

I wish to thank the WHSCC review panel for allowing me the opportunity to air my experience, views and suggestions concerning the practices of the WHSCC.

Over the past 30 plus years my experience with the WHSCC can only be described as a nightmare in reality.

I was involved in a major work injury in July 1972 in the province of Quebec, but since my home base was New Brunswick, this impacted my claim and left me without any income for over a year before I received my first benefits. During that time I underwent Spinal surgery, and as a result when it came time to return to my job I had to seek work in another area, which resulted in less money and seniority.

Due to reductions in the workforce during 1976 and 1977, I was required to pursue work which heavy physical labor which resulted in my second major work injury in 1985, due to lifting!

This injury also led to yet another spinal operation which resulted in me not being able to return to the workforce. I tried to improve my work skills during this time by enrolling in a workplace training session, to determine if I could reenter the workforce.

This experience ended abruptly after I refused to do a job which would have caused me further injury. My case manager at the time had agreed that I use my own judgment in determining if I could do a job or not; with emphasis on not to re-injure myself, however he would not stand by me for refusing to carry out the job that the training facility had assigned me, and therefore terminated my benefits.

I applied for permanent disability benefits, which were supported by reports from various health specialists that clearly supported my claim; however I was not accepted due to the policies put in place by the WHSCC.

Canada Pension however accepted my claim in 1988 based on the same reports from the health specialist

During the period from 1988 to 1999 I constantly appealed the WHSCC decision to refuse my disability claim.

I was asked by the Tribunal to undergo assessments by WHSCC specialist, who then referred me to Physiologist, Psychiatrist, and Physiotherapist, and finally a "Work Hardening Program".

This took a great deal of waiting and treatment time to carry out the WHSCC Tribunal request.

When in 1999 I had finally completed all required treatment and request I again appealed to the board, based the same claim that was initiated in 1988 for permanent disability, this time my claim was recognized as being permanently disabled.

The WHSCC however only made payment for injury active to 1998, therefore disallowing the time period from 1988 to 1998.

During the same time period Canada Pension had recognized me as being permanent disability and paid me benefits. With the WHSCC failure to recognize the same period of disability, I lost \$100,000 which I should have received.

I tried to appeal this decision, only to be told that the decision is final.

The WHSCC claims that they are fair and impartial! I know first hand that this is not true. My feelings concerning the WHSCC are far from what most people perceive, simply because I have witnessed first hand their abuse, lies, inhumane treatment and most of all mental abuse that they either subject you to or have many other counter parts do for

them (private clinics) who are operating under the WHSCC policies.

I feel that the WHSCC needs to be revamped in many sectors; they must be made to be accountable for their abusive and destructive behavior on the injured! The policies they initiate in their daily operation needs to be scrapped and the WCB Act reinstated to ensure an injured employee is cared for in a dignified manner. I feel that the injured employee could be a valuable tool in educating the workforce especially the young.

After reading all the submissions put forward by various groups I wish to say I fully recommend and support the submission made to the review panel by, the Moncton District Labour Council dated October 22, 2007, signed by the President Henore Gautreau and Vice President Kenneth Thompson.

I wish to add one suggestion:

I would recommend a permanent injured person be included in the structural process and their interest taken into consideration!

I wish to thank you all for your thoughtfulness and consideration it allowing me to present my comments, and look forward to better system to assist the needs of the injured in the future!

Sincerely,
Richard Kierstead