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St. John's,NL  
A1H 0L2  
April 25,2020

% Ms.Sharmaine Allen  
2019 Statutory Review Committee-Worker's Compensation System  
Department of Advanced Education, Skills and Labour  
Box 8700, 4th floor, West Block, Confederation Building  
St. John's,NL  
A1B 4J6

Dear Ms.Sharmaine Allen,

I wish to make a submission to the 2019 Statutory Review of the Workers Compensation System which I understand is presently taking place.

I was injured on the job on February 19, 2017. As a result, I have been placed on Full Extended Earnings Loss Benefits by WorkplaceNL. I have no tolerance for work, whatsoever.

I applied for and was approved for Canada Pension Disability Benefits in March, 2020.

I received a Lump Sum Payment of \$27,241.35 gross, retroactive to 2017. I will also receive a monthly benefit of \$1163.67 gross until I reach 65 years of age.

To my surprise, the Provincial Government and the Worker's Compensation Commission of Newfoundland and Labrador will be clawing back 75% of these benefits. This includes the lump sum payment and the monthly benefit.

They simply classified these Disability Benefits as "Wages" and did a money grab to claw back 75% of these Federal Government Benefits from a disabled, injured worker, a Registered Nurse, who suffered a workplace injury. I did not ask to be injured. It never cost the Provincial Government or WorkplaceNL one penny towards these benefits but they insist on clawing them back.

They are using Section 81 of the Worker's Compensation Act to their advantage, to hurt disabled people who have sustained injuries that have ended their careers.

I want to emphasize that these Benefits are "Federal Funds",governed by the Federal Government of Canada, through a "Legislated Act of Parliament".

Their clawback of benefits has put me in a poor financial position, and hurt me deeply. It has inflicted great loss and pain mentally,emotionally, spiritually , psychologically,physically and financially.

This clawback for 12 years will cost me \$111,974.40 by the time I will reach 65 years of age. This renders my Disability Pension of little value.

This amounts to, discrimination against disabled, injured workers and these policies are inconsistent with all Human Rights Acts.

I have a "Right" to these Federal Government Benefits under Federal Jurisdiction without clawbacks of 75%.

The Canada Pension Plan Disability Benefits Program is a plan for the disabled, and especially for disabled, injured workers. It is not a plan for the Province to clawback and gain from the unfortunate, disabled people.

On April 17, 2020 marked the 38th Anniversary of the Canadian Charter of Human Rights and Freedoms. Where are my "Rights and Freedoms"?

I am making this submission to ask that all clawbacks against disabled, injured workers stop immediately, and that Section 81, be removed from the Worker's Compensation Act. These actions are incomprehensible, they are not moral and just.

The Human Rights Act of the United Nations guarantees that I have, a Right to Equality, a Right to Life, Liberty and Personal Security, and a Right to Freedom from Degrading Treatment and Discrimination.

Please, do the honourable thing in your deliberations. Integrity is defined as choosing the right thing, even if the choice results in unpleasant consequences. A business with integrity displays honesty, morality, in their services and actions. Kindest regards.

Yours truly,



Tina M Warford

PS: My Phone Number

Please send me a copy of the final report.

April 22, 2020

DOC-2020-00556-001

Ms. Tiia Warford

St. John's, NL A1H 0L2

Dear Ms. Warford:

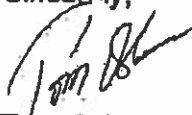
Thank you for your letter dated April 17, 2020 to the Premier asking for amendments to be made to the workers' compensation legislation to eliminate Canada Pension Plan offsets from workers' compensation benefits. The Premier has asked that I respond on his behalf.

The issue of how Canada Pension Plan entitlement is considered under workers' compensation legislation is complex. I encourage you to make your submission on this issue to the Statutory Review Committee through the statutory review of Newfoundland and Labrador's workers' compensation system currently underway, with the consultation process open to workers, employers, key stakeholder organizations and the general public. Should you wish to share feedback via email, you can do so at [info@019srwcs.ca](mailto:info@019srwcs.ca). You may also send feedback by regular mail to:

2019 Statutory Review Committee – Workers' Compensation System  
c/o Sharmane Allen  
Department of Advanced Education, Skills and Labour  
P.O. Box 8700, 4<sup>th</sup> Floor, West Block, Confederation Building  
St. John's, NL A1B 4J6

I trust the above information is satisfactory.

Sincerely,



Tom Osborne, MHA  
Minister Responsible for WorkplaceNL

cc. Honourable Dwight Ball, Premier