[Transcripts of the Standing Committee on Resources Development re Annual Report, Workers' Compensation Board, 1984].
Ontario. Legislative Assembly. Standing Committee on Resources Development. 1984.

Pursuant to s. 85 of the Workers' Compensation Act, the Board filed its 1985 annual report with the Minister of Labour, who in turn submitted it to the Legislative Assembly.

Report on the 1985 Annual Report of the Workers' Compensation Board
Laughren, Floyd. / Ontario. Legislative Assembly. Standing Committee on Resources Development. Toronto, 1987.

The Committee held public hearings in Toronto from March 9 to March 13, 1987. The Committee recommended the establishment of a Royal Commission to review the workers' compensation system in Ontario with the objective of making recommendations to the government for a new Workers' Compensation Act.

Hansard. Official Report of Debates. Legislative Assembly of Ontario. Standing Committee on Resources Development. Annual Report. Workers' Compensation Board, 1985
 Ontario. Legislative Assembly. Standing Committee on Resources Development. -- Toronto: Legislative Assembly of Ontario, 1987.

Submissions to the Standing Committee on Resource Development on the Annual Report of the Workers' Compensation Board, 1985.
 Ontario. Legislative Assembly. Standing Committee on Resources Development. Ontario, 1987.

Hansard. Official Report of Debates. Legislative Assembly of Ontario. Standing Committee on Resources Development. Annual Report. Workers' Compensation Board, 1986
 Ontario. Legislative Assembly. Standing Committee on Resources Development. -- Toronto: Legislative Assembly of Ontario, 1988.

Submissions to the Standing Committee on Resource Development on the Annual Report of the Workers' Compensation Board, 1986.
 Ontario. Legislative Assembly. Standing Committee on Resources Development. Ontario. 1988.

Office of the Worker Adviser

Report to the Standing Committee on Resources Development
 Ontario. Office of the Worker Adviser. Ontario. Legislative Assembly. Standing Committee on Resources Development. -- Toronto: The Office. 1987.

Standing Committee on Resources Development - Bill 101

Hansard. Official Report of Debates. Legislative Assembly of Ontario. Bill 101
 Ontario. Legislative Assembly. -- Toronto: Legislative Assembly of Ontario, 1984.

[Transcripts of the Standing Committee on Resources Development re Workers' Compensation Amendment Act (Bill 101)].
 Ontario. Legislative Assembly. Standing Committee on Resources Development. 1984. GP WSI Bill 101 Transcripts Stand. Com. Res. Dev. 1984

[Exhibits submitted to the Standing Committee on Resources Development re Workers' Compensation Amendment Act (Bill 101)].

Workers' Compensation Reform, 1988

On June 20, 1988, Minister of Labour Gregory Sorbara introduced to the Legislative Assembly amendments to the Worker's Compensation Act.

This publication includes the amendments (Bill 162), the Minister's statement to the Assembly, and some background material.

Workers' compensation reform, 1988
Toronto: Ministry of Labour, 1988.

WCB Green Paper

The Green paper process was initiated by Mr Sorbara, Minister of Labour in 1988, during the Bill 162 debates. The purpose was to study important aspects of workers' compensation law not dealt with by Bill 162.¹⁴

Labour's positions on matters raised during the green paper external committee discussions on workers compensation reform.
Ontario Federation of Labour (OFL) July 4, 1989 15 p. 1989.

Re: the Green Paper on workers' compensation. [Board's views on topics which might be included for discussion in the Green Paper]
Elgie, Robert G. -- Workers' Compensation Board (Ontario). Letter to Minister of Labour from Robert G Elgie. June 15, 1989. 6p. 1989.

Standing Committee on Resources Development- Bill 162

Agenda re hearings on Bill 162, an Act to Amend the Workers' Compensation Act
Ontario. Legislative Assembly. Standing Committee on Resources Development. -- Toronto: The Committee, 1989.

Hansard re: Bill 162, Workers' Compensation Amendment Act, 1988
Toronto: Legislative Assembly of Ontario, 1989.

[Transcripts of the Standing Committee on Resources Development regarding Bill 162, Workers' Compensation Amendment Act - February 27 - July 10, 1989]
Ontario. Legislative Assembly. Standing Committee on Resources Development. -- Toronto: The Committee, 1989.

Submissions to the Standing Committee on Resources Development regarding Bill 162, Workers' Compensation Amendment Act, 1988
Toronto: The Committee, 1989.

¹⁴ WCB Green Paper. / zz No Author. -- I.A.V.G.O. reporting service newsletter. 1990 v. 3(5) p.2. 1990. source May 18, 1980

1991 Standing Committee on Resources Development-Service delivery

In April 1991 the New Democratic Member for Muskoka-Georgian Bay, Mr. Dan Waters used his party's privilege under the provisions of Standing Order 123 to ask the Standing Committee on Resources Development to conduct "a review of the procedures of the Workers' Compensation Board which impede the provision of efficient services to workers and employers."

Report under standing order 123 on service delivery at the Workers' Compensation Board Ontario. Legislative Assembly. Standing Committee on Resources Development. -- Toronto: The Committee, Legislative Assembly of Ontario, 1991. In 1992, the Interim report of the Operational Review was tabled.

Operational review of service performance : interim report Ontario. Workers' Compensation Board. -- Toronto: The Board, 1992.

Task Force on Vocational Rehabilitation

"After much outcry about the way rehabilitation was being administered in the province, the government created the Task Force on rehabilitation in 1986. The task force comprised of employer and employee representatives, and representatives of the medical community."¹⁵

This is the report produced by the members of the Task Force on Vocational Rehabilitation. The government tabled this report in April 1988. The report recommended comprehensive reform of the nature and delivery of vocational rehabilitation services.

An injury to one is an injury to all. Towards dignity and independence for the injured worker. Task Force on the Vocational Rehabilitation Services of the Workers' Compensation Board
Minna, Maria; Majesky, W. / Ontario. Ministry of Labour. Ontario. Task Force on the Vocational Rehabilitation Services of the Workers' Compensation Board. Toronto, 1987.

An injury to one is an injury to all : towards dignity and independence for the injured worker : a summary of a report submitted to the Minister of Labour on September 2, 1987
Ontario. Task Force on the Vocational Rehabilitation Services of the Workers' Compensation Board. -- Toronto: Ministry of Labour, 1987.

Submission to the Ontario Task Force on Vocational Rehabilitation by the Ontario Federation of Labour.
Ontario Federation of Labour, 1986 33 p. OFL 1986.

¹⁵ Dirk Derstine, Shamash Nathu, (1990), "Workers' Compensation in Ontario: A Decade of Reform" 48 *University of Toronto Faculty of Law Review* 22 [MF 4238]

An injury to one is an injury to all. [Labour view of current state of workers compensation in Ontario includes comments on bill 162
Ontario Federation of Labour OFL. -- OFL / FTO 32nd Annual Convention. November 28-Dec 1, 1988. Document 5. 7p. 1988.

Report of the Chairman's Task Force on Service Delivery and Vocational Rehabilitation
Minna, Maria. / Ontario. Workers' Compensation Board. Task Force on Service Delivery and Vocational Rehabilitation. -- Toronto: The Task Force, Workers' Compensation Board, 1992.

Action plan : the WCB's response to the report of the Chairman's Task Force on Service Delivery and Vocational Rehabilitation
Ontario. Workers' Compensation Board. Task Force on Service Delivery and Vocational Rehabilitation. -- Toronto: Workers' Compensation Board, 1992.

Strengthening vocational rehabilitation : a vocational rehabilitation program review : a discussion paper for consultation.
Ontario. Workers' Compensation Board. -- Toronto: The Board, 1992.

75th Anniversary Symposium

In 1989, the Workers' Compensation Board (WCB) hosted a symposium, which brought together leading authorities to discuss subjects such as legislative changes to workers' compensation, new approaches to medical and vocational rehabilitation, and organizational change in large public agencies. This commemorative book includes the text of presenters', guest speakers' panelists' and chairman's remarks.

The Workers' Compensation Board of Ontario 75th anniversary symposium Toronto: The Board, 1989.

Other Key Studies and Reports Released During the 1980s and Early 1990s

Committee report on proposed worker's compensation legislation.

Canadian Bar Association - Ontario. D Kevin Carroll, chairman. -- Canadian Bar Association - Ontario. 1984.

(Report comments, from the law profession's point of view, on a number of documents proposing changes to the 1984 Workers' Compensation Legislation.)

Feasibility study with respect to a workers' compensation program for workers under federal jurisdiction : phase I, report.

Ottawa: Ministry of Labour, 1983.

Project on compensation for personal injury and death : research paper : compensation for loss of working capacity.

Reaume, Denise. / Ontario Law Reform Commission. -- Toronto: Ontario Law Reform Commission, 1987.

Report on compensation for personal injuries and death

Ontario Law Reform Commission. -- Toronto: Ministry of the Attorney General, 1987.

Legislative history of industrial disease entitlement. A report to the Medical and Occupational Disease Policy Branch.

Webster, Michael. -- Workers' Compensation Board (Ontario). August, 1991. 111p. 1991.

Report of the Occupational Disease Task Force

West, Leigh; King A; Rickwood, R. / Ontario. Occupational Disease Task Force. -- Toronto: The Task Force, 1993.

SECOND MAJOR REFORM (MID 1990s - PRESENT)

Legislation

Bill 165-An Act to Amend the Workers' Compensation Act and the Occupational Health and Safety Act, S.O. 1994, c. 24

Bill 15- Workers' Compensation and Occupational Health and Safety Amendment Act, 1995, S.O. 1995, c.5

Bill 99, Workplace Safety and Insurance Act, 1997, S.O. 1997, c. 16, Sch.A. (Effective January 1, 1998). The Bill received second reading on April 24, 1997, and was referred to the Standing Committee on Resources Development for Public hearing during the period June 9, 1997 to August 14, 1997. On October 10, 1997, Bill 99¹⁶ was given royal assent.

Premier's Labour Management Advisory Committee (PLMAC)

As a result of conflicting pressures, in the spring of 1993, a committee composed of trade union and business leaders, the "Premier's Labour Management Advisory Committee" (PLMAC) was given the responsibility to develop legislative proposals.

Package of materials including: PLMAC [Premier's Labour Management Advisory Committee] WCB reform framework. PLMAC WCB reform conceptual agreement. News clippings. Office of the Minister of Labour. (Ontario). March 5, 1994. 5p. CAW/TCA Canada. March 7, 1994. 5p. 1994.

Technical summary of workers' compensation reform. [PLMAC] Ontario Ministry of Labour. April, 1994. 4p. 1994.

1994 - The Royal Commission on Workers' Compensation

On November 4, 1994, Labour Minister Shirley Coppen officially launched the Royal Commission on workers' compensation. Ms. Coppen named Lynn William, as chief commissioner, and David C. Smith and Jalynn Bennett as vice-commissioners.

¹⁶ Workplace Safety and Insurance Act, 1997, S.O. 1997, c. 16, Sch.A. The full title of the Act is, *An Act to serve the financial stability of the compensation system for injured workers, to promote the prevention of injury and disease in Ontario workplaces and to revise the Workers' Compensation Act and make related amendments to other Acts.*

Order in Council 3267/94. [Terms of reference for the Ontario Royal Commission on Workers Compensation.] and proclamation of members of the Commission. Ontario. Executive Council. November 16, 1994. 5p. 1994.
GP WSI Summaries/Reports Royal Com. 1995

The Royal Commission began to receive submissions and to hold hearings. Following the 1995 general election, the new government scrapped the Royal Commission¹⁷ and appointed C. Jackson as Minister without portfolio, responsible for workers' compensation. The members of the Commission briefed Minister Jackson but did not issue any report on their findings.

Summaries / reports on the public hearings of the Royal Commission on the Workers' Compensation Board of Ontario
Ontario. Royal Commission on the Workers' Compensation Board of Ontario. --
Toronto: Ontario Federation of Labour, 1995.

The *Report on New Directions for Workers' Compensation Reform*, by Minister Jackson, outlined a set of recommendations for extensive changes to the workers' compensation system based on the comprehensive review of the Ontario's workers' compensation system he conducted since his appointment in July of 1995 as Minister Responsible for WCB Reform. These recommendations formed the basis for the introduction by the Minister of Labour, on November 26, 1996, of Bill 99.

New directions for workers' compensation reform
Jackson, Cam. / Ontario. Minister Without Portfolio Responsible for Workers' Compensation Reform. -- Toronto: Minister Without Portfolio Responsible for Workers' Compensation Reform, 1996.

Related Materials Regarding The *Report on New Directions for Workers' Compensation Reform*

New directions for workers' compensation: a discussion paper.
The Honourable Cam Jackson, Minister Without Portfolio, Responsible for Workers' Compensation Reform. January, 1996 52p. 1995.

Minister Cam Jackson's discussion paper New Directions for Workers' Compensation Reform. Comment by S.R. Ellis, Q.C. Tribunal Chair.
Ellis, S. Ronald. -- Workers' Compensation Appeals Tribunal (Ontario). March 1996. 12p, and 26p. appendix. 1996.

Final-level appeal processes in workers' compensation systems. Minister Cam Jackson review. Notes by S.R. Ellis.
Ellis, S. Ronald. -- Workers' Compensation Appeals Tribunal (Ontario). December 1995 31p. and 6p. appendix. 1995.

¹⁷ See Dee, Garth p. 18

Private sector solutions for workers' compensation problems : a report to Cam Jackson, Minister without Portfolio Responsible for WCB Reform
Insurance Bureau of Canada. -- Toronto: Insurance Bureau of Canada, 1996.

Private sector solutions for workers' compensation problems. A report to Cam Jackson Minister without portfolio responsible for WCB reform.
Insurance Bureau of Canada. March 8, 1996. 51p. 1996.

Standing Committee on Resources Development Submissions

[Standing Committee on Resources Development Submissions -Bill 165](#)

Submission to the Standing Committee on Resources Development Bill 165. Proposed changes to the Ontario Workers' Compensation Act.
CAW / TCA Canada. September 6, 1994. 36p. 1994.

[Standing Committee on Resources Development Submissions -Bill 99, 1997](#)

Bill 99 : workers' compensation reform act : review and analysis of proposed changes to the Workers' Compensation Act
L.A. Liversidge & Associates. -- Toronto: L.A. Liversidge & Associates, 1997.

KF 3615 ZB37 L58 1997 c.1-2

Bill 99. Workers' Compensation Reform Act. Review and analysis of proposed changes to the Workers' Compensation Act.
L.A. Liversidge & Associates Ltd. January 27, 1997. 1997.

BOOKS, STUDIES AND ARTICLES

Ontario Workplace Safety and Insurance Act and commentary : 2009 edition.
Dee, Garth; Newhouse, Gary. -- 2009 -- Markham, ON: LexisNexis Butterworths, 2008.

Workers' compensation : foundations for reform.
Gunderson, Morley; Hyatt, Douglas. -- Toronto: University of Toronto Press, 2000.

Workmen's compensation for injuries act, 1892, 55 Vict. cap. 30 (0.) : and the Revised statute of Ontario (1887), chapter 135, commonly known as Lord Campbell's act / with copious notes by George Smith Holmested.
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