

MINUTES – BOARD MEETING
1:00pm – April 25, 2018 and 9:00am – April 26, 2018

Present: Haley Flaro, Douglas Jones, Lucien Sonier, Hector Losier, Tina Soucy, Gaëtan Guérette, Michèle Caron, Maureen Wallace, Jim Stanley

Absent: Dorine Pirie, Julie Marr

Staff present: Michael McGovern, Amanda Aubé

Staff present for portion of meeting: Cathy Bent, Tim Petersen, Carolyn MacDonald, Laragh Dooley

April 25, 2018

Meeting with Auditor General

1 In-Camera Session

April 26, 2018

2 Chairperson's Remarks

The Chairperson welcomed the Directors to the meeting.

3 Declaration of any Conflicts of Interest

The Chairperson asked any Board members who have any conflicts of interest arising from the meeting agenda to declare that conflict. No conflicts were declared.

4 Adoption of the Agenda

The Board added Agenda Item 14 – Resources for the Injured Workers Advisory Committee.

Moved, seconded, and on consensus, the agenda was adopted as amended.

5 Adoption of Minutes

(a) Approval of In-Camera Minutes

The approval of the March 19, 2018 minutes was done at the April 25, 2018 in-camera meeting.

(b) Approval of minutes of meeting of March 28 and 29, 2018.

Moved, seconded, and on consensus, the minutes of March 28 and 29, 2018 were approved as written.

6 President & CEO's Report

Legal Department Update (M18-34)

WorkSafeNB's acting Corporate Secretary & General Counsel presented Memorandum M18-34 to the Board of Directors which provided an update to the Board from the legal department of WorkSafeNB .

In light of a recent Supreme Court of Canada case related to an employer's duty to accommodate an injured worker, the Board directed him to continue to pursue with Government the possibility of a legislative amendment which would give authority to WorkSafeNB to enforce an employer's duty to accommodate under the *Workers' Compensation Act*. He confirmed this has been raised with the Assistant Deputy Minister of the Department of Post-Secondary Education, Training and Labour.

Client Experience Improvement Update (M18-36)

WorkSafeNB's Director of Service Excellence introduced Memorandum M18-36 which provided an update on various initiatives under WorkSafeNB's Client Experience Improvement Roadmap.

She reported that the Office of the Integrity Commissioner has given approval for WorkSafeNB to resume its Client Satisfaction Survey. It is anticipated that some client results will be available to share in the Summer of 2018.

She also explained the recent formation of WorkSafeNB's Service Performance Excellence and Client Experience team, which will combine the Project Management, Continuous Improvement and Program Evaluation teams under one umbrella. This combined team will be effective May 1, 2018 and will hold ownership and accountability for end-to-end processes at WorkSafeNB. She noted this has been well received across the organization.

She noted that initiatives related to WorkSafeNB's IT core systems are on hold for now as this is a critical initiative on the roadmap and may require going out for RFP. She explained the focus for now is ensuring the processes are in in good shape before making any changes to IT core systems.

7 Board Voting Privileges (M18-35)

WorkSafeNB's acting Corporate Secretary & General Counsel reviewed Memorandum M18-35 which contained information related to voting privileges at Board and Board Committee meetings.

He reminded the Board it has had previous discussions on voting privileges at Board and Committee meetings, particularly in the case of the Chair and Vice-Chair. The Board discussed various issues on this matter, including what the protocol should be when a Committee

disagrees on an issue, whether the Chair and Vice-Chair of the Board should act as such on Committees, and the issue of the Chair and Vice-Chair not being representative of a stakeholder group and therefore granting voting privileges to them may be seen as inconsistent with the spirit of the *WHSCC & WCAT Act*.

The Board agreed to first decide on a Committee structure, beginning with a Governance Committee, which will action a discussion item on how Committees are chaired. This will subsequently impact how voting across all Committees is done. The Board requested that WorkSafeNB's acting Corporate Secretary & General Counsel hold this item in abeyance until the Governance Committee has had an opportunity to discuss.

8 Governance – Balancing Decisions (M18-19)

WorkSafeNB's Vice President of Corporate Services introduced Memorandum M18-19 related to Policy 41-012 Governance – Balancing Decisions. He explained this policy is being reviewed as part of its established 60 month review. He explained that no substantive issues with this policy have been identified. He reviewed some minor updates to the policy, including the addition of enhanced stakeholder consultation on policies which are up for review.

WorkSafeNB's Vice President of Corporate Services and WorkSafeNB's Director of Planning & Policy asked the Board to consider if the key principles contained in Policy 41-012 Governance – Balancing Decisions still reflect the wishes of the Board. The Board noted that as key principles have not changed, the policy is still effective.

The Board requested one minor change to the wording of the bulleted list in Section 3 of this policy but was otherwise in agreement with the policy as presented.

Moved, seconded, and on consensus, the Board of Directors:

- Approved Policy 41-012 Governance, Balancing Decisions, Release 002; and
- Rescinded Policy 41-012 Governance, Balancing Decisions, Release 001.

9 Establishing a Communications Protocol for Deployment Following a Workplace Fatality or Serious Incident (M18-37)

WorkSafeNB's Assistant Director of Planning & Policy reviewed Memorandum M18-37 related to establishing a consistent communications protocol in which prevention resources are shared with targeted audiences in a timely way following a workplace fatality or serious incident. She reviewed the look of the webpage which would house the resources with the Board.

She explained a key piece of this protocol will be to compile and maintain a list of key contacts to ensure this information is shared with the individuals best positioned to use this information in an effective way.

The Board was in agreement with the proposed webpage design and protocol, but requested a photo or vignette be added to the incident descriptions if possible.

During discussion of this agenda item, the Board requested that information related to workplace JHSCs be brought back at a future meeting for discussion, including training and how issues are actioned by the JHSCs.

10 Debriefing from April 4, 2018 Stakeholder Engagement Session

WorkSafeNB's Assistant Director of Planning & Policy briefly reviewed the Debrief Report and survey results from WorkSafeNB's Stakeholder Engagement Session on April 4, 2018.

The Board discussed the timing, format and theme for the next Stakeholder Engagement Session. The Board noted the importance of the return to work theme, but discussed it would be best to wait until later in the year to revisit this topic in order to have time to develop concrete recommendations to stakeholders. In the meantime, the Board discussed holding a session in the Fall on the topic of JHSCs and their function within a workplace.

The Board also discussed the possibility of holding an Annual General Meeting (AGM) in the future, although with the upcoming election it would not be prudent to schedule a 2018 AGM at this time.

The Board requested that the Debrief Report be revised to advise stakeholders the next session will be scheduled in the Fall of 2018 and direct them to various engagement opportunities on WorkSafeNB's website in the interim.

11 Skills Matrix (M18-38)

WorkSafeNB's Assistant Director of Planning & Policy introduced Memorandum M18-38 related to the Board's Skill Matrix.

She explained this will require additional time and energy from the Board. She reviewed the skills identified in the Memorandum of Understanding, noting that nothing prevents the Board from adding additional skills to its own matrix. She reviewed some preliminary results based on a Board self-evaluation and the Board requested it be re-sent to those who have not yet completed it.

The Board confirmed the current priority will be to establish a Governance Committee and its mandate, and will move to the Skills Matrix from there.

12 Task List Report

The Task List Report was provided to the Board for information only. The Board confirmed that completed Task List items will be tracked in a separate document.

13 Diligent Board Books (Presentation)

The Board received a presentation on Diligent Board Books during the in-camera portion of the meeting. The Board agreed on the acquisition of this software, but noted there will need to be further discussion related to communication.

Moved, seconded, and on consensus, the Board of Directors approved the acquisition of Diligent Board Books software.

14 Resources for the Injured Workers' Advisory Committee (IWAC)

A discussion on this agenda item was conducted during the in-camera portion of the meeting.

Moved, seconded, and on consensus, the Board of Directors directed WorkSafeNB's President & CEO to consult with the Injured Workers' Advisory Committee (IWAC), including WorkSafeNB staff responsible for the IWAC, to determine what resources are required to better support the IWAC.

Motion to adjourn, and the meeting adjourned for the day at approximately 1:30pm.