

October 7, 2020

2019 Statutory Review Committee
Workers Compensation System
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Teamsters Local 855 represents 220 private ambulance emergency service (EMS) personnel across the province, representing 49% of all private ambulance workers in the province. These professionals are serving many of the rural regions of our province. The skill competency and qualifications level of our members include Emergency Medical responders (EMR), Primary Care Paramedic (PCP), Acute Care Paramedic (ACP), Emergency Medical Dispatchers (EMD), and Medical First Responders (MFR) These medical professionals provide daily medical emergency and transition services to residents of our province.

The Discussion Document for this review states: Pursuant to Section 126 (2) of the **Workplace Health, Safety and Compensation Act** (the Act), the mandate of the Committee is to "...review, consider, report and make recommendations to the Lieutenant-Governor in Council upon matters respecting this Act and the regulations and the administration of each as the committee considers appropriate and upon other matters which the Lieutenant-Governor in Council or the minister may refer to the committee".

"Notwithstanding the three thematic areas which the Government of Newfoundland and Labrador asked the Committee to focus on, the Committee welcomes commentary on matters related to the workers' compensation system not covered by the three thematic areas and reserves the right to consider matters outside the scope of the review. "

Teamsters will be identifying issues that are of paramount importance to our members in their occupation as private ambulance workers, in various roles, across all regions of this province. All of our members are covered under the Workplace Health safety and Compensation Act and therefore we ask for your consideration of our recommendations in your review and deliberations as part of the Statutory Review.

First of all, we will provide an overview of the total industry including public, private and not for profit sectors.

- Approximately 80,000 transports in a fiscal year
- 61 total operators receive Provincial funding to operate a combined total of 179 ambulances. **(last fiscal year total funding cost was \$61.5M)**
- 13 operated by the Regional Health Authority (RHA's)
- 26 operated by private companies
- 22 operated by community groups (non-profit)
- Teamsters represent 220 private ambulance emergency medical services (EMS) representing 49% of provincial personnel. (represents half of the unionized workers in the private ambulance services in the province)

Workplace conditions experienced by our members have resulted in a growing increase in workplace injuries. (Please see Page 4.) These injury statistics will continue to climb if not addressed and recommendations not adopted in your review. In addition, costs to the system continues to rise, going from total claims costs in 2014 of \$1,180,845.12 to 2019 preliminary costs of \$1,713, 807.13. (Please see page 3)

Listed below are workplace conditions and or system deficiencies that we believe are causal factors in the increase in workplace injuries, including the filing of Post-Traumatic Stress Disorder (PTSD) claims:

- Employee fatigue related to 24-hour shifts, short rest period between shifts, on call without pay, delay by government in implementation a new ambulance service delivery model promised for April 2020. All of these indicators leave our employees driving vehicles and treating patients in less than optimal working conditions. (Please see Fitch and Associates Consultation Report 2013, www.fitchassoc.com)
- Increase of PTSD claims and increase in injuries overall. In fact, costs associated with paramedic workplace injuries over past 5 years are increasing with costs expected to climb in excess of \$1.7M annually.
- Government proposed status quo on a new delivery ambulance service for 2 years has caused huge concerns resulting in greater numbers of professionals leaving the industry, reduced emergency services, greater stress on those in system that are already stressed. (Please see Fitch and Associates Consultation Report 2013, www.fitchassoc.com)
- An increase in Code Red (emergency vehicle not available for call as all vehicles in use) is tied to increased employee attrition and increased employee fatigue/stress.
- Private sector attrition has caused **EMS to decrease 26% in last year** causing increase workload and stress for the members left in the system.

- Working conditions have continued to deteriorate as a result of lack of government oversight in the current service agreements arrangement between the private ambulance operators and the RHA'S (government).

Once funding agreements are reached between government and private operator/owners, the operators then negotiate a collective agreement with Teamsters members. A recent review of this arrangement (Grant Thornton, Private and community ambulance operators staffing and payroll review, June 2018) provided further evidence of a system that is failing our members and their workplace safety. In particular, ensuring staff compliments are being met as defined in service agreements are not being met in the workplace. Nor is the expected government oversight of these agreements and addressing workplace concerns.

The **June 2018 Grant Thornton Report under Executive Summary Page 2**, states;

“FTE compliance: Our analysis of FTE compliance shows that 36 of 47 ambulance operators, or 77%, are in non-compliance in meeting their FTE staffing requirements for the three-month period (16 community-based and 20 private ambulance service operators). Conversely, 11 of 47, or 23%, of ambulance operators are in compliance with their FTE staffing requirements (6 community-based and 5 private ambulance services operators)”

With 77% of non-compliance in staffing standards in our industry, is there any question of why injury statistics have continued to rise in a variety of categories and will continue to rise unless immediate attention is brought to this industry and recognition of the effects on our current Worker’s Compensation System. The above finding of the Grant Thornton Report is adding to the stress, workload, and overall concern of our membership for a safe and engaged workplace.

Claim Costs by Payment Year

Ambulance/paramedic occupation

Cost Amount	Lost-time	Medical Aid	All Types of Claims
2014	\$1,238,906.89	\$41,938.23	\$1,280,845.12
2015	\$1,180,676.81	\$13,957.57	\$1,194,634.38
2016	\$1,220,899.53	\$31,207.31	\$1,252,106.84
2017	\$1,243,557.83	\$65,402.15	\$1,308,959.98
2018	\$1,316,062.31	\$50,925.68	\$1,366,987.99
2019(p)	\$1,686,796.58	\$27,010.55	\$1,713,807.13
Total	\$7,886,899.95	\$230,441.49	\$8,117,341.44

Teamsters local has funded a sleep deprivation study by a recognized Canadian expert in sleep patterns and the related health and safety concerns and work risks that arise. We undertook this study as we continuously hear from our membership on the effect of long shift schedules, often meaning significant time spent in vehicles on highways, as well as requirements in treating patients following long periods with limited rest. These issues tie directly to patient care but also workplace safety of our members when in their workplace.

Types of Claims

Ambulance/paramedic occupation

Accepted Claims Pay	Lost-time	Medical Aid	All Types of Claims
2014	43	18	61
2015	43	22	65
2016	46	18	64
2017	57	14	71
2018	42	25	67
2019(p)	64	19	83
Total	295	116	411

Type of Accident

Ambulance/paramedic occupation
(2014,2015,2016,2017,2018,2019*)

Accepted Claims Pay	Lost-time	Medical Aid	% of Total (All Types of Claims)	All Types of Claims
Overexertion	148	30	43.31%	178
Bodily reaction	39	2	9.98%	41
Fall on same level	22	13	8.52%	35
Highway accident	14	11	6.08%	25
Other bodily reaction and exertion	19	2	5.11%	21
Struck by object	4	13	4.14%	17

Caught in or compressed by equipment or objects	8	7	3.65%	15
Assaults and violent acts by person(s)	6	8	3.41%	14
Exposure from witnessing or hearing about traumatic or stressful event	8	3	2.68%	11
Exposure to caustic, noxious, or allergenic substances	3	7	2.43%	10
Fall to lower level	6	4	2.43%	10
Repetitive motion	8	0	1.95%	8
Struck against object	4	4	1.95%	8
Exposure to noise	0	6	1.46%	6
Nonhighway accident, except rail, air, water	3	2	1.22%	5
Rubbed or abraded by friction or pressure	1	1	0.49%	2
Assaults by animals	0	1	0.24%	1
Contact with temperature extremes	1	0	0.24%	1
Pedestrian, nonpassenger struck by vehicle, mobile equipment	1	0	0.24%	1
Transportation accident	0	1	0.24%	1
Unknown	0	1	0.24%	1
Total	295	116	100.00%	411

*Please note: 2019 Statistics are preliminary.

The Workplace NL Statutory Review discussion document states under section: 3.4. Partnerships

Collaboration, communication, and sound working relationships are critical to functioning of the workers' compensation system. WorkplaceNL works with the Occupational Health and Safety (OHS) Division of Service NL to make recommendations and develop programs respecting workplace health and safety. WorkplaceNL also works closely with the NLFL and NLEC who represent injured workers and employers respectively. In addition, WorkplaceNL has established partnerships with various industry associations, government departments and agencies, unions, safety sector councils, and health and safety coalitions at both provincial and national levels.

The identified issues do need the collaboration of the Occupational Health and Safety (OHS) Division of Service NL, and other groups as well. As a result, recommendations of your committee should include reference to the OHS Division and recommendation to collaborate on research to assess the workplace deficiencies identified and propose any legislative and or regulatory changes that are needed.

Recommendations:

- 1) **Mandatory review of shift differential of ambulance workers in NL quantifying the effect of sleep deprivation on workplace injuries in the industry.**
- 2) **Amendments to regulatory framework of Workplace Health Safety Compensation Act to directly deal with sleep deprivation as a causation factor as defined in definition of “injury” under the Act.**
- 3) **A joint study and research project by Teamsters Local 855 and WorkNL Prevention Services Department on the issues identified in our industry and how we collectively deal with the serious workplace concerns.**
- 4) **Specific recognition of the effect of Post-Traumatic Stress Disorder (PTSD) on the effects of what our members often experience in their workplace and the subsequent effect on current and future workplace injury claims.**
- 5) **Recommendations of Fitch Report are implemented for a new Paramedicine delivery model as promised by government that will provide a safer work environment for all workers in the industry.**

Teamsters Local 855 looks forward to a more efficient, effective, sustainable and quality system for the province as a patient centric model while recognizing the importance of safety in the workplace of our members. The ever-growing stress, workers leaving the industry, increase injury claims and costs, and increase in PTSD claims are issues that must be addressed today. We all have a role to play. Your review is vital to our industry and our workers.



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