

April 14, 2007

Senate Of Canada

280-F, Centre Block

Parliament Buildings

Ottawa, Ontario

K1A 0A4

Dear Honourable Senator Noel A. Kinsella:

I'm writing the Senate on behalf of those injured workers who don't have a voice ~ or at least for those whose voices have fallen on the deaf ears of politicians who author laws based on political considerations ~ rather than morals, ethics or empathy.

I ask that the Senate, not try to excuse themselves or the Federal Government, by saying the federal government, has no jurisdiction over the Workers Compensation Laws in Canada. You might not have jurisdiction, but as a full partner, the federal government has the right to intervene as an employer.

The fact of the matter is, the Federal government is a full partner in this vile legislation. Every Federal government department, is a stakeholder, because they (Feds) receive the full protection under this provincial law. All injured employees, of the federal government and their departments are required by law to file accident reports, in the province they reside as employers.

I have noted that when the provincial governments hold their reviews of their legislation, those stakeholder involved all are present, except there is no representation from the federal government, why?

This is a government that, at all levels, has increasingly become populated by professionals who have joined the political parties, that have usurped, what once was government for and by the people.

Unfortunately for the rest of us, our governments have become out of touch and unresponsive to the real needs of the people. Injured workers are real people and citizens who by way of a bad faith law, are abused by a system that professes to be their protector.

Injured workers in Canada are one of the sole partners of the Act, not all injured workers are represented, on the board of directors of the WCB, more often you will find that trade union and government unions who along with the business community sit on these boards.

Unions have the same interest as do the business community and government departments, because they also are protected and benefit from the legislation, as they are employers also.

I find it insulting that unions who hold seats on these WCB Boards, also can be found unionizing the staff of the WCB, surely they are in a position of conflict of interest. Then one must take into consideration that not all workers and employers who come under the WCB legislation belong to any union.

The professionals I refer to are the lawyers and doctors who have joined the professional politicians, whose aim is to establish tenure for themselves and, in some instances, their **progeny**. The motivating force behind these dynasties has to be the money, power and perks that accrue as one becomes entrenched within the system.

And why not ? Lawyers come from a profession that has been granted the right to police its members ( Barrister's Society ) and similar privileges are extended to **inoculate** medical doctors from censure by any means other than the College of Physicians and Surgeons.

All very tidy and protective. Even the most blatant examples of abuse by erring members of these professions have gone unpunished ~ or, with the proverbial "slap on the wrist".

Those of you in the senate or parliament, who would disagree that the public perception is wrong are, yet again, demonstrating just how "out of touch" you really are. In Canada today, the myth is proclaimed and perpetuated that there is good government .

Good for whom? Mostly for the professionals and their professional societies that have been granted the right to administer their own law, as it pertains to their profession. Who granted that right?

Answer: Government, through legislative action by its members. Who are those members? Many come from the membership rolls of the very same societies who benefit from their protective legislation . Proving again that, in some instances, "incest IS best".

The highly deserving and august professionals I refer to are, **ostensibly**, the " cream of the crop" ~ lawyers and doctors trained to the **nth** degree in the **intricacies** of your professions but without , one must suspect, of never having been exposed to the nuances of morals, ethics and, particularly, empathy as you made your way through university.

The public perception, I'm sure , is that all of you professionals should be more than capable of shouldering the responsibilities inherent in government ~but you have unfailingly demonstrated the opposite, time and again by the results. Injured workers have been committing suicide because of the abusive and bad faith law called the Workers Compensation Act.

Government is probably one of the best illustrations of that old saw, " The Ark was built by an amateur but, .... the TITANIC was built by professionals !"

Considering all the training professionals have undergone, I would like to know when, and under what circumstances, they were dumbed down enough to author and ratify the laws that allow the WCB to go about its business in the manner it does in all the provinces in Canada?

I can't believe any of you would stoop so low as to cheat on those courses you took that **culminated** in your being granted degrees.

That said, I can only conclude that the bad faith legislation you were either a party to or tacitly endorse today, is not the result of a mistake or any error in judgement. I call upon the Canadian Senate and all Members of Parliament to uphold the Human Rights Act, you expect other countries to abide by.

To the Senate of Canada, I ask that you set in place a committee, to review the Workers Compensation Boards and laws in every province in Canada where the federal government is a partner and stakeholder. I would hope, the federal government, would not want to be apart of Human Rights abuse, while being the authors of the Charter of Rights and Freedoms.

No ~ this legislation was maliciously calculated to confuse and confound those injured workers ~ with legitimate claims who have been forced to rely on the Workman's Compensation Board.

This is the same WCB whose sole purpose, as they daily demonstrate, is to denigrate, intimidate and deny those claimants their legal, rightful and moral entitlements.

My attitudes toward you are borne out ~ indeed, validated ~ by NINE justices of the Supreme Court of Canada who have cited Nova Scotia WCB legislation as flawed in virtually every area. They have gone so far as to call WCB legislation unconstitutional.

The Dorsey Report in Nova Scotia spelled out clearly what must be done to repair the bad faith legislation, embodied in Bill 122, that was thrown together without any thought for the situations faced by injured workers, here in Nova Scotia There have been reviews ,in every other province, with a similar outcome, as that of James Dorsey.

AND don't use that tired, old excuse, " I was not part of that government at that time." Those of you who sit in the people's Parliament were charged to correct and deal with Bad Faith Legislation. I pray that you find the will, to address this vile law and reply to my letter. It would be most welcoming to hear that the Canadian Senate will set in place a committee to review all WCB Boards and legislation in Canada, because the Federal Government is a stakeholder.

I want the Senate to forgive me if I come off as if I am against educated professionals, I do how ever find it very difficult to excuse those who turn a blind eye on this abuse.

Thank You for your time and patients.

Wayne Coady

CC: Provincial Ministers of Labour

Federal minister of Labour

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