

# COR/Audit Update

Does your municipality have WCB coverage that *includes* municipal elected officials?



## Background

You are receiving this communication as the listed Chief Administrative Officer (CAO) of your municipality to communicate on the subject of municipal Elected Officials (Councillors) being included in Certificate of Recognition (COR) audit interviews.

The Government of Alberta (GoA) Partnerships in Injury Reduction (Partnerships) sets the Standards related to Certificate of Recognition (COR) auditing, and AMHSA represents Alberta's municipal sector and acts as your Certifying Partner in the program.

This communication intends to summarize the issue, communicate options, and answer Frequently Asked Questions (FAQ) AMHSA has received on this subject.

## Issue

We have received feedback from several municipal CAO COR-holders whose WCB accounts include council, expressing concerns about the program requirement related to Council interviews and the applicability of the questions utilized.

In response to this CAO feedback, AMHSA was successful in advocating for and achieving a temporary exemption from the GoA Partnerships to include Councillors in COR audit interviews until the end of 2022.

## Change for 2023

AMHSA has obtained approval from GoA Partnerships to allow for 9 revised COR audit interview questions in 2023 (if Council is included under the municipal WCB account being audited for COR) that we believe better reflects the scope and nature of Councillors in municipal operations.

## Frequently Asked Questions (FAQ)

**Question 1:** Why are Councillors being interviewed as “workers” at all, doesn’t the Municipal Government Act (MGA) indicate that Councillors are not considered employees?

**Answer:** The MGA does not consider Councillors employees. Additionally, Section 6(1) of the Alberta *Workers’ Compensation Regulation* indicates the same.

*“The Act does not apply to the members of a council of a municipality under the Municipal Government Act unless the council applies by resolution to the Board to have the Act apply to members of the council and, on the approval of any such application by the Board, the members of the council are deemed to be **workers** of the municipality concerned, while actually engaged in the business of the municipality, and the municipality is deemed to be their employer”.*

Per the above, COR audit interview inclusion of Councillors only occurs as a result of purposeful municipal application to WCB-Alberta requesting their addition as workers to the municipal WCB account.

**Question 2:** If a municipality wants to have Councillors added or removed from its WCB account so that they are / or are not included in COR Audit interviews, how is this requested?

**Answer:** Section 6(3) of the Alberta *Workers’ Compensation Regulation* permits this practice.

*“The Board may at any time revoke an approval given under this section and, on the revocation, the person referred to in the revocation ceases to be a worker to whom this Act applies as of the effective date of the revocation”.*

A written request to remove/add coverage for Councillors can be submitted by an authorized representative via email or letter to the WCB-Alberta Underwriting [underwriting@wcb.ab.ca](mailto:underwriting@wcb.ab.ca).

**Question 3:** Can Councillors be placed under a separate WCB account than the municipality?

**Answer:** Yes, it is possible to create a Council WCB account separate from the municipalities regular WCB account. The account would be classified in the same industry, and WCB-Alberta would combine the experience of the two accounts – which would result in matching rates between the two accounts. Please note however the additional administrative burdens and caveats if actioned.

- The municipality would be required to submit two (2) annual returns instead of one and manage any changes on two accounts instead of one.
- If the new elected official WCB account does not have COR status, it would not get a PIR refund.

## Closure

We hope that this communication has provided adequate clarity on this subject. If you have questions about this communication, temporary exemption, or about the Certificate of Recognition (COR) program please contact:

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