Funding a Compensation System

A Labour Point of View

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We, at the QFL, are of the opinion that the Québec experience rating system does not meet the objectives set forth by the legislator.

In 2005, a parliamentary committee came to the same conclusion.
H & S Régime in Québec

2009: creation of a committee to review the health and safety régime in Québec
prevention = accidents = $$$ for employers
Comparison

Home fire insurance:

- construction date
- type of heating system
- smoke detector
- distance from fire station
- distance from water hydrant
- cat, dog
- experience:
  - number of occurrences
  - repair costs
Measurement

Only 2 means of measurement:

1. frequency
2. gravity/seriousness
32,246 appeals in 2011-2012
made to the specialized tribunal
« Commission des lésions professionnelles » (CLP)
What we want

- make sure the method of calculation is not a lead to a legal approach or an incentive to hide work accidents and diseases

- ensure the method is an incentive to put in place real prevention activities with the objective to effectively reduce the number of work accidents and diseases
Proposed régime

10% • compensation

30% • inspection

60% • prevention activities

employer’s contribution
10%

- compensation
- experience rating
  - frequency
  - gravity/seriousness
30%

- inspection
  - fines
  - discrepancy
• prevention activities

• undertaking mechanism
• prevention program
• health program

evaluation mechanism or measurement tool (audit)
Audit: who will?

- tripartite committee
  - CSST
  - employers’ representative
  - workers’ representative
- unions’ appointed person
- independent organization
- CSST
- sector base association (bipartite)
Audit: when?

- ± 245,000 establishments
- each of them can be composed of two workers, to many thousands
- similar establishments may be grouped in “mutuelles de prévention”
- a single establishment (i.e. City of Montréal’s white collar workers) means hundreds of workplaces
- workplaces’ variability (i.e. local convenience store vs. Bombardier Aerospace)
Audit: what?

- ensure that a H & S committee, a workers’ H & S representative, health and prevention programs are present and working

- does the H & S committee take into account the nature of the discrepancies and fines, while fixing its priorities?

- the nature of the accidents and diseases, and which actions were undertaken to prevent reoccurrence
Unanswered questions

▪ How to react towards an employer that, in spite of his compliance to the best possible practices in a workplace, sees a fatality happen in his establishment?

▪ In which manner compliance can be maintained, and at the same time, avoid having an indigestible stack of useless paperwork, also called paper prevention?
Questions?