

Earning Loss Benefit (ELB)

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Letter from the Publisher VVi to the Veterans Ombudsman

Dear Guy,

Veteran Voice wishes to convey disappointment regarding the approach of your next report to the Minister. It is of substantive concern to us that you have chosen to sidestep and/or misrepresent a specific and unanimous recommendation made during the 20 April 2013 semi-annual meeting of Veterans Consultation Group:

“The Earning Loss Benefit (ELB) must be improved to provide 100% of pre-release income, continue for life and include increases for projected career earnings for a Canadian Armed Forces member;”

Instead, your office appears to have predetermined a proposal less than the 100% which already enjoys the widest possible support. The justification for this highly questionable initiative is that your figure will be more palatable for politicians and Treasury Board than 100%. Such rationale is clearly about appeasing governmental processes rather than meeting the needs and wishes of the wider veterans' community. More importantly, such rationale places the sensitivity of the bureaucracy above and before the needs and profound losses of Canada's most disabled veterans and their families.

We are also distressed by any improvement in ELB rates which does not bring all Totally and Permanently Incapacitated (TPI) veterans up to the same levels of current Forces salaries given equal rank upon release. The New Veterans Charter was created as a result of the failure of the government of Canada to provide adequate benefits to those incapacitated and disabled veterans released in the decade or more prior to 2005. A failure to bring these previously released individuals to a level on par with currently releasing members fundamentally fails in Canada's covenant to recognize the dramatic loss in dignity and quality of life imposed upon them by capped CF salaries of the past and unfairly limited indexing of a maximum of 2%.

Furthermore, granting ELB for life to Totally and Permanently Incapacitated veterans is not something new. Since ELB was created as a near mirror image of SISIP LTD, it is important for the OVO to not forget that SISIP LTD was granted for life prior to 1995.

We wonder how the Veterans Ombudsman can hope to enlist the unanimous support of the Veterans' Community when the Veterans Ombudsman fails to support such a simple and straightforward unanimous proposal to provide ELB at 100% for Totally and Permanently Incapacitated veterans. If the Ombudsman wishes to position itself as the “*voice of reason*” of the veterans' community and not the voice which fears confronting government with a reasonable and unanimous proposal, we at Veterans Voice strongly recommend you reconsider your apparent predetermined recommendation to limit ELB of any given individual's release salary.

The other glaring problem with your strategy in previous reports is the fact that the minister has either rejected or ignored the majority of those recommendations which specified concrete policy change. You seem to be satisfied with a few minor successes based upon vaguely worded recommendations which leave Veterans Affairs to define their own compliance with such recommendations.

Veteran Voice is a national community which champions open and transparent access to information for veterans, serving members and the families of all. We strongly object to declaring any of the information shared in the consultation meetings with advocates as confidential. There is no national

security at stake here, only apparently fragile egos of senior bureaucrats. Please remember that the dignity and losses of our veterans and their families must unequivocally trump the fears of a closed government which has long disempowered the Veteran Community. Any consultations should be open and transparent, particularly so that attendees can share the information with their organisations. If we cannot communicate freely, then we cannot provide meaningful feedback.

VAC has long manipulated secrecy into its so-called consultation process, as we clearly saw during the opaque and inaccessible development of the NVC. Veterans were expected to support the charter without knowing its contents. No one should be expected to support anything while kept ignorant. To repeat the mistakes of VAC reflects badly on you for two reasons, it suggests that you have something to hide and makes it seem like your office has more in common with VAC than the needs and aspirations of the Veterans Community. This is a disturbing reversal to the good work the OVO has produced under your watch.

Such a reversal is made all the worse by your absence from the largest ever veterans' community meeting on 20 April 2013. You chose instead to be with the minister. Providing leadership for longstanding and unaddressed veterans' issues should always be more important than being a member of the ministerial entourage.

The OVO under your watch has repeatedly expressed its concern in private about the "*horse-trading*" forced upon the community by VAC bureaucrats in demanding we limit the hundreds of unaddressed recommendations to a handful to be presented to government at any one time. We at Veteran Voice agree that such horse-trading of veterans' needs is wrong. It is also humiliating to those in need and prolongs needless suffering. This is why it is indeed distressing for us to see the OVO horse-trade away well-supported recommendation of 100% ELB for our most disabled troops. The OVO's efforts could better serve the veteran community if it were to instead represent our wishes while educating the political and bureaucratic class as to our needs instead of appeasing them with a low-ball offer even before we place the well-supported recommendation of 100% on the table.

We fear that the OVO has become far too much like its adversaries in the bureaucracy by placing process first and veterans' needs and suffering last. We urge you to reverse this trend and support ELB at 100% to match current military salaries. It also goes without saying that the OVO must champion open and transparent consultations not the divide and conquer secrecy so typical of the VAC bureaucracy.

Postscript: The Veterans Ombudsman did not respond to this letter. His staff did ask that none of the information declared Confidential be revealed. The letter was sanitised to comply with the request.

RCL Letter to Minister VAC

2 May 2013

RCL: 20-10-15

The Honourable Steven Blaney, PC, MP
Minister of Veterans Affairs
66 Slater Street
Ottawa, Canada K1A 0P4

Dear Minister:

On 20 April 2013 The Legion hosted the semi-annual Veterans Consultation Group meeting of 17 Veterans organizations. The focus of the discussion was on Veteran Health Care issues and the upcoming parliamentary review of the New Veterans Charter.

The Veterans Consultation Group asked me to write on their behalf to articulate their unanimous consensus on Veterans priorities to the government for the coming year.

Based on the Office of the Veterans Ombudsman's recent report requesting a broader parliamentary review of the New Veterans Charter in the fall of 2013, the Group agreed that an enhanced financial income package should be the top priority for improvement. Within this context the group assessed the top three issues requiring rapid resolution by the government are:

1. The Earning Loss Benefit (ELB) must be improved to provide 100% of pre-release income, continue for life and include increases for projected career earnings for a Canadian Armed Forces member;
2. The maximum disability award must be increased consistent with what is provided to injured civilian workers who received general damages in law court; and
3. The current inequity with regards to ELB for Class A and Class B (less than 180 days) Reservists for service attributable injuries must cease.

The Group also identified that Veterans Affairs Canada must undertake a process of Health Care reform/review within the next year to ensure that programs and services meet the needs of all Veterans and their families. Specifically, this review should be based on need and ensuring that a continuum of care is provided. The Group agreed that the 2006 Report of the Gerontological Advisory Council "Keeping the Promise" provides a sound roadmap to begin this essential review.

Finally, the Group supported the recommendation in the recent Veterans Ombudsman's report "Improving the New Veterans Charter" that the family, specifically that the caregiver, needs be given a higher priority and recognition for the contribution and sacrifices made by the entire family. A review of all benefits, programs and services available to family members should be undertaken to identify deficiencies, requirements and effective, proactive outreach strategies.

The Group continues to agree that the outstanding recommendations regarding the New Veterans Charter from the New Veterans Charter Advisory Group, Special Needs Advisory Group, the Report of the Gerontological Advisory Council "Keeping the Promise" and the June 2010 Report of the Parliamentary Standing Committee on Veterans Affairs should be

implemented and form the basis for future improvements to programs and services for Canada's Veterans and their families. These reports should not be shelved or forgotten. They are substantive, consistent and independent. While recognizing Government funding priorities, the Group adamantly requests that VAC review the above recommendations and provide to Veterans organizations the long-term cost model to achieve these recommendations. This would greatly assist in the transparency of these programs and for future discussions.

The Group remains concerned about the ineffectiveness of the Veterans Affairs Canada Stakeholder meeting as the only mechanism for ongoing consultation with Veterans organizations. A substantive consultation process to ensure that programs and services delivered to all Veterans and their families are accessible, adequate and fair is urgently required. Without effective consultation and engagement, comprehensive and meaningful change is unlikely. The Group agreed that Veterans organizations must be consulted in the development of the agenda for these meetings and that minutes must be produced and provided in a timely fashion. Lastly, the Group requested that the meetings should be cost effective and as such held in Ottawa, reducing travel costs.

We trust that you will receive our priorities and recommendations favourably and we look forward to providing substantive consultation on Veterans issues.

Yours truly,

Gordon Moore
Dominion President, The Royal Canadian Legion
On behalf of the Veterans Consultation Group

Cc: Senator, The Honorable Lieutenant-General Roméo A. Dallaire, Chair of the Senate Sub Committee on Veterans Affairs
Mr. Gregg Kerr, Chair of the Standing Committee on Veterans Affairs
Mary Chaput, Deputy Minister
Brian Forbes, National Council of Veterans Associations/ War Amps
George Beaulieu, Army, Navy and Air Force Veterans of Canada
Derrill Henderson, Hong Kong Veterans Commemorative Association
John Daniels, the Company of Master Mariners of Canada
Daniel O'Connor, The Last Post Fund
Terry Wickens, Korea Veterans Association
Peter Milsom, Canadian Naval Air Group (Hampton Gray Chapter)
Paul Baiden, Canadian Naval Air Group
Ken Lait, Naval Association of Canada
Terry Chester, Air Force Association of Canadian
Cal Small, RCMP Veterans Association
Ron Griffis, Canadian Association of Veterans in United Nations Peacekeeping
Ray Kokkonen, Canadian Peacekeeping Veterans Association
Reno St- Germain, Veterans UN-NATO Canada
Michael Blais, Canadian Veterans Advocacy
Trapper Cane, The Canadian Army Veterans

Robert Thibeau, Aboriginal Veterans Autochtones
Don Leonardo, Veterans of Canada.ca
Wayne Johnson, Wounded Warriors
Sean Bruyey/Perry Grey, Veterans Voice
Gordon Jenkins, NATO Veterans