



## Safety Association Guidelines

The Saskatchewan Workers' Compensation Board will consider requests for funding to employers in any of the rate codes established under *The Workers' Compensation Act, 2013* (the "Act"), that have formed themselves into a safety association for the purpose of injury prevention and safety.

This document provides guidelines for safety associations, employers and industry groups, and includes information as follows:

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## How to Establish a Safety Association

### Step 1: Understand the Obligations of a WCB Funded Safety Association

- Review and understand [POL 06/2020, Safety Associations](#), which provides guidelines on how to establish a safety association, the obligations of a safety association and the WCB, and requirements to achieve and maintain a funded status.
- Review and understand the requirements of *The Non-profit Corporations Act, 1995* and *The Non-profit Corporations Regulations, 1997* (available on-line at [www.publications.gov.sk.ca](http://www.publications.gov.sk.ca)), and if incorporating at the federal level, the *Canada Not-for-profit Corporations Act* (NFP Act), and the *Income Tax Act*.

### Step 2: Determine the Members the Safety Association Intends to Serve

- Review the current WCB Assessment Rate Classification of Industries to determine which rates code(s) your safety association intends to represent. The safety association must serve an entire rate code or multiple rate codes from any industry class that deal with similar safety-related issues. The safety association cannot serve only certain sub codes within a rate code.
  - For example, the Saskatchewan Construction Safety Association members come from the B11, B12 and B13 rates codes, which all have similar workplace hazards and objectives when it comes to safety and injury prevention.
- Confirm with the WCB the approximate number of employers and workers in each rate code to understand how many employers and workers you should plan to offer programs and services.

### Step 3: Establish Industry Support for the Safety Association

- Applicants must be able to establish industry support for the safety association as determined by a survey, a vote, letters of support, or other means at the discretion of WCB. *POL 06/2020, Safety Associations* outlines the criteria for establishing sufficient industry support.
- The Vice President of Prevention and Employer Services will review the evidence of industry support and make recommendation to the Board for approval. The WCB may request further information or reject the application if support for the safety association is insufficiently established. A written approval confirming sufficient evidence of support from the industry rate code(s) will be provided to the safety association.
- Applicants may make a written request for a grant to a maximum of \$5,000 to help them establish the safety association and prepare the application for funding. The grant is for actual expenses incurred while forming the safety association and will be paid out based on receipts submitted to the WCB.
- Existing safety associations are not responsible for establishing industry support for the purpose of adding a new rate code(s) to their safety association. Requests for additional rate

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code(s) will be submitted to the Director of Prevention who will make recommendations to the Vice President of Prevention and Employer Services and the Board for approval.

#### Step 4: Establish a Non-Profit Safety Association

- Establish a non-profit organization as stipulated by *The Non-profit Corporations Act, 1995* and *The Non-profit Corporations Regulations, 1997*, and/or the *Canada Not-for-profit Corporations Act* (NFP Act), and the *Income Tax Act*. A certified copy of the safety association's Certificate of Non-profit Incorporation will be required. Federal non-profits must have a registered office in Saskatchewan.
- Directors named in the initial application for non-profit status are responsible for preparing an initial set of bylaws and assembling members of the safety association to elect a representative board of directors.
- A safety association must be governed by a board of directors with:
  - Equal representation from:
    - Worker representative(s), who may be:
      - a worker who has entered into or works under a contract of service or employment with an employer registered in a rate code funding the Association,
      - a member of an employees' union that only represents workers from employers in the rate code(s) funding the safety association (e.g., Saskatchewan Union of Nurses (SUN); Retail, Wholesale Department Store Union (RWDSU); etc.), or
      - a worker who was seriously injured while working in the rate code funding the association,
    - Employer representative(s) registered in a rate code funding the association, and
  - Involvement by a member representative from the WCB or designate in an advisory or similar capacity as reasonably acceptable to the WCB (e.g., an advisory committee).

#### Step 5: Submit Letter of Intent

- The board of directors must submit a Letter of Intent to WCB by June 30<sup>th</sup> in order to receive funding at the start of the next calendar year. The Letter of Intent must contain:
  1. The name of the safety association making the request for funding. This should be the name registered with the Corporations Branch of the Ministry of Justice.

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2. A list of the rate codes represented by the safety association.
  3. A broad statement regarding the goals and objectives of the proposed safety association, and
  4. A general three year plan outlining how the safety association will deliver its programs and related programs and services. This plan will likely change and become more specific once industry specific information is known. The plan should include:
    - Proposed staffing.
    - A timeline for the development of a policy and procedure manual according to the guidelines in the safety association funding agreement.
    - A preliminary list of estimated financial costs, and
    - Programs and services to be offered and how these will be acquired and/or developed.

## How to Apply for Safety Association Annual Funding

To be considered for funding, all applicants must complete and submit the Safety Association Funding Application and required supplemental attachments via email to [fundadmin@wcbask.com](mailto:fundadmin@wcbask.com).

### Step 1: Submit Letter of Intent

- The Safety Association's Board of Directors must submit a Letter of Intent to WCB by June 30<sup>th</sup> in order to receive funding at the start of the next calendar year. The Letter of Intent must contain a preliminary list of estimated financial costs.

### Step 2: Submit Detailed Application for Funding

- Once provisional approval has been granted and the required documentation received, applicants must submit a detailed proposal for funding by September 15<sup>th</sup> each year in order to receive funding at the start of the next calendar year, including:
  1. A completed Safety Association Funding Application.
  2. A completed Safety Association Initiatives Workplan, outlining activities the requested funding will be used for, using the template provided by the WCB, and with a signature of approval from the chair of the Safety Association's Board of Directors.
  3. A completed Safety Association Budget, showing how the requested funding will be used, using the template provided by the WCB, and with a signature of approval from the chair of the Board of Directors.

4. Board of Directors' meeting minutes documenting their approval to establish a Reserve Fund and its purpose.
5. An organization chart that describes the organizational structure that will manage the Safety Association.
6. A copy of the insurance coverage that shows Comprehensive General Liability Insurance of at least \$5,000,000 per occurrence and director liability insurance coverage.
7. Any other information the WCB may request.

### Step 3: Funding Approval and Release of Funds

- Application for first-time funding will be reviewed by the Vice President of Prevention and Employer Services to make recommendations to the Board for approval.
- Funding to the safety association for all or portions of the annual funding request is approved in accordance with the following process:
  1. The WCB will provide written approval of all or portions of the funding request that are reasonably satisfactory to the WCB.
  2. The WCB may request changes to the funding request if the safety association's workplan does not adequately address the top health and safety concerns, before written approval for all or portions of the funding request is given.
  3. The WCB reserves the right to limit any funding provided to the safety association to only the portions of the annual funding request that are reasonably satisfactory to the WCB.
  4. The WCB shall provide written approval for the funds to be advanced to the safety association.
- Release of any funds will be contingent on the applicant entering into a signed Safety Association Funding Agreement with the WCB.

### **Reporting Requirements for Safety Associations**

- The Vice President of Prevention and Employer Services or designate is responsible for the administration of Safety Association programs.
- Each safety association granted funding must select a Safety Manager, who will serve as the chief administrative officer charged with managing and directing the affairs of the safety association, and will represent the association in annual meetings with a designated representative of the WCB.

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- To ensure the safety association is achieving its intended mission and purpose, the association must submit an annual report, using the template provided by the WCB and based on the approved Safety Association Initiatives Workplan.
  - The annual report must provide:
    1. A detailed evaluation of the targeted and actual outcomes, program impact and effectiveness, and
    2. An audited financial statement for the previous year's operations.
  - The WCB will monitor and evaluate this information and reserves the right to audit the association. The audit will be a formal inspection and verification of the safety association's financial and operational records, programs, and any other supporting documents to ensure funds are utilized appropriately and that the interests of all employers in the rate code(s) are represented.
  - The safety association must obtain feedback from its members at least once every five years to evaluate member satisfaction on the value and delivery of the safety association's strategies and programs. Feedback can be sought by any quantitative or qualitative means reasonably acceptable to the WCB (e.g., surveys, interviews, focus groups). The safety association must share the feedback and results with the WCB. If the safety association is unable to reasonably fulfill this requirement, the WCB may obtain feedback directly from the safety association's members.

## Disbursement of Funds

- Disbursement of funds will be quarterly, subject to fulfillment of the reporting requirements and the safety association's compliance with the funding agreement.
- Where the terms and conditions of the Safety Association Funding Agreement have not been met, the WCB may terminate funding and/or take action including remedies to obtain reimbursement of any misused funds.