

**SUMMARY OF BOARD STRUCTURE AND COMPOSITION**

<b>STRUCTURE</b>	<b>AB</b>	<b>BC</b>	<b>MB</b>	<b>NB</b>	<b>NL</b>	<b>NT/NU</b>	<b>NS</b>	<b>ON</b>	<b>PE</b>	<b>QC</b>	<b>SK</b>	<b>YT</b>
Year current structure implemented	1988	2003	1990	2008	1992	1990	1992	1998	1995	1980	1993	2000
Number of Board <sup>1</sup> : Members/Directors	11	8 <sup>2</sup> , s. 81	11 <sup>3</sup>	12 or more	10	8 <sup>4</sup>	10 <sup>5,6</sup>	7-9 <sup>7</sup>	9	15 <sup>8</sup>	5 <sup>6</sup>	10 <sup>9</sup>
<b>COMPOSITION</b>												
Chairman, Chairperson, and/or Chair.	Yes	Yes, s. 81	Yes	Yes	Yes	Yes	Yes <sup>10,11</sup>	Yes <sup>12</sup>	Yes	Yes <sup>12</sup>	Yes <sup>12</sup>	Yes
Vice/Deputy Chair is one of board members and can act for Chair?	Yes	N/A	Yes <sup>13</sup>	Yes WHSCCA s. 8,9	Yes	Yes	Yes <sup>14,11</sup>	<sup>15</sup>	Yes	No <sup>16</sup>	Yes	Yes <sup>9</sup>
Number of Members representing:												
• Workers?	3 <sup>5</sup>	1, s. 81	3, s. 50.2(1)	4 or more	3 <sup>6</sup>	2	4 <sup>6</sup>	- <sup>17</sup>	4 <sup>6</sup>	7	2 <sup>12,6</sup>	2 to 3 <sup>9</sup>
• Employers?	3 <sup>5</sup>	1, s. 81	3, s. 50.2(1)	4 or more <sup>18</sup>	3 <sup>6</sup>	2	4 <sup>6</sup>	- <sup>17</sup>	4 <sup>6</sup>	7	2 <sup>12,6</sup>	2 to 3 <sup>9</sup>
• General public?	3 <sup>5</sup>	4 <sup>19</sup> , s. 81	3, s. 50.2(1)	-	3	2	-	- <sup>17</sup>	-	-	-	No
President and/or Chief Executive Officer?	Yes <sup>12,20</sup>	Yes <sup>12,21</sup> , s. 81	Yes <sup>12,21</sup>	Yes	Yes <sup>12,21</sup>	Yes	-	Yes	-	-	-	Yes <sup>12,21</sup>
Chief Appeals Commissioner/Chair of Appeals Tribunal?	No	No	No <sup>22</sup>	Yes	-	No	-	No	-	-	-	Yes
Other ex-officio?	No	-	-	-	Yes <sup>21,23</sup>	No	-	-	-	-	-	No
Observers?	No	-	s. 51.1(4) <sup>24</sup>	-	-	No	-	-	-	1 <sup>25</sup>	-	No
<b>VOTING RIGHTS ?</b>												
Chairman, Chairperson, and/or Chair?	Yes	Yes, s. 81			Yes							No
• Only votes to break tie	N/A	-	Yes	Yes	-	Yes	Yes	N/A	Yes	N/A	N/A	N/A
President and/or Chief Executive Officer?	No	No, s. 81	No, s. 50.2(2)	No	No	No	No	N/A	N/A	N/A	N/A	No
Vice/Deputy Chair	Yes	N/A	Yes	Yes	Yes	Yes	No	N/A	Yes	N/A	N/A	N/A
Chief Appeals Commissioner/Chair of Appeals Tribunal?	N/A	N/A	N/A	No	-	N/A	N/A	N/A	N/A	N/A	N/A	No
Other ex-officio?	N/A	-	N/A	-	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Observers?	N/A	-	No	-	-	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>FULL TIME/PART TIME (FT or PT)</b>												
Chairman, Chairperson, or Chair.	<sup>26</sup> PT	<sup>26</sup> PT	<sup>26,27</sup> N/A	PT	PT	PT	PT	PT	PT	FT	FT	PT
Vice/Deputy Chair	PT	PT	N/A	PT	-	PT	PT	N/A	PT	N/A	N/A	PT
Members representing:												
• Workers?	PT	PT	N/A	PT	PT	PT	PT	N/A	PT	PT	FT	PT
• Employers?	PT	PT	N/A	PT	PT	PT	PT	N/A	PT	PT	FT	PT
• General public?	PT	PT	N/A	N/A	PT	PT	N/A	N/A	N/A	N/A	N/A	N/A
President and/or Chief Executive Officer?	FT	FT	N/A	FT	FT	FT	N/A	N/A	N/A	N/A	N/A	FT
Chief Appeals Commissioner/Chair of Appeals Tribunal?	N/A	N/A	N/A	FT	-	PT	N/A	N/A	N/A	N/A	N/A	PT
Other ex-officio?	N/A	-	N/A	-	PT	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Observers?	N/A	-	N/A	-	-	N/A	N/A	N/A	N/A	PT	N/A	N/A

*Source: Association of Workers' Compensation Boards of Canada – 2011*

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STRUCTURE	AB	BC	MB	NB	NL	NT/NU	NS	ON	PE	QC	SK	YT
<b>QUORUM</b>												
Fixed # of members that must be present? If so, how many?	No	No	No	½ of members	No	No	<sup>28</sup>	<sup>29</sup>	No	8 <sup>30</sup>	2	No
Majority?	Yes	Yes, s. 83	Yes <sup>31</sup>	No <sup>32</sup>	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes
<b>TERMS</b> Number of years (up to) for term of:												
• Chairman, Chairperson, or Chair.	3	5, s. 81	4 <sup>33</sup>	Up to 4	-	3	5	3 <sup>34</sup>	3	5	5	3
• Vice/Deputy Chair	-	3, s. 81	-	4	-	3	5	-	3	5	N/A	3
• Members	3	3, s. 81	4 <sup>33</sup>	4	<sup>35</sup>	3	4	-	3	2	4	3
• President and/or Chief Executive Officer	Open	Open	Open <sup>36</sup>	3	-	N/A	N/A	3 <sup>34</sup>	-	-	N/A	N/A
Members can be re-appointed for additional term?	Yes <sup>37</sup>	Yes, s. 81	Yes <sup>38</sup> s.50.2 (3.2)	Yes	-	Yes	Yes	Yes	Yes	Yes	Yes, s. 15(1)(b)	Yes
If so, number of years stated in Act?	3	6/10 <sup>39</sup> , s. 81	4	4 <sup>40</sup>	-	3	No	-	-	-	No-	<sup>41</sup>
Maximum number of terms?	3 <sup>42</sup>	-	N/A	2	-	<sup>43</sup>	No	N/A	-	N/A	No	No
<b>APPOINTMENT FACTORS FOR BOARD MEMBERS</b>												
Appointed by Lieutenant Governor or Government?	Yes	Yes <sup>44</sup> , s. 81	LG <sup>45</sup>	LG	Yes	Yes <sup>46</sup>	Yes	Yes <sup>47</sup>	Yes	Yes	Yes, s. 13 <sup>48</sup>	Yes <sup>45,49</sup>
Remuneration set by Lieutenant Governor or Government?	Yes	Yes, s. 81	LG <sup>50</sup>	LG <sup>51</sup>	Yes	Regulations	Yes	Yes	Yes	Gov't <sup>52</sup>	Yes, s. 17	No
Serves at pleasure of Lieutenant Governor or Government?	-	-	-	-	-	Yes	-	Yes	-	-	N/A	No
Can be dismissed for cause?	Yes	-	-	Yes	-	Yes	-	-	Yes	-	N/A	Yes
Vacancy can be filled for term of office?	-	-	-	Yes	-	Yes	-	-	Yes	Yes	Yes, s. 16	Yes <sup>53</sup>
Remain in office, when term expires, until re-appointed or replaced?	No	-	Yes <sup>54</sup>	No	Yes	No	<sup>55</sup>	-	Yes	Yes	Yes, s. 15	No
<b>MEETINGS</b>												
Minimum number of meetings required:	@ least 1 every 3 mos.	N/A <sup>56</sup>	10 <sup>57</sup>	@ least 6 per year	-	No	N/A	@ least 1 every 2 mos.	-	<sup>58,8</sup>	No, s. 19	1/month
<b>APPOINTMENT/REMUNERATION FACTORS FOR CHAIRS</b>												
Appointed by Lieutenant Governor or Government?	Yes, s. 5(1)(a)	Yes, s. 81	LG <sup>59</sup>	LG	Yes	Yes <sup>46</sup>	Yes	Yes	Yes	Yes <sup>60</sup>	Yes, s. 14	Yes
Remuneration set by Lieutenant Governor or Government?	Yes, s. 9	Yes, s. 81	Yes, s. 50.2(4)	LG	Yes	Regulations	Yes	Yes	Yes	N/A	Yes, s. 17	Yes

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STRUCTURE	AB	BC	MB	NB	NL	NT/NU	NS	ON	PE	QC	SK	YT
<b>APPOINTMENT/REMUNERATION FACTORS FOR PRESIDENT and/or CEO – FOR INFO. PURPOSES ONLY</b>												
Appointed by Lieutenant Governor or Government?	No <sup>20</sup>	No, s. 82, 84.1	-	No s. 10(2)	-	No	No	Yes	Yes <sup>61</sup>	Yes <sup>60</sup>	No	No <sup>49,62</sup>
Appointed by Board of Directors?	Yes <sup>20</sup> , s. 8(1)	Yes, s. 82, 84.1	Yes, s. 59(1)	Yes <sup>63</sup>	Yes <sup>63</sup>	Yes	Yes	No <sup>64</sup>	-	-	Yes, s. 20(1)	No <sup>49,62</sup>
Remuneration set by Lieutenant Governor or Government?	No	No, s. 84.1	N/A	No	-	No	No	Yes	Yes	N/A	No	Yes
Remuneration set by Board of Directors?	Yes, s. 8(2)	Yes, s. 84.1	Yes <sup>65</sup>	Yes	Yes	Yes	Yes	No	No	N/A	Yes, s. 20(1)	No
<b>COMMITTEES</b>												
Appointment of Committees of the Board or Advisory	N/A	Yes <sup>66</sup> s. 82	<sup>67</sup>	Board	Yes, s. 5	<sup>68</sup>	N/A	Board of Directors	Yes, s. 30(4), 85.1	<sup>69</sup>	N/A	Yes

**Note:** “-” means no reference found in Act.

**N/A means not applicable or not available. Contact individual [WCBs/Commissions](#) if you require further information or clarification.**

- 1 Inclusive of all member Chairman, Vice Chairman, President, Appeals Commissioner, Ex-officio, etc.
- 2 In British Columbia, the Act requires the Government to consult with organizations that: represent workers in appointing the director representative of workers; represent employers in appointing the director representative of employers; provide health care or rehabilitation services to persons with disabilities in appointing the director who provides those services; and with professional organizations for actuaries in appointing the director who is an actuary.
- 3 In Manitoba, the Lieutenant Governor in Council must consult with persons on whom assessments are levied and workers in industries afforded coverage regarding the appointment of members to the Board of Directors representing employers, workers and the public interest.
- 4 Seven appointed voting Directors and the President/CEO is an ex officio non-voting member.
- 5 Up to, or not to exceed.
- 6 Act states must be equal numbers of persons representing employers and workers. N.S. currently has 4 of each plus a Chair and vacant Deputy-Chair position. In Newfoundland & Labrador, the Act states there must be 3 numbers of persons representing employers (at least one recommended by NL Employers' Council); workers (at least one recommended by NL Federation of labor); and public (one of whom represents injured workers) (Act s. 4(2)); plus a Chairperson, a Chief Executive Officer, and an ex-officio member. Saskatchewan currently has 1 of each, plus a Chairman.
- 7 The Board of Directors has 7-9 members in addition to the Chair and the President.
- 8 The Quebec Act states that the Commission de la santé et sécurité du travail (CSST) is administered by a Board of Directors composed of fifteen members including one Chairman of the Board of Directors and Chief Executive Officer. They are appointed by the Government and are, with the exception of the Chairman of the Board of Directors and Chief Executive Officer who is appointed after consultation with the most representative union and employers associations, designated as follows: seven members are chosen from lists provided by the most representative union associations, and seven members chosen from lists provided by the most representative employers associations. In Quebec, the Chairman of the Board of Directors and Chief Executive Officer, and the Vice-Presidents (who are not members of the Board of Directors but members of the Executive Committee) shall deal exclusively with the duties of their functions.
- 9 Maximum number is 10. This would include Chair, up to 3 employer reps, and up to 3 worker reps. An alternate chair can be appointed to act during the absence of the Chair. The Yukon's Act states the Minister may fill a vacancy for a single term of 60 days. In most jurisdictions a vacancy can only be filled for the balance of the term of the person being replaced. The President and Chair, Appeals Tribunal, are non-voting members. Yukon's Act specifies that members representing workers and employers must be equal. In the Yukon, the Minister must consult with employers and employer organizations, and workers and organized labour on appointments for each group, as well as the Chair and Alternate Chair.
- 10 Only votes to break tie.
- 11 In Nova Scotia, the Act requires the Governor in Council to appoint one member of the Board to serve as Chair and one to serve as Deputy Chair.
- 12 Full Time.
- 13 By resolution, one of the Board members may act as Chairperson during the temporary absence of the Chairperson.
- 14 Non-voting if Chairman present.
- 15 The Chair decides which member of the Board of Directors will act as chair in his/her absence. If the Chair does not do this, the Board of Directors may decide who will act in the Chair's absence.
- 16 The vice-chairmen, appointed by government, must devote all their time to the duties of their office. The Commission currently has five vice-chairmen. The Act also states that, should the chairman and chief of operations or one of the vice-chairmen be absent or prevented from exercising his duties, the Minister shall appoint a substitute for the duration of the absence or the impediment.
- 17 Act states members "who are representative of workers, employers and such others as the Lieutenant Governor in Council considers appropriate."
- 18 Equal to worker representation.
- 19 Two directors representative of public interest, one director who is a professional providing health care or rehabilitation services to persons with disabilities, one director who is an actuary.

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20 In Alberta, up to June 1, 1995 the President & C.E.O. was a voting member of the Board. Effective June 1, 1995 the President & C.E.O. is a non-voting member. Also effective June 1, 1995, amendments to the Alberta Act included the authority for the selection and appointment of the President to be transferred from the Lieutenant Governor-in-Council, to the Board of Directors.

21 Non Voting member.

22 See s. 50.2(1) & s. 60.2(3).

23 One member designated by the Minister of Labour.

24 The Board of Directors may appoint outside members to the audit and investment committees. (Section 51.1(4))

25 The observer has no voting rights. He or she is appointed by the Minister responsible for the *Occupational Health & Safety Act*.

26 There is at least one full-time member on the Board.

27 With the exception of the CEO, the members of the Board of Directors are part-time. The Appeal Commission consists of full and part-time appeal commissioners.

28 Chair or Deputy-Chair and one half of members.

29 A quorum is the majority of members of the Board of Directors holding office (see s. 162(5)).

30 Including the Chairman of the Board & Chief Executive Officer.

31 Subsection 58(2).

32 In New Brunswick, a quorum is one half of the members. at least one of whom shall be a member representative of workers, at least one of whom shall be a member representative of employers and one of whom shall be the Chairperson of the board of directors or in the absence of the Chairperson of the board of directors the Vice-Chairperson. WHSCCA, s.9(10)

33 Subsection 50.2(3).

34 Typical appointment term.

35 Determined by Lieutenant Governor.

36 The CEO holds office at the discretion of the Board of Directors.

37 In Alberta, only one reappointment is allowed for a member. An appointment as Chair is an exception.

38 In Manitoba, a member is appointed for a fixed period not exceeding four years.

39 Chair may not be appointed for continuous period of more than 10 years. Director may not be appointed for continuous period of more than 6 years.

40 The legislation does not limit the President/CEO to a re-appointment term of 4 years, the President/CEO may be appointed for a longer period.

41 Re-appointments, by implication, are for three year terms; a member may be re-appointed more than once.

42 Generally, maximum of two terms, unless a member has served 2 terms but was not appointed chair for the full duration of either term, in which case the member is eligible for appointment as chair and member of the board of directors for one additional term, not to exceed 3 years – see section 5(7). However, the Minister may recommend the reappointment of any member of the board of directors, other than the President, for a third term, not to exceed three years, if in the Minister's opinion, the reappointment would be beneficial to the Board – see ss. 5(6.1) and (6.2).

43 Can't be reappointed if continuous service exceeds 9 years.

44 After consultation with workers, employers, organizations that provide health care or rehabilitation services to persons with disabilities, and professional organizations for actuaries.

45 After consultation with workers, employers (and public in Manitoba). In Manitoba, see section 50.1.

46 Appointed by the Minister responsible for the Workers' Safety and Compensation Commission.

47 In Ontario, the Lieutenant Governor in Council appoints the Chair, President and all members of the Board of Directors. The Lieutenant Governor in Council appoints the President only after consultation with Board members.

48 Members selected from a list of names submitted by employer and labour organizations.

49 Appointment by the Commissioner in Executive Council.

50 Section 50.2(4).

51 In New Brunswick, the Board may fix the rate of reimbursement of expenses incurred by members while performing their duties. Also, in New Brunswick, salaries for the President/C.E.O. are set by the Board. WHSCCA, s. 8(3). Board members remuneration is per the *WHSCC Act* s.8(2), 20(3).

52 The Quebec Act stipulates that the government determines the remuneration and, if necessary, the additional salary, fees or allowances for each member of the Board of Directors of the Commission, and the Vice-Presidents, as well as the allowances to which they are entitled. The remuneration, fees, allowances, subsidies and other operating expenses of the Commission are paid by the Commission.

53 For a single term up to 60 days.

54 Section 50.2(3.3).

55 Member may, at discretion of Chair, act as a non-voting member of the Board of Directors in order to complete any duty or matter that arose before the expiry of the term of office.

56 In British Columbia, the chair of the external appeal tribunal must attend at least four meetings of the Board of Directors each calendar year.

57 Section 58(1).

58 In Quebec, in addition to the president, board members and the observer, vice-presidents (who are not members of the Board of Directors but members of the Executive Committee) can attend board meetings. Meetings can be held anywhere the Board or Chair determines

59 The Act does not state any appointment or remuneration factors. It indicates that the Lieutenant Governor will consult with employer, worker and public interest communities for the purposes of appointing voting members to the Board of Directors. The Lieutenant Governor fixes the remuneration for each voting member.

60 The Act states there is a Chairman of the Board & Chief Executive Officer, who is appointed by the Government.

61 After consultation with the Board of Directors.

62 On the recommendation of the Board, and subject to certification by the Public Service Commission.

63 Subject to approval of the Lieutenant Governor in Council.

64 Lieutenant Governor in Council consults with other Board Members before appointing.

65 The Board of Directors fixes the salary of the Chief Executive Officer and his or her duties. In Manitoba, see sections 59(1) and 59(2).

66 The Board of Directors may establish committees and give directions to those committees.

67 The Board of Directors must establish three committees: policy and planning, audit and investment. It may also establish other committees that are considered necessary. See section 51.1.

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- 68 Governance Council must establish an Audit Committee and may establish any other committee deemed appropriate.
- 69 In Quebec, there is an administrative committee composed of the Chairman of the Board of Directors and Chief Executive Officer, a person designated by the workers representatives within the Board of Directors and chosen among those representatives, and a person designated by the employers representatives within the Board of Directors and chosen among those representatives. In PEI, the same situation occurs.

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