

SUPPLEMENTAL BENEFITS

	SUPPLEMENTAL BENEFITS		Section of Act	Links (if any)
AB	Supplemental Benefits	In Alberta, for those with disabilities assessed at 50% or more and injured prior to April 1, 1975, a supplement may be paid to age 65 to raise the amount to the level set in 1980 amendments. Earnings Loss Supplement – for pre 1995 claims, Alberta may pay an earnings loss supplement if the worker's compensable loss of earning capacity exceeds the amount of the permanent partial disability pension.	<u>Workers' Compensation Act</u> (s. 66)	
	Group Benefit Plan	No		
	Employment-Related Remuneration, Collateral (Top-Up) Benefits	An employer is not prohibited from paying a worker more than the amount that a worker would receive under the Act. The Board will reimburse the employer up to the amount of monies that would have been paid to the worker had he or she been paid directly by the Board. The Board will not reimburse for any amount above that figure.		
BC	Supplemental Benefits	N/A	<u>Workers Compensation Act</u> (s. 34)	
	Group Benefit Plan	N/A		
	Employment-Related Remuneration, Collateral (Top-Up) Benefits	An employer is not prohibited from paying a worker more than the amount that a worker would receive under the Act. The Board will reimburse the employer up to the amount of monies that would have been paid to the worker had he or she been paid directly by the Board. The Board will not reimburse for any amount above that figure.		
MB	Supplemental Benefits	In Manitoba, a supplemental benefit may be paid if the loss of earning capacity is proportionately greater than the disability pension the worker is receiving or received. This benefit is called special additional compensation (SAC) and is only available to workers with accidents prior to January 1, 1992. Under certain circumstances, workers may qualify for a post-retirement benefit.	<u>Workers Compensation Act</u> (s. 40(2) Act prior to January 1, 1992) <u>Workers Compensation Act</u> (s. 41, 43) <u>Manitoba Regulation 187/2005, Group Life Insurance</u> <u>Manitoba Regulation 171/2010, Adjustment in Compensation Regulation</u>	<u>Policy 44.60.30, Special Additional Compensation</u>
	Group Benefit Plan	Manitoba may establish benefit programs or a group insurance plan for workers receiving wage loss for more than 24 cumulative months, and for dependants of those workers or deceased workers. Separate from these group benefit plans and programs, the WCB must establish a group life insurance plan for workers who have received wage loss benefits for more than 24 cumulative months. Coverage under this plan is extended for a period of 90 days to workers who meet the criteria outlined and whose benefits have been discontinued. The funding of this group life insurance plan is from the Accident Fund and is not to exceed 5% of future wage loss benefits. Should a worker die in 2011 and leave a dependant, \$41,900 is payable to the estate. If the worker has no dependants, \$10,750 is payable to the estate.		
	Employment-Related Remuneration, Collateral (Top-Up) Benefits	Under the Manitoba Act, collateral benefits are any additional benefits an injured worker may be entitled to receive for a workplace accident under the Canada Pension Plan, the Quebec Pension Plan, the <i>Employment Insurance Act</i> , a disability insurance plan, and employer "top-up benefits". Collateral benefits will either be deducted from wage loss benefits or will be considered earnings after the accident, depending on whether the collateral benefits are taxable or non-taxable. Collateral benefits are deducted from wage loss benefits to ensure that the total amount of benefits a worker receives from the various sources does not add up to more than 100% of the worker's actual loss of earning capacity.		

Source: Association of Workers' Compensation Boards of Canada – 2011

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NB	Supplemental Benefits	In New Brunswick, workers receive reimbursement of any income tax that must be paid on retroactive Canada Pension Plan Disability benefits related to a work injury.	<u>Workers' Compensation Act</u> (s. 38.91(1.01), 38.11(9))	
	Group Benefit Plan	N/A		
	Employment-Related Remuneration, Collateral (Top-Up) Benefits	Injured workers are allowed to earn, through the combination of compensation benefits and financial remuneration, a maximum of 85% of their pre-accident net earnings. While this does not prevent the employer from paying remuneration to the injured worker who is receiving compensation benefits, it requires that WorkSafeNB staff reduce compensation benefits so that the combined total received by the injured worker does not exceed 85% of pre-accident net earnings.		
NL	Supplemental Benefits	N/A	<u>Workplace Health, Safety and Compensation Act</u> (s. 81, 81.1)	
	Group Benefit Plan	N/A		
	Employment-Related Remuneration, Collateral (Top-Up) Benefits	Newfoundland & Labrador prohibits any agreement between an employer and a worker that would allow a worker to be paid more than the amount that would be paid as compensation under the Act. Effective September 1, 1998, a benefit relative to the injury that a worker is entitled to receive from the Canada Pension Plan or the Quebec Pension Plan are offset from the compensation payable at a rate of 75% of the net benefit and a benefit from an employer-sponsored pension plan is offset from the compensation payable at a rate of 75% of the net benefit.		
NT /NU	Supplemental Benefits	Where a worker's assessed functional capacity resulting from a permanent disability prevents the worker from returning to pre-accident or comparable employment, or limits the worker to occasional part-time work, he or she may be entitled to an Earnings Loss Adjustment in addition to the basic pension benefit. Depending on the circumstances, an Earnings Loss Adjustment will be the worker's basic pension benefit multiplied by 50% or 100%.	<u>Workers' Compensation Act</u> (s. 41, 42, 44) <u>Policy 06.03 – Calculation of Permanent Compensation</u>	
	Group Benefit Plan	N/A		
	Employment-Related Remuneration, Collateral (Top-Up) Benefits	N/A		
NS	Supplemental Benefits	In Nova Scotia, supplemental benefits are payable to certain low-income permanently impaired workers whose injury occurred before March 23, 1990.	<u>Workers' Compensation Act</u> (s. 227(4))	
	Group Benefit Plan	N/A		
	Employment-Related Remuneration, Collateral (Top-Up) Benefits	'Top Ups' are not prohibited under the <i>Act</i> .		
ON	Supplemental Benefits	Not applicable.	<u>Workplace Safety and Insurance Act</u> (s. 25, 102)	
	Group Benefit Plan	In Ontario, the accident employer is required to continue employment benefits throughout the year following the injury, if the worker is absent from work because of the injury, and if the worker continues to pay his share of these benefits, if any.		
	Employment-Related Remuneration, Collateral (Top-Up) Benefits	In Ontario, employers are not prohibited from paying collateral or additional benefits.		

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	SUPPLEMENTAL BENEFITS		Section of Act	Links (if any)
PE	Supplemental Benefits	N/A	Workers Compensation Act (s. 42)	
	Group Benefit Plan	N/A		
	Employment-Related Remuneration, Collateral (Top-Up) Benefits	Wage loss benefits awarded to a worker shall be reduced by collateral benefits that the worker receives or is entitled to receive as a result of the injury only to the extent that such benefits, together with wage loss benefits payable, have the effect of compensating the worker in excess of 80% of the worker's actual net loss of earning capacity for the first 38 weeks for which benefits are payable and 85% of the worker's actual net loss of earning capacity thereafter.		
QC	Supplemental Benefits	The Act does not prohibit an employer from paying a worker an amount higher than that which he would have obtained under the Act. The Commission will reimburse the employer up to the amount which the worker would have received if he had been paid directly by the Commission. The Board will not reimburse for any amount above that figure. (section 126)	Act Respecting Industrial Accidents and Occupational Diseases (s. 235-240)	
	Group Benefit Plan	In Quebec, a worker who is away from his work because of an occupational injury continues to accumulate seniority and continued service under both the collective agreement applicable to him and the Act respecting labour standards. He also continues to take part in the pension and insurance plans in effect in his place of employment, provided he pays his share of the contributions, in which case his employer is required to assume his share. These rights may be exercised until the expiry of his right to return to work, either in the year following the beginning of his period of continued absence, if the establishment includes 20 workers or less, or within two years if the establishment includes more than 20 workers. After this period, the worker who, because of an occupational injury, suffers a severe, extended disability making him unable to hold truly remunerative employment, is entitled to continue to take part in the pension plan offered by his employer if he pays his share of the required contributions and, in such a case, the Commission assumes the employer's share. Finally, the worker who reinstates his employment or equivalent employment is entitled to receive the salary and benefits at the same rates and conditions as those he would enjoy had he continued to carry out his employment during his absence.		
	Employment-Related Remuneration, Collateral (Top-Up) Benefits			
SK	Supplemental Benefits	Saskatchewan may make a supplemental payment to the annuity at age 65 if the impact of the injury is greater than recognized by the annuity and causes the worker undue hardship. The amount may be increased to the minimum compensation rate.	Workers' Compensation Act, 1979 (s. 75)	
	Group Benefit Plan	N/A		
	Employment-Related Remuneration, Collateral (Top-Up) Benefits	N/A		
YT	Supplemental Benefits	Yukon may make a supplemental payment to the annuity at the time a person is eligible for old age security benefits if the impact of the injury is greater than recognized by the annuity and causes the worker undue hardship. The amount may be increased to the minimum compensation rate.	Workers' Compensation Act , (s. 30)	
	Group Benefit Plan	N/A		
	Employment-Related Remuneration, Collateral (Top-Up) Benefits	N/A		

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