

Coverage for volunteers

The following table describes WCB coverage for volunteers for each province and territory and provides links to specific policies or sections of legislation (if available).

	Description of Volunteer Coverage	Section of Act or Policy Reference
AB	In certain circumstances volunteers are covered. See: Who do I have to cover?	Policy References: <ul style="list-style-type: none"> • Policy 06-01 Insurance coverage for workers & employers
BC	<p>While generally a volunteer is not a worker and does not have coverage under the <i>Workers Compensation Act</i>, R.S.B.C. 1996, C. 492 (the “Act”), there are situations where a volunteer may be admitted:</p> <p>(a) Volunteer firefighters or ambulance drivers and attendants working with or without remuneration, when serving a municipality, regional district, urban area, improvement district, a board of school trustees, a francophone education authority as defined in the <i>School Act</i>, library board, and parks board are defined as “workers”; see the definition of “worker” in the Act for further guidance.</p> <p>(b) Section 3 of the Act gives WorkSafeBC authority to extend coverage to those who may not otherwise be workers under the Act:</p> <ul style="list-style-type: none"> • A person or group of persons carrying on an undertaking believed to be in the public interest, and which affects a broad segment of the public, may be extended coverage under section 3(5) of the Act. • A person or group of persons engaged in a work study program or other program of self-improvement involving work may be extended coverage under section 3(7) <p>See <i>Assessment Manual Item AP1-3-1 Extending Application of the Act</i> for additional information.</p>	Sections of Act: <ul style="list-style-type: none"> • Workers Compensation Act, sections 1 and 3 Policy References: <ul style="list-style-type: none"> • Item AP1-1-5, Coverage Under Act - Workers • Item AP1-3-1, Extending Application of the Act • Policy Item #6.20, Voluntary and Other Workers Who Receive No Pay, in the <i>Rehabilitation Services & Claims Manual</i>, Vol II (the <i>RS&CM</i>): Policy Item #7.10, Volunteer Firefighters in the <i>RS&CM</i> • Policy Item #67.30 Workers with No Earnings in the <i>RS&CM</i>

Source: Association of Workers' Compensation Boards of Canada – 2012

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	Description of Volunteer Coverage	Section of Act or Policy Reference
MB	<p>Manitoba covers volunteers. In some situations volunteers are considered to be workers and therefore mandatory coverage is in effect; while in other situations, coverage for volunteers is optional.</p> <p>Compulsory coverage is in effect under section 1(4) of <i>The Workers Compensation Act</i> of Manitoba including volunteer fire fighters, volunteer ambulance drivers and volunteers under the Emergency Measures Act. In these types of situations Sections 1(5) - 1(8) define who would be considered the employer, period of employment and earnings.</p> <p>In Manitoba, optional coverage is available for volunteers if they provide their services to non-profit or charitable organizations. This is allowed under sections 75.1(1) - 75.1(4) of the Act. Under policy 35.10.70 Coverage for Volunteers, the employer must cover their regular staff before we would allow coverage for any of their volunteers.</p> <p>For volunteers covered under both sections 1(4) - 1(8), or sections 75.1(1) - 75.1(4) the assessment is \$25.00 per individual volunteer.</p> <p>A third situation where volunteers are covered is when they are deemed to be workers of the Government of Manitoba. The Government of Manitoba is a self-insured employer. Therefore an assessment would only be charged if an accident has costs, however the volunteer would not be allowed to sue the provincial government. The Regulation 545/88R <i>Declaration of Workers in Government Employment</i> can be found at http://web2.gov.mb.ca/laws/regs/pdf/w200-545.88r.pdf. Volunteers are noted in the following parts of the regulation: 4(2), 12(3) and 13.</p>	<p>Sections of Act:</p> <p><u>The Workers Compensation Act:</u></p> <ul style="list-style-type: none"> • 1(4) Definition of “casual emergency worker” • 1(5) Deemed employer • 1(6) Inclusion in powers and duties • 1(7) Period of employment • 1(8) Average earnings • 75.1(1) Non-profit or charitable organization and volunteers admitted • 75.1(2) Volunteers deemed to be workers • 75.1(3) Average earnings • 75.1(4) Automatic indexation <p><u>Regulation 545/88R Declaration of Workers in Government Employment,</u> section 4(2), 12(3) and 13</p> <p>Policy References:</p> <ul style="list-style-type: none"> • Policy 35.10.70: <u>Coverage for Volunteers</u>

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NB	<p>WorkSafeNB has volunteer coverage for the following:</p> <ul style="list-style-type: none"> • EMO - Emergency Service Workers • Members of a municipal volunteer fire brigade. <p>In addition to the above, WorkSafeNB recognizes the following types of individuals as workers under part 1 of the WC Act, provided an application is made and the criteria set out in Policy No. 23-200 Assessable Earnings is met. They are:</p> <ul style="list-style-type: none"> • Volunteer ambulance drivers/attendants • Volunteer/auxiliary police offers; and • Volunteer executive members of a labour union <p>As a general rule, volunteers not mentioned above, are not considered workers under the WC Act.</p> <p>The following are examples of volunteers who would NOT be considered workers under the WC Act:</p> <ul style="list-style-type: none"> • Members of service clubs • Volunteer hospital workers; or • Member of charity organizations, etc. 	<p>Policy References:</p> <ul style="list-style-type: none"> • Policy No. 23-200
NL	<p>The Workplace Health, Safety and Compensation Commission has volunteer coverage for the following:</p> <ul style="list-style-type: none"> • Volunteer fire fighters • Volunteer ambulance services 	<p>Section of Act:</p> <ul style="list-style-type: none"> • Workplace Health, Safety and Compensation Act (Section 40) • Workplace Health, Safety and Compensation Regulations (Regulation 14, 15, 15.1 and 15.2)

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NT/ NU	<p>Volunteers</p> <p>An employer who engages persons in any volunteer employment for which little or no remuneration will be paid may apply to the WSCC for the volunteer persons to be considered workers for the purposes of the <i>Act(s)</i>.</p> <p>Volunteer Fire Fighters and Ambulance Drivers</p> <p>Volunteer fire fighters, rescue or recovery workers, and ambulance drivers are covered by the <i>Act(s)</i> and are workers of the Government of the Northwest Territories (GNWT), the Government of Nunavut, the municipality or hamlet.</p> <p>Peacetime Disaster Workers</p> <p>Where a person responds to an emergency declared under the <i>Civil Emergency Measures Act(s)</i>, and performs duties under the direction of an Emergency Measures Co-ordinator or approved designate, the person is a worker of the GNWT and/or the Government of Nunavut, whether or not the person receives remuneration.</p>	<p>Policy References:</p> <ul style="list-style-type: none"> • Policy 00.05, Determining Employer/Worker Status
NS	<p>The WCB does not typically cover volunteers. Nova Scotia's legislation is based on the premise of compensation for lost wages. In circumstances where individuals are not carried on payroll, and therefore are not captured in the premium, compensation is not typically extended. However, there are two exceptions:</p> <ol style="list-style-type: none"> 1. Volunteer Firefighters are specifically covered in the legislation. Coverage is available, upon application. Nova Scotia firefighters, both paid and volunteer, are not required to have worker's compensation coverage. Firefighters are not covered under mandatory scope of coverage under the <i>Act</i> (see section 9 of the <i>Workers' Compensation General Regulations</i>). 	<p>Sections of Act:</p> <ul style="list-style-type: none"> • Workers' Compensation Act, section 5 • Workers' Compensation General Regulations, section 9 and 21 <p>Policy Reference:</p> <ul style="list-style-type: none"> • Policy 1.3.4 – Volunteer Fire Fighters

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	<p>For volunteer fire fighters, upon application by the municipality, the WCB may provide workers' compensation coverage to members of that municipality's volunteer fire department. The criteria for coverage are outlined under section 5 of the <i>Workers' Compensation Act</i>, section 21 of the <i>Workers' Compensation General Regulations</i> and Policy 1.3.4.</p> <p>2. Emergency Measures Organization (EMO) - The provincial government considers search and rescue volunteers to be their workers for WCB purposes through EMO. If a search and rescue volunteer is unable to work their regular job as a result of an injury while on a search and rescue, earnings loss would be payable based on their employment earnings. This coverage is provided on a self-insured basis.</p>	
ON	<p>Auxiliary members of a police force, members of a volunteer ambulance brigade and members of a volunteer fire brigade are workers and covered under the WSIA. All other volunteers are not covered.</p>	<p>Section of Act:</p> <ul style="list-style-type: none"> • Workplace Safety and Insurance Act, 1997, s. 2.1 <p>Policy References:</p> <ul style="list-style-type: none"> • Operational Policy 12-04-02, Volunteer Forces
PE	<p>PEI covers volunteers under the under the <i>Workers Compensation Act</i>, s. 1(1)(z)(2). This would include firefighters and EMO. There is no community ambulance service on PEI, only EMS which is a covered industry. Injuries occurring at events of a personal nature are not compensable.</p>	<p>Section of Act:</p> <ul style="list-style-type: none"> • Workers Compensation Act, s. 1(1)(z)(2)

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QC	<p>Section 13:</p> <p>Voluntary worker.</p> <p>A person is considered to be a worker if he voluntarily does work for the purposes of an establishment, provided that his work is done with the agreement of the person who uses his services and that the latter person sends a statement to the Commission setting out</p> <ol style="list-style-type: none"> 1) the nature of the activities carried on in the establishment; 2) the nature of the voluntary work; 3) the number of persons doing voluntary work for the purposes of the establishment or who are likely to do it within the current calendar year; 4) the average duration of the volunteer work; and 5) the period during the current calendar year for which protection is requested under this Act. <p>Application.</p> <p>This Act, except in respect of the right to return to work, applies to persons who do volunteer work for the purposes of the establishment for the period indicated in the statement.</p>	<p>Section of Act:</p> <ul style="list-style-type: none"> • Act respecting industrial accidents and occupational diseases (13)

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SK	Coverage is limited to volunteer Fire Fighters and volunteer First Responders in emergency situations.	Sections of Act: <ul style="list-style-type: none"> • Workers' Compensation Act, 1979, s. 2(t) Policy Reference: <ul style="list-style-type: none"> • POL 07/2005 Coverage – First Responders • POL 04/2006 Coverage – Volunteer Fire Fighters
YT	Types of volunteers covered: <ul style="list-style-type: none"> • firefighters, • community ambulance services, • work under the <i>Emergency Measures Act</i>, • volunteers at events, • a volunteer official at a sporting event (umpire at a softball game), etc. 	Section of Act: <ul style="list-style-type: none"> • Workers' Compensation Act, section 5 Policy Reference: <ul style="list-style-type: none"> • EA-03: Optional Coverage For Casual Employees (Those Working Outside The Employer's Normal Industry), Persons Acting In A Religious Function, And Volunteers

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