



Workers' Advisers Program

Annual Report

for the fiscal year
ending March 31, 2024

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May 2024

The Honourable Jill Balsler
Minister of Labour, Skills and Immigration
1505 Barrington Street
Halifax, NS B3J 2T8

Dear Minister Balsler:

In accordance with Section 268 of the *Workers' Compensation Act*, S.N.S. 1994-95 c.10, as am., I have the honour of submitting the Workers' Advisers Program Annual Report for the period April 1, 2023 to March 31, 2024.

Yours truly,

Workers' Advisers Program



Kenneth LeBlanc
Barrister & Solicitor
Chief Worker Adviser

copy: Ava Czapalay, Deputy Minister
Department of Labour, Skills and Immigration

copy: Cynthia Yazbek, Senior Executive Director
Labour Services Branch
Department of Labour, Skills and Immigration

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Workers' Advisers Program Annual Report 2024

May 2024

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Letter from the Chief Worker Adviser

The Workers' Advisers Program is a public agency established under Part III (sections 259 – 274) of the *Workers' Compensation Act* and the regulations to provide free and independent legal assistance, advice, and representation to eligible injured workers and their families seeking workers' compensation benefits. Generally, to receive representation from the Program, a worker must have a reasonable expectation of success in a claim or appeal for compensation.

The Chief Worker Adviser, appointed pursuant to Part III of the *Act*, is responsible for supervising and administering the Program's staff and operations and for reporting annually to the Minister of Labour, Skills and Immigration regarding the finances and operation of the Program.

The Program has a head office in Halifax, as required under Part III, and an office in Sydney. As of March 31, 2024, the Program had 23 employees, including the Chief Worker Adviser, 12 Workers' Advisers and the Registrar, 1 Articled Clerk, 1 Manager, 2 Paralegals and 6 secretaries.

Pursuant to section 269 of the *Workers' Compensation Act*, the Program receives 100% of the funding for its operations by way of a grant from the Accident Fund authorized by Order-in-Council.

Program statistics for 2023-24

Active Files

At year-end on March 31, 2024, the Program had 1040 active files. This compares to 952 active files on March 31, 2023.

Requests for Service from Workers and Closed Files

The Program had 864 requests for service from workers. The Program denied representation in 162 requests because in our opinion there was no reasonable expectation of success in the case. The Program closed 767 files.

Service to Workers

The Program provided service to 1816 workers, which is the number of active files at the Program on April 1, 2023 and all requests for service we received in 2023-24.

Appeals Filed

On behalf of workers, the Program filed 271 appeals to the Workers' Compensation Appeals Tribunal (WCAT) and 151 appeals to Hearing Officers of the Workers' Compensation Board (WCB). The Program filed 2 Notices of Application for Leave to Appeal or Notices of Appeal to the Nova Scotia Court of Appeal for workers.

Hearings Attended and Written Submissions

The Program attended no hearings at the Hearing Officer level, however, provided 76 written submissions to Hearing Officers. The Program attended 154 hearings and provided 97 written submissions at WCAT. The Program attended 10 hearings at the Court of Appeal and filed 8 factums.

Service wait times

The Program tracks and reports on service wait times, which is the date from when a worker contacts the Program concerning a claim or appeal until the date when the Program's Registrar or a Workers' Adviser contacts the worker, which should take no more than 6 weeks. The Registrar or Workers' Adviser will review any relevant claim file materials and be knowledgeable about the worker's claim or appeal at the time of initial communication with the worker.

In 2023-24, with 864 requests for service, the Program's average province-wide service wait time was 6.1 weeks.

Satisfaction surveys

The Program mails satisfaction survey forms to clients who we represented in appeals when we close their files for service. We have been mailing these survey forms to clients since 2003. Our target is that at least 80% of the responses from clients indicate they "strongly agree" or "agree" that the service provided by Program staff satisfied their requirements.

The five questions asked in the survey form are:

1. The Program staff I dealt with were professional and friendly at all times?
2. In my experience, I felt the Program staff had the knowledge and experience for dealing with my situation?
3. I felt the Program staff did their very best to provide me with the best possible service?
4. My calls were returned in a timely manner?
5. My questions were answered to my satisfaction?

For each question, clients have the choice of selecting: Strongly agree; Agree; Disagree; or Strongly disagree.

In 2023-24, the Program closed 767 files in total. Of those files, survey forms were sent to 491¹ workers with 108 surveys returned (a 22% survey return rate). 96.3% of clients who returned surveys “Strongly agree” or “Agree” that the service provided by Program staff satisfied their requirements.

Budget

The Program spent \$3,421,421 in 2023-24, which was 83% of our budget authority (\$4,125,000) and 91% of our forecast (\$3,744,000).

The Program was under its budget authority in 2023-24 partly because more WCAT hearings proceeded via teleconference or video conference, resulting in a significant reduction of our travel expenses. This phenomenon started during the pandemic and has continued.

One of our Workers’ Advisers was on maternity leave for most of the year, which reduced our salary costs.

As in previous years, we anticipated there would be significant costs associated with the development of a new digital case management system for the Program and we budgeted accordingly. However, that project was delayed again, and those funds were released from our 2023-24 budget.

Section 272 of the *Workers’ Compensation Act* authorizes the Minister of Labour, Skills and Immigration to designate a worker association as an organization authorized to provide advice, assistance, and representation to workers as part of the Workers’ Advisers Program under the general supervision and direction of the Chief Worker Adviser and to provide funding to any designated organization from the budget of the Program.

In 2023-24, the Minister designated one worker association, the Pictou County Injured Workers’ Association, to receive funding of \$108,000.

The Program had budgeted an additional \$108,000 for the Cape Breton Injured Workers’ Association, but this money was not sent. The Minister removed this group’s designation as an approved worker association under section 272 of the *Workers’ Compensation Act*.

¹ *The Program implemented a Resource and Intake process in 2016 to streamline requests for service with a view to assigning files sooner and dealing with enquiries from workers where no decision has been rendered by the WCB or WCAT. Workers whose files are not assigned to a Workers’ Adviser and closed are not sent a survey as we had not agreed to provide legal services beyond assessing the file. Surveys are only sent to workers upon closure of their files after a Workers’ Adviser had formally represented them.*

Improvement to the Program's intake process

In 2023-24, the Program filled two new legal technician (paralegal) positions, one in each of our Halifax and Sydney offices. These positions enabled the Program to change its intake/resource process. Beginning in the 2024-25 fiscal period, a paralegal will call each new worker who contacts the Program and obtain relevant information about the worker and the claim. The paralegal will provide basic information to the worker about the Program and the claim or appeal process and answer the worker's questions without providing legal advice.

Our target is that no worker will have to wait more than two weeks after contacting the Program to speak with one of the Program's paralegals. If necessary, the paralegal will file an appeal for the worker to a Hearing Officer or WCAT as part of this process. After they have completed their work, the paralegal will move the worker's file along to the assigned Workers' Adviser.

This change in the intake/resource process will not extend the service wait time target between a worker's initial contact with the Program and first communication with a Workers' Adviser. It should continue to take no more than six weeks after a worker requests assistance from the Program for a Workers' Adviser to contact the worker to discuss a claim or appeal after the worker's initial request. As noted, the Workers' Adviser will review any relevant claim file materials and be knowledgeable about the worker's claim or appeal at the time of initial discussion.

WCAT appeals withdrawn because of the "WAP New Medical Process"

Workers' Advisers report they have withdrawn many appeals that were scheduled to proceed at WCAT because of the "WAP New Medical Process". This process was developed many years ago with our system partners through the Issues Resolution Working Group. Under this process, if there is a pending appeal at WCAT and the Workers' Adviser obtains additional medical evidence that may change the WCB's decision under appeal, the Adviser will send a copy of the new medical evidence to the WCB's Legal Department, who will forward it to WCB Claims Management for review and to determine if it changes the WCB's previous decision. If the WCB changes the decision because of the new evidence and the Adviser thinks this resolves the issue(s) on appeal at WCAT, the Adviser will withdraw the appeal. If the WCB does not change its decision because of the new medical evidence, the WCAT appeal will proceed.

The Program is making changes to our reporting system in 2024-25 to accurately record and report the number of WCAT appeals withdrawn because of the WAP New Medical Process.

Gradual onset psychological stress

Gradual onset psychological stress will be covered for compensation starting in September 2024 because of amendments to the *Workers' Compensation Act* passed in 2023. The Program has been working with our system partners in the Workplace Safety and Insurance System on changes to address the adjudication of claims and appeals expected to be received because of these amendments.

Delays in the Workers' Compensation System

Delays in Nova Scotia's workers' compensation appeal system continue to be a problem for two main reasons: (1) the length of time it often takes participants to obtain supportive medical evidence; and (2) employers' frequent active participation in opposing workers' appeals in WCAT's adversarial appeal process.

Delays continue to be the subject of frequent discussions and meetings among staff and stakeholders in the workers' compensation system.

Other Activities

I attended online meetings of the Canadian Association of Workers Advisors and Advocates (CAWAA). These meetings are great opportunities to network and exchange information with counterparts from across the country.

I continued to be a member of the Heads of Agencies Committee, the Issues Resolution Working Group, and the Workplace Safety and Insurance System Appeals Review Committee as we worked to improve services to stakeholders in the system. I also participated in the 2023 WSIS Annual General Meeting.

I attended regular meetings with the Senior Executive Director and my fellow directors from the Department of Labour, Skills and Immigration's Labour Services Branch. These meetings are very useful for the exchange of information and views they facilitate and the support they provide to me and the Program.

Along with my fellow employees at the Program, I took part in many in-person and online educational and training sessions in 2023-24. These sessions were relevant to our work as government employees and legal professionals. The Nova Scotia Barristers' Society expects practicing lawyers to participate in appropriate continuing legal education each year.

We look forward to another busy and successful year in 2024-25.

Kenneth LeBlanc
Barrister & Solicitor
Chief Worker Adviser

Mandate and History

Injured workers covered under Nova Scotia's *Workers' Compensation Act* are protected through benefits and services available under a no-fault insurance system. Through what is known as the historic trade-off, workers and their families give up the right to sue for the financial consequences of work-related injuries in return for compensation payable regardless of fault and without the need to pursue a lawsuit in court. The other side of the historic trade-off is that employers must pay assessments to cover the cost of the system in return for immunity from civil liability arising from work-related injuries.

The Workers' Compensation Board of Nova Scotia (WCB) is established under Part I of the *Workers' Compensation Act*. The WCB is the policy-leader for the workers' compensation system and investigates and adjudicates workers' claims in the first instance. The WCB also administers the Accident Fund, which is made up of employers' assessments and covers the costs of the workers' compensation system.

Workers or employers may appeal claim decisions made by a WCB Hearing Officer to the Nova Scotia Workers' Compensation Appeals Tribunal (WCAT), established under Part II of the *Workers' Compensation Act*. There is a limited right of appeal from WCAT decisions to the Nova Scotia Court of Appeal.

The Workers' Advisers Program was established in February 1996 when Part III, along with most of the rest of the current *Workers' Compensation Act*, was proclaimed into force. The Workers' Advisers Program replaced the former Workers' Counselors' Program, which administered a certificate system whereby private law firms around the province provided legal representation to workers seeking workers' compensation benefits.

The Workers' Advisers Program is a public agency which provides free and independent legal assistance, advice, and representation to injured workers and their families seeking workers' compensation benefits and who meet the Program's eligibility criteria. Generally, if the Program determines that a worker has a reasonable expectation of success of obtaining at least \$500 or its equivalent in an appeal of a claim, that worker meets the Program's eligibility criteria for service.

Workers dealing with the Program are in a solicitor-client relationship with the Program and its staff, in the same way as they would be with any other lawyer or law firm in Nova Scotia.

Pursuant to section 269 of the *Workers' Compensation Act*, the Program receives 100% of the funding for its operations by way of a grant from the Accident Fund authorized by Order-in-Council.

The Chief Worker Adviser supervises and administers the Program and reports to the Minister of Nova Scotia's Department of Labour, Skills and Immigration regarding the Program's general operations and budget. Part III requires the Chief Worker Adviser to be a practising member of the Nova Scotia Barristers' Society.

Workers' Advisers with the Program are lawyers and non-lawyers who, by formal education or professional experience, are qualified to prepare and present claims for workers' compensation benefits and to advise on routine matters of evidence and law. Only Workers' Advisers who are lawyers may appear in court for a worker.

Workers' Advisers consult with workers and others regarding claims, attend meetings and hearings, and obtain evidence and present it to workers' compensation decision makers. Workers' Advisers have access to research and other resources required to pursue appeals. They are familiar with issues and pressures affecting injured workers and strive to achieve an effective working relationship with them.

The Program's head office is in Halifax and with a second office in Sydney. The Program has maintained the Halifax and Sydney offices since May 1997, while monitoring the caseload by county to determine whether other offices in other parts of the province should be opened. Workers' Advisers travel around the province to meet with workers and others and to attend hearings.

Annual Program Expenditures

The total cost of the Program's operations is charged to the Accident Fund which the WCB administers. The Nova Scotia Department of Finance provided the following expenditures for the 2023-24 report:

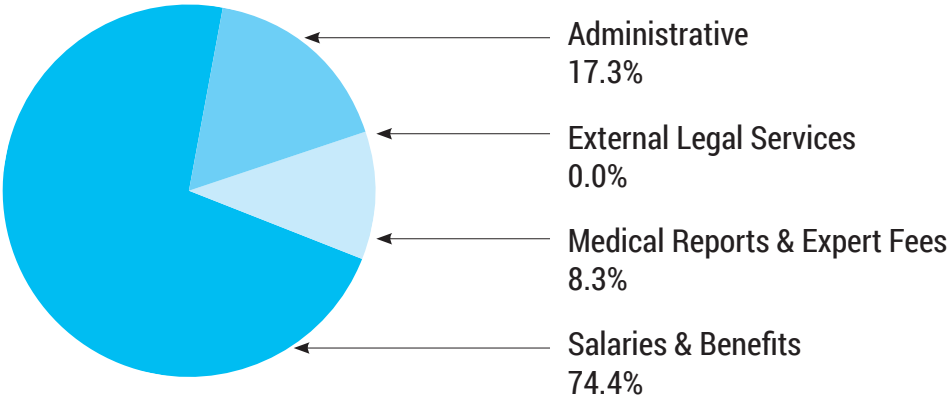
WAP Cost Centre 530013 – Year Over Year Comparison

Cost elements	2023-24	2022-23	Variance
611100 Civil Servants	2,021,776.31	1,903,302.49	118,473.82
614100 Contract Employee	38,734.50		38,734.50
615100 Casual Employees		2,180.07	2,180.07-
621100 Overtime		54.84	54.84-
626100 Other Earnings	10,081.24	9,825.35	255.89
627100 Fringe Benefits	168,458.59	154,382.09	14,076.50
627200 Fringe Benefits LTD	5,065.52	4,481.72	583.80
627400 PSSP Contribution	183,395.11	173,255.64	10,139.47
627500 PSSP Contribution LTD	6,117.42	6,104.80	12.62
627550 PSSP Contributions - Past Service	30,529.33		30,529.33
627700 W C B		560.58	560.58-
* Salaries and Benefits	2,464,158.02	2,254,147.58	210,010.44
631100 Travel - In Prov	15,585.82	8,419.11	7,166.71
631200 Travel - Out of			
635100 Travel Allowance			
636000 Kilometres Trave	16,435.63	7,048.40	9,387.23
* Travel	32,021.45	15,467.51	16,553.94

Cost Elements	2023-24	2022-23	Variance
651100 Professional Services		95.00	95.00-
651700 Legal Services			
651900 Consulting Services		28,427.75	28,427.75-
655300 Transcripts	2,156.30	2,029.50	126.80
655400 Interpreters			
659900 Other	276,116.56	343,973.69	67,857.13-
661300 Clerical Service			
661600 Administration Fees			
* Professional Services	278,272.86	374,525.94	96,253.08-
760900 Gen Office Operations			
761200 Misc. Office Expense			
761300 Printing/Stationary	17,546.04	21,400.24	3,854.20-
761400 Postage	6,080.62	6,733.11	652.49-
761600 Freight, Duty	3,256.80		3,256.80
761700 Photocopy Charge	4,664.12	6,851.30	2,187.18-
763100 Gen Operating Supplies	6,282.49	4,843.95	1,438.54
782300 IT Software Purchases			
784100 Telecommunications	18,820.59	14,203.16	4,617.43
784500 IT Data Communications	1,107.00	1,107.00	
786100 Equipment Repair			
789200 Advertising	223.00		223.00
786600 IT Hardware Maintenance		1,233.38	1,233.38-
786700 IT Software Maintenance	1,205.96		1,205.96
793400 Taxi And Messenger	2,862.70	2,193.17	669.53
400121 TPW-Proj Settlements	200.00		200.00
* Supplies and Services	62,249.32	58,565.31	3,684.01

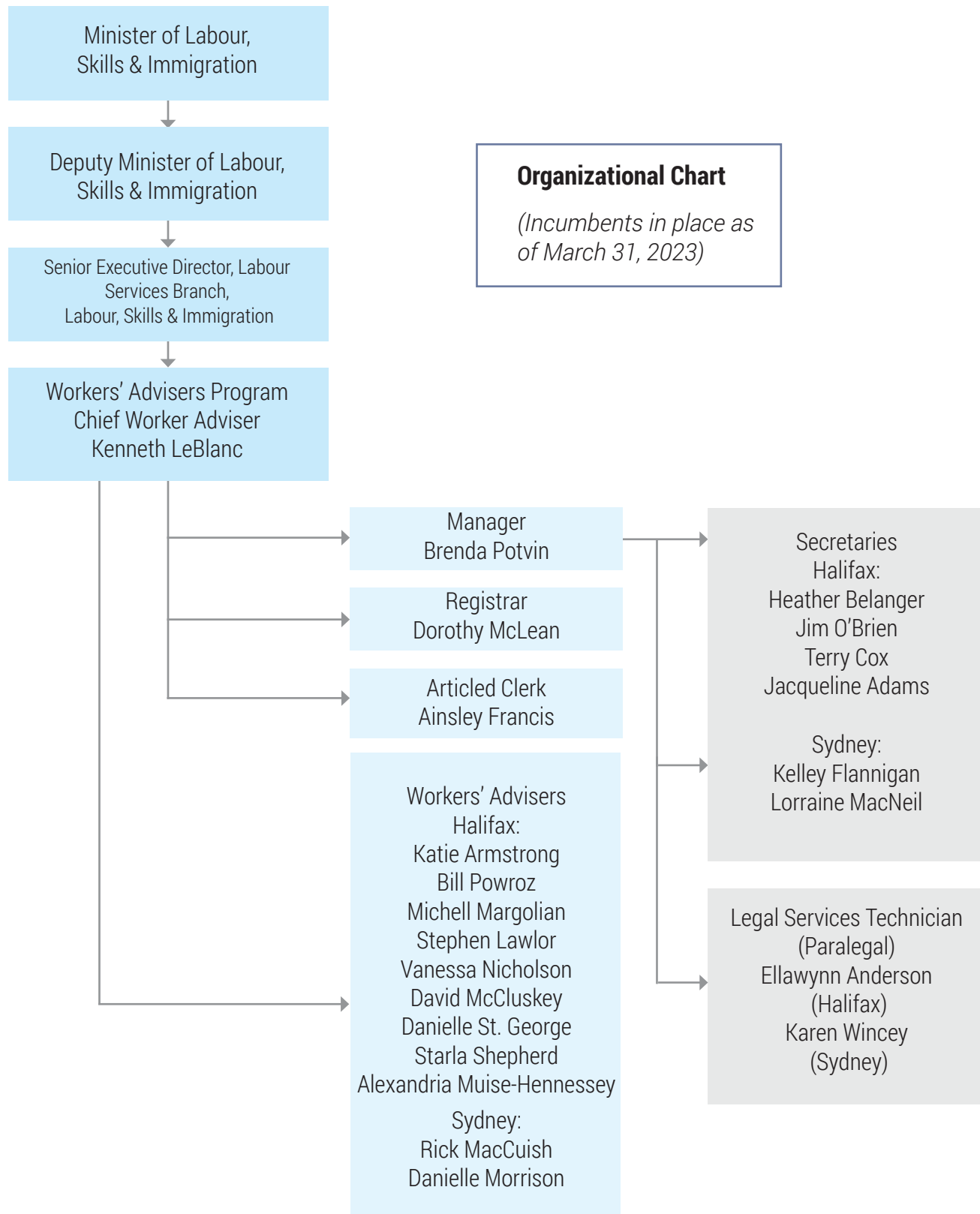
Cost elements	2023-24	2022-23	Variance
811300 Office Rentals	126,336.00	126,336.00	
811800 Equipment Rental	197.40	179.40	18.00
811900 Equipment Leases			
813000 IT Hardware	3,308.50	5,811.73	2,503.23-
813100 Equipment Purchases			
813300 Office Furniture			
814100 Staff Training	17,609.43	9,468.67	8,140.76
815100 Meeting Expenses	3,081.62	1,092.40	1,989.22
817100 Membership Dues	38,321.00	34,340.31	3,980.69
818100 Subscriptions - Periodicals	864.99	936.08	71.09-
819100 Other	287,000.00	285,472.48	1,527.52
* Other	476,718.94	463,637.07	13,081.87
** Operating Costs	849,262.57	912,195.83	62,933.26-
865100 Program Grants - IWAs	108,000.00	175,500.00	67,500.00-
** Grants and Contributions	108,000.00	175,500.00	67,500.00-
*** Gross Expenses	3,421,420.59	3,341,843.41	79,577.18
**** Debit	3,421,420.59	3,341,843.41	79,577.18
***** Over/underabsorption	3,421,420.59	3,341,843.41	79,577.18

2022-23 Financial Expenditures



Personnel

The following is the current organizational chart for the Workers' Advisers Program.



Client Services

The Workers' Advisers Program is a public agency operating as a legal clinic established to help eligible injured workers and their families seeking workers' compensation benefits under the *Workers' Compensation Act*.

The Program provides free legal services independent of the Workers' Compensation Board (WCB) and the Workers' Compensation Appeals Tribunal (WCAT). Workers dealing with the Program are in a solicitor-client relationship with the Program and its staff, in the same way as they would be with any other lawyer or law firm in Nova Scotia.

The legal services which the Program provides to workers can include assistance, advice, and representation through all levels of decision-making and appeals in the workers' compensation system and in Court if appropriate.

Part III states that it does not give any person a right to legal advice or representation under the Workers' Advisers Program.

The Program's process

A worker with a question or concern about their workers' compensation claim is welcome to contact the Workers' Advisers Program.

Triage

A worker contacting the Program for help with a workers' compensation claim has a file opened (or re-opened if the worker was previously a client of the Program). The worker's file is then referred to the Program's triage process.

In the triage process, the Registrar for the Program determines if the worker received a recent written decision from the WCB or WCAT. If there is a recent written decision, the Registrar makes a preliminary assessment of whether the worker has a reasonable expectation of success on appeal from the decision.

Generally, to receive representation from the Program, a worker must have a fairly arguable case for workers' compensation benefits to receive representation from the Program. However, the *Workers' Advisers Program Eligibility Regulations* authorize the Chief Worker Adviser, in exceptional circumstances such as but not limited to a worker's literacy level, to allow the Program to assist, advise, and represent a worker who does not otherwise meet the Program's eligibility criteria.

Where an employer appeals from the WCB's acceptance of a worker's claim, generally the Program represents the worker to respond to the employer's appeal.

Intake

If the Registrar considers that there is a reasonable expectation of success on appeal, the worker's file is referred to the Program's intake process and a telephone appointment is scheduled for the worker to speak with a Workers' Adviser. After the initial telephone appointment in the intake process, the Workers' Adviser and the worker may arrange to meet in person or by telephone as necessary to deal with the claim or appeal.

Resource

If the Registrar determines the worker does not have a recent written decision or does not have a written decision with a reasonable expectation of success on appeal, the worker's file is referred to the Program's resource process and the worker is contacted by letter or telephone regarding the request for service.

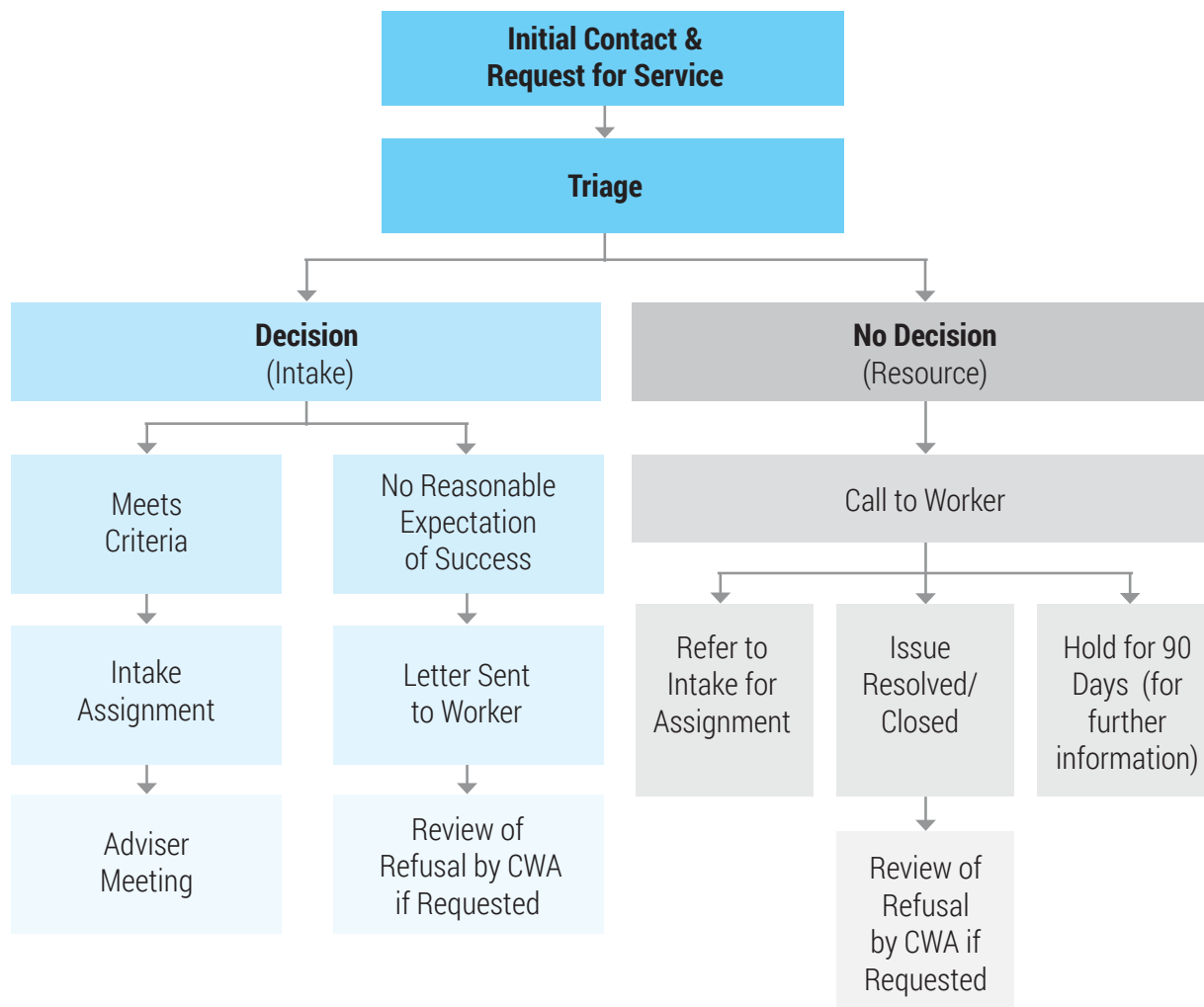
It is important to note that sometimes workers do not understand they have received a recent written decision, or they are confused about whether they received one. If, after a worker's file is referred to the resource process, it is discovered that a recent written decision was made on an issue, the worker may be referred to the intake process discussed above.

In the resource process, where a worker does not have a recent written decision or does not have a written decision with a reasonable expectation of success on appeal, the Registrar or a Workers' Adviser may still assess whether the worker warrants the Program's assistance in a claim. This assistance might include: writing to the WCB on the worker's behalf about a matter; trying to obtain additional medical or other information to support the worker's claim; or simply keeping the file open at the Program while the worker tries to obtain additional information for review.

The Registrar or a Workers' Adviser might satisfactorily address the worker's question or concern through correspondence or a telephone conversation. Other times, the Registrar or a Workers' Adviser might advise the worker that he or she does not have a reasonable expectation of success on an issue. In either case, the worker's file will be closed at the Program.

A worker may later contact the Program if they wish to discuss the issue further, wishes to discuss another workers' compensation issue, or submits additional information for review.

A worker may also contact the Chief Worker Adviser to discuss the advice or service provided by the Registrar or a Workers' Adviser. The Chief Worker Adviser makes the final determination regarding any service the Program provides a worker.



Implementation

Where the Program represents a worker in an appeal which results in the appeal being allowed, allowed in part, or a direction for further investigation or other work on the claim, the worker may be referred to the Program’s implementation process.

The Registrar for the Program oversees the implementation process. In the implementation process, the Program keeps the worker’s file open and the Registrar or a Workers’ Adviser monitors to ensure that the worker’s benefits are paid as ordered or that the investigation or work is done as directed. If necessary, the Program can file any further appeal on the worker’s behalf.

Workers denied legal services by the Program may continue to pursue claims or appeals on their own. Workers may retain legal representation on their own and at their own expense. The Program’s denial of services has no impact on the status of a worker’s claim or appeal.

The Program’s mandate is limited to pursuing compensation benefits for workers in Nova Scotia’s workers’ compensation system. The Program does not represent employers and it does not represent government or other public agencies.

Operations

Case Summary Statistics

952	Active # files at year beginning April 1, 2023	Apr, May, Jun	Jul, Aug, Sep	Oct, Nov, Dec	Jan, Feb, Mar	YTD
1040	Active # files at year ending March 31, 2024					

Incoming Files:

Files Opened		192	203	193	276	711
Intake:	Assigned to a Workers' Adviser but still awaiting a telephone appointment	60	44	28	26	
Intake:	Unassigned as of EOM	38	56	28	43	
Resource:	Clients with questions and/or without identifiable decision					
	Calls to Resource	28	46	31	69	174
	Calls Returned / telephone interview	36	38	37	53	164
	# awaiting call back	0	10	4	20	
	On a 90-day hold	14	15	19	19	67
	Closed	16	11	10	26	63
	Referred to Intake	5	10	6	6	27
	Issue Resolved	1	2	2	2	7

Requests for Service / Representation Denied:

	is the number of clients who were denied assistance and/or representation after being referred to the Program's Intake process and who were determined not to meet the program's eligibility criteria.	32	45	50	35	162
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Clients Served to Date this Year

	The number of clients on April 1, 2023, plus the total number of files opened YTD.					1816
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Files Closed

	The file has been closed and we no longer represent the worker.	166	160	263	178	767
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“Requests for Service” is the number of calls received through the intake process during each of the reporting periods. During 2023-24, the Program received an average of 72.3 requests for service per month.

We denied representation in 162 requests for service for various reasons including:

- the benefits were restored and worker withdrew request;
- there was no reasonable expectation of success;
- the worker was seeking benefits that were not available in Nova Scotia’s workers’ compensation system.

The “# Clients Served 2023-24” is the number of active files on April 1, 2023, combined with the total number of files opened to the end of the fiscal year (March 31, 2024).

The Program carried an average of 985.4 active files over the course of 2023-24.

On March 31, 2024, there were 69 pending service requests or clients who had gone through the intake process but had not yet been contacted by a Workers’ Adviser to discuss their case.

In 2023-24 Workers’ Advisers each carried an average caseload of 70.5 active files. This average excludes files assigned to two Worker Advisers working on resource files.

Process

Service Wait Time

Period 2023-24	Halifax	Sydney	Out-Town		
			Bridgewater/ Yarmouth	Digby/ Kentville/ Amherst/ Truro	New Glasgow/ Antigonish/ Port Hawkesbury
April/May/June	6.5	6.2	5.9	7.0	6.2
July/August/September	7.5	7.2	8.1	8.1	5.9
October/November/December	5.9	6.4	4.8	8.2	7.4
January/February/March	4.5	3.3	3.6	4.1	4.5
Area Averages					
Local Offices Average Wait Time	5.9 weeks				
Out-of-Town Average Wait Time	6.3 weeks				
Provincial Average Wait Time	6.1 weeks				

The service wait time for all incoming requests for service is calculated from the date the worker first contacts the Program to the date of the worker’s first contact with the Program’s Registrar or a Workers’ Adviser concerning the worker’s claim or appeal.

The Program tries to ensure that the service wait time for any worker is no more than 6 weeks. The Registrar or Workers’ Adviser will be knowledgeable about the worker’s claim or appeal at the time of contact. The provincial average wait period for 2023-24 was 6.1 weeks (which includes local and out-of-town times), an increase of 1.0 weeks from the previous year.

Factors affecting service wait times include delays in obtaining access to the WCB claim files, both paper and electronic, and staff shortages due to a maternity leave, creation and development of two new paralegal positions, and hiring new support staff and staff workloads.

Client Count by County

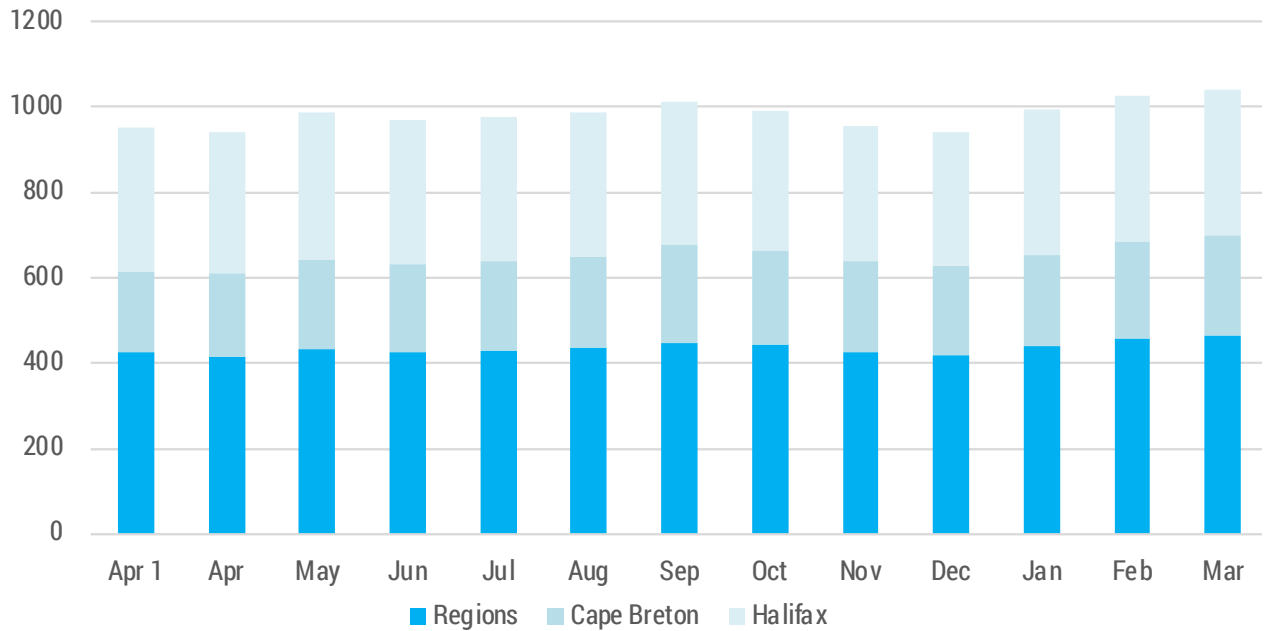
On April 1, 2023, the Program had 952 active files. On March 31, 2024, there were 1040 active files, an 8.8% increase over the course of the year. There was an average of **985.4** open files between April 1 and March 31.

County	Apr 1	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar 31
Annapolis	28	27	30	29	29	32	32	36	37	36	39	41	38
Antigonish	17	13	13	13	15	15	16	14	14	15	19	19	19
Cape Breton	190	194	207	206	210	212	229	218	214	209	212	228	233
Colchester	63	63	67	63	62	59	62	62	59	62	64	69	71
Cumberland	41	43	41	40	39	45	47	46	45	41	41	40	42
Digby	18	18	19	23	22	23	23	22	19	18	15	15	18
Guysborough	7	7	7	7	8	7	9	11	10	11	11	12	12
Halifax	337	331	347	340	339	337	336	327	316	313	342	341	342
Hants	54	51	54	53	51	56	57	57	53	53	55	56	53
Inverness	6	6	6	6	6	6	7	8	8	8	9	10	11
Kings	40	38	41	40	41	41	41	40	37	39	39	39	43
Lunenburg	41	41	45	46	49	57	52	48	42	40	48	54	55
Pictou	46	47	47	43	44	41	42	44	44	41	43	44	44
Queens	14	13	12	11	11	11	10	9	8	6	6	7	7
Richmond	8	8	9	9	8	8	8	8	9	9	9	9	9
Shelburne	8	8	7	7	8	8	8	8	10	10	11	11	11
Victoria	2	2	2	2	2	2	2	2	2	2	3	3	5
Yarmouth	11	12	12	13	12	11	11	10	9	8	8	8	8
Other	21	20	22	20	21	18	21	20	20	21	20	20	19
Total	952	942	988	971	977	986	1013	990	956	942	994	1026	1040

File reviews/audits are completed on an on-going basis.

The Program's primary role is to help workers with their appeals, and we usually do this on an issue-by-issue basis. When a worker contacts the Program for help, it is typically because of an issue relating to a claim. When this issue is resolved in the worker's favour or if the Registrar or Workers' Adviser determines there is no reasonable expectation of success in an appeal, we will close the file for services.

Client Count by Area

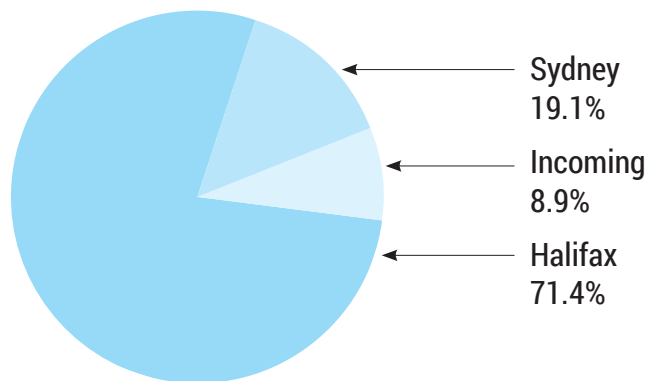


The above chart graphically displays the proportion of clients living in Halifax, Cape Breton and Out-of-Town. The Out-of-Town figures represent all clients living outside metro Halifax or Cape Breton.

An average of 33.9 percent of the Program’s clients live within the Halifax Regional Municipality; 21.7 percent live within the Cape Breton Regional Municipality and 44.3 percent reside outside the CBRM or HRM areas.

Files are distributed between the Halifax and Sydney offices.

File Distribution



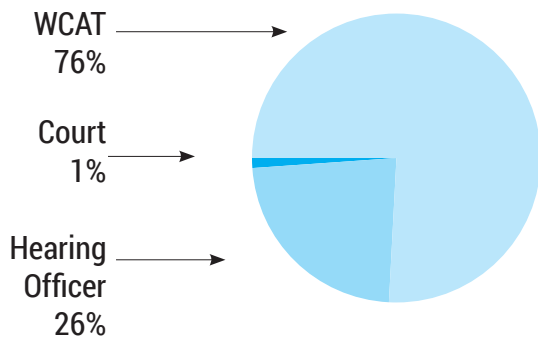
Program Statistics

	Submissions/Hearings Done			New Appeals Filed		
	Court	Hearing Officer	WCAT	Court	Hearing Officer	WCAT
April	0	9	25	0	16	27
May	1	7	23	2	15	31
June	2	5	19	0	16	26
July	1	12	18	0	13	21
August	1	4	14	0	12	25
September	3	5	23	0	13	21
October	0	3	23	0	7	17
November	1	4	23	0	11	19
December	2	6	14	0	11	22
January	5	12	23	0	19	13
February	0	3	19	0	11	20
March	2	6	27	0	7	29
TOTAL	18	76	251	2	151	271

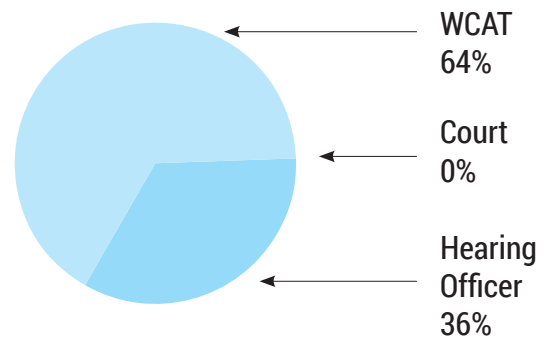
- The Program’s resources are mainly focussed on appeals at the WCAT level.
- Workers typically file their own appeals to the Hearing Officer before going through the Program’s intake process.

The Program filed 2 new appeals (Notices of Application for Leave to Appeal or Notices of Appeal) to the Nova Scotia Court of Appeal in 2023-24. An appeal to the Court of Appeal is limited because, pursuant to section 256 of the *Workers’ Compensation Act*, an appeal can only be made from a WCAT decision on a question of law or jurisdiction. There is no appeal on a question of fact.

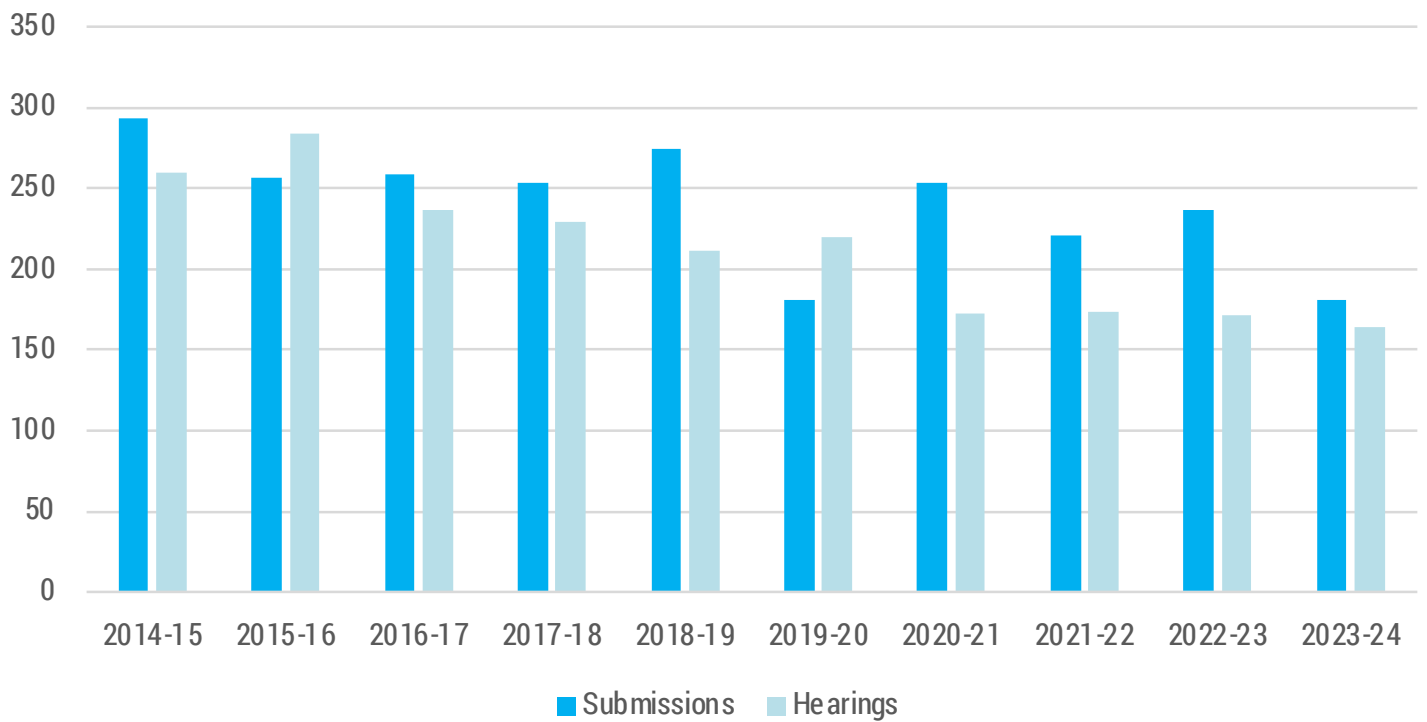
Hearings/Submissions



New Appeals Filed



Hearings/Submissions



Client Satisfaction

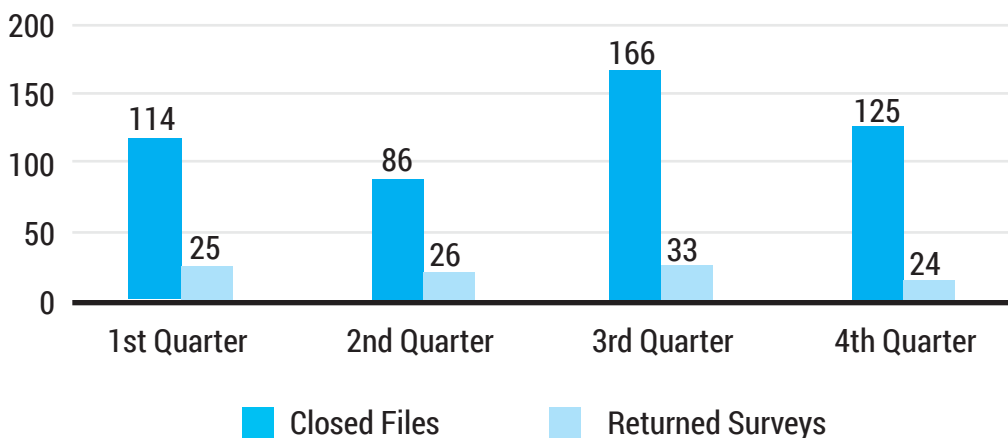
Client Survey Results

The Program began mailing satisfaction surveys to clients with their closed files in April 2003. This practice will continue so that future results will allow us to track satisfaction trends and address service issues.

	Apr, May, Jun	Jul, Aug, Sep	Oct, Nov, Dec	Jan, Feb, Mar	Total	% Return for Year
Closed Files*	114	86	166	125	491	
Returned Surveys	25	26	33	24	108	22.0
Provided Comments	19	17	28	17	81	75.0
Not Positive Outcome	2	0	3	2	7	6.48
Negative Comments	1	0	2	2	5	4.63
% Return for the Quarter	21.9	30.2	19.9	19.2		

*These closed file numbers do not include those files closed through our Resource and Intake Process. Surveys are only sent to those workers whose files were assigned to an Adviser and where we formally represented the worker.

Surveys Returned / Files Closed



Based on the data obtained from the returned surveys, we can determine that **97.0%** of our clients “**strongly agree**” or “**agree**” that the service provided by the Program staff satisfied their requirements.

Specific results to our questions are as follows:

		Strongly Agree	Agree	Disagree	Strongly Disagree
The Program staff I dealt with were professional and friendly at all times.	Apr/May/ Jun	77.0	13.3	4.2	5.6
	Jul/Aug/Sep	97.2	2.8	0.0	0.0
	Oct/Nov/Dec	93.0	7.0	0.0	0.0
	Jan/Feb Mar	90.8	2.6	0.0	6.7
% for year		89.5	6.4	1.0	3.1
In my experience, I felt the Program staff had the knowledge and experience for dealing with my situation.	Apr/May/ Jun	83.1	11.4	0.0	5.6
	Jul/Aug/Sep	97.2	2.8	0.0	0.0
	Oct/Nov/Dec	90.8	9.2	0.0	0.0
	Jan/Feb Mar	97.4	2.6	0.0	0.0
% for year		92.1	6.5	0.0	1.4
I felt the Program staff did their very best to provide me with the best possible service.	Apr/May/ Jun	80.1	7.2	7.2	5.6
	Jul/Aug/Sep	97.2	2.8	0.0	0.0
	Oct/Nov/Dec	93.0	7.0	0.0	0.0
	Jan/Feb Mar	83.8	16.2	0.0	0.0
% for year		88.5	8.3	1.8	1.4
		<i>All the time</i>	<i>Most of the time</i>	<i>Sometimes</i>	<i>Never</i>
My calls were returned within a timely manner.	Apr/May/ Jun	63.4	22.5	8.6	5.6
	Jul/Aug/Sep	83.3	16.7	0.0	0.0
	Oct/Nov/Dec	83.4	14.0	2.6	0.0
	Jan/Feb Mar	69.0	19.9	11.1	0.0
% for year		74.8	18.3	5.6	1.4
My questions were answered to my satisfaction.	Apr/May/ Jun	76.1	15.3	3.0	5.6
	Jul/Aug/Sep	82.8	14.4	2.8	0.0
	Oct/Nov/Dec	95.6	4.4	0.0	0.0
	Jan/Feb Mar	91.9	5.1	0.0	0.0
% for year		87.3	9.8	1.5	1.4
Satisfaction rating		96.3			

Committees and Associations

Canadian Association of Workers' Advisers and Advocates

The Canadian Association of Workers' Advisers and Advocates (CAWAA) is a national organization established to develop a professional system of sharing information and best practices across jurisdictions and to explore emerging workers' compensation issues relevant to workers while respecting its members' distinct workers' compensation mandates.

The Chief Worker Adviser represents the Nova Scotia Workers' Advisers Program at this association and chairs its Research Committee. Additional information on this association is available on their website: <http://cawaa.org/>

Workplace Safety and Insurance System

Advisory Councils and Working Groups

Nova Scotia's **Workplace Safety and Insurance System (WSIS)** includes workers, employers, the relevant statutory agencies (the WCB, WCAT, the Occupational Health and Safety Division of the Department of Labour, Skills and Immigration, and the Program), and others who provide services in the system. Additional information is available on the WSIS website: <http://www.wsis.ns.ca/index.php>

The **Issues Resolution Working Group** and a sub-committee, the **Appeal Issues Discussion Group**, consist of representatives from the Program, the WCB, and WCAT. These committees meet regularly to discuss workers' compensation issues and advise system partners on ways to improve issues resolution in the workers' compensation system.

The **Heads of Agencies Committee** is comprised of the heads of the four statutory system agencies:

- Director of the Occupational Health and Safety Division;
- Chief Worker Adviser of the Program;
- Chief Appeal Commissioner of WCAT; and
- CEO of the WCB.

Members of the Heads of Agencies Committee are responsible for the ongoing delivery of service to workers and employees in the system and for measuring and reporting of outcomes and progress in alignment with system goals. They are also responsible for coordinating strategic plan implementation.

Other Committees and Associations

Workers' Advisers Program staff are involved in other committees and associations to enhance their contribution to the workers' compensation system, the Department, and community. They include:

- Joint Occupational Health and Safety Committee
- Labour, Skills and Immigration, Labour Services Branch
- Nova Scotia Barristers' Society
- Canadian Bar Association

Professional Development and Training

This year, as in the past, Program staff members took part in training programs to enhance their professional skills and personal development.

Workers' Advisers attended various courses put on by Canadian Bar Association, the Nova Scotia Barristers Society, the provincial government and other training providers.

Throughout the year staff members attended various government mandatory and optional courses and training sessions.

The Workers' Advisers Program is committed to ensuring our people are provided with opportunities to acquire and improve their accreditations, skills, and well-being.

