

December 21, 2021

To: Saskatchewan Workers Compensation Board

From: City of Moose Jaw

Re: WCB Act Committee of Review Submission

The City of Moose Jaw respectfully submits the below information for consideration to separate Police Services from the G31 municipality rate code due to the financial implications having a substantial negative impact on both the City's WCB premiums and experience rating as well as the City's placement in the Priority Employer Program.

Factors to consider include:

Employer - Who is the employer?

- a. WCB defines an Employer as any person, association or body that *hires* one or more workers.
 - b. A City does not *hire* police officers, nor possess any jurisdiction over Police Service operations.
 - c. Police Services, by way of the *Police Act*, are insulated from political interference and are autonomous from the City.
 - d. The Employer is not the City, but rather, the Board of Police Commissioners, who are fully responsible for all aspects of the employee relationship.
 - e. The City's only involvement with Police Services is funding from the municipal budget and the issuance of federal T4 slips.
2. Exclusive Jurisdiction - WCB has exclusive jurisdiction to determine whether any industry is within the scope of this Act and the class to which it is assigned. WCB

may establish any class or grouping of industries, as well as rearrange those classes or groups. Reclassification of protective services is within WCB's jurisdiction.

3. Industry Rate Code - is a collective liability grouping comprised of employers with a *similar industrial undertaking or injury experience*. All employers with the same rate code pay the same industry premium rate.

Factors considered by WCB in determining an employer's classification include:

- a. Nature of service or product provided.
- b. Process involved in providing the service.
- c. Customers and competitors of the business.
- d. Any other information WCB requires.

Municipal workers and police service workers do not have similar jobs, injuries, or risk profiles:

- a. Hazards of the jobs are dissimilar.
- b. Primary business activity of each is substantially different.
- c. Operations are distinct and separate.
- d. Classified into different categories under the psychological injuries' classifications. One considered to be traumatic event jobs (jobs considered to be traumatic to the general public) while the other obviously is not.

4. Rate Code Classifications

- a. Employers are assigned the code that best represents their industrial undertaking.
- b. If not easily determined, WCB will assign a code that most closely represents the industrial undertaking.
- c. If industrial undertaking does not align and is not large enough to support its own rate code, injury experience may be considered and classified with other employers with a similar risk profile.
- d. Where 2 or more legal entities contribute to one business, WCB will assign the same classification to each firm, regardless of ownership.

The nature of the work of protective services is completely different from that of the preliminary business activities of a municipality.

Summary

As outlined above, the City is not the employer, has no authority over their day-to-day operations, primary business activities are dissimilar, and the hazard and risk profiles of the jobs are substantially different. All these factors fall within WCB Policy to allow for the separation of police services from the municipal rate code.

Given the fiscal impact on WCB premiums and experience rating due increased cost from municipal policing claims, the City requests that if separation is not a feasible option, then a sub-rate code be established to appropriately allocate costs and charge according to actual usage for each occupation.

Please contact the writer directly at 306-694-4546 should you have any questions.

Respectfully,



Diane Campbell,
Safety Supervisor

cc: File