

**PAYMENT OF COMPENSATION BENEFITS**

**Types of Compensation<sup>1</sup>**

- 1 [Wage or Earnings Loss](#)
- 2 [Functional Impairment](#)
- 3 [Annuity](#)
  - 3(a) Annuity at 65
  - 3(b) Other Annuities
- 4 [Supplemental Benefits](#)
  - 4(a) Group Benefit Plan
  - 4(b) Employment-Related Remuneration, Collateral (Top-up) Benefits
- 5 [Multiple Pensions](#)
- 6 [Commutation or Lump Sum Settlements](#)

	AB	BC	MB	NB	NL	NT/NU	NS	ON	PE	QC	SK	YT
WCB/Commission has a dual award system	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes
WCB/Commission:												
• awards temporary compensation	Yes	Yes <sup>1,2</sup>	Yes <sup>3</sup>	Yes	Yes	Yes	Yes	<sup>4</sup>	Yes	Yes	Yes	Yes
• awards permanent compensation	Yes	Yes <sup>5,6</sup>	Yes <sup>7</sup>	Yes	Yes	Yes	Yes	<sup>4</sup>	Yes	No	No	Yes
• recognizes total disability	Yes	Yes <sup>1,5</sup>	Yes <sup>7</sup>	Yes	Yes	Yes	Yes	<sup>4</sup>	Yes	No	Yes	Yes
• recognizes partial disability	Yes	Yes <sup>2,6</sup>	Yes <sup>7</sup>	Yes	Yes	Yes	Yes	<sup>4</sup>	Yes	No	Yes	Yes
Payments can be made as long as a disability or wage loss exists	Yes	N/A	Yes	Yes	Yes	Yes	No	<sup>4</sup>	N/A	Yes <sup>8</sup>	No	Yes
• or to age 65	Yes	Yes <sup>9</sup>	Yes <sup>10</sup>	Yes <sup>11</sup>	Yes	N/A	Yes	Yes <sup>12</sup>	Yes	No	Yes	Yes
• Payments can be made for life in some cases of permanent disability	Yes	N/A	Yes <sup>13</sup>	Yes <sup>14</sup>	Yes <sup>15</sup>	Yes	Yes	<sup>4</sup>	<sup>16</sup>	No	Yes	Yes <sup>17</sup>
<b>WAGE OR EARNINGS LOSS</b>												
<b>Additional Earnings Loss information at:</b> <a href="#">Weekly Benefits for Temporary Disability</a> <a href="#">Employment Earnings Considered When Establishing the Compensation Rate</a> <a href="#">Permanent Disability Awards and Escalation Benefits</a>												
The following wage or earnings loss terms are used in each jurisdiction:												
• percentage impairment of earnings capacity	Yes	Yes <sup>18</sup>	No	No	No	Yes	No	<sup>4</sup>	No	No	No	No
• projected loss of earnings	No	Yes <sup>2,6,18</sup>	No	No	No	No	No	No	No	No	No	No
• loss of earning capacity	Yes	N/A	Yes	Yes	Yes	No	No	<sup>4</sup>	Yes	Yes	Yes	Yes
• long term disability	No	N/A	No	Yes	No	Yes	No	No	No	No	Yes	Yes
• temporary and extended earnings loss benefits	Yes	N/A	No	No	Yes	No	No	No	Yes	No	No	No
• earnings loss	Yes	N/A	No	Yes	Yes	No	Yes	No	Yes	No	Yes	Yes
• loss of earnings	Yes	Yes <sup>6,18</sup>	No	Yes	Yes	No	Yes	Yes	Yes	Yes	No	Yes
• wage loss	Yes	Yes <sup>19</sup>	Yes	Yes	Yes	No	No	Yes	Yes	No	Yes	Yes
• income replacement indemnity	No	N/A	No	No	No	No	No	No	No	Yes	No	No

<sup>1</sup> For more detailed information on comparisons of benefits between Canadian Workers' Compensation Boards/Commissions, please see ['Workers' Compensation Benefits & Rehabilitation'](#)

*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
<b>FUNCTIONAL IMPAIRMENT<sup>2</sup></b>		20					21			22		
See ' <a href="#">Permanent Disability Awards and Escalation Benefits</a> '												
WCB pays a lump sum amount for a permanent functional or physical impairment	Yes <sup>23</sup>	No <sup>24</sup>	Yes <sup>25</sup>	Yes	Yes	Yes	Yes <sup>26</sup>	Yes	Yes	Yes	Yes	Yes
• It is based on:												
○ the estimated degree of disability or clinical impairment	Yes	Yes <sup>27</sup>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
○ the age of the worker	No	Yes <sup>28</sup>	<sup>29</sup>	No	No	Yes	Yes	Yes	No	Yes	No	No
○ a base or maximum/minimum amount as specified in the Act or regulations	Yes <sup>30</sup>	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
WCB establishes a life pension based on an estimate of the disability resulting from the functional impairment applied to the average or net earnings.	<sup>31</sup>	No	<sup>31</sup>	No <sup>32</sup>	No	Yes	No <sup>33</sup>	<sup>31</sup>	No	No	No	No
WCB may pay as a lump sum if there is functional impairment but no immediate earnings loss	N/A	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
WCB allows the worker to convert the lump sum impairment award into an annuity	No	No	Yes <sup>34</sup>	No	No	No	No	No	No	No	No	Yes
WCB pays a lump sum for disfigurement.	Yes	Yes <sup>6</sup>	Yes <sup>35</sup>	Yes <sup>36</sup>	Yes	Yes	Yes <sup>37</sup>	<sup>4</sup>	Yes	Yes	Yes	Yes
WCB pays functional impairment as a monthly award unless the worker elects to take a lump sum	Yes	No <sup>38</sup>	No	Yes <sup>39</sup>	No	Yes	Yes <sup>40</sup>	<sup>41</sup>	No	No	No	No
Upon a request from the worker, the WCB will also consider establishing an annuity rather than pay a lump sum	No	No	Yes <sup>34</sup>	No	No	No	No	No	No	No	No	Yes
<b>ANNUITY</b>												
See ' <a href="#">Annuity</a> '												
<b>SUPPLEMENTAL BENEFITS</b>												
See ' <a href="#">Supplemental Benefits</a> '												
Compensation benefits may be supplemented in certain situations	N/A	N/A	Yes	No	No	Yes	Yes	Yes	No	No	Yes	Yes
<b>MULTIPLE PENSIONS</b>												
A dependant may only receive one pension as the result of a fatal accident	Yes	<sup>42</sup>	Yes <sup>43</sup>	Yes <sup>44</sup>	Yes	Yes <sup>44</sup>	Yes <sup>45</sup>	No	No	No	Yes	No
Workers' pensions based on disabilities of more than 100% are not fully payable	No	Yes	<sup>46</sup>	N/A <sup>47</sup>	N/A	Yes	N/A <sup>48</sup>	N/A	N/A <sup>49</sup>	Yes <sup>50</sup>	No <sup>51</sup>	Yes
WCB allows for payments up to the maximum compensation rate, even if the disability ratings total over 100%.	Yes <sup>52</sup>	Yes	<sup>53</sup>	N/A <sup>47</sup>	N/A	Yes	Yes	<sup>4</sup>	N/A	No	Yes	Yes

<sup>2</sup> When a worker's physical or mental capacities are reduced or impaired, a functional loss may have occurred. This may or may not result in a projected or actual earnings loss to the worker.

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	AB	BC	MB	NB	NL	NT/NU	NS	ON	PE	QC	SK	YT
WCB will pay the greater dollar amount but not more than 100%	No	No	N/A	N/A <sup>47</sup>	N/A	Yes	No	N/A	N/A	No	Yes	Yes
WCB will not pay over the current maximum compensation	N/A	Yes	Yes	Yes	N/A	No <sup>54</sup>	Yes	Yes	Yes	No	Yes	Yes
WCB will pay over the current maximum compensation				No			No		No		No	No
The total of the payments to all dependants cannot be more than a total disability pension had the worker survived	N/A	No	<sup>55</sup>	Yes	N/A	No	Yes	N/A	N/A	No	No	No
The Act places a cap on total benefits payable to a worker pursuant to all of the worker's claims	N/A	No	N/A	Yes <sup>56</sup>	N/A	N/A	Yes	No	No	No	No	Yes
Dependants can get up to X% of the maximum wage rate	90	90 <sup>42</sup>	<sup>57</sup>	No <sup>58</sup>	N/A	N/A	100	N/A	N/A	No <sup>59</sup>	90	Yes
• and no less than the higher of the two pensions	Yes	Yes <sup>42</sup>	Yes <sup>43</sup>	N/A	N/A	N/A	Yes <sup>60</sup>	N/A	N/A	Yes	Yes	N/A
Where a dependant would again be entitled, because of a second fatal accident, the dependant would receive the larger pension	N/A	Yes <sup>42</sup>	<sup>43</sup>	Yes <sup>61</sup>	Yes	N/A	Yes	Yes	N/A	No	Yes	Yes
A dependent is entitled to draw death benefits if he was dependent on more than one person dying as a result of an occupational injury.	N/A	<sup>42</sup>	<sup>46</sup>	Yes <sup>62</sup>	N/A	Yes	Yes	N/A	N/A	Yes	No	Yes
<b>COMMUTATION OR LUMP SUM SETTLEMENTS</b>							<sup>63</sup>	<sup>64</sup>		<sup>65</sup>		
WCB may make a commutation of any periodic payment of compensation	Yes	No <sup>66</sup>	<sup>67</sup>	Yes <sup>68</sup>	No <sup>69</sup>	Yes	Yes	<sup>4</sup>	No	No	No <sup>70</sup>	No <sup>71</sup>
• and must obtain the agreement of the worker or dependant	No	N/A	<sup>72</sup>	No <sup>73</sup>	Yes <sup>74</sup>	Yes	No	Yes	N/A	No		N/A
○ if the percentage of disability is over a certain percentage	Yes	N/A	<sup>75</sup>	Yes <sup>76</sup>	N/A	Yes <sup>77</sup>	N/A	N/A	N/A	No		N/A
○ if the payments are the result of a fatality	Yes	N/A	<sup>78</sup>	Yes	N/A	No	N/A	N/A	N/A	No	Yes	N/A
The amount is calculated at the date the payment is approved	N/A	Yes <sup>79</sup>		Yes <sup>80</sup>	Yes	No <sup>81</sup>	Yes	Yes	N/A	No		N/A
The amount is a final payment unless the disability increases at a later date	Yes	No <sup>82</sup>	<sup>83</sup>	Yes <sup>84</sup>	Yes <sup>85</sup>	Yes	Yes	Yes	N/A	No	N/A <sup>86</sup>	N/A
The amount is a discounted amount of the current present value of the monthly payments	N/A	Yes <sup>87</sup>	Yes <sup>88</sup>	No	N/A	Yes	Yes <sup>89</sup>	Yes	N/A	No		N/A
If circumstances warrant, the WCB may advance or pay a lump sum to a worker or dependant as part of any compensation, and charge it against future compensation payable to the worker	Yes	No	N/A	Yes <sup>90</sup>	N/A	Yes	No	Yes <sup>4</sup>	No	No	No	N/A
WCB may pay a lump sum as periodic payments if it is felt to be in the best interest of the worker	N/A	No	N/A	Yes <sup>91</sup>	N/A	Yes	Yes	Yes	N/A	No	No	N/A
The amount is considered as still being received and thus is considered in any future earnings loss calculations	N/A	Yes	No <sup>92</sup>	Yes <sup>93</sup>	Yes	Yes	Yes	Yes	N/A	No	N/A	N/A
A specific section indicates a further need for medical aid or rehabilitation or an enhanced disability is still covered and paid.	Yes	Yes, s. 16, 21, &32	Yes, ss. 38(6)	Yes <sup>94</sup>	N/A	N/A	Yes	N/A	N/A	No	N/A	N/A

**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 29.  
2 Section 30.  
3 Benefits for accidents before January 1, 1992, are based on the disability model. Benefits for accidents after December 31, 1991, are based on a dual-award system of wage loss and impairment awards.  
4 Under the pre-1990 Act.  
5 Section 22.  
6 Section 23.  
7 For accidents before January 1, 1992.  
8 The right to an income replacement indemnity is extinguished at the sixty-eighth birthday of the worker or, if he suffers an employment injury when 64 years of age or over, four years after the date he became unable to carry on his employment.  
9 Section 23.1.  
10 In general, wage loss benefits are payable until the WCB determines the loss of earning capacity ends or the worker turns 65. Workers who are 61 years of age or older are eligible to receive wage loss benefits until they are fit to return to work or for four years, whichever occurs sooner.  
11 When an injured worker is 63 years of age or more at the time of injury, compensation is provided for a period not exceeding two years following the commencement of loss of earnings resulting from the injury or recurrence of injury. Age 65 is the age at which LTD benefits end. Age 65 limit does not apply to life-long pensioners and pre-1982 surviving spouses.  
12 For a maximum of two years if the worker is 63 years of age or older on the date of the injury.  
13 This refers to the Manitoba Act as it existed prior to January 1, 1992.  
14 For accidents that occurred before January 1, 1982.  
15 For pre-1984 injuries.  
16 Yes, under previous Act.  
17 Prior Acts.  
18 Section 33.  
19 Not with reference to permanent awards. Section 30.  
20 In BC, loss of function awards are also called "section 23(1) awards". Section 23(1) of the Act states that, if a permanent partial disability results from a worker's injury, the Board must estimate the impairment of earnings capacity from the nature and degree of the injury. The percentage of disability determined from the worker's condition under section 23(1) reflects the extent to which a particular injury is likely to impair a worker's ability to earn in the future. It takes into consideration such factors as: short term fluctuations in the compensable condition; reduced prospects of promotion; restrictions in future employment; reduced capacity to compete in the labour market; and variations in the labour market. Loss of function is the primary method of assessing permanent disability. Only in "so exceptional" circumstances will a loss of earnings assessment be considered.  
21 In Nova Scotia, a monthly benefit known as the Permanent Impairment Benefit (PIB) is payable for life. The PIB is equal to (85%) X (30%) X (% impairment rating) X (net pre-injury earnings). The PIB is normally commuted to a lump sum if the impairment rating is less than 30% and no Extended Earnings Replacement Benefits is being paid.  
22 In Quebec, a worker who sustains one or several permanent physical or mental impairments as a result of the same work accident or the same occupational disease is entitled, where the total of the percentages of these impairments exceeds 100%, to receive an amount equal to 25% of the amount of the compensation determined on the basis of the excess percentage. In Quebec, the worker whose occupational injury is consolidated is entitled to the income replacement indemnity for as long as he needs rehabilitation to enable him to carry out his employment or, if this goal cannot be attained, to enable him to carry out suitable full-time employment. When the worker unable to carry out his employment becomes able to carry out suitable full-time employment, his income replacement indemnity is reduced by the net income he could draw from this suitable employment. If his employer terminates the worker's suitable employment within the ensuing two years, the worker recovers his right to full income replacement indemnity. However, if this suitable employment is not available, the worker is entitled to a full income replacement indemnity until he occupies this employment or refuses it without a valid reason, but for at most one year from the date he becomes able to occupy it.  
23 For claims on or after January 1, 1995.  
24 BC pays periodic payments which may be commuted out as lump sums in some cases. Sections 35(2) and 35(3). *Rehabilitation Services & Claims Manual Volume II #45.10.*  
25 If the impairment award granted exceeds \$14,300 in 2011, the worker has the option of converting this lump sum into an annuity.  
26 Conditionally.  
27 *Rehabilitation Services & Claims Manual Volume II #39.10.*  
28 *Rehabilitation Services & Claims Manual Volume II #39.11.*  
29 For claims from January 1, 1992 to December 31, 2005.  
30 Maximum & minimum amounts are specified in policy, not in the Act or Regulations.  
31 This also applies to **Manitoba** for accidents occurring before January 1, 1992, **Ontario** for accidents occurring before January 1, 1990, and **Alberta** for accidents occurring before January 1, 1995.  
32 WorkSafeNB does not presently provide life pensions, but did for accidents that occurred pre-1982.  
33 Permanent Impairment Benefit (PIB) is payable for life but does not factor in the affect of impairment on earnings. This is covered by Extended Earning replacement Benefit (EERB), which is not a life pension.  
34 If the award is greater than \$14,300 in 2011, the worker has the option of converting the lump sum impairment award into an annuity.  
35 The definition of impairment includes disfigurement. In general, impairment awards are paid out as lump sums.  
36 If a permanent physical impairment.  
37 If PMI (permanent medical impairment).  
38 In British Columbia, a worker or dependent has to apply for a commutation of benefits and meet guidelines. Sections 35(2) and 35(3). *Rehabilitation Services & Claims Manual Volume II #45.10.*

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39 Does not apply to PPIs, but does apply to lifelong pensioners with identified permanent physical impairments (pre-1982).  
40 If 30% or less paid as a lump sum, if over, paid monthly but will consider a commutation request.  
41 Ontario pays functional impairment as a monthly award unless the worker elects to take a lump sum or the capitalized amount is less than \$11,452.07.  
42 Subsections 17(16) and (16.1) of the British Columbia *Workers Compensation Act* set out the amount of compensation paid to a dependant entitled to receive compensation as the result of a death of a worker and the subsequent death of another worker.  
43 In Manitoba, the Act addresses the situation where a spouse or common-law partner is eligible for monthly payments from two fatal accidents. In this situation, the spouse or common-law partner would be paid only the larger of the two monthly amounts.  
44 However, there could be multiple dependents on a fatal accident file.  
45 A dependant spouse may only receive one pension as the result of a fatal accident. Dependent child benefits are independent.  
46 The impairment award is calculated by determining a rating which represents the percentage of impairment as it relates to the whole body.  
47 Maximum pension is 100%.  
48 A worker should not have a Permanent Medical Impairment greater than 100%.  
49 Under the 1995 Act, the WCB of PEI no longer pays pensions.  
50 In Quebec, a worker who sustains one or several permanent physical or mental impairments as a result of the same work accident or the same occupational disease is entitled, where the total of the percentages of these impairments exceeds 100%, to receive an amount equal to 25% of the amount of the compensation determined on the basis of the excess percentage.  
51 No single claim can have a disability of more than 100%, but a worker with multiple claims may have a disability of more than 100%. Because the claims are treated independently, it is possible to pay out on more than 100% disability.  
52 Applies to claims on or after July 1, 1976 & before Jan. 1, 1995.  
53 The combined values chart of the permanent impairment rating schedule limits the maximum impairment rating to 100%.  
54 Only in cases where worker is receiving temporary benefits for a different injury in addition to a pension.  
55 The monthly payments payable to a surviving spouse or common-law partner are equal to 90% of the workers' net average earnings. The inclusion of the two additional lump sum death benefits and the monthly payments will exceed this 90% of net level. In some circumstances, fatality benefits under the Act as it existed prior to January 1, 1992 could exceed a worker's 100% disability pension. This Act imposed certain minimum level of benefits based on the number and types of surviving dependants.  
56 But excludes pensions paid for injuries before January 1, 1982.  
57 The surviving spouse or common-law partner is entitled to monthly benefits equal to 90% of the worker's net average earnings less any amounts paid to other dependants. Dependent children receive a monthly payment until they turn 18. This monthly benefit can continue beyond that age if he or she furthers his or her education. Other dependents may also be entitled to a monthly payment.  
58 The total of the payments to all dependants cannot be more than the legislated maximum that a worker would have been allowed by legislation, depending on when the worker died.  
59 Spouse: 55% of the amount of the income replacement indemnity the worker would have received if he had not died, that is, a maximum of \$2,079.10 per month. Minor children: monthly indemnity of \$476.  
60 Where a second death.  
61 Provided both pensions do not exceed the capped amount.  
62 If death benefits refers to burial expenses.  
63 In Nova Scotia, if the percentage of disability does not exceed 30% and no extended earnings replacement benefits are payable, the Board will automatically pay a lump sum in lieu of the permanent impairment benefit.  
64 Ontario can commute a loss of earnings benefit if the amount of the payment is 10 per cent or less of the worker's full loss of earnings; and if the 72-month period for reviewing payments has expired; and if the worker agrees.  
65 In Quebec, the indemnity for physical loss (permanent disability) is always paid in the form of a lump sum for injuries suffered after August 19, 1985.  
66 The Board may in its discretion commute a benefit if the amount of the payment is 10 per cent or less of the worker's full loss of earning capacity. In all other situations the worker or dependant has to apply to the Board for a commutation which will only be granted in certain circumstances. (Sections 35(2) and 35(3))  
67 Most commutation of benefits must be requested by the claimant.  
68 However, regular loss of earnings benefits and LTD benefits are not eligible for payout.  
69 Under the current system, there is no commutation of extended earnings loss benefits. Some pre-1984 life pensions were commuted during the conversion from life pensions to extended earnings loss system.  
70 For injured workers, disability payments, not compensation (wage loss) payments, may be commuted and paid as a lump sum. For dependents other than spouse and children, the Board may allocate a payment. This payment may be made periodically or as a lump sum, as directed by the Board. (Act 89(3)).  
71 Only in Prior Legislation.  
72 In most instances, the claimant must request the commutation of benefits.  
73 Requests by injured workers are considered on a case-by-case basis.  
74 Only commutes a pre-1984 life pension where there is no loss of earnings due to the injury. If there is loss of earnings, the life pension must be integrated into loss of earning benefits. A combination of both commutation and payment of loss of earnings may be considered.  
75 In general, impairment awards are paid out as lump sums. Where a worker is awarded a permanent disability pension, this pension may be commuted at the request of the worker if the disability rating is less than 10%. Policy 44.100.10, *Lump Sum Commutations*, deals with commutation requests by workers where the disability rating is 10% or higher.  
76 A disability pension assessed at greater than 10% required that the financial advisor is consulted.  
77 Must be over 10%.

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- 78 If the surviving spouse or common-law partner is the sole dependant of the deceased worker, the spouse/partner may request that the fatal monthly benefits be paid out as a lump sum.  
79 *Rehabilitation Services & Claims Manual* Volume II #45.10 and #45.61.  
80 Payout are based on the original award  
81 The amount is calculated as of rate applicable at the time of the accident.  
82 The worker is still entitled to a retirement benefit. *Rehabilitation Services & Claims Manual* Volume II #45.30.  
83 If the impairment or disability worsens, the worker is entitled to an increase in his or her impairment or disability award.  
84 Clients can receive additional PPI benefits when already receiving them. Not considered a final payment until they are 100% disabled.  
85 A subsequent increase to the permanent disability pension rating would be integrated in to the extended earnings loss benefit.  
86 Applies to PFI but not compensation payments.  
87 *Rehabilitation Services & Claims Manual* Volume II #45.60.  
88 Subject to any adjustments set out in Policy 44.100, *Interest Rates*.  
89 Not monthly value - multiplied by number remaining in life, based only on life expectancy.  
90 Advances of LTD benefits can be considered where circumstances warrant.. See Policy No. 21-206 Funding Annuity Benefits.  
91 When the requirements are met. See Policy No. 21-206 Funding Annuity Benefits  
92 In Manitoba, wage loss benefits can not be commuted. In addition, an impairment award does not impact wage loss benefits.  
93 Advances are made in lieu of future benefit entitlement.  
94 The payment of medical aid required is not affected by an advance or payout.

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