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Book Review: Worker's Compensation in Ontario, by D. G. Gilbert and L. A. Liverside

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Worker's Compensation in Ontario
by D. G. Gilbert and L. A. Liversidge

Reviewed by KAREN CHAMBERS*

This book¹ is a useful tool which clearly sets out the most recent changes to the *Workplace Safety and Insurance Act (WSIA)* and the effects of these changes on the practice of workers' compensation law. The information is useful to representatives of employers and employees, employers, injured workers, and any others wanting a helpful guide to the *WSIA*.

The book is divided into 10 chapters. It also includes a preface, a detailed table of contents, a table of cases, three appendixes and an index.

The preface provides a useful overview of the most significant changes and trends in the compensation of injured workers in Ontario. The table of contents is detailed, functional and well organized. The order in which the chapters are presented is logical and easy to follow. Commencing with an overview of the workers' compensation system and progressing through chapters describing the definitions of accident and injury; compensation; early and safe return to work and labour market re-entry services; re-employment of the injured worker to employer assessment; appeal procedures; medical examinations and access to information; and managing workplace insurance in an experience rating environment, the book ends with a chapter on claims management.

The organization of the table of cases is difficult to ascertain at first glance. It is a mixture of decisions with numeric codes and case names. An experienced practitioner in this field will recognize the numeric identification of the cases but the novice is not likely to discern the organization or the ordering of the cases and decisions.

The first appendix is the *Workplace Safety and Insurance Act*. While it is handy to have it included, most practitioners have their own copy of the *Act* so its inclusion, from their perspective, is redundant. The second appendix contains the regulations. These are not as readily available and are a useful addition to the book. The third appendix includes some of the tables and forms such as Premium Rates for 2001 and the Optional Insurance Request Change Form. It would be more useful to include all the forms and tables in the appendix or to place them in the chapters where they are relevant rather than assemble a mere sample at the end of the text.

The strengths of the book are its scope and comprehensiveness. The respective roles of the Board, the employer, the injured worker, and the Appeals Tribunal are fully described. For instance, the chapter describing and commenting on the economic incentives to employers is especially useful. Rarely is this topic covered in so much

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1. D.G. Gilbert & L.A. Liversidge, *Workers Compensation in Ontario: A Guide to the Workplace Safety and Insurance Act*, 3rd ed. (Aurora: Canada Law Book, 2001).

depth. The authors have successfully remained neutral in their presentation of the merits of the scheme which compensates employers for good performance ratings by reducing the amount they are required to pay out in premiums.

Further, the chapter dealing with compensation is superior in its organization. The authors clearly set out the two types of benefits, namely health care and monetary compensation for the impairment suffered by the worker. Monetary compensation is then divided into three subcategories, by date of occurrence of the injury: after January 1, 1998; between January 2, 1990 and December 31, 1997; and prior to January 2, 1990.

A weakness of the book is the extensive description of calculations of experience ratings in chapter nine. This is not particularly useful because most practitioners will not be calculating these values for employers. However, the inclusion of a section dealing with this topic does contribute positively to the comprehensiveness of the book as a whole.

Overall, *Workers' Compensation in Ontario* stands as an excellent resource for the experienced and novice practitioner alike.