

Board of Directors Meeting Minutes

February 23, 2022 – 1:00 p.m. to 4:00 p.m.

February 24, 2022 – 9:00 a.m. to 12:00 p.m.

Webex

Attendees: Mel Norton (Chairperson), Haley Flaro (Vice-Chairperson), Donna McNeill, Gaëtan Guérette, Mike MacMullin, Lucien Sonier, Bert Cyr, Tina Soucy, James Stanley, Tim Petersen (Acting President and CEO)

Regrets: None

Staff Present for the Meeting: David Luther, Carol Veysey, Amanda Aube, Ali Hashemian, Perry Cheeks, Laragh Dooley, Carolyn MacDonald, Josée Pelletier, Lisa Walker, Cathy Bent, John Hurley, Jill Breen

Guests Present for the Meeting: Jason Ducharme, MNP

1. Adoption of Agenda

On motion duly made, seconded and carried it was unanimously resolved:

That the agenda for the Board of Directors meeting dated February 23 and 24, 2022 be approved as written.

2. Safety Moment

The Board members discussed details regarding a local crane accident.

3. Declarations of Conflicts of Interest

The Chairperson asked Board members if they have any conflicts of interest arising from the meeting agenda and, if so, to declare that conflict. No conflicts were declared.

4. Approval of Minutes

a. Dated October 20, 2021

On motion duly made, seconded and carried, it was unanimously resolved:

That the minutes of the Board of Directors meeting dated October 20, 2021, be approved as written.

b. Dated November 24 and 25, 2021

On motion duly made, seconded and carried, it was unanimously resolved:

That the minutes of the Board of Directors meeting dated November 24 and 25, 2021, be approved as written.

c. Dated December 9, 2021

On motion duly made, seconded and carried, it was unanimously resolved:

That the minutes of the Board of Directors meeting dated December 9, 2021, be approved as written.

d. Dated February 10, 2022

On motion duly made, seconded and carried, it was unanimously resolved:

That the minutes of the Board of Directors meeting dated February 10, 2022, be approved as written.

5. Consent Agenda

On motion duly made, seconded and carried, it was unanimously resolved:

That the Mandate Letter Update be received for information.

6. Chairperson's Report

a. 2022 Workplan

On motion duly made, seconded and carried, it was unanimously resolved:

That the 2022 Workplan be received for information.

7. CEO Report

a. Operational Highlights and Scorecard

The Acting President and CEO provided a summary of the operational highlights and scorecard and advised that the reporting format will be different and welcomes feedback on the new process once it is fully underway.

On motion duly made, seconded and carried, it was unanimously resolved:

That the operational highlights and scorecard update be received and filed for information.

b. Non-bargaining Cost of Living Adjustment

On motion duly made, seconded and carried, it was unanimously resolved:

That the cost-of-living adjustment be approved for non-bargaining staff.

8. Meeting with Minister Holder

The Minister would like to ensure balance is maintained between workers and employers and that benefits for injured workers be restored now that WorkSafeNB is well funded.

The Minister is in agreement that floatation devices will decrease accidents the same way instituting regulations around seatbelts and smoking has done so. We are the last jurisdiction to be implementing fishing regulations so he emphasized the need to continue moving forward on this initiative.

The Minister asked for recommendations to improve the appointment process for new Board Members. It was noted that the process is lengthy and it would be helpful if there was a way to avoid delays in appointments. The Minister suggested looking at the current compensation for Board Members to increase the interest of prospective candidates.

While discussing modernisation of WorkSafeNB, the Minister requested we be mindful of the legacy of WorkSafeNB's Rehabilitation Centre in the community as we explore new ways of doing business. The Acting President and CEO advised that discussions are ongoing with the mayor of Grand Bay-Westfield regarding their interest in using parts of facility and that WorkSafeNB recognizes and appreciates the role of the building in the community and that we also value the people that work at the Rehabilitation Centre.

It was suggested that meetings with the Minister be more frequent, either quarterly or bi-annually.

9. Policy

a. Policy 21-400 Rehabilitation

Recommended changes to Policy 21-400 were presented.

The Board has requested that the policy changes be clearly communicated to our stakeholders.

On motion duly made, seconded and carried, it was unanimously resolved:

That Policy 21-400 Rehabilitation, release 5, be approved and Policy 21-400 Rehabilitation, release 4; and Policy 21-421 Workforce Re-entry, release 3 be rescinded.

b. Policy 21-417 Identifying Suitable Employment

Recommended changes to Policy 21-417 were presented.

The Board would like further details on workforce re-entry training and it was advised that additional details would be provided.

On motion duly made, seconded and carried, it was unanimously resolved:

That Policy 21-417 Suitable Work and Suitable Occupation, release 3, be approved and Policy 21-417 Identifying Suitable Employment, release 2 be rescinded.

c. Policy 21-420 Return to Work - Principles

The reasons for rescinding Policy 21-420 were presented.

The Board has requested a one-page document to communicate the changes to stakeholders.

On motion duly made, seconded and carried, it was unanimously resolved:

That Policy 21-420 Return to Work - Principles, release 5 be rescinded.

10. Governance Committee Update

a. Chairperson's Report

The Governance Committee Chair provided an overview of her report to the Board.

On motion duly made, seconded and carried, it was unanimously resolved:

That the Chairperson's Report be received and filed for information.

b. Employer Representative Vacancy Posting / Set Requirements for Board Nomination Letters

On motion duly made, seconded and carried, it was unanimously resolved:

That the Employer Representative Vacancy Posting / Set Requirements for Board Nomination Letters be approved as written.

c. Board Admin and Legal Support

On motion duly made, seconded and carried, it was unanimously resolved:

That the Board Admin and Legal Support position be approved.

d. Bifurcation of General Counsel & Corporate Secretary Role

On motion duly made, seconded and carried, it was unanimously resolved:

That the Bifurcation of the General Counsel & Corporate Secretary Role be approved.

Details need to be determined for the structure of each role and communicated to the Minister.

On motion duly made, seconded and carried, it was unanimously resolved:

That the Bifurcation of the General Counsel & Corporate Secretary Role be brought to the Governance Committee on May 26, 2022 for further discussion.

Motion to adjourn at 2:56 p.m. February 23, 2022.

The Board of Directors meeting resumed at 1:00 p.m. February 24, 2022.

11. Human Resources & Compensation Committee Update

The Human Resources and Compensation Committee Chair provided an overview of her report to the Board.

On motion duly made, seconded and carried, it was unanimously resolved:

That the Human Resources and Compensation Committee update be received and filed for information.

12. Financial Update as of Q3 2021

The Chief Financial Officer provided a summary of the unaudited financial results as at December 31, 2021.

It was suggested that benefits be improved now that the employer assessment rate has improved. The CFO cautioned against improving benefits as a result of the funding level and indicated that the funding formula is set to protect the accident fund. The Board would also like to see assessment rates decrease but only if we are also improving worker benefits.

On motion duly made, seconded and carried, it was unanimously resolved:

That the Financial Update as of December 31, 2021, be received and filed for information.

13. Review and Approve Plan for Consultation on Legislative Change

a. WSNB Stakeholder Consultation – Benefits and Entitlements Report

The report was presented and it was recommended that we move forward with two benefit improvements and combine the 13 other recommendations for future consultation.

On motion duly made, seconded and carried, it was unanimously resolved:

That the WorkSafeNB Stakeholder Consultation – Benefits and Entitlement Report be approved.

b. Communications Plan – Benefit Improvements

The Communications Plan for Benefit Improvements was presented. Our Actuaries believe if we have this ready for the fall we can meet our 2023 assessment rate deadline. The details will be brought to the Board as soon as possible and staff will work with the Chair and Minister to see it through.

On motion duly made, seconded and carried, it was unanimously resolved:
That the Communications Plan – Benefit Improvements be approved.

14. Enterprise Risk Management Training

The ERM Training was presented.

The Board expressed concern that WorkSafeNB’s whistle blower system isn’t working and requests that the Executive Leadership Team review recent events to determine why the whistle blower system wasn’t used and determine if we could implement something else that would be more effective.

On motion duly made, seconded and carried, it was unanimously resolved:
That the ERM Education Presentation be received for information.

15. Modernization Update

The Acting Executive Director of Business Transformation provided the Board with a modernization update.

It was noted that any external changes outside the organization could result in changes to WorkSafeNB’s modernization but that the governance structure will manage the roadmap and make adjustments as required. WorkSafeNB’s project management office will be monitoring progress and the modernization team will work with Finance to establish budget and FTE requirements.

On motion duly made, seconded and carried, it was unanimously resolved:
That the modernization update be received and filed for information.

17. New Business

It was noted that AWCBC has adopted a discovery series to identify topics from across the country to include in their wellness series and for the Governance Summit in June.

18. In-Camera

An in-camera session was held.

Motion to adjourn at 11:30 p.m. February 24, 2022.