

WORKSAFENB

POSITION GUIDELINES

JOB TITLE:	Vice-Chairperson, Board of Directors
APPROVAL DATE:	02/06/2015

WORKSAFENB

WorkSafeNB is a public body serving employers, workers, injured workers, and injured workers' dependants, and is governed by a Board of Directors, which is responsible for ensuring that WorkSafeNB meets its legislated responsibilities.

WorkSafeNB's authority is derived from the *Workplace Health, Safety and Compensation Commission and Workers' Compensation Appeals Tribunal Act (WHSCC & WCAT Act)*, the *Workers' Compensation Act (WC Act)*, the *Firefighters' Compensation Act (FC Act)*, the *Occupational Health and Safety Act (OHS Act)* and regulations. WorkSafeNB has dual responsibility for compensation as well as health and safety in New Brunswick workplaces.

WorkSafeNB is a complex organization with diverse responsibilities that include:

- Exercising quasi-judicial functions that affect the rights and responsibilities of workers and employers;
- Exercising quasi-legislative functions that interpret the *Acts*;
- Developing and making recommendations to amend legislation and regulations;
- Performing regulatory functions;
- Performing rate setting functions;
- Performing inspections and investigations;
- Managing large amounts of money which must be collected and prudently invested to ensure the capacity to meet current and future responsibilities;
- Employing and managing a diversified work force which is deployed throughout the province;
- Establishing rates and overseeing the quality of care provided by regulated health professionals; and
- Operating a workers' rehabilitation centre.

AUTHORITY

The Vice-Chairperson of the Board of Directors is appointed by the Lieutenant-Governor in Council. The Board of Directors has the legislated authority to administer the affairs of WorkSafeNB as established by the *WHSCC & WCAT Act*. This includes the administration of the *WC Act*, the *FC Act*, the *OHS Act*, and the regulations. The Vice-Chairperson acts as the Chairperson in the absence or inability to act of the Chairperson of the Board of Directors or in the case of a vacancy.

RESPONSIBILITIES

Governance is the process and structure used to direct the business and affairs of a corporation, with the objective of achieving the corporate vision. Specifically, the Board of Directors looks out for the interests of the corporate stakeholder and exercises its leadership by planning for the future of WorkSafeNB.

The Board of Directors provides sound governance to WorkSafeNB and approaches its tasks and responsibilities in a manner that emphasizes strategic leadership as opposed to administrative management, and focuses on long-term goals and ends as opposed to means.

Effective corporate governance is built on four pillars:

- Stewardship;
- Leadership;
- Responsibility; and
- Accountability.

The direction of WorkSafeNB is examined annually during the strategic planning and risk assessment process, where the Board of Directors affirms or adjusts the organization's Vision, Mission, Values, Goals, and Strategies. All activities carried out by WorkSafeNB, and all decisions made by the Board of Directors should aim to achieve the strategic goals.

The Vice-Chairperson carries out the same governance responsibilities as other board members as outlined in section A. In addition, the Vice-Chairperson of the Board of Directors shall act as Chairperson in the absence or inability to act of the Chairperson of the Board of Directors or in the case of a vacancy. Responsibilities when acting as the Vice-Chairperson are outlined in section B.

A) RESPONSIBILITIES OF A BOARD MEMBER

Board members balance the needs of stakeholders and provide leadership within the parameters of legislation in the following areas:

- Board structure and functioning;
- Strategic planning;
- Risk assessment;
- Policy and legislation;
- Investments and finances;
- Human resources;
- Evaluation; and
- Accountability.

1.0 Board Structure and Operations

To effectively and efficiently discharge their responsibilities under the legislation, board members must have diverse backgrounds preferably with exposure in an area related to health, safety, or compensation. The Board of Directors ensures that all members receive a comprehensive orientation so that they can acquire the knowledge needed to carry out their role and responsibilities as a board member, and can form an understanding of WorkSafeNB's operations. The Board of Directors also ensures that members are exposed to opportunities to further develop their knowledge of WorkSafeNB and other jurisdictions across Canada.

The Board of Directors is composed of:

- The Chairperson (voting member);
- The Vice-Chairperson (voting member);
- Four or more members representing workers (voting members);
- Four or more members representing employers (voting members); and
- The President/CEO (non-voting member).

Board members may also participate on the following committees:

- WorkSafe Services Evaluation Committee;
- Financial Services Evaluation Committee; and
- Fatality Review Committee.

Activities include:

- Participating in an orientation as a new board member;
- Becoming familiar with Policy No. 41-002 Governance Statement – WorkSafeNB Board of Directors, including responsibilities with respect to conflict of interest and confidentiality;
- Preparing for meetings by reading distributed materials, and gathering information that may be required or requested (approximately eight hours of preparation time for each Board meeting);
- Attending all meetings called by the Chairperson;
- Recommending agenda items when required;
- Attending special events as requested by the Chairperson;
- Attending professional development conferences or workshops as requested by the Chairperson; and
- Acting at all times in the best interest of WorkSafeNB and within the provisions stated in the *WHSCC & WCAT Act*.

2.0 Strategic Planning

One of the most important responsibilities of the Board of Directors is to establish the strategy and fundamental goals of WorkSafeNB. The Board's strategic direction provides a benchmark to determine the appropriateness of its actions, the performance of administration, and the success of the organization. The Board of Directors must establish and communicate clearly on the Vision, Mission, Values, Goals, and Strategies. The Board of Directors ensures that all decisions made and all activities implemented by administration steer the organization toward this strategic direction.

Activities include:

- Annually reviewing the appropriateness of the strategic direction of WorkSafeNB by affirming or adjusting the Vision, Mission, Values, Goals, and Strategies;
- Annually approving WorkSafeNB's Strategic Plan and Risk Assessment; and
- Overseeing and monitoring the achievement of the goals by identifying key strategies and establishing realistic measures.

3.0 Risk Assessment

Another significant part of the Board of Directors' stewardship is to regularly examine the environment in which the organization operates. Annually, the Board of Directors conducts an analysis of the risks and opportunities facing WorkSafeNB, and prioritizes objectives and resources to maximize WorkSafeNB's success. Out of these objectives, the Board determines and approves the key strategies to be used to achieve WorkSafeNB's strategic direction.

Activities include:

- Annually conducting a risk assessment to identify those risks requiring action by WorkSafeNB and determine opportunities for WorkSafeNB to pursue;
- Annually identifying WorkSafeNB's objectives and approving the strategies; and
- Annually reviewing and approving WorkSafeNB's policy priorities.

4.0 Policy and Legislation

The Board of Directors is responsible to periodically review WorkSafeNB's legislation and make recommendations with respect to legislative amendments, when appropriate. The Board of Directors is responsible to interpret the *Workplace Health, Safety and Compensation Commission and Workers' Compensation Appeals Tribunal Act*, the *Workers' Compensation Act*, the *Firefighters' Compensation Act*, and the *Occupational Health and Safety Act* and its regulations through policy and fee schedules. Board members must ensure that policy balances the needs of stakeholders and provides clear and consistent direction to the administration. Members must also ensure that policies and fee schedules support the achievement of one or more of WorkSafeNB's strategic goals and are within the financial requirements of WorkSafeNB.

Activities include:

- Consulting with stakeholders on issues related to legislative amendments and/or policy;
- Providing recommendations to Government with respect to legislative amendments;
- Receiving and taking into account the advice of the evaluation committees with respect to legislative amendments and/or policy change;
- Adjusting the annual policy priorities as required when emerging issues are identified;
- Approving or rescinding new or revised policies and fee schedules; and
- Reviewing discussion documents and providing policy direction to the administration.

5.0 Investment and Finances

One of the primary legal obligations of the Board of Directors is to ensure that the finances of the organization are being administered appropriately. The Board of Directors has ultimate responsibility to ensure that the legal requirement on how funds are accounted for, and how spending is reported, are met. In addition, the Board of Directors has the responsibility to ensure that assessment rates to employers remain reasonable and benefits to injured workers are fair – ensuring the sustainability of the organization.

Activities include:

- Approving the annual budgets for revenue and expenses including administration expenses, capital expenditures, and investment revenue and expenses;
- Approving annual assessment rates and related policies;
- Approving significant changes in accounting policies;
- Approving changes to WorkSafeNB's funding and investment policy;
- Appointing the external auditor and determining its fees;
- Approving the annual financial statements;
- Receiving and taking into account the advice of the evaluation committees, and the reports of the internal auditor; and
- Appointing the external actuary responsible for the valuation of benefit liabilities and determining its fees.

6.0 Human Resources

The Board of Directors must ensure that an effective management team is in place to implement its strategy.

Activities include:

- Recruiting and recommending the appointment of a President/CEO to the Lieutenant-Governor in Council; and
- Annually conducting the performance review of the President/CEO.

7.0 Evaluation

The Board of Directors will maintain strong oversight of WorkSafeNB by regularly reviewing the organization's results, and its own performance. The job descriptions for board members and the chairperson of the Board of Directors are important components of the Governance Statement and can only be amended by the Board of Directors.

Activities include:

- Adhering to Policy No. 41-002 Governance Statement – WorkSafeNB Board of Directors;
- Annually reviewing Policy No. 41-002 Governance Statement – WorkSafeNB Board of Directors and the terms of reference of the WorkSafe Services Evaluation Committee, Financial Services Evaluation Committee, and the Fatality Review Committee;
- Annually reviewing the job descriptions for board members and the Chairperson;
- Annually performing a self-assessment of the Board's performance;
- Reviewing WorkSafeNB's results quarterly through the corporate accountability document; and
- Reviewing WorkSafeNB's results annually through the Strategic Planning and Risk Assessment process.

8.0 Accountability

The Board of Directors is accountable to the stakeholders of New Brunswick. This means that the Board of Directors is transparent in its communications to stakeholders and makes WorkSafeNB's results and other information readily available.

Activities include:

- Approving and publishing an annual report;
- Approving and publishing a strategic plan and risk assessment; and
- Reviewing and making available the quarterly accountability report.

B) RESPONSIBILITIES WHEN ACTING AS THE CHAIRPERSON

When acting as the Chairperson, the Vice-Chairperson also provides leadership to the Board of Directors by:

- Reporting to the Lieutenant-Governor in Council on matters relating to the administration of the *Acts* and the financial status of WorkSafeNB;
- Advising the Minister on developments in the fields of compensation, health, and safety;
- Submitting an Annual Report to the Minister;
- Calling for and presiding over meetings in accordance with procedures established by the Board of Directors;

- Setting the agenda and distributing materials to members of the Board of Directors at least 10 days prior to board meetings for reading, researching and consultation with constituents;
- Receiving new agenda items from members;
- Gaining the consensus of board members when making decisions;
- Acting as the tie-breaking vote in the event that a vote is required.
- Ensuring that all board members receive an orientation so that they can acquire the knowledge needed to carry out their role and responsibilities as a board member, and can form an understanding of WorkSafeNB's operations;
- Ensuring that the Governance Statement and job descriptions are reviewed annually and approved by the Board of Directors;
- Requesting individual board members to sit on committees;
- Acting as a non-voting Chairperson of all committees or appointing a designate to act as Chair and ensure that all committees respect their terms of reference;
- Ensuring that appropriate support is provided to the committees as required in accomplishing their mandates;
- Ensuring appropriate reports of committees' activities are submitted to the Board of Directors;
- Ensuring that members of the Board of Directors have every opportunity to fulfill their obligations to the Board and act as mediator if issues arise that require resolution;
- Representing the Board of Directors and WorkSafeNB at the Association of Workers' Compensation Boards of Canada (AWCBC) and be signatory to the Inter-jurisdictional Agreement on Workers' Compensation;
- Attending and/or requesting that board members attend special events;
- Attending and/or requesting that board members attend professional development conferences and workshops; and
- Functioning as the chief spokesperson for the Board of Directors with respect to board business.

QUALIFICATIONS AND SKILLS

The Board of Directors strives to create a board that is knowledgeable with respect to health, safety, and compensation, and endeavours to recruit members who have diverse backgrounds and are able to contribute their experiences in providing effective and efficient stewardship of WorkSafeNB. To provide successful leadership to the Board of Directors, the Vice-Chairperson should possess some of the following attributes:

- Have prior experience on a policy governance board;
- Possess the ability to work in a team-oriented environment and the ability to gain consensus from groups with diverse interests;
- Possess knowledge of the Vision, Mission, Values, Goals, and Strategies of WorkSafeNB as well as a knowledge of, and/or experience with, the *WHSCC & WCAT Act*, *WC Act*, *FC Act*, and the *OHS Act*;
- Be familiar with the legislated mandate of WorkSafeNB;
- Possess experience in a field related to health, safety, and/or compensation, or in a field related to the management of a compensation system;
- Possess a leadership capacity in one of the following areas: occupational health and safety, workers' compensation claims, finance, investments, the insurance industry, business management, a health care profession, or another related field;
- Have the ability to access and consult with a network of stakeholders;
- Exhibit a high level of understanding of complex issues related to WorkSafeNB, its legislation, and/or of issues that impact WorkSafeNB's business;

- Be able to communicate complex information in a clear and concise manner;
- Be able to think independently, to understand, and communicate opinions and positions on complex issues;
- Be willing to commit up to 60 days per year to the requirements and activities of the Board of Directors;
- Be an ethical, goal-oriented, self-starter who is committed to sound and transparent governance;
- Possess interpersonal, planning, and leadership skills; and
- Reside in New Brunswick.

APPOINTMENT AND TERM:

- Members of the Board of Directors, including the Chairperson, participate with Government in identifying and appointing replacement members to the Board of Directors.
- The Vice-Chairperson of the Board of Directors is appointed for a term not exceeding four years.
- The Vice-Chairperson is eligible for reappointment for one additional term.
- Where a vacancy occurs during the terms of office of a member of the Board, a new member will be appointed by the Lieutenant-Governor in Council to fill the vacancy and serve the remainder of the term of office of that member. An appointment mid-term does not make a person ineligible to serve two additional terms as a member of the Board of Directors.

TIME REQUIREMENTS:

Item	Approximate Hours per Month	Approximate Hours per Month (when acting as the Chairperson)
Agendas, preparation, research, reading	8	10
Board meetings	8	8
Committee meetings	8	8
Consultation	5	10
Professional development (e.g., conferences, AWCBC)	3	3
Special events (e.g., Annual staff meetings)	3	3

REMUNERATION:

- The Vice-Chairperson receives a per diem as determined by the Lieutenant-Governor in Council.
- Expenses and allowances are determined as outlined in Policy No. 32-401 Expenses, Allowances and Per Diems for Part-time Members of the Board of Directors.

POSITION HAZARD ANALYSIS:

	Hazard	Resources
Physical	Driving & working alone	<ul style="list-style-type: none"> • WorkSafeNB: <ul style="list-style-type: none"> - Directive No. 33-000.35 Code of Practice – Working After Hours and Driving and Working Alone - Procedure No. 33-000.35.02 - Driving and Working Alone • CCOHS OHS Answers: <ul style="list-style-type: none"> - Parking Lots – Fall Protection - Working Alone - General
	Cell phone use	<ul style="list-style-type: none"> • <i>Motor Vehicle Act</i> - Part IV.01 Use of Various Devices While Driving • CCOHS Driving Tips: Using Cellular Telephones and Other Devices
	Seasonal conditions	<ul style="list-style-type: none"> • CCOHS Driving Tips: Winter Driving
Biological	Handling suspicious mail	<ul style="list-style-type: none"> • WorkSafeNB Directive No. 31-500.02 Emergency Plan
Mechanical/ Ergonomic	Eye strain from repetitive work (i.e., reading large volume of documents)	<ul style="list-style-type: none"> • CCOHS OHS Answers: <ul style="list-style-type: none"> - Eye Discomfort in the Office - Stretching - At the Workstation
Psychological	Management of demanding work environment	<ul style="list-style-type: none"> • CCOHS OHS Answers: <ul style="list-style-type: none"> - Work/Life Balance - Workplace Stress - General
* CCOHS – Canadian Centre for Occupational Health and Safety - www.ccohs.ca		