

# Workers Compensation Board (WCB)

The following has been compiled by the Office of the Provincial Comptroller and presented to the Manitoba Office of the Auditor General. The materials provide rational that the WCB is not a controlled entity in accordance with Public Sector Accounting Standards. The WCB should therefore be excluded from the government reporting entity. The Manitoba Government does not have access to the assets of the WCB. The accounting treatment followed by Manitoba is consistent with eight other Provinces in Canada.

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**Finance**

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April 24, 2018

Mr. Norm Ricard, CPA, CA  
Auditor General  
Office of the Auditor General  
500-330 Portage Ave  
Winnipeg, MB R3C 0C4

Dear Mr. Ricard:

The Department of Finance has reviewed the Workers Compensation Act (WCA) and public accounts for all 10 provinces. The review indicated the legislation was substantively similar in all 10 provinces, yet only two provinces (SK, MB) included its Worker Compensation Board (WCB) as part of its Government Reporting Entity (GRE). In the 8 other provinces the WCB was excluded from their GRE.

**Issues:**

1. Is the WCB controlled by the Government of Manitoba in accordance with PS 1300 Government Reporting Entity?
2. If the WCB is not controlled by the Province of Manitoba then what is the proper accounting treatment for removing it from the Province's Summary Financial Statements (SFS)?

**Background:**

The WCB of Manitoba is a mutual workplace injury and disability insurance agency funded by employer premiums. WCB has been in existence for over 100 years and has been included as part of our GRE since the first set of SFS was prepared at March 31, 1989. The 1988-89 criteria for inclusion in the GRE was quite different from the current PS 1300. The current standard was effective, April 1, 2005. The standard has not changed substantively since it came into effect.

The Comptroller's Division has not been able to locate a proper analysis for the inclusion or exclusion of the WCB in the GRE. Previous analysis has been found but these were merely "yes" or "no" answers to the indicators listed in PS 1300.18 and PS 1300.19. No detailed analysis or references to the WCA was provided.

The most complete analysis was prepared in 1997 by the OAG. The WCB was deemed to be controlled by the OAG because:

1. There is accountability to the Province as indicated under Sections 70 and 71.
2. The Province does not have access to the assets of WCB. However pursuant the Workplace Safety and Health Act, the Province may recover expenses from the WCB at such portion as it may determine. Also under Section 84.1 the Province may recover from the WCB costs incurred in respect of worker advisors. The total cost to the WCB in 2016 was approximately \$10M.
3. Under Section 50.2(1) the board of directors are appointed by the Lieutenant Governor in Council.
4. Under various sections of the WCA the Province has control over the operating and financial policies, including investments, borrowings and the accounting system.

### **Definition of Control under PS1300**

Control is defined in PS 1300.08 as:

1. The power to govern the financial and operating policies of another organization;
2. With the expected benefits or risk of loss to the government from the other organization's activities.

Control exists by the virtue of the government's ability to do so. A government does not need to exercise its power. A government does not need to manage an organization's activities on a day-to-day basis to control the organization. But control must exist at the financial statement date to be included in the reporting entity.

The determination of whether control exists requires the application of professional judgment. Whether the government controls an organization is a matter of fact with reference to the definition of control in PS 1300.08. The true nature of a relationship cannot be accurately valued solely by its legal form.

The Handbook provides examples of indicators of control. Some indicators provide persuasive evidence of control. Other indicators may provide evidence of control. It is the preponderance of evidence that would be considered in assessing whether a government controls an organization.

A government's ability to regulate an organization does not, in and of itself, constitute control. Government may establish the regulatory environment in an industry or sector within which organizations operate and impose conditions or sanctions on their operations. A government organization may be required to submit reports to the government. These reports are not considered to be evidence of control.

## **WCB is Accountable to the Province**

The accountability requirement for control is a reference to revisions of PS 1300 in June 1996. This is the reason why the OAG prepared an analysis of the WCB in 1997. The government reporting entity should comprise the organizations that are accountable for the administration of their financial affairs and resources either to a minister of the government or directly to the legislature, or local government council, and are owned or controlled by the government.

The current PS 1300 came into effect April 1, 2005. The revisions in 2003 removed the accountability criteria and introduced the current definition of control.

The annual report and the 5 year operating plan of the board has to be tabled in the Legislature and referred to the Standing Committee on Crown Corporations (Sections 70 & 71). These are WCB accountability requirements to the Province.

There is no requirement to discuss these sections any further since the accountability criteria was removed from the standard in 2003.

## **The Province has Ongoing Access to the Assets of WCB**

Pursuant to the Workplace Safety and Health Act, the Province may recover expenses from the WCB at such portion as it may determine. Also under Section 84.1 the Province may recover from the WCB costs incurred in respect of worker advisors. The total cost to the WCB is approximately \$10M. The amount of the recovery is not material when compared to the annual revenues and expenditures of \$300M.

It was clear from our jurisdictional scan that not a single province, including Manitoba, felt they had an ongoing access to the assets of their WCB. All provinces indicated that the assets belonged to the employers and employees, and were not accessible to the government. Two provinces (AB & ON) treat their WCB as a trust under administration.

The WCB in 5 provinces (NB, NL, NS, ON, and AB) disclose what they pay out as legislative requirements. Yet none of these provinces consolidate their WCB. These withdrawals are regulatory requirements for WCBs by their governments. The government's ability to regulate an organization does not constitute control. This does not equate to having ongoing access to the assets of their WCB.

PS 1300.18(b) is a persuasive indicator of control. The government controls an organization if it has ongoing access to the assets of the organization, has the ability to direct the ongoing use of those assets, or has ongoing responsibility for losses. None of these conditions apply to the relationship between the WCB and the Province. As previously mentioned the assets of the WCB belong to the employers and employees. The Province has **no** access to WCB's assets. The province also has no ability to direct the board of the WCB on the use of their assets. Provincial creditors do not view the WCB's assets as being available for the extinguishment of obligations. The Province has no means to access these assets or the authority on how to direct their use.

Section 96 of the Act could be viewed as Provincial exposure to the losses of the WCB. In the event that the WCB incurs losses the Province may advance a loan. The ability to advance a loan to the WCB is not an indicator of control. Management at WCB is not aware of Section 96 ever being used. It should also be noted that the Province has the ability to provide loans to anyone, including the WCB, therefore it cannot be considered an indicator of control. The evidence strongly indicates that PS 1300.18(b) is not applicable to the Province and the WCB. The Province has no access to WCB's assets, cannot direct the board on the use of those assets, and has no exposure to the future losses of the WCB.

### **The Board of Directors is appointed by the Government**

The method of appointing the board of directors for the MB WCB is detailed in Section 50.2(1). All the directors are appointed by the Lieutenant Governor in Council. This includes the chairperson, 3 members representative of the workers, 3 members representative of the employers, and 3 members representative of the public interest. WCB management has asserted that lists of representatives for the workers and employers are submitted to Cabinet. The Government consults with the employers and the workers on all appointments, including the public interest, and the chairperson.

This method of appointing the board of directors is consistent across all 10 provinces. It is substantively the same in each act. No province directly appoints a majority of the directors. Yet only MB & SK consolidate their WCB, while the other 8 provinces do not. PS 1300.19(a) lists significant input into the appointment of the board however the majority of directors are from a list of nominees provided by the stakeholders as being a possible indicator of control. However, appointing directors from a list of nominees is less than a persuasive indicator of control and was the conclusion of 8 out of 10 provinces.

### **Province Has Control over the Operating & Financial Policies**

It was claimed in the 1997 analysis that the Province had authority under the Act to restrict the revenue generating capacity, establish borrowing or investment limits, establish and amend policies related to accounting, and establish or amend the mission or mandate of the WCB.

Some of the sections in the WCA have been repealed since the 1997 analysis. A key indicator of possible control was Section 95. When this section was effective the Deputy Minister of Finance was a member of the Investment Committee. The Investment Committee is currently selected from the board of directors and makes recommendations to the board on investment decisions. Investment decisions are currently under the authority of the board through the Investment Committee.

*Section 93 the Lt. Governor in Council, through regulation, may bring an industry under the Act. [Repealed]*

*Section 95 Government controls the Investment Committee. In fact the Deputy Minister of Finance is a member of the Committee. The Investment Committee gives direction on the investment of the moneys. [Repealed]*

Under **Section 68(1)** the Board of Directors has the authority to make regulations about most operational issues. The Government must approve regulations establishing new benefit programs under Section 43. However the board can make regulations about benefits, who is eligible, and the level of premiums. The Board can make regulations respecting any matters it considers necessary or advisable to carry out the operations of the WCB.

*Sections 68(2) The Board of Directors shall obtain the approval of the Lieutenant Governor in Council before establishing a new benefit program under section 43, and the board shall provide the minister with financial information and such other information as the minister requires to advise the Lieutenant Governor in Council with respect to the benefit program.*

Section 43 allows the WCB to establish group life plans, extended health care plans, accidental death and dismemberment plans, and other benefit plans. WCB have only ever established a group life plan under this section. Section 43 is limited to these types of situations. WCB management is not aware of any plan to introduce other types of benefit programs under section 43.

Sections 94 and 97 are described by WCB management as outdated and these sections of the Act are no longer being used.

*Section 94(1) The accounting system must be satisfactory to the Minister of Finance. The minister may inspect the records and advise the Board on accounting and other financial matters.*

*Section 97(2) Guarantee WCB borrowings must be approved by the Lieutenant Governor in Council.*

*Section 97(3) Authority for temporary borrowings must be authorized by the Minister of Finance.*

Establishing or amending accounting policies and restricting borrowings are listed as possible indicators of control. WCB management was not even aware of these sections of the Act because their use was never contemplated. It should also be noted that the Province regulates many activities of organizations where accounting control does not exist.

### **Conclusion on Control**

The Department of Finance's conclusion is that the WCB should be removed from the Province's GRE because it is not controlled under current version of PS 1300. There is simply not a preponderance of evidence to suggest that the Province controls the WCB.

The Province does not have the power to govern the financial and operating policies of the WCB. The expected benefits from the WCB do not accrue to the Province, however under Section 96 the Province is able, but not required, to advance a loan to the WCB, when there are insufficient funds for the payment of compensation. WCB management have indicated that this section in the Act has never been used and the Province has the ability to loan funds to any organization.

Of even greater significance to the analysis is that the Province has no ongoing access to WCB's assets nor can they direct the board on the use of those assets. All provinces agreed that their

government has no access to the assets of their WCB. The assets belong to the employers and employees and the use of the assets is directed by the board which the government has limited ability to appoint.

Indicators that do suggest possible control are the appointment of the board and limited access by the Province to the assets of the WCB. The method for appointing the board members is consistent across the country yet only SK and MB consolidate their WCB. The government's role in appointing the directors is a possible indicator of control, but not persuasive. Government influence over the appointment of the board is limited.

In addition 6 provinces, including MB, have regulatory requirements to transfer funds to reimburse the government for health and safety programs. These required payments should not be viewed as evidence of on-going access by the government to the funds of their WCB, but rather are reimbursement for services rendered. These are regulatory requirements and should not be viewed as an indicator of control.

There is simply not enough indicators to conclude that the Government of MB controls the WCB. While some indicators are common to all jurisdictions, most provinces have also concluded that they do not control their WCB.

### **Accounting Treatment for the WCB in MB's SFS**

Financial statements of prior periods should only be adjusted for changes in accounting policies or for the correction of an error. The removal of the WCB from the GRE is not a change in accounting policy. It is an error because we are still applying PS 1300 Government Reporting Entity on a consistent basis with previous periods.

The inclusion of the WCB as part of the GRE is an error resulting from a misinterpretation and oversight of information available at the time that the financial statements were prepared. The error is material thereby requiring the restatement of comparative balances of prior periods.

A similar situation occurred in 2011/12. A review to ensure the completeness of the GRE resulted in the addition of the Deposit Guarantee Corporation of Manitoba (DGCM). The addition of DGCM was treated as a correction of an error in prior periods. The opening accumulated deficits for March 31, 2011 and 2012 were both restated, as well as the results for 2010/11.

After determining that the WCB should not be consolidated into the GRE there is an issue as to the proper accounting treatment.

1. The WCB should be entirely left out of the SFS; or
2. Should be treated as a trust fund under the administration of the Province.

It has been previously clearly established that the Province does not have ongoing access to the assets, nor can the Province direct the WCB on the use of the assets. The WCA has a section which could allow (but does not require) the Province to losses of the WCB, but the section has never been applied in the past, and is unlikely to be used in the future, and in any event is no different

than the position the Province is in with any external entity insofar as the Province *may* advance funds to anyone.

The WCB is a government agency as defined by *The Financial Administration Act* (FAA). Under the FAA a government agency is any board, commission, agency or similar body which all the members of the board are appointed by Order in Council. There is clearly a relationship between the Province and the WCB. But that relationship does not meet the criteria PS 1300 GRE.

The WCB is in substance a “trust agency” of the Province. The WCB is legislated to administer the Province’s no fault compensation system under the WCA. The net assets of the WCB should be presented as a trust under the administration of the Province in accordance with PS 1300. Trusts administered by the government or a government organization should be excluded from the GRE. Government financial statements should disclose in a note or schedule a description of the trust under administration and a summary of trust balances.

There is a precedent for a province treating its WCB as a trust. The Province of Ontario discloses the assets, liabilities, and net unfunded liability of \$996M as a trust under administration. The Comptroller’s Division will also have to review our accounting treatment for DGCM. The facts for the WCB and DGCM are substantively similar. ON, NS and BC treat their deposit guarantee corporation as a trust under administration.

Ensuring the completeness and accuracy of the GRE is very important to both the Department of Finance and the Office of the Auditor General. The Department of Finance believes there is insufficient evidence to conclude that the Province has control over the WCB.

Please confirm if you agree with the Department’s position on the WCB. If you disagree please provide a response indicating your reasons. Time is of the essence.

Should you have any questions or comments on the above responses, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script that reads "A Tess".

Mr. Aurel Tess, CPA, CGA  
Provincial Comptroller



## Appendix A – Jurisdictional Scan of Board Appointments

British Columbia	Alberta	Saskatchewan
WorkSafeBC	Workers' Compensation Board	Workers' Compensation Board
<i>Workers Compensation Act, 1996</i>	<i>The Workers' Compensation Act, 2000</i>	<i>The Workers' Compensation Act, 2013</i>
<p><b>81</b> (1) <i>The board of directors of the Workers' Compensation Board consists of</i></p> <p>(a) <i>9 voting directors appointed by the Lieutenant Governor in Council as follows:</i></p> <p style="padding-left: 20px;">(i) <i>one director, representative of workers;</i>  (ii) <i>one director, representative of employers;</i>  (iii) <i>2 directors, representative of the public interest;</i>  (iv) <i>one additional director, representative of the public interest, who is chair;</i>  (v) <i>one director who at the time of appointment is a professional providing health care or rehabilitation services to persons with disabilities;</i>  (vi) <i>one director who at the time of appointment is an actuary;</i>  (vii) <i>one director who is or was a professional in the area of law or law enforcement;</i>  (viii) <i>one director who is or was a professional in the area of occupational health and safety, and</i></p> <p>(b) <i>the president who is a non-voting director.</i></p>	<p><b>Board of directors</b></p> <p><b>5(1)</b> <i>There shall be a board of directors of the Board, to be appointed by the Lieutenant Governor in Council, consisting of</i></p> <p style="padding-left: 20px;">(a) <i>a member who shall be the chair,</i>  (b) <i>not more than 3 members whom the Lieutenant Governor in Council considers to be representative of the interests of employers,</i>  (c) <i>not more than 3 members whom the Lieutenant Governor in Council considers to be representative of the interests of workers, and</i>  (d) <i>not more than 3 members whom the Lieutenant Governor in Council considers to be representative of the interests of the general public.</i></p>	<p><b>9 Board continued</b></p> <p>(1) <i>The Workers' Compensation Board is continued.</i>  (2) <i>The board is a corporation.</i>  (3) <i>The board is to consist of a maximum of five members appointed by the Lieutenant Governor in Council as follows:</i></p> <p style="padding-left: 20px;">(a) <i>a full-time chairperson; and</i>  (b) <i>an even number of full-time members, half of whom represent employers and half of whom represent workers.</i></p> <p>(4) <i>The Lieutenant Governor in Council shall appoint:</i></p> <p style="padding-left: 20px;">(a) <i>each representative of employers from a list of names submitted by employer associations; and</i>  (b) <i>each representative of workers from a list of names submitted by labour organizations.</i></p>

## Appendix A – Jurisdictional Scan of Board Appointments

Manitoba	Ontario	Quebec
Workers Compensation Act	Workplace Safety & Insurance Board	Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST)
<i>The Workers Compensation Act</i>	<i>Workplace Safety and Insurance Act, 1997</i>	Loi sur la santé et la sécurité du travail
<p><b>Board of Directors</b>  <b>50.2(1)</b> There shall be a Board of Directors of the board, to be appointed by the Lieutenant Governor in Council, consisting of</p> <p>(a) a member who shall be chairperson;</p> <p>(b) three members representative of workers;</p> <p>(c) three members representative of employers; and</p> <p>(d) three members representative of the public interest.</p>	<p><b>162 (1)</b> <i>A board of directors shall be constituted to govern the Board and to exercise the powers and perform the duties of the Board under this or any other Act. It shall be composed of,</i></p> <p><i>(a) a chair appointed by the Lieutenant Governor in Council;</i></p> <p><i>(b) the president of the Board appointed by the Lieutenant Governor in Council; and</i></p> <p><i>(c) a minimum of seven and a maximum of nine members who are representative of workers, employers and such others as the Lieutenant Governor in Council considers appropriate, appointed by the Lieutenant Governor in Council.</i></p> <p>1997,</p>	<p><b>141.</b> <i>Les membres du conseil d'administration de la Commission sont nommés par le gouvernement. À l'exception du président du conseil d'administration et chef de la direction, ils sont désignés de la façon suivante:</i></p> <p><i>1° sept membres sont choisis à partir des listes fournies par les associations syndicales les plus représentatives; et</i></p> <p><i>2° sept membres sont choisis à partir des listes fournies par les associations d'employeurs les plus représentatives.</i></p> <p><i>Le président du conseil d'administration et chef de la direction est nommé après consultation des associations syndicales et des associations d'employeurs les plus représentatives.</i></p>

## Appendix A – Jurisdictional Scan of Board Appointments

New Brunswick	Nova Scotia	Newfoundland & Labrador
WorkSafeNB	Workers Compensation Board of Nova Scotia	WorkplaceNL
<i>Workplace Health, Safety and Compensation Commission and Workers' Compensation Appeals Tribunal Act</i>	<i>Workers' Compensation Act</i>	<i>Workplace Health, Safety and Compensation Act</i>
<p><b>8(1)</b> <i>The affairs of the Commission shall be administered by a board of directors consisting of the following persons who shall be appointed by the Lieutenant-Governor in Council</i></p> <p><i>(a) a Chairperson of the board of directors who, in the opinion of the Lieutenant-Governor in Council, is not representative of either workers or employers,</i></p> <p><i>(a.1) a Vice-Chairperson of the board of directors who, in the opinion of the Lieutenant-Governor in Council, is not representative of either workers or employers,</i></p> <p><i>(b) four or more persons who, in the opinion of the Lieutenant-Governor in Council, are representative of workers,</i></p> <p><i>(c) four or more persons who, in the opinion of the Lieutenant-Governor in Council, are representative of employers.</i></p>	<p><b>Workers' Compensation Board continued</b></p> <p><b>151 (1)</b> <i>This Part shall be administered by the body corporate known as the Workers' Compensation Board of Nova Scotia, which is hereby continued.</i></p> <p><b>(2)</b> <i>There shall be a Board of Directors of the Board, consisting of not more than ten persons appointed by the Governor in Council.</i></p> <p><b>(3)</b> <i>In appointing members of the Board of Directors, the Governor in Council</i></p> <p><i>(a) shall appoint one member to serve as Chair;</i></p> <p><i>(b) shall appoint one member to serve as Deputy Chair;</i></p> <p><i>(c) shall endeavour to appoint equal numbers of members representing employers and workers;</i></p> <p><i>(d) repealed 2005, c. 31, s. 1. and</i></p> <p><i>(e) may appoint alternate members to the Board of Directors and in so doing shall endeavour to appoint equal numbers of alternate members representing employers and workers.</i></p>	<p><b>Board of directors</b></p> <p><b>4.</b> <i>(1) The Lieutenant-Governor in Council shall appoint a board of directors of the commission who shall be responsible for the administration of this Act.</i></p> <p><i>(2) The board of directors shall comprise</i></p> <p><i>(a) 3 persons representative of employers, a minimum of one whom shall be recommended to the Lieutenant-Governor in Council by the Newfoundland and Labrador Employers' Council Inc.;</i></p> <p><i>(b) 3 persons representative of workers, a minimum of one whom shall be recommended to the Lieutenant-Governor in Council by the Newfoundland and Labrador Federation of Labour;</i></p> <p><i>(c) 3 persons representative of the general public, one of whom represents injured workers; and</i></p> <p><i>(d) one person who shall be appointed as the chairperson.</i></p> <p><i>(3) An employee of the department designated by the minister and the chief executive officer of the commission shall be members of the board of directors but shall not vote on a matter.</i></p> <p><i>(3.1) Where the term of office of a member of the board of directors expires, he or she continues to be a member until re-appointed or replaced.</i></p> <p><i>(4) The terms of office, remuneration, benefits and expenses of the directors shall be determined by the Lieutenant-Governor in Council and the remuneration, benefits and expenses shall be part of the administrative expenses of the commission.</i></p>

**Appendix A – Jurisdictional Scan of Board Appointments**

<b>Prince Edward Island</b>
Workers Compensation Board of PEI
<i>Workers' Compensation Act</i>
No
<p><b>19. Board</b>  <i>(1) Subject to this Act, the Workers Compensation Board of Prince Edward Island is continued as a body corporate and shall administer this Act.</i></p> <p><b>Composition and term of office</b>  <i>(2) The Board shall be composed of a chairperson and as many members, equal in number, representative of employers and workers respectively, as the Lieutenant Governor in Council may determine, all of whom shall be appointed by the Lieutenant Governor in Council, and the members of the Board shall hold office for a term not exceeding three years, subject to removal from office by the Lieutenant Governor in Council for cause, and are eligible for reappointment.</i></p> <p><b>Submissions regarding membership</b>  <i>(3) The Lieutenant Governor in Council shall, prior to appointing members under subsection (2), consider submissions respecting membership made by workers and employers.</i></p>

The Honourable Blaine Pedersen  
Minister of Growth, Enterprise and Trade  
Room 358, Legislative Building  
Winnipeg, MB R3C 0V8

May 17, 2019

Dear Minister Pedersen,

Re: WCB Removal from the Provincial Consolidated Fund

In 2018, the Workers Compensation Board of Manitoba (WCB) was notified that the Government of Manitoba would no longer be reflecting the WCB as an entity within the consolidated summary financial statements. Independence from government has always been ingrained within the WCB system and removal from the consolidated fund further illustrates that principle.

One hundred years ago the WCB system was implemented based on 5 principles known as "the Meredith Principles". One such principle is independence from government, stated as follows;

**"Independent administration**, which means that the organizations who administer workers' compensation insurance are separate from government."

The Meredith Principles, including independent administration, continue to govern the Workers' Compensation system across Canada today through Compensation Acts, policies, procedures and regulations.

This independence further extends to the assets of the WCB system as all provinces indicate that the assets of their WCB belong to the employers and employees, and are not accessible to the government. Two provinces (Alberta & Ontario) treat their WCB as a trust under administration.

Further, in Manitoba, the Province has no ability to direct the Board of the WCB on the use of their assets. Provincial creditors do not view the WCB's assets as being available for the extinguishment of obligations. The Province has no means to access these assets or the authority on how to direct their use. That is, the WCB does not participate in the government's estimates process or consult with government on the setting of rates and/or its reserves, surplus or investments.

It is worth noting that all provinces in Canada (other than Saskatchewan) are outside of the consolidated fund for their Province. As such, removing the WCB of Manitoba from the consolidated fund aligns our province with general practice across the country.

I thank you for the time and consideration that has been given to this matter in order that the founding principle of "independent administration" is appropriately reflected in our practices.

Yours sincerely,



Michael D. Werier  
Board Chairperson

## **Analysis of Entities Inside the Reporting Entity**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

### **Workers Compensation Board**

The Workers Compensation Board was originally included in the Reporting Entity on the basis that the government appointed the board of directors. While this is true the government is limited by the makeup of the board by section 50.2(1) of the act. On the nine member board, 3 must represent workers, 3 must represent employers and 3 must represent public interest. These appointments are for the most part made from lists supplied by the various interest groups. There is a question therefore as to how much control the government in fact can exercise over the board. This is more a minor indicator of control in that the appointments are made from lists supplied. The only other indicators of control are limited control over the establishment of the mission and mandate of the Board and on the Boards investing and borrowing limits.

Conclusion – due to the lack of evidence of control, consideration should be given to removing this entity from the reporting Entity.

**Question of Control  
 Scorecard**

<b>Criteria</b>	<b>Additions Foundation of Mb</b>	<b>Assiniboine Community College</b>	<b>Embalmers &amp; Funeral Directors</b>	<b>Brandon University</b>	<b>CancerCare Manitoba</b>	<b>Centre Franco- Manitobain</b>	<b>C &amp; FS Central Mb</b>	<b>C &amp; FS Western Mb</b>	<b>Communities Economic Development</b>	<b>Co-op Loans &amp; Loans Guanrantee Bd</b>
<b>1. Unilaterally appoint majority of Board</b>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<b>2. Access to assets</b>	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes
<b>3. Hold majority of voting shares</b>	No	No	N/A	N/A	N/A	No	N/A	N/A	N/A	N/A
<b>4. Power to dissolve organization</b>	Yes	No	No	No	No	Yes	No	No	Yes	Yes
<b>5. Sig input into appointment of members of board</b>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<b>6. Appoint or remove key personnel</b>	No	No	Yes	No		No	No	No		Yes
<b>7. Establish or amend the mission or mandate</b>	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
<b>8. Approve business plans and budgets</b>			Yes	No		Yes	No	No		Yes
<b>9. Establish borrowing or investment limits</b>		Limited	Yes	Limited		Yes	No	No	Yes	Yes
<b>10. Restrict revenue generating capacity</b>	Yes	Limited	No	Limited		No	No	No		
<b>11. Establish or amend management policies</b>			Yes	No		No	No	No		
* - Template supplied by Dept						*				
	In	In	In	In	In	In	In	In	In	In

Questions left blank - response is uncertain without further investigation. Further investigation not deemed necessary, due to sufficient indicators of control, required to satisfy inclusion into Reporting Entity, already in place. Positive answers to Questions 1 - 4, generally are sufficient to satisfy question of control.





**Question of Control  
Scorecard**

<b>Criteria</b>	<b>Mb Adolescent Treatment</b>	<b>Mb Agriculture Credit Corp</b>	<b>Manitoba Arts Council</b>	<b>Manitoba Boxing Commission</b>	<b>Mb Centennial Centre Corp</b>	<b>Mb Community Services Council</b>	<b>MB Crop Insurance Corporation</b>	<b>Manitoba Development Corporation</b>	<b>Mb Film &amp; Sound Recording</b>	<b>Mb Floodway Expansion Authority</b>
<b>1. Unilaterally appoint majority of Board</b>	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes
<b>2. Access to assets</b>	Yes	Yes	No	No	Yes	No	Yes	Yes	No	Yes
<b>3. Hold majority of voting shares</b>	N/A	N/A	No	No	No	No	N/A	Yes	No	n/a
<b>4. Power to dissolve organization</b>			Yes	Yes	Yes	No			Yes	Yes
<b>5. Sig input into appointment of members of board</b>	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<b>6. Appoint or remove key personnel</b>		No	No	Yes	No	No			No	Yes
<b>7. Establish or amend the mission or mandate</b>		Yes	Yes	Yes	Yes	No			Yes	Yes
<b>8. Approve business plans and budgets</b>		Yes	Yes	Yes	Yes	Yes			Yes	Yes
<b>9. Establish borrowing or investment limits</b>			Yes	No	Yes	No			No	Yes
<b>10. Restrict revenue generating capacity</b>			No	Yes	Yes	No			No	Yes
<b>11. Establish or amend management policies</b>			No	Yes	No	No			No	Yes
			*	*	*	*			*	*
	In	In	In	In	In	Out	In	In	In	In









**Question of Control  
Scorecard**

<b>Criteria</b>	<b>The Property Registry</b>	<b>The Public Trustee</b>	<b>Vital Statistics Agency</b>	<b>Mb Hydro-Electirc Board</b>	<b>MPIC</b>	<b>WCB</b>	<b>Liquor Control Commission</b>	<b>Mb Lotteries Corp</b>	<b>Mb Product Stewardship Corp</b>	<b>Leaf Rapids Town Properties</b>
<b>1. Unilaterally appoint majority of Board</b>	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes
<b>2. Access to assets</b>	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	No	Yes
<b>3. Hold majority of voting shares</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Equity	No	Yes
<b>4. Power to dissolve organization</b>	Yes	Yes	Yes	Yes	Yes	No			No	
<b>5. Sig input into appointment of members of board</b>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<b>6. Appoint or remove key personnel</b>	Yes	Yes	Yes	No	No	No	Yes	No	No	
<b>7. Establish or amend the mission or mandate</b>	Yes	Yes	Yes	Limited	Limited	Limited	No	Limited	Yes	
<b>8. Approve business plans and budgets</b>	Yes	Yes	Yes	No	No	No	No	No	Yes	
<b>9. Establish borrowing or investment limits</b>	Yes	Yes	Yes	No	No	Limited	No	No	No	
<b>10. Restrict revenue generating capacity</b>				No	No	No	No	No	Yes	
<b>11. Establish or amend management policies</b>				No	No	No	No	No	No	
									*	
	In	In	In	In	In	Out	In	In	In	In

**Question of Control  
Scorecard**

<b>Criteria</b>	<b>Mb Hazardous Waste Mgmt</b>	<b>Manitoba Potash</b>	<b>Manitoba Law Foundation</b>	<b>Law Society of Manitoba</b>	<b>Tire Stewardship Board</b>	<b>Mb Assoc Resource Recovery</b>	<b>Manitoba Games Council</b>	<b>Sport Manitoba</b>	<b>Brandon Cent Auditorium Corp</b>	<b>Manitoba Museum</b>
<b>1. Unilaterally appoint majority of Board</b>	Yes	No	No	No	No	No	No	No	No	No
<b>2. Access to assets</b>	Yes	Yes	No	No	No	No	No	No	No	No
<b>3. Hold majority of voting shares</b>	Yes	No	No	No	No	No	No	No	No	No
<b>4. Power to dissolve organization</b>	Yes	Yes	No	No	No	No	No	No	No	No
<b>5. Sig input into appointment of members of board</b>	Yes	Yes	Yes	No	No	No	No	Yes	No	Yes
<b>6. Appoint or remove key personnel</b>	Yes	Yes	No	No	No	No	No	No	No	No
<b>7. Establish or amend the mission or mandate</b>	Yes	No	No	No	Yes	Limited	No	No	No	Limited
<b>8. Approve business plans and budgets</b>	Yes	Yes	No	No	Yes	Yes	No	Yes	No	No
<b>9. Establish borrowing or investment limits</b>	Yes	Yes	No	No	No	No	No	No	No	No
<b>10. Restrict revenue generating capacity</b>	Yes	Yes	No	No	Yes	Limited	No	Yes	No	No
<b>11. Establish or amend management policies</b>	Yes	Yes	No	No	No	No	No	No	No	No
	*		*		*	*	*	*	*	*
	In	In	Out	Out	Maybe	Out	Out	Maybe	Out	Out





**Question of Control  
Scorecard**

Criteria	Steinbach Bible College	Northern C&FS	Southern C&FS	Metis C&FS	Child Care Treatment Centres	Non Devolved Health Facilities				
1. Unilaterally appoint majority of Board	No	No	No	No	No	No				
2. Access to assets	No	No	No	No	No	No				
3. Hold majority of voting shares	No	No	No	No	No	N/A				
4. Power to dissolve organization	No	No	No	No	No	No				
5. Sig input into appointment of members of board	No	No	No	No	No	No				
6. Appoint or remove key personnel	No	No	No	No	No	No				
7. Establish or amend the mission or mandate	No	Limited	Limited	Limited	No	Limited				
8. Approve business plans and budgets	No	No	No	No	No	Limited				
9. Establish borrowing or investment limits	No	No	No	No	No	No				
10. Restrict revenue generating capacity	No	No	No	No	No	No				
11. Establish or amend management policies	No	No	No	No	No	No				
	*	*	*	*	*					
	Out	Out	Out	Out	Out	Out	in			