

The Liversidge Letter

An Executive Briefing on Emerging Workplace Safety and Insurance Issues

December 20, 2024

An ongoing policy discussion for the clients of L.A. Liversidge, LL.B.

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Santa delivers a sack full of presents to Ontario employers!



I had planned to drop a few year-end issues of **The Liversidge Letter** before Christmas but I will defer these to the very early New Year. Here is what is coming in early January 2025:

As I introduced in the [December 11, 2024](#) issue of **The Liversidge Letter**, Santa is loading his sleigh with a \$2.0 billion funding surplus distribution to Ontario Schedule 1 employers. While this may be a welcomed festive bestowal, I will explain that beyond giving people back their own money, this really isn't too generous on the part of the impish St. Nick as there really was little choice. Actually, while I hate to water-down the celebratory eggnog, it may have been a little Grinch-like. In my opinion, Schedule 1 employers actually should receive much more and the WSIB would still be substantially over-funded. I will set out my recommendations for a better, fairer and more predictable approach to WSIB funding surplus discretion, so that Ontario business doesn't have to present a Dickensque "please sir . . ." stance at future Yuletides.

Next, I will introduce readers to the remarkable [Bill 229, Working for Workers Six Act, 2024, Schedule 6](#). I only have a quarrel with a small part of **Bill 229**, but it is more than a squabble. **Bill 229** gives an unprecedented Christmas

present to Schedule 2 (individually liable) employers.

While I always thought Santa made his gifts in his North Pole workshop, this year the government is directing that part of the Schedule 1 (collectively liable) funding surplus be gifted to Schedule 2 employers. This act of "generosity" is akin to Santa breaking into your house Christmas Eve, slyly placing your presents in his red sack, with him scaling your fence in the dead-of-night under the watchful eye of accomplice Rudolf, and then placing your presents under your neighbour's Christmas tree! I will offer some strong advice to Schedule 1 employers along with a suggestion or two to Schedule 2 employers in the event they wish to partake in future "Secret Santa" gift exchanges.



More soon, but for now, to all a good night and have a Merry Christmas and a Happy New Year!

