

Summary of Rehabilitation Services by Jurisdiction – 2011

Also see [Rehabilitation – Legislation, Policy and where to find additional information](#)

	AB	BC	MB	NB	NL	NT/NU	NS	ON	PE	QC	SK	YT
Vocational rehabilitation (VR)					1			1				
Work assessment	Yes	Yes ²	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Work Hardening	Yes	Yes ²	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Training on the job	Yes	Yes ³	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Formal and Academic Training Assistance	Yes	Yes ⁴	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Tuition, Books & Supplies	Yes	Yes ⁴	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Placement Services/Job Search Assistance	Yes	Yes ⁵	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes ⁶	Yes
Subsidize Employer	Yes	Yes ^{3,7}	Yes	N/A	No	N/A	Yes	No	N/A	Yes ⁸	No	Yes
Subsistence & Transportation	Yes	Yes ⁹	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Worksite or Workstation Modifications	Yes	Yes ⁷	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes ⁶	Yes
Ergonomic Services	Yes ¹⁰	Yes ⁷	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Tools & Equipment for new job	Yes	Yes ¹¹	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes ⁶	N/A
Additional Services Provided:												
Relocation Assistance	Yes	Yes ¹²	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Self-Employment	Yes	Yes ¹³	Yes	Yes	Yes	Yes	Yes	No ¹⁴	Yes	Yes	Yes ⁶	No
Residence adaptation/modification	Yes	Yes ¹⁵	Yes	Yes*	Yes	Yes*	Yes	Yes	Yes	Yes ¹⁶	Yes	Yes
Vehicle adaptation/modification	Yes	Yes*	Yes	Yes*	Yes	Yes*	Yes	Yes	Yes	Yes	Yes	Yes
Counselling: Psychological/Social	Yes	Yes ¹⁷	Yes	Yes*	Yes	Yes	Yes	Yes	Yes	Yes ¹⁸	Yes	Yes
Child Care	Yes	Yes ¹⁹	Yes ²⁰	Yes	Yes	Yes	Yes ²¹	No	Yes	Yes	Yes ²²	Yes
Homecare and Independence	Yes	Yes ^{23,24}	Yes	Yes	Yes	Yes	²⁵	Yes	Yes	Yes	Yes	Yes
Financial Counselling	Yes	Yes	²⁶	No	No	Yes	N/A	No	No	No	No ²⁷	Yes
Legal Services	Yes ²⁸	Yes ²⁹	N/A	No	No	N/A	Yes ³⁰	No	No	No	No	Yes
Home Maintenance	Yes	Yes ^{15,24}	Yes	Yes	No	Yes	Yes ³¹	Yes	No	Yes	Yes	Yes
Personal Care Allowance	Yes	Yes ^{23,32}	Yes	Yes	Yes	Yes	Yes ³³	Yes	No	Yes	Yes	Yes
Rehabilitation for Dependants												
Rehabilitation for Spouse (or Common-Law)	Yes	Yes ³⁴	Yes	No	Yes ³⁵	No	No	Yes	No	Yes	Yes	Yes
Rehabilitation for Dependants (other than spouse)	No	Yes ³⁴	N/A	No	No	No	No	No	No	No	Yes ³⁶	Yes

* Board provides benefit/service although not specifically in Act.

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
Return to Work:												
Obligation to re-employ	No	N/A	Yes ³⁷	Yes ³⁸	Yes	Yes		Yes	Yes	Yes ³⁹	Yes ⁴⁰	Yes
Employer of less than 20 workers exempt	N/A	N/A	Yes ⁴¹	Yes ⁴²	Yes	N/A	Yes	Yes ⁴³	Yes	No	No	Yes
Worker employed for at least 1 year	N/A	N/A	Yes ⁴⁴	Yes	Yes	N/A	Yes	Yes	Yes	No	No ⁴⁵	Yes
Board to notify employer when worker is ready	N/A	N/A	Yes ⁴⁶	Yes ⁴⁷	No ⁴⁸	N/A	Yes	Yes	Yes	Yes	No	Yes
Employer must accommodate workplace	N/A	N/A	Yes ⁴⁹	Yes ⁵⁰	Yes ⁵¹	Yes	Yes	Yes	Yes	No	No ⁴⁰	Yes
Reinstatement	N/A	N/A	Yes	Yes	N/A	N/A	Yes	Yes	Yes	Yes	Yes ⁴⁰	Yes
no loss of pay, seniority or benefits	N/A	N/A	⁵²	Yes	No	N/A	Yes ⁵³	Yes ⁵⁴	Yes	Yes	Yes ⁴⁰	Yes
Hold first suitable job	N/A	N/A	Yes ⁵⁵	Yes	Yes ⁵⁶	N/A	Yes ⁵⁷	Yes ⁵⁸	N/A	Yes	⁵⁹	Yes
1 year - 20 or fewer workers	N/A	N/A	N/A	Yes ⁶⁰	No	N/A	N/A	N/A	N/A	Yes	No	Yes
2 years - more than 20 workers	N/A	N/A	N/A	Yes ⁶⁰	Yes	N/A	N/A	N/A	N/A	Yes	No	Yes
can give temporary work	N/A	N/A	N/A	Yes ⁶¹	Yes ⁶²	N/A	N/A	Yes	N/A	Yes ⁶³	Yes	Yes
Employer not bound if worker refuses job	N/A	N/A	Yes	Yes	Yes	Yes	Yes	No ⁶⁴	Yes	Yes	Yes	Yes
Because of work injury cannot:												
dismiss, suspend, layoff, discipline, discriminate	N/A	N/A	Yes ⁶⁵	Yes	Yes ⁶⁶	N/A	Yes	Yes	Yes	Yes ⁶⁷	Yes ⁴⁰	Yes
refuse to hire	N/A	N/A	Yes ⁶⁵	Yes	N/A	N/A	Yes	Yes	N/A	Yes	Yes ⁶⁸	Yes
Worker can have Board determine if employer has fulfilled obligations	N/A	N/A	Yes	No ⁶⁹	Yes ⁷⁰	N/A	Yes	Yes ⁷⁰	Yes	Yes ⁷¹	No	Yes
Mandatory Accommodation	No	No	Yes ⁷²	No ⁵⁰	Yes ⁷³	Yes	Yes ⁷⁴	Yes	Yes	No	⁴⁰	Yes

* Board provides benefit/service although not specifically in Act.

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

1 Health Care and LMR (Labour Market Re-entry) in Ontario and Newfoundland and Labrador.

2 *Rehabilitation Services & Claims Manual* Volume II Item #C11-88.10.

3 *Rehabilitation Services & Claims Manual* Volume II Item #C11-88.40.

4 *Rehabilitation Services & Claims Manual* Volume II Item #C11-88.50.

5 *Rehabilitation Services & Claims Manual* Volume II Item #C11-88.30.

6 Refer to the policies POL 05/2004 and POL 06/2004 to find out when conditions may apply.

7 *Rehabilitation Services & Claims Manual* Volume II Item #C11-88.20.

8 The Commission may pay a subsidy to a person creating permanent jobs for workers permanently disabled due to an occupational injury. This subsidy reaches a maximum of \$7,597 per job created and is not renewable.

9 *Rehabilitation Services & Claims Manual* Volume II Item #C11-82.00.

10 Limited modification such as ergonomic chair or vehicle hand controls may be made to accommodate temporary work restrictions.

11 *Rehabilitation Services & Claims Manual* Volume II Item #C11-88.20.

12 *Rehabilitation Services & Claims Manual* Volume II Item #C11-88.90.

13 *Rehabilitation Services & Claims Manual* Volume II Item #C11-88.60.

14 A worker aged 55 and over who requires a WT plan to achieve employment in a suitable occupation (SO) with a new employer has two options a) participating in a WT plan aimed at achieving the SO, or b) choosing a 12 month Transition Plan (TP) focused on a self-directed WR which may include self-employment. (see 19-03-05).

15 *Rehabilitation Services & Claims Manual* Volume II #90.00.

16 If undertakes to live there 3 years.

17 Counselling. Also to dependent spouse. See *Rehabilitation Services & Claims Manual* Volume II #85.00.

18 Evaluation of potential.

19 *Rehabilitation Services & Claims Manual* Volume II #84A.00.

20 The WCB will reimburse claimants for costs incurred over and above the usual pre-accident childcare costs.

21 Child care may be covered where the need is related to the claim/ the need would not exist if it were not for the compensable injury and there is an additional expense incurred because of the need.

22 Some temporary additional expense allowance can be made to cover the portion of child care expenses exceeding the amount a client would ordinarily incur while working (PRO 15/2008).

23 *Rehabilitation Services & Claims Manual* Volume II #80.00.

24 *Rehabilitation Services & Claims Manual* Volume II #81.00.

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25 Yes, for personal care.
26 The WCB will pay for independent financial advice to assist claimants in making an informed choice between a lump sum and various annuity options under the Act.
27 The Bridging Program is to advise clients about alternative financial assistance and psychosocial support. It does not do financial counselling (POL 11/2000)
28 Limited to 3rd party actions and Guardians & Trustee.
29 *Rehabilitation Services & Claims Manual* Volume II #88.70.
30 Workers' Advisers Program.
31 Special consideration can be given in relation to the compensable injury and the Bio-psycho-social model.
32 *Rehabilitation Services & Claims Manual* Volume II #80.40.
33 Attendance allowance is intended to cover the cost of personal care of a worker and is **not** intended to cover nursing or other health care services for which a worker is eligible under medical aid.
34 *Rehabilitation Services & Claims Manual* Volume II #91.00
35 For surviving spouses of workers where the death occurred before July 1, 1996 and the surviving spouse was entitled to dependency benefits on or after January 1, 1993.
36 Up to six counselling sessions per dependent can be provided to assist in coping with emotional stress associated with severe injury; more may be provided where circumstances warrant (POL 11/2001)
37 Under Manitoba's Act, certain employers have an obligation to re-employ injured workers. This obligation came into force on January 1, 2007.
38 Effect on *Employment Standards Act* also set out. Re-employment obligation enforced on the Employment Standards Act.
39 Workers bound by a contract of employment for a fixed term until the expiry of the contract.
40 There is no statute or policy that specifies the employer is to accommodate the workplace. Sections 44.2 & 44.3 of the *Labour Standards Act* provide guidelines for an employer's duty to accommodate an injured worker's return to work.
41 Only employers who employ 25 or more full-time or regular part-time workers are obligated to re-employ injured workers.
42 Less than 10 workers.
43 Others included by Regulation.
44 Worker must have been employed by the employer for at least 12 continuous months on a full-time or regular part-time basis.
45 Worker must be employed with the employer for thirteen consecutive weeks prior to the absence.
46 By practice.
47 It is a cooperative process between all parties.
48 Worker's responsibility to advise employer of fitness level. WHSCC will notify if worker does not follow up.
49 To the extent that the accommodation does not cause the employer undue hardship.
50 The NB Human Rights Act requires employers to accommodate workers with disabilities up to the point of undue hardship, as determined by the Human Rights Commission.
51 Unless undue hardship is shown.
52 If the re-employment obligations under the Act provide injured workers with better re-employment terms than a collective agreement, this legislation prevails over the collective agreement.
53 The WC Act states that the reemployment provisions of the Act prevail over the collective agreement, where the obligations of the employer pursuant to this section afford a worker better reemployment terms than the terms available pursuant to the collective agreement, with the exception of any seniority provisions. Where there is a conflict between the provisions of sections 89 to 101 and Section 71 of the *Labour Standards Code*, Section 71 of the *Labour Standards Code* prevails. Note: Section 71 of the *Labour Standards Code* requires an employer to have just cause to discharge or suspend an employee where the period of employment with an employer is more than 10 years.
54 Employment benefits continued for one year after accident unless worker is required to contribute to scheme and fails to do so.
55 The re-employment obligation is time-limited and ends at the earliest of these three points: second anniversary of the date of injury; six months after the worker is medically able to perform the pre-injury or other suitable work; or the date the worker would have retired.
56 Earliest of 2 years from date of injury; 1 year from date worker fit for pre-injury job; age 65.
57 Employer is obligated to reemploy until the earlier of the day that is two years after the date of the injury to the worker or the worker attains the age of 65 years.
58 Earliest of 1 year from injury, 2 years from notice worker ready to return, or age 65.
59 Refusal of a work opportunity may result in the reduction of, or removal of, benefits from an injured worker. However a worker may be able to turn down an offer without loss of benefits, for example if finding the "first suitable job" would require moving to another community.
60 10 or more.
61 If considered suitable employment for the injured worker with the functional abilities of the injured worker and restores pre-accident earnings.
62 Must give suitable employment that is available.
63 Worker can appeal.
64 Yes, if involves pre-accident job otherwise no with respect to a suitable job.
65 Unless the employer demonstrates that this decision was for a business reason made in good faith and not affected by the worker being or having been unable to work. An employer who re-employs and then terminates the injured worker within 6 months is presumed not to have fulfilled the re-employment obligation. The employer may rebut this presumption by showing the termination was not related to the injury.
66 Cannot terminate worker for reasons related to the injury.
67 Can if could under collective agreement.
68 The Saskatchewan Human Rights Code, Section 16(1), an employer cannot refuse to hire an employee based upon a disability. This clause would cover many work injuries.
69 Injured workers must make complaints to the Human Rights Commission or the Employment Standards Branch when the employer does not comply with legislative obligations.
70 If obligation not filled - levy penalty and pay worker.
71 Health and safety committee can determine in first instance.
72 The Manitoba *Workers Compensation Act* does contain a duty on certain employers to re-employ injured workers. This duty came into force on January 1, 2007. The employer may be required to modify the workplace to accommodate the effects of the injury to the extent it does not cause them undue hardship. Under *The Manitoba Human Rights Code*, employers are required to make reasonable accommodation for individuals with disabilities.
73 For employers with a re-employment obligation.
74 Must accommodate to the extent that the accommodation does not cause the employer undue hardship.

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