

Board of Directors Meeting Minutes

August 10, 2022 – 1:00 p.m. to 4:00 p.m.

Webex

Attendees: Mel Norton (Chairperson) for a portion of the meeting, Haley Flaro (Vice Chairperson) Donna McNeill, Gaëtan Guérette, Lucien Sonier, Tina Soucy, Bert Cyr, Denny Vautour, Tim Petersen (President and CEO)

Regrets: James Stanley, Mike MacMullin

Staff Present for the Meeting: David Luther, Laragh Dooley, Carolyn MacDonald, Richard Blais, Eric Brideau, Mike Freeze

1. Adoption of Agenda

The Chairperson requested that the Vice Chairperson chair the meeting today.

The agenda for the Board of Directors of meeting dated August 10, 2022, was adopted as presented.

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

That the agenda for the Board of Directors meeting dated August 10, 2022, was adopted as presented.

2. Safety Moment

The Board of Directors discussed the importance of accessibility for public events in New Brunswick. Safety issues arise because of the lack of accessibility.

3. Declaration 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. Review of Annual General Meeting Presentation

The President and CEO provided an overview of the presentation for the Annual General Meeting which takes place August 17, 2022.

Members of the Board requested that information be provided on WorkSafeNB's role through the pandemic, and that work shortage challenges be reflected in the presentation.

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

That the Annual General Meeting presentation be received for information.

5. Recommended Amendments to the Workers' Compensation Act

The President and CEO recommended that this item be deferred until the full Board is in attendance. The Vice Chairperson reminded members that it is critical to send feedback or

things to consider in advance if they know they will not be in attendance, and the Board continued with this agenda item.

The Executive Director of Planning, Policy and Risk provided an overview of the 13 recommendations for amending the *Workers' Compensation Act*. She also provided a summary of two potential benefit improvements: percentage of loss of earnings (LOE) and maximum annual earnings (MAE) threshold.

The Board agreed in principle to approve the 13 recommendations for amending the Workers' Compensation Act, however, preferred to wait for the full Board to be present before providing final approval.

The Executive Director of Business Transformation and Communication provided an overview of the consultation results. Feedback from employers, workers and other stakeholders was largely centered on increasing the MAE threshold and the percentage of LOE paid, with no substantive comments on the other 13 recommendations.

With respect to the MAE and LOE, employers were split on both these recommendations, while workers and other stakeholders largely supported both. For those opposed, both workers and employers, were concerned about the sustainability of the system given the current economy and felt that other system improvements should be prioritized. WorkSafeNB's Injured Workers Advisory Committee supported both recommendations.

The Executive Director of Planning, Policy and Risk outlined the risk of recommending and not recommending each benefit improvement.

A motion was made to defer the approval of the two benefit improvements and the 13 recommendations until there is a full Board.

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

That the Board of Directors defer the approval of the two proposed benefit improvements and the 13 recommendations until there is a full board.

A separate meeting will be held with the full Board for this item only. The Board requested information be provided on the impact on the rate at that meeting.

6. Rate Setting Policies

a. Policy 23-600 – Basic Rates

The Executive Director of Planning, Policy and Risk provided an overview of policy 23-600 – Basic Rates.

Small changes were made to the policy along with a recommendation that COVID-19 costs do not be included for the accident years 2020, 2021 and 2022. These costs will have no significant impact on the rate.

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

That the Board of Directors approve Policy 23-600 Setting Basic Assessment Rate, release 4 and rescinded release 3.

b. Policy 23-605 – Experience Rating

The Executive Director of Planning, Policy and Risk provided an overview of policy 23-650 – Experience Rating.

Small changes were made to the policy along with a recommendation that COVID-19 costs do not be included for the accident years 2020, 2021 and 2022. These costs will have no significant impact on the rate.

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

That the Board of Directors approve Policy 23-605 Experience Rating System, release 5 and rescind release 4.

The Board requested information in terms of trends with long COVID.

7. Finance and Investment Committee

a. Chairperson's Report

The Board of Directors received the Finance and Investment Committee Chairperson's report for information.

b. Amendment to SEI Agreement

The Finance and Investment Committee Chairperson provided an overview of the amendment to the SEI agreement which the Committee recommended for approval.

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

That the Board of Directors approve the amendment to the SEI agreement.

c. Investment Policies

i. Policy 34-200 - Investment Goals and Objectives

The Finance and Investment Committee recommends that the Board of Directors approve Policy 34-200 Investment Goals and Objectives, release 16 and rescind release 15.

The Executive Director of Planning, Policy and Risk provided an overview of the changes to the policy.

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

That the Board of Directors approve Policy 34-200 Investment Goals and Objectives, release 16 and rescind release 15 and the other one too.

ii. Policy 34-205 - Statement of Investment Philosophies and Beliefs

The Finance and Investment Committee recommends that the Board of Directors approve Policy 34-205 Statement of Investment Philosophy and Beliefs, release 5 and rescind release 4.

The Executive Director of Planning, Policy and Risk provided an overview of the changes to the policy.

On motion duly made, seconded and carried, it was unanimously resolved:
That the Board of Directors approve Policy 34-205 Statement of Investment Philosophy and Beliefs, release 5 and rescind release 4.

8. OHS Act Five-year Review Recommendations

The President and CEO said this review is on a five-year cycle. There is not a significant amount of change but a few key items.

The Acting Director of Prevention said the Governance Committee has reviewed and approved the recommendations.

The Acting Chief Compliance Officer provided an overview of the proposed changes.

On motion duly made, seconded and carried, it was unanimously resolved:
That the Board of Directors approve the proposed changes to the OSH Act and regulations as outlined. That the Board of Directors also approve stakeholder consultation to amend the employer requirements on Joint Health and Safety Committee (JHSC) minutes.

9. In-Camera

An in-camera session of the Board of Directors was held.

Motion to Adjourn at 3:15 p.m.