

PAYMENT OF COMPENSATION BENEFITS
Suspension and Termination of Payments

	AB	BC	MB	NB	NL	NT/NU	NS	ON	PE	QC	SK	YT
SUSPENSION OF PAYMENTS												
When the right to compensation is suspended it is <u>not</u> payable for the period of suspension	Yes	Yes ¹	Yes ²	Yes	Yes	Yes ³	N/A	Yes	Yes	Yes	Yes	Yes
<u>Worker Moves to Another Jurisdiction</u>											4	
Where a worker takes up residence in another jurisdiction and has not been granted a permanent disability award, the WCB/Commission may cease payment of compensation	s. 52	5	6	No	No ⁷	No	N/A	N/A	N/A	No	Yes	No
• unless it is satisfied the period of disability has not been prolonged by the move	Yes	N/A	N/A	Yes	Yes ⁸	Yes	N/A	9	No	No	Yes	N/A
• unless the worker provides medical evidence that the disability still exists or is likely to be permanent.	Yes	N/A	N/A	Yes	Yes	N/A	N/A	9	Yes	No	No	N/A
<u>Permission to Leave Jurisdiction</u>											4	
• workers need permission to leave the injury province	Yes	No	No	No	No ¹⁰	No	N/A	N/A	No	No	No	No
• workers must pay their own travel expenses	N/A	No	N/A	Yes	Yes	No ¹¹	N/A	N/A	Yes	No	No	Yes
• If WCB asks a worker to report for an examination; its practice is to pay for the full travel costs.	Yes	Yes ¹²	Yes	Yes	Yes ¹³	Yes	N/A	Yes	Yes	Yes	No	Yes
<u>Payment Frequency may Change when Worker Leaves Jurisdiction</u>											4	
• payment frequency can be changed when a worker leaves the province	Yes	N/A	N/A	Yes	No	No	N/A	Yes ¹⁴	No	Yes	Yes	Yes
<u>Impeding Recovery</u>												
WCB/Commission, may reduce, suspend, or recover the compensation if a worker does anything to imperil or retard recovery	s. 54	Yes	Yes	Yes	Yes ¹⁵	Yes	Yes	Yes	Yes	Yes	Yes	Yes
• such as engaging in injurious or unsanitary practices	Yes	Yes ^{16,17}	Yes	Yes	No	Yes	Yes	Yes	N/A	Yes	No	Yes
• such as refusing treatment,	Yes	Yes ^{18,17}	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
• on independent medical advice,	Yes	Yes ^{18,17}	Yes ¹⁹	No	N/A	Yes	Yes	N/A	Yes	No	No	Yes
• can receive advice from WCB doctors	No	Yes ¹⁷	Yes	Yes	N/A	Yes	Yes	N/A	Yes	No	No	N/A
<u>Worker to Mitigate Injury</u>												
The WCB/Commission may suspend, reduce or terminate any compensation otherwise payable to a worker where the worker fails to:	Yes		Yes	Yes		Yes	Yes					
• take all reasonable steps to reduce or eliminate a permanent impairment and loss of earnings resulting from an injury;	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes ²⁰	Yes	No	Yes	Yes
• seek out and co-operate in any medical aid or treatment that, in the opinion of the WCB/Commission, promotes the worker's recovery and return to work;	Yes	Yes ¹⁷	Yes	Yes	Yes	Yes	Yes	Yes ²⁰	Yes	Yes	Yes	Yes
• take all reasonable steps to provide to the WCB/Commission full and accurate information on a matter relevant to a claim for compensation; and notify the commission immediately of a change in circumstances that affects or may affect the worker's initial or continuing entitlement to compensation.	Yes	Yes ^{21,22}	Yes	Yes	Yes	Yes	Yes	Yes ²³	Yes	Yes	Yes	Yes

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

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	AB	BC	MB	NB	NL	NT/NU	NS	ON	PE	QC	SK	YT
Failure to Report for Examination												
When a worker fails to report for an examination, compensation may be suspended	Yes	Yes ¹	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes ²⁴
<ul style="list-style-type: none"> when the worker is finally examined, the disability, if any, found at that time will be deemed to have existed since the time of the missed examination. 	Yes	N/A	N/A	No	N/A	Yes	No	No	N/A	Yes	No	N/A
Failure to Cooperate with Rehabilitation												
<ul style="list-style-type: none"> failure to cooperate or not being available for a vocational rehabilitation program (e.g. early and safe return to work & LMR) are grounds for reducing or terminating payments 	Yes	Yes ^{25,26}	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<ul style="list-style-type: none"> voluntarily accepting employment in a lower rate of pay occupation or withdrawing from the labour force can cause reduced or terminated compensation 	Yes	Yes	Yes	No	Yes	Yes	Yes	²⁷	Yes	No	Yes	N/A
<ul style="list-style-type: none"> failures to cooperate in the development or implementation of a rehabilitation program are grounds to suspend, reduce, or terminate compensation 	Yes	Yes ²⁶	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
TERMINATION OF PAYMENTS												
A temporary payment ceases when the disability or earnings loss ceases	Yes	Yes ^{28,29}	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
A temporary payment may be modified if either of those factors change	Yes	Yes ²⁸	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
When a payment, other than a temporary disability payment, is to end, it shall be paid until the end of the month in which the event that gives rise to the cessation occurs.	Yes	Yes	³⁰	No	Yes	No	Yes	No	No	No ³¹	No	No
A dependant receives a pension for the full month in which the death occurs	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	N/A	Yes	No	Yes
A dependant receives a pension until the month following death.	-	No	N/A	No	No	No	N/A	N/A	N/A	No ³²	No	N/A
The WCB/commission may suspend, reduce or terminate any compensation otherwise payable to a worker where the worker fails to:												
<ul style="list-style-type: none"> take all reasonable steps to reduce or eliminate a permanent impairment and loss of earnings resulting from an injury; 	Yes	Yes ³³	Yes	Yes	Yes	Yes	Yes	²⁰	Yes	No	Yes	Yes
<ul style="list-style-type: none"> seek out and co-operate in any medical aid or treatment that, in the opinion of the commission, promotes the worker's recovery and return to work; 	Yes	Yes ¹⁷	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<ul style="list-style-type: none"> take all reasonable steps to provide to the commission full and accurate information on a matter relevant to a claim for compensation; 	Yes	Yes ²²	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<ul style="list-style-type: none"> notify the commission immediately of a change in circumstances that affects or may affect the worker's initial or continuing entitlement to compensation 	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes ²³	Yes	Yes	Yes	Yes
WCB/Commission provides for termination of payments when a doctor indicates the injury suffered by the worker has consolidated with no residual functional disability and no rehabilitation is required.	Yes	Yes ²⁹	Yes ³⁴	No	Yes ³⁵	Yes ³⁶	N/A	Yes	Yes	Yes ³⁷	Yes	Yes

N/A means not applicable or not available. Contact individual [WCBs/Commissions](#) if you require further information or clarification.

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1 Section 57(1).
2 Unless the WCB determines otherwise. (*The Workers Compensation Act*, s. 24(2), s. 21(2), s. 22(2))
3 Where WSCC determines otherwise.
4 The Saskatchewan Act and policies refer only to relocation outside of Canada, not relocation within Canada. In practice, the SK WCB is able to pay someone who moves to another jurisdiction.
5 In British Columbia, if a worker during treatment desires to leave British Columbia, either temporarily or permanently, the worker is required to discuss the treatment ramifications with the Board. Where leaving the province may impede the worker's recovery, the worker will be discouraged from doing so, and benefits may be suspended pursuant to policy item #78.12 or policy item #78.13 of the *Rehabilitation Services & Claims Manual Volume II*. Rehabilitation Services & Claims Manual Volume II #73.54.
6 A worker's benefits may be affected if he or she relocates. Under the Act, a worker has a responsibility to take reasonable steps to aid in his or her return to health and work.
7 The Commission may order payments under the Act be made to persons living elsewhere in Canada if the injury was sustained in this province after December 31, 1983.
8 Policy states compensation may cease where the move interrupts or delays work injury recovery.
9 Further benefits will be determined based on medical information and worker's actions.
10 The worker should notify the Commission of their intent so that they can be appropriately advised of any potential impacts on their claim and entitlement to benefits.
11 On a case by case basis.
12 Rehabilitation Services & Claims Manual Volume II #82.10.
13 If the worker is in receipt of benefits and continues their medical treatment.
14 In Ontario, payment frequency can be changed when a worker leaves the province, but no legislative provision exists regarding permission requirements or payment of travel.
15 May reduce, suspend or terminate compensation where worker fails to seek out and co-operate in any medical aid or treatment that in the opinion of the Commission promotes the worker's recovery and RTW. Section 54
16 Rehabilitation Services & Claims Manual Volume II #78.12.
17 Section 57(2).
18 Rehabilitation Services & Claims Manual Volume II #78.13.
19 Based on a medical opinion from a Medical Review Panel.
20 Worker must cooperate in such health care measures as the Board considers appropriate or benefits may be reduced or suspended.
21 In British Columbia a worker who applies for or is receiving compensation must provide the Board with the information that the Board considers necessary to administer the worker's claim. If a worker fails to comply, the Board may reduce or suspend payments to the worker until the worker complies.
22 Section 57.1.
23 Workers are required to report a material change in circumstances within 10 days. After the material change occurs, reporting this may affect benefit entitlement.
24 The failure must constitute an unreasonable refusal.
25 Financial sponsorship of a formal vocational rehabilitation training program is contingent upon the worker's cooperation in the program.
26 Rehabilitation Services & Claims Manual Volume II #C11-88.00.
27 Earnings can be estimated (deemed) and earnings loss based on this if worker is not co-operating or underemployed.
28 Rehabilitation Services & Claims Manual Volume II #35.30.
29 Section 31.1.
30 In general, wage loss benefits cease when the loss of earning capacity ends. Some survivors' benefits are paid for a fixed period time or the month in which a dependant reaches a certain age.
31 The indemnity ceases to be paid the month following death.
32 Where a worker who receives an income replacement indemnity dies from a cause unrelated to his employment injury, the income replacement indemnity continues to be paid to his spouse for three months from the date of death.
33 May reduce benefits if worker is deemed to be capable of earning more than actual earnings.
34 The WCB will weigh this evidence and other evidence on the claim file to determine whether further compensation is payable.
35 All evidence is weighed before the decision is made.
36 It may be extended for a short period in some cases.
37 If no work is available after consolidation and if the time limit to exercise the right to return to work has expired, benefits shall be paid during a maximum of one year, unless the worker refuses, without valid reason, to be employed.

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