

Funding a Compensation System

A Labour Point of View

Jean Dussault, Director
Health and Safety Department
Quebec Federation of Labour (QFL)

Prevention Incentives Symposium
Toronto, November 30, 2012



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



60%

- 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?

- \pm 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?