

November 25, 2019

The Honourable Shane Simpson  
Minister of Social Development and Poverty Reduction  
Room 247 Parliament Buildings  
Victoria, BC  
V8V 1X4

Dear Minister:

Further to a number of meetings we have had over the past few years, both in the context of increasing employment opportunities for persons with disabilities within the framework of your Ministry, but also under the auspices of the Ministry of Labour, where through the WCB legislation, the provincial Labour Code and the Employment Standards Act, significant relevant potential exists, we would like to formally use the opportunity on behalf of both the Pacific Coast University for Workplace Health Sciences (PCU-WHS) and the National Institute of Disability Management and Research (NIDMAR), to identify for your consideration, potential policy options designed to contribute towards a significant increase in the full economic participation of persons with disabilities.

It is our considered experience and view, that while a range of initiatives are necessary across a broad cross section of activities, only meaningful and substantive economic participation will provide persons with disabilities with the necessary financial means to not only be fully self-supporting, but able to significantly shape and influence many elements of their environment.

By way of a brief background description (*Mission Statements for NIDMAR and PCU-WHS attached*), PCU-WHS is Canada's only University exclusively dedicated to all aspects of Workplace Health. It was established via private legislation and the unanimous consent of all 79 Members of the British Columbia Legislative Assembly in 2007, and is Canada's only statutory University requiring equal representation of employer and worker representatives on its Board of Governors and Academic Council.

NIDMAR was established in 1994 by a group of senior employer and worker representatives who, together with other relevant stakeholders, decided to drive innovation and leadership through a collaborative approach designed to develop and provide programs, policies and tools to measurably reduce the socio-economic impact of disabling conditions on workers, employers and society at large. Today, this effort has resulted in the development and adoption of NIDMAR professional and program standards in Return to Work / Disability Management across 64 countries and their reference in the International Social Security Association's Return to Work best practice guidelines.

The operational and program focus of the University, NIDMAR and its predecessor organizations over the past 27 years has been grounded in efforts to improve the economic participation, i.e. employment rates for persons with disabilities, as a critical underpinning of any effort designed to substantively and consistently improve financial, social and psychological participation and well-being of persons with disabilities.

Within these strategic and operational parameters, and in recognizing that the vast majority of individuals suffer a disabling impairment during their working lives, our efforts have been concentrated on the development of best practice policy, program and operational approaches, supported through evidence-based research, and designed to optimize job retention for injured/disabled workers following onset of a disabling impairment, whether this is of a mental or physical health nature.



The Honourable Shane Simpson  
Page 2  
November 25, 2019

Supported through research and practical findings from around the world, this focus is grounded through several, often hard to accept, realities, namely:

- Hiring rates for persons with disabilities once they have lost their employer attachment, are very low and have not improved over the past few decades, and persons with disabilities are employed at less than half their workforce availability rates (*Canadian HR Reporter 2017; Employment Equity Act: Annual Report 2015; European Centre Policy Brief March 2014*).
- Approximately three quarters of people of working age with a disability experience its onset in adulthood; therefore any strategy to address the needs of people with disabilities must include a focus not only on those who have disabilities from birth or childhood, but also on those who acquire a disability during the course of their working lives (*Statistics Canada 2012: A Profile of Persons with Disabilities among Canadians Aged 15 Years or Older*).
- Social security system outflow rates for persons with disabilities are between 0.65% and 0.85%.
- Research indicates that employers that do not have active and well functioning Return to Work / Disability Management programs for their own employees who acquire a disabling impairment, it is most likely that they will not hire persons with disabilities from outside the organization, unless it is for public relations purposes (*Workplace Equity, Labour Program December 2008*).

It is in this context that our broad suggestions are centered around two integrated potential approaches:

- A. Practical policy/legislative opportunities targeting provincial jurisdiction employers across the public and private sector
- B. Operational options in support of improved Return to Work / Disability Management outcomes

The following provides more specific details.

**A. Practical policy/legislative opportunities targeting provincial jurisdiction employers across the public and private sector**

1. Include an employer Return to Work obligation for provincial jurisdiction employers similar to those contained under various Workers Compensation Acts across Canada (*Bill 99 WSIB Act 1997*). This would include amending the BC Workers Compensation Act.
2. Introduce a Return to Work / Disability Management program requirement for provincial jurisdiction employers above a certain size, similar to those in place across a number of countries around the world (German Federal Ministry of Labour and Social Affairs). This could be achieved either via the BC WCB Act or the BC Labour Code / Employment Standards Act.
3. Implement a Return to Work / Disability Management committee requirement for provincial jurisdiction employers above a certain size, determined by employee numbers, not unlike those that are commonplace and broadly accepted for Occupational Health and Safety (Joint Health & Safety Committees, WorkSafeBC Occupational Health and Safety Act).
4. Require all provincial government departments and agencies to implement a dedicated and measured Return to Work / Disability Management program similar to those in place across many best practice large private and public sector organizations across Canada and elsewhere (*Canada Post: A Commitment to Change, January 2010*).

The Honourable Shane Simpson  
Page 3  
November 25, 2019

**B. Operational options in support of improved Return to Work / Disability Management outcomes**

1. This could include establishing a Return to Work / Disability Management Centre of Excellence in order to support provincial ministries and other public sector organizations, particularly with more complex situations, a model very common in large private and public sector companies in other jurisdictions (*Globe and Mail article on Weyerhaeuser "Buddy system gets employees back to work", November 2004*).
2. Providing provincial ministries with access to Return to Work / Disability Management experts in order to establish best practice programs (*Professional Designations for the field of Disability Management and Return to Work*).
3. Encourage and support provincial ministries and public sector organizations (such as school boards, municipalities, crown corporations, colleges/universities) as employers and the unions representing their employees to include collective agreement language designed to facilitate better Return to Work / Disability Management program outcomes through a joint and collaborative approach (*Enhanced Disability Management Program in BC's Healthcare Sector*).
4. Implement, support and measure Return to Work outcomes within the context of the provincial Public Sector Employers Council Secretariat across all provincial public sector employer associations.
5. Optimize use of the provincial public sector procurement system to encourage/promote increased hiring rates for persons with disabilities, similar to the Disability Benchmarking currently being developed by the US Department of Labour (*The World and Disability: Quotas Or No Quotas? December 2013*).
6. Designate and/or establish provincial Centers of Excellence in support of all relevant aspects of BC's Accessibility Legislation.

We would be pleased to meet with the Minister or others involved in this process to provide further detailed explanations with regard to these submissions.

Sincerely,

  
Wolfgang Zimmermann, OBC  
Executive Director