

Human Resources Legislative Update

Ministry Consults on Extending Mandatory WSIB Coverage to Personal Support Workers and Developmental Support Workers

Date: March 31, 2021

The Ministry of Labour, Training and Skills Development (Ministry) [is seeking input](#) on whether mandatory coverage under the *Workplace Safety and Insurance Act, 1997* should be extended to Personal Support Workers (PSWs) and Developmental Support Workers (DSWs) under the *Workplace Safety and Insurance Act, 1997*.

Specifically, the Ministry has set out the following questions in its [Consultation Paper](#) for feedback:

- The Workplace Safety and Insurance Board [WSIB] covers work-related injuries and occupational diseases (including infectious diseases like COVID-19). Would extending mandatory coverage to all employers of PSWs and DSWs help improve worker protections?
- What benefits and services would WSIB coverage provide to PSWs and DSWs that are not provided under private insurance schemes?
- Would extending coverage to all employers of PSWs and DSWs help with recruitment and retention of these frontline workers?
- The recommendation [see below] to extend mandatory WSIB coverage to DSWs and PSWs did not speak to what threshold to consider as a standard to extend coverage (i.e. PSWs and DSWs who make up a significant portion of an employer's workforce be covered, as opposed to an employer who may employ a single PSW or DSW in their organization). What might be an appropriate threshold (i.e. the proportion of PSWs/DSWs working for an employer) to consider as a standard to extend coverage?

The Ministry has also invited participants to provide any other feedback that may be relevant.

Feedback is requested by **April 28, 2021**. The Ministry states that any submissions may become public. Therefore, submissions should not contain any sensitive information and individuals who wish to remain anonymous should be sure not to include any identifying information in their submissions.

This consultation arises as a result of the [WSIB Operational Review Report](#) which was tabled in November 2020. Among other things, the Report recommended that the WSIB and the government should extend mandatory coverage to developmental support workers and those working in residential care facilities.