

WAITING PERIODS – SUMMARY - 2011

	Waiting Period	Employer required to pay worker for:		Employer reimbursed for:		WCB pays compensation for day of injury	WCB pays compensation following day of injury	Links to additional Information (if any)
		Day of injury	Period after injury	Day of injury	Period after injury			
AB	No	Yes	No	No	Yes ¹	No	Yes	
BC	No	No	No	No	Yes ¹	No	Yes ²	
MB ³	No	Yes ⁴	No ⁵	No	Yes ¹	No ⁶	Yes	
NB ⁷	3/5 th of work week ⁸	No	No	No	No	Yes, following three-day waiting period	Yes, following three-day waiting period ⁹	Policy No. 21-211: Three-day Waiting Period Policy No. 21-116.01 Firefighters Compensation Act
NL	No	Yes	No	No	Yes ¹	No	Yes	
NT/NU	No	No	No	No	Yes ¹	No	Yes	
NS ¹⁰	2/5 th of work week	No	No	No	Yes ¹⁰	No	After 2/5 th of work week ¹¹	Waiting period is 2/5 th of the worker's net weekly compensation per s.37(4) of the Act
ON ¹²	No	Yes	No	No	Yes ¹³	No	Yes	
PE ¹⁴	Yes ¹⁴ 3/5ths of the weekly wage loss benefits payable to the worker	No	No	No	No	No	Yes, following the waiting period ¹⁴	Benefit Waiting Period
QC ¹⁵	No	Yes	14 days ¹⁵	No	Yes ¹⁵	No	Yes	
SK	No	No	No	No	No	No	Yes	
YT	No	Yes	No	No	Yes ¹⁶	No	Yes	

Note: Waiting periods do not affect the worker's right to medical aid from the date of injury.

- 1 If employer continues to pay a worker, the employer is reimbursed at the compensation rate. In NL, employer cannot pay worker an amount in excess of compensation rate.
- 2 Health care is paid on the day of injury. Loss of earnings benefits commence effective the first scheduled shift lost as a result of the work injury or disease. (section 5(2), RSCM Vol. II #34.30)
- 3 The WCB reimburses the worker for any medical aid expenses incurred on or after the accident date. Also see Manitoba's policy with respect to a worker's serious and wilful misconduct at [Serious and Wilful Misconduct Policy](#).
- 4 Where the worker's time-loss or no time-loss claim is accepted by the WCB.
- 5 Under the current Act, a regulation may be passed that requires specified employers to pay compensation to workers for up to 14 days following the accident. To date, no regulation has been passed.
- 6 In exceptional circumstances, the WCB will pay the worker the gross wages he or she is due. The employer is required to pay the WCB back this amount. See policy 22.70.30.10, [Employer Obligation to Pay Worker for the Day of Accident](#).
- 7 See detailed information on New Brunswick's policy regarding its waiting period at <http://www.worksafenb.ca/pdf/resources/policies/21-211.pdf>. As of December 18, 2009, exceptions to waiting period are made for police and firefighters : Workers' Compensation Act, 38.11 (8.1).
- 8 Claims adjudicated under the *Firefighters Compensation Act* for workers injured on or after December 19, 2009 are not subject to the three-day waiting period.
- 9 If the worker is disabled for a period extending beyond 20 working days the Commission pays the worker for the three working days following the injury. If the worker is admitted to a hospital as an inpatient as a result of the injury, the waiting period is waived. See <http://www.worksafenb.ca/pdf/resources/policies/21-211.pdf> for other exceptions.
- 10 If employer has continued to pay salary to a worker, the employer is reimbursed at the compensation rate provided the worker's loss of earnings lasts beyond the waiting period.
- 11 If the worker is unable to work for a period extending beyond 5 calendar weeks, the worker will be reimbursed for the waiting period.
- 12 See Board policy Wages and Employment Benefits for Day of Injury (18-01-10).
- 13 If Schedule 1 employer has continued to pay salary to worker, employer will be reimbursed at the comp. rate.
- 14 Effective April 1, 2002, the worker is compensated after a waiting period equivalent to 60% of weekly compensation. If the worker is off work for more than four consecutive weeks following the accident, the benefits withheld due to the waiting period are re-paid. See http://www.wcb.pe.ca/wcb/DocumentManagement/Document/pol84_waitingperiod.pdf.
- 15 The employer is required to pay the worker 90% of his net income for each subsequent day or part of a day the worker would normally have worked had he not been incapacitated, for fourteen full days following the beginning of incapacity, providing the worker has the required medical certificate (Section 199). The 90% of net income to which the worker is entitled for 14 full days following the commencement of incapacity, constitutes an income replacement indemnity, and the CSST shall reimburse the amount thereof to the employer within 14 days of receipt of the claim, failing which it shall pay interest (per Section 323) from the first day it is late. If the CSST subsequently decides that the worker is not entitled to the whole or part of the indemnity, the Commission shall claim reimbursement from the worker in accordance with division 1 of Chapter XIII of the Act.
- 16 If a worker receives earnings in respect of a period of disability, then the Board may pay to the worker's employer an amount equal to the compensation to which the worker would have otherwise been entitled.

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

**These tables have been designed for general information purposes only. The AWCBC makes no representations as to the completeness or accuracy of the information (which is not exhaustive) and individual workers' compensation boards/commissions should be contacted for specific or additional information and clarification. For links to legislation, see: [here](#). For links to policy, see: [here](#).