



## HOSPITAL EMPLOYEES' UNION

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July 30, 2019

### REVISED VERSION

Janet Patterson  
Reviewer, Workers Compensation Review  
PO BOX 97122 Stn Main  
Richmond, B.C.  
V6X 8H3

[d.hanson@wcbreview.ca](mailto:d.hanson@wcbreview.ca)

Dear Ms. Patterson,

I am writing in response to the Terry Bogyo report, Balance. Stability. Improvement, released on Thursday, July 18<sup>th</sup>. The HEU fully supports options 2 – 9 put forward by the report, but we do have a number of concerns about the review process and the report.

HEU is the oldest and largest health care union in British Columbia, representing more than 50,000 members working for public, non-profit and private employers. Since 1944, HEU has been a strong and vocal advocate for better working conditions for our members and improved caring conditions for British Columbians who access health care services. HEU members work in all areas of the health care system – acute care hospitals, residential care facilities, community group homes, outpatient clinics and medical labs, community social services agencies, and First Nations health agencies – providing both direct and non-direct care services.

The HEU fully supports and commends the Labour Minister's mandate to create a worker centred workers' compensation system. We also fully supported the BC Federation of Labour's call on the government to conduct a comprehensive review of the system. The system has not been reviewed in its entirety for approximately twenty years so a full review is long overdue. One review would have provided a thorough, comprehensive set of recommendations required to create a workers' centred system. The three separate reviews of the workers' compensation system conducted in 2018 and 2019, the Petrie, Bogyo, and Patterson reviews, appear disconnected and it isn't clear whether the recommendations of the three reviews will cover all of the aspects of the system that need improvement.

The HEU agrees with the 2 - 9 options Mr. Bogyo put forward; however, his options ignore a number of fundamental changes necessary to improve the system for workers. For example, his options do not include an increase to the compensation benefit levels. Compensation benefit levels are currently set at 90% of net income meaning workers are penalized a minimum of 10% of their net income for a workplace injury. This particularly disadvantages lower income workers. Mr. Bogyo does reference the compensation benefit levels in his report but only to make the argument that BC is in line with the majority of other Canadian jurisdictions and implies that the levels do not therefore require adjustment.

As expressed in our submission to the Patterson review, increasing the compensation levels to 100% of net income which also increases loss of earnings, permanent, functional impairment (PFI), and disability awards is a fundamental change necessary to improve the system for workers in a meaningful way. The historic compromise of 1917 contemplated a fair and just system for workers and employers. Being financially penalized for a workplace injury is not just or fair for workers. Fully compensating injured workers, not maintaining benefit levels in line with other Canadian jurisdictions, should be the focus of improvements to the system.

We ask that the government refrain from making any decisions about the Bogyo recommendations until the Patterson review has been completed and the recommendations of her review are made public. Furthermore, we ask that implementation of the recommendations of the three reviews are considered in tandem with respect to the legislative changes required to implement the recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jennifer Whiteside', with a stylized flourish at the end.

Jennifer Whiteside  
Secretary-Business Manager