CONSIDERATION OF REPORT OF THE
COMMITTEE ON FINANCE AND ADMINISTRATION

The Executive Policy Committee has had before it the Report of the Committee on Finance and Administration, dated March 12th, 1991, has concurred in the recommendations contained therein and submits same to Council for approval and adoption.

On motion of Councillor Selinger, the Report of the Committee on Finance and Administration, dated March 12th, 1991, was considered clause by clause.

West Committee Room,
Council Building, Winnipeg.
March 12th, 1991.

His Worship the Mayor and Councillors:

Your Committee on Finance and Administration submits the following Report and recommends:

Citizen Appointments to the Civic Charities Endorsement Bureau - 1991
Files GC-7 and GL-5.2

648 - 1. Your Committee on Finance and Administration has considered recommendations from the St. James-Assiniboia Community Committee and the St. Boniface-St. Vital Community Committee regarding appointments of a second representative from each of those Communities, to the Civic Charities Endorsement Bureau for the balance of the two-year term ending in November 1992.

Your Committee therefore recommends that the following persons be appointed to the Civic Charities Endorsement Bureau for the balance of the two-year term ending November 1992, or until as soon thereafter their successors are appointed, namely:-

Mr. George Carter,
179 Palliser Avenue,
Winnipeg, Manitoba.
R3J 2S1

Mr. Michael Walter,
45 Avondale Road,
Winnipeg, Manitoba.
R2M 0N8

Moved by Councillor Selinger,
Adoption of the clause.

Carried.

Appointment of Winnipeg Chamber of Commerce Representative to the Winnipeg Parking Authority for the Year 1991
Files ST-8 and GC-7

649 - 2. Your Committee on Finance and Administration has considered a recommendation from the Winnipeg Chamber of Commerce that Council re- appoint Mr. Don Love, 18 Kingston Row, as its representative on the Winnipeg Parking Authority. Mr. Love's term, expired in November 1990.

Your Committee on Finance and Administration recommends that Mr. Don Love be re-appointed the representative of the Winnipeg Chamber of Commerce to the Winnipeg Parking Authority for the term expiring November 1991, or until as soon thereafter a successor is appointed.

Report of the Committee on Finance and Administration, dated March 12, 1991

Moved by Councillor Selinger,
Adoption of the clause.

Carried.

Report on the Operation of the Workers Compensation Committee File GU-2.8

650 - 3. On September 30th, 1987, Council approved a number of recommendations related to the City's continuing initiatives relative to Workers Compensation, including the establishment of a Workers Compensation Committee. This Committee was to operate for a period of two years, following which it was to provide a final report to the Committee on Finance and Administration.

The Workers Compensation Committee's final report was submitted to Council on October 31st, 1990. Council's vote on this clause resulted in a tie, and non-approval of the report. The previous report from the Workers Compensation Committee indicated that the City's initiative relative to Workers Compensation has concentrated on a number of areas:

1. Administrative Policy

   A sub-committee developed comprehensive policies related to occupational safety, occupational health, the management of workers compensation claims, and discipline.

2. Information

   A sub-committee developed a Workers Compensation Management Information System which eliminated duplication of effort and resources, standardized the reporting of financial and statistical information relative to Workers Compensation, and improved formats for information presentation.

3. Rehabilitative Employment

   A sub-committee developed a comprehensive policy related to rehabilitative employment. The City's Rehabilitative Employment Program, which has been in place for many years, was enhanced during the WCB initiative. In 1990 this program resulted in approximately $3 million dollars worth of productivity from employees who would otherwise have been on leave while receiving benefits, and a saving of approximately $1 million dollars in reduced benefit costs. (These figures relate to WCB and EBB benefit recipients combined.)

4. Increased Safety in the Workplace

   In this regard, the City of Winnipeg has experienced a 13.9% cumulative decrease in accidents since 1985.

5. Lobbying for Effective Legislation and Regulations

   The Committee has supported the Employers Task Force which was successful in influencing the Provincial Government to pass legislation which will allow the Workers Compensation Board to proceed more effectively against abuse and fraud.

6. Confronting Culpable Absenteeism

   The Committee supported the efforts of the Workers Compensation Coordinator and Department Managers in confronting culpable absenteeism related to workers compensation. Consequently, the City has achieved a high level of success when appealing undeserving claims to the Workers Compensation Board, and increased

success in dealing with Civic employees who are found to have abused the Workers Compensation System.

Report of the Committee on Finance and Administration, dated March 12, 1991

When Council considered the report previously submitted, the debate indicated that there was concern only relative to the confrontation of culpable absenteeism. There was no apparent concern over the balance of the report.

Your Committee has now been advised that by far the majority of the City's initiatives relative to the Workers Compensation System relate to accident prevention and early return to work (rehabilitative employment) for injured employees. However, in a very small percentage of cases, abuse of the system occurs, and the City must be in a position to confront those situations.

Suspicions about potential cases of fraud are usually raised by co-workers or neighbours who are aware that the employee is receiving benefits but is performing physical activities as great or greater than, that involved in their normal employment. It is the responsibility of the City and/or the Workers Compensation Board to determine whether the suspicions raised are founded and to take appropriate action.

Between January 1st and November 16th, 1990, the City experienced a total of 1,568 Workers Compensation claims on the part of its employees. Of these, 18 (or 1.1%) were suspected to be fraudulent and were investigated. Initial investigations consist of observation only. Where these observations indicate that the allegations are accurate, a more extensive investigation is initiated involving full scale surveillance for an extended period of time.

Of the 18 cases investigated, only eight (or 0.5%) were subject to full-scale surveillance; six of these have been completed, and two are in progress. As an outcome of the evidence gathered through the investigation, two workers were terminated, one further termination is contemplated, one elected to retire rather than face termination, one returned to work, and one is presently under suspension pending an investigation by the RCMP.

The Workers Compensation Board has only recently seen fit to expand their investigative powers and engage surveillance where warranted. The results of this surveillance may result in discontinuation of benefits and/or criminal charges of fraud, but will not result in discipline or termination. As the findings are the property of the Workers Compensation Board, they cannot be used by the City for disciplinary purposes. It is therefore not possible for the City to rely on the investigations of the Workers Compensation Board, nor is it an avoidable duplication in services. However, the Workers Compensation Committee will monitor the WCB's investigative activities, determine whether some cooperation could be achieved, and initiate appropriate discussions.

Your Committee on Finance and Administration is of the opinion that the City must continue to challenge undeserving claims, including the initiation of investigations in those few cases where an employee is clearly defrauding or abusing the system and the City. Not to confront such abuse implies that the behaviour is condoned. Any disciplinary action taken as a result will be administered in accordance with the prevailing collective agreement.

In light of the above information, your Committee on Finance and Administration re-submits the report from the Commissioner of Finance and Administration dated September 18th, 1991, on the operation of the Workers Compensation Committee over the last two years.

Your Committee on Finance and Administration recommends:-

1. That the Workers Compensation Committee structured by the Board of Commissioners resulting from Council's motion of September 30th, 1987, be disbanded.

2. That a new management committee be structured by the Board of Commissioners to deal with the issue of workers compensation and such other matters as the Board of Commissioners may direct.

3. That the Workers Compensation Co-ordinator receive direction from the new Management Committee on larger workers compensation issues and that the Workers Compensation Section continue to report to the Finance Department on day to day matters pending further consideration by the Management Committee.

Report of the Committee on Finance and Administration, dated March 12, 1991

4. That the City commit itself, through the collective bargaining process, to modify all collective agreements to provide legislated benefits only for workers compensation claimants.

5. That the City continue to support the efforts of the Workers Compensation Co-ordinator to confront culpable absence related to workers compensation.

Your Committee also recommends that the Proper Officers of the City be instructed to submit a review of the policy to the Committee on Finance and Administration on a yearly basis.

Your Committee further recommends that the Proper Officers of the City do all things necessary to implement the intent of the above recommendations.

Moved by Councillor Selinger,
Adoption of the clause.

In amendment,

Moved by Councillor Boychuk,
Seconded by Councillor Diamant,

WHEREAS the function of the Workers' Compensation Co-ordinator is a duplication of function of the Workers' Compensation Board;

THEREFORE BE IT RESOLVED that this position be abolished.

The Speaker ruled that the proposed amendment is contrary to the intent of the original recommendation, and, therefore, is referred to the Committee on Finance and Administration pursuant to Section 16.1 of the Procedure By-law.

The motion for the adoption of the clause was put and declared carried.

Councillor Boychuk asked to be recorded as voting against the clause, in accordance with Section 50.7 of the Procedure By-law.

Exemption under the Soldiers' Taxation Relief Act File FL-2.3

651 - 4. The Soldiers' Taxation Relief Act provides for the granting of relief from taxation in certain cases in an amount not to exceed $50.00 in each case. The amount so rebated by a municipality is recoverable in full through the Province of Manitoba.

Additional applications have been received for relief from taxation for the year 1990 under provisions of this Act and the City Treasurer has satisfied himself as to the bona fide and merit of each application. The total amount of these grants is $100.00 and have been received from residents of the following area, namely:-

City Centre-Fort Rouge $100.00

Your Committee on Finance and Administration recommends that Council authorize the partial exemptions from taxation, the cancellation of the unpaid taxes or penalties, or the refund of tax or penalties paid, as the case may be, in respect to the properties as set forth in the schedules on file in the office of the City Clerk in the total amount of $100.00 recoverable from the Province of Manitoba.

Moved by Councillor Selinger,
Adoption of the clause.

Carried.

COMMITTEE ON FINANCE AND ADMINISTRATION
CONSIDERATION OF BY-LAWS

652 - On motion of Councillor Selinger, the rule was suspended and the following By-laws were each read a first, second the third time, the rule being suspended for the third reading of each By-law, and were passed and ordered to be signed and sealed, namely:-

By-law No. 5606/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Wastewater Sewers in the said City of Winnipeg. File No. SL-1.

By-law No. 5607/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Wastewater Sewers in an area of said City set forth in Agreement No. 37 (Deferred Levy). File No. SL-1.

By-law No. 5608/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Wastewater Sewers in an area of said City set forth in Agreement No. 39 (Deferred Levy). File No. SL-1.

By-law No. 5609/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Wastewater Sewers in an area of said City set forth in Agreement No. 40 (Deferred Levy). File No. SL-1.

By-law No. 5610/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Land Drainage Sewers in the said City of Winnipeg. File No. SL-1.

By-law No. 5611/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Land Drainage Sewers in an area of said City set forth in Agreement No. 1506 (Ladco Company) (Deferred Liability). File No. SL-1.

By-law No. 5612/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Land Drainage Sewers in an area of said City set forth in Agreement No. 37 (Deferred Levy). File No. SL-1.

By-law No. 5613/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Land Drainage Sewers in an area of said City set forth in Agreement No. 38 (Deferred Levy). File No. SL-1.

By-law No. 5614/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Land Drainage Sewers in an area of said City set forth in Agreement No. 39 (Deferred Levy). File No. SL-1.

By-law No. 5615/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Land Drainage Sewers in an area of said City set forth in Agreement No. 40 (Deferred Levy). File No. SL-1.

By-law No. 5616/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Land Drainage Sewers in an area of said City set forth in Agreement No. 7834 (Deferred Levy). File No. SL-1.

By-law No. 5617/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Watermains in an area of said City set forth in Agreement No. 39 (Deferred Levy). File No. SL-1.

By-law No. 5618/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Watermains in an area of said City set forth in Agreement No. 37 (Deferred Levy). File No. SL-1.

By-law No. 5619/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Watermains in an area of the City. File No. SL-1.

By-law No. 5620/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Watermains in an area of said City set forth in Agreement No. 40 (Deferred Levy). File No. SL-1.

By-law No. 5621/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of oiling Surface Lanes in an area of the City. File No. SL-1.

By-law No. 5622/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of Street Pavements in an area of the City. File No. SL-1.

By-law No. 5623/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of Street Pavements (including boulevards) in an area of the City. File No. SL-1.

By-law No. 5624/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of Lane Pavements in an area of the City. File No. SL-1.

By-law No. 5625/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing sidewalks in an area of the City. File No. SL-1.

By-law No. 5626/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Ornamental Street Lights in an area of the City. File No. SL-1.

By-law No. 5627/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Lane Lights in an area of the City. File No. SL-1.

By-law No. 5628/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Ornamental Lane Lights in an area of said City. File No. SL-1.

By-law No. 5629/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Boulevards in an area of the City. File No. SL-1.

By-law No. 5630/91, a By-law of The City of Winnipeg to provide for the assessment by special rate of the cost of installing Composite Local Improvements under the provisions of the Omands' Creek Industrial Park Development Agreement No. 2691 in the said City. File No. SL-1.