

MINUTES – BOARD MEETING
8:30am-5:30pm April 11, 2019

Present: Haley Flaro, Douglas Jones (from 11:00am on), Julie Marr, Hector Losier, Jim Stanley, Donna McNeill, Gaëtan Guérette, Lucien Sonier

Absent: Mike MacMullin, Tina Soucy

Staff present: Sonia Lanteigne, Monique Boudreau

Staff present for portion of meeting: Laragh Dooley, Scott Allaby, Cathy Bent, Susan Layton, Helen Louise Mitchell

Also present for a portion of the meeting: Thomas Raffy, David Savoie and Andre Frenette, with the Conseil économique du Nouveau Brunswick inc.; Claude Francoeur of Ernst & Young

1 Adoption of Agenda

On motion duly made, seconded and carried it was unanimously resolved that:
The agenda of the Board of Directors meeting for April 11, 2019 is adopted as written.

2 Safety Moment

Board Member shared his near hit experience while driving at a busy intersection and advised others to be alert while driving and cautious of other drivers.

3 Declaration of Conflicts of Interest

The acting Chairperson asked any Board members who have any conflicts of interest arising from the meeting agenda to declare that conflict. One conflict was declared with respect to item # 8 (a) and three conflicts were declared with respect to item 8 (b).

4 In-Camera Session

Move to table “in camera” to end of day. Add CEO evaluation to chair report. Deferring items to after presentation of CENB.

5 (a) Approval of Minutes from January 17, 2019

On motion duly made, seconded and carried it was unanimously resolved that:
The minutes of the Board of Directors’ meeting held on January 17, 2019 are approved, as written.

5(b) Minutes of January 23, 2019 meeting by conference call

On motion duly made, seconded and carried it was unanimously resolved that:
The minutes of the Board of Directors’ meeting held on January 23, 2019 are approved as written.

6 Status of Actions Arising from the January 17, 2019 Meeting

7 Consent Agenda – For Information Only

a) Board of Directors' Stakeholder Engagement Process

It was agreed that stakeholders will be invited to Board of Directors' meetings while Board members meet in various cities. The Director of Communications will follow-up with stakeholders and schedule convenient times to bring them in.

b) Newsletter re: WorkSafeNB Success

c) Summary of Client Satisfaction

The Acting Chairperson congratulated the Director of Communications for all their hard work putting together the success stories.

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

The items in the Consent Agenda were approved as presented.

8 Chairperson's Report

The acting Chairperson discussed:

a) Chairperson competition recommendations were provided to the Lieutenant Governor in Council and advised that a decision had not yet been made;

b) Three members left the room for this discussion, due to a conflict of interest being declared.

Board members discussed the process for a Nomination Committee. It was determined that the members who were present did not have quorum to make a decision. The acting Chairperson will arrange for a conference call to approve a process.

c) The Board work plan, which will be a regular item under the Chairperson's report to all Board meetings on a go forward basis.

9 Stakeholder Presentation from Conseil économique du Nouveau Brunswick inc. (CENB)

Thomas Raffy, President and CEO of CÉNB, along with two of his colleagues, David Savoie, entrepreneur in construction, and André Frenette, business owner, gave a presentation with respect to his members' concerns arising out of the rate increase.

Mr. Raffy has agreed to invite his members to participate in a survey with the intention of identifying three factors that are most concerning to them.

The Acting Chairperson thanked Mr. Raffy and his colleagues for taking the time to come in and go through some very important matters, and that it is important to WorkSafeNB to engage meaningfully with stakeholders.

10 Financial Update

- a) 2018 Unaudited Year End Results
- b) Q1 2019 Update

The Acting Chief Financial Officer presented the 2018 unaudited results and 2019 Q1 preliminary results.

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

The Financial update was received, as presented.

11 Policy updates as a result of legislative change

- a) 21-100 Conditions for Entitlement - General Principles

Updates were made to this policy resulting from legislative change in December, 2018, which outlines general principles to be used when considering entitlement to benefits. Additionally, the policy was revised to align with recent NBCA decision (St-Onge) and the new format for all policies going forward.

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

Policy 21-100 "Conditions for Entitlement – General Principles" (release 8) be approved and release 7 of this Policy be rescinded effective June 1, 2019.

- b) 21-103 Conditions for Entitlement – Traumatic Mental Stress

Updates were made to this policy resulting from legislative change in December, 2018, which outlines general principles to be used when considering claims for mental stress. Additionally, the policy was revised to align with recent NBCA decision (Perry) and the new format for all policies going forward.

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

Policy 21-103 "Conditions for Entitlement – Traumatic Mental Stress" (release 5) be approved and release 4 of this Policy be rescinded effective June 1, 2019.

- c) 21-421 Vocational Rehabilitation/Workforce Re-entry

Updates were made to this policy resulting from legislative change in December, 2018, which provides an overview of vocational rehabilitation and the criteria to qualify for the program. Additionally, two of Bill 2 amendments affect this policy. WC Act 38.11(14) and 38.2(5) added benefits are terminated when a personal intervening condition or a personal circumstance becomes the dominant cause of the worker's inability to return to work or participate in rehabilitation; and WC Act 41(15) added the ability to reduce or suspend benefits if the worker does not attend or participate in medical examinations, treatment, or rehabilitation.

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

Policy 21-421 “Vocational Rehabilitation/Workforce Re-entry” (release 3) be approved and release 2 of this Policy be rescinded effective June 1, 2019.

d) 21-102 Conditions for Entitlement - Recurrences

Updates were made to this policy resulting from legislative change in December, 2018, which outlines general principles to be used when considering a claim for a recurrence of a compensable injury. Additionally, the policy was revised to outline standard of evidence for determining medical compatibility and the high-level policy format.

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

Policy 21-102 “Conditions for Entitlement - Recurrences” (release 6) be approved and release 5 of this Policy be rescinded effective July 1, 2019.

e) 21-270 Annual Review of Compensation Benefits

Updates were made to this policy resulting from legislative change in December, 2018, which provides direction for performing the annual review of benefits. There will be no impact on the annual review of compensation benefits, and also the policy will reflect the removal of sections that referenced portion of legislation that changed as a result of Bill 2.

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

Policy 21-270 “Annual Review of Compensation Benefits” (release 5) be approved and release 4 of this Policy be rescinded effective January 1, 2020.

The Board also discussed the format for the Polices and the type of information to be included in the Board package.

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

On a go forward basis, the red-line format of polices would be uploaded to a Resource folder, but it would no longer be included in the Board package.

12 External Training on Setting KPIs and Corporate Scorecard

Claude Francoeur, from Ernst & Young, gave a presentation on the Board’s role in monitoring performance, provided the definition of key performance indicators and some tips on how to choose the key indicators. He finished his presentation with a review of common challenges.

13 Strategic Plan

Updates to the Strategic Plan were presented, which included the following:

- a) Removal of operational level details;
- b) More concise language;
- c) Additional KPIs; and
- d) Revised format to facilitate a more reader friendly style.

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

The WorkSafeNB strategic plan is approved together with the revised Key Performance Indicators (“KPIs”).

Staff also presented a new Corporate Scorecard template for tracking progress on KPIs.

On motion duly made, seconded and carried, it was unanimously resolved that:
The Corporate Scorecard template is approved as presented.

14 Introduction to Draft Annual Report

The Director of Communications introduced the board with a new look to the Annual Report. The members were impressed with the overview presented to them and look forward to implementing and approving the changes once finalized.

15 HR Committee Update

a) Update on Organization Changes

At the request of the Chair of the Human Resources Committee, the President & CEO gave a brief overview of the changes in the organization structure, particularly the changes implemented in the Claims department. Additional changes are anticipated in the Prevention department over the next few months.

b) Results of Staff Engagement survey

The Chair of the Committee provided the high level results from the Staff Engagement Survey.

On motion duly made, seconded and carried, it was unanimously resolved that:
The Human Resources Committee report is received.

c) 2019 CEO Performance Objectives

The Chair of the HR Committee presented the 2019 objectives for the CEO, which were approved at the HR Committee for recommendation to the Board of Directors.

On motion duly made, seconded and carried, it was unanimously resolved that:
The 2019 CEO Performance Objectives were approved as submitted.

16 Governance Committee Update

a) Committee Evaluation template

The Board reviewed the components and format of the Committee Evaluation template and discussed the process for proceeding with the template.

On motion duly made, seconded and carried, it was unanimously resolved that:
The Committee Evaluation template is approved as presented.

b) Chairperson Evaluation template

The Board reviewed the components and format of the Chairperson Evaluation template. The Board members discussed proceeding with the evaluation of the acting Chairperson, using this template.

On motion duly made, seconded and carried, it was unanimously resolved that:
The Chairperson Evaluation template is approved as presented.

17 Audit Committee Update

- a. The Board members reviewed the update on Management Action Plan to address the Human Resource Management System Audit findings.

On motion duly made, seconded and carried, it was unanimously resolved that:
The update on Management Action Plan to address these audit findings are approved, and the Committee agrees to provide updates on changes as they arise.

- b. The Board members reviewed the template for reporting on Management Action Plans related to internal audit findings.

On motion duly made, seconded and carried, it was unanimously resolved that:
The template for reporting on Management Action Plans related to internal audit findings. is approved as presented.

- c. The Board Members reviewed a recommendation from the Audit Committee to revise the 2019 Internal Audit Plan.

On motion duly made, seconded and carried, it was unanimously resolved that:
The revisions to the 2019 Internal Audit Plan are accepted as presented.

18 New Business

19 Adjourn

MOTION TO ADJOURN