

# The Stanhope Manifesto on Workers' Compensation

## Introduction

In 2002, representatives of three unions representing unionized workers at various workers' compensation boards across Canada met in Stanhope, Prince Edward Island. The three unions were the Canadian Union of Public Employees (CUPE), the National Union of Public and General Employees (NUPGE), and the Compensation Employees' Union (CEU). The decision to develop a statement of principles of a fair and comprehensive workers' compensation system was made at that meeting, hence the name, "Stanhope Manifesto".

The statement sets out the principles that unionized workers of Canadian workers' compensation boards believe are the minimum conditions for a comprehensive and fair workers' compensation system.

The statement is consistent with the principles expressed by Sir William Meredith in 1910, which are known as the historic compromise. With the historic compromise, workers gained the right to workers' compensation benefits regardless of fault, in return for giving up the right to sue their employers.

In our federal political system, each jurisdiction has the authority to develop its own legislative framework and workers' compensation board. While we respect the decision-making authority of each jurisdiction, we believe that the principles of the Stanhope Manifesto should be reflected in all workers' compensation boards in Canada.

We ask organized labour in Canada to endorse these principles.

## Principles of a Fair and Comprehensive Workers' Compensation System

### Safe and healthy work

1. All people have the right to employment that is free of injury and illness and the threat of injury and illness.

### Coverage

2. Workers' compensation and health and safety laws should cover all workers.
3. All work related disabilities, injuries, or illnesses, including repetitive strain and workplace stress, should be covered under workers' compensation law and policy.

### Public system

4. Workers' compensation should:
  - Be publicly delivered
  - Be administered in a not-for-profit system, collectively-controlled through legislation
  - Receive appropriate support from provincial governments
5. Service should respect the individual needs of the injured worker and be provided in a non-bureaucratic fashion.

### **Independent system**

6. Government should remain at arm's length to allow for independent decision-making and rate setting under the terms of legislation.
7. Politicians should not exert any influence on workers' compensation boards to ensure the boards are non-partisan.
8. All employers should be treated the same; special treatment should not be given to any employers.
9. The boards should not allow any inappropriate external attempts to influence the organization. Any such attempt should be publicly reported.

### **Compensation**

10. Workers have the right to be fully compensated if they are injured or become ill due to their work. They should be returned to meaningful employment. The help they receive should be provided in a manner that respects their individual capacity and treats them with dignity and respect.
11. Pension benefits should be provided to workers with permanent impairments arising from work-related injuries and conditions. These benefits should recognize and adequately compensate workers for their losses.
12. If a worker dies due to a work-related illness or injury, dependent family members should receive compensation.
13. Wage loss benefits should recognize all earnings lost due to work injury and illness. Benefits should be adjusted to inflation. There should be no waiting period for benefits.

### **Rehabilitation**

14. Workers' compensation boards should provide in-house vocational rehabilitation services to help injured workers return to employment. Such services should provide at least pre injury earnings.

### **Appeals**

15. Appeal procedures should ensure that injured workers' complaints are resolved quickly and fairly, and respect their rights to due process. Compensation systems should be staffed and workloads set at levels that allow this.

### **Legislative review**

16. Legislation and regulations for workers' compensation should be publicly reviewed regularly (at least every four years). The input of frontline workers and their representatives should be actively sought in the review process.

### **Compliance**

17. Workers' compensation boards should not allow employers to intimidate or discourage employees from filing workers' compensation claims. Boards should have the authority, ability, and responsibility to ensure employers comply with claims reporting requirements.

### **Research**

18. Workers' compensation boards should be pro-active in identifying conditions that are eligible for compensation.
19. Workers' compensation boards should conduct ongoing and thorough research on the impact of workplace injury and illness. Research should also be conducted on the adequacy of the

compensation system to address the impact of workplace injury and illness.

### **Prevention**

20. Workers' compensation boards should be proactive in ensuring that all reasonable measures are taken to prevent workplace injuries.
21. Workers' compensation boards should educate and train young workers about workplace hazards and their rights under workplace safety and health legislation.

### **Technology**

22. Advances in technology should be used to enhance fair and timely compensation to injured workers.
23. Technology should be used to enhance injured workers' access to the system.

24. Technology should not be used to eliminate the duty of board employees to adjudicate all claims or assess employers.

25. Technology should be owned, operated, and controlled by the workers' compensation board that it serves.

### **Board management**

26. Staffing resources should be maintained at levels that ensure employees can meet the needs of stakeholders.
27. Workers' compensation boards should provide employees with a safe, healthy, and secure work environment. Board management should provide employees with the support they need to do their jobs effectively and efficiently.