

WORKERS' COMPENSATION LEGISLATIVE & POLICY CONCORDANCE TABLE

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Source: Association of Workers' Compensation Boards of Canada (AWCBC)

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CORPORATION / BOARD OF DIRECTORS (GOVERNANCE)

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	<u>Workers' Compensation Act</u> (s. 2, 3, 4, 5, 6, 6.1, 6.2, 7, 7.1, 8, 9)	<u>Corporate Governance Policy Manual</u>
BC	<u>Workers Compensation Act</u> (s. 80, 81, 84.1, 86)	N/A
MB	<u>Workers Compensation Act</u> (s. 50.1, 50.2, 51, 51.1, 56, 57, 58, 59(1) & (2))	
NB	<u>Workplace Health, Safety and Compensation Commission Act</u> (s. 8, 9, 10, 11, 12, 13)	<u>Policy No. 41-002 Governance Statement – WorkSafeNB Board of Directors</u>
NL	<u>Workplace Health, Safety and Compensation Act</u> (s. 3, 4, 5, 6, 7, 8)	N/A
NT/NU	<u>Workers' Compensation Act</u> (s.83 to 89)	<u>B-000, Governance Roles and Responsibilities;</u> <u>B-002, Governance Council Rules of Order;</u> <u>B-004, Governance Council Directors' Honoraria;</u> <u>B-005, Governance Council Directors' Travel;</u> <u>B-006, Corporate Governance Guidelines;</u> <u>B-010, Governance Council Directors' Claims Policy Manual</u>
NS	<u>Workers' Compensation Act</u> (s. 151, 152, 153, 154, 155, 156, 157, 159, 160A, 170)	N/A
ON	<u>Workplace Safety and Insurance Act</u> (s. 159, 161-165)	<u>Corporate Governance Policy</u>
PE	<u>Workers Compensation Act</u> (s. 19, 20, 21, 22, 24, 25, 30, 31)	<u>POL-37: Governance Process, Board Members' Code of Conduct</u> <u>POL-106: Governance Process, Board Members' Mandate</u> <u>POL-107: Governance Process, Chair's Role</u>
QC	<u>Act respecting occupational health and safety</u> (s. 137 to 155, 158.1 to 161)	
SK	<u>Workers' Compensation Act, 1979</u> (s. 13-21)	<u>Policy & Legislation</u>
YT	<u>Workers' Compensation Act</u> (Part 14, s. 98-107)	<u>BD-01: Honoraria for the Yukon Workers' Compensation Health & Safety Board, and Members of the Workers' Compensation Appeal Tribunal</u> <u>BD-02: Travel</u>

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CORPORATION / BOARD OF DIRECTORS (GOVERNANCE)

Reporting Relationships

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	no specific provision in Act relating to reporting	
BC	no specific provision in Act relating to reporting	N/A
MB	Workers Compensation Act (s. 1(1) – definition of minister)	
NB	Workplace Health, Safety and Compensation Commission Act (s. 17)	Policy No. 41-002 Governance Statement – WorkSafeNB Board of Directors
NL	no specific provision in Act relating to reporting	N/A
NT/NU	Workers' Compensation Act (s. 1.1, 106, 106.1)	B-000, Governance Roles and Responsibilities
NS	Workers' Compensation Act (s. 160, 160A)	N/A
ON	Workplace Safety and Insurance Act (s. 166, 167)	
PE	Workers Compensation Act (s. 34)	POL-37: Governance Process, Board Members' Code of Conduct POL-107: Governance Process, Chair's Role
QC	no specific provision in Act relating to reporting	
SK	Workers' Compensation Act, 1979 (s. 21.1(3)) Workers' Compensation General Regulations (s. 22.1)	
YT	no specific provision in Act relating to reporting	

POWERS, DUTIES and JURISDICTION

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 3, 4, 6, 7.1, 8(3),13.1, 13.2, 13.4, 17, 18, 20, 147, 148, 154)	Policy 01-02, Access and Privacy
BC	Workers Compensation Act (s. 82, 87, 88, 96, 97, 99, 111-114, 153, 158-171, 178-198, 225-230)	N/A
MB	Workers Compensation Act (s. 50, 51.1, 55, 56, 59, 60, 60.1, 60.4, 60.8(1), 60.9)	
NB	Workers' Compensation Act (s. 31, 32, 33) Workplace Health, Safety and Compensation Commission Act (s. 4, 5, 7, 11, 12, 16, 17,19, 20) Occupation Health and Safety Act (s. 28-36, 40, 47-49)	
NL	Workplace Health, Safety and Compensation Act (s. 5, 7, 9, 10, 12, 15-19, 20.1-20.6)	N/A
NT/NU	Workers' Compensation Act (s. 90, 91)	B-000, Governance Roles and Responsibilities Policy 00.08, Decision Making
NS	Workers' Compensation Act (s. 158, 162, 164, 165, 178-195)	
ON	Workplace Safety and Insurance Act (s. 3-10, 118, 119, 121, 122, 131, 132, 135, 136, 159, 161, 163, 164, 166, 168, 170, 171, 180, 181)	Policy 11-01-12, Legislative Authority
PE	Workers Compensation Act (s. 2, 6, 10, 26, 29, 30, 31, 32, 56, 63, 72, 74, 80, 81, 85.1)	POL-47 Arbitrary Assessment
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 349-358, 359.1, 369-384, 418-429.21, 429.39)	
SK	Workers' Compensation Act, 1979 (s. 20.1, 21, 21.1, 22 - 27, 171-173)	Policy & Legislation
YT	Workers' Compensation Act (Part 14, s. 105)	

Source: Association of Workers' Compensation Boards of Canada (AWCBC)

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POWERS, DUTIES and JURISDICTION

Standard Powers, Duties and Jurisdiction

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 17(1), s.17(5), s.18(2), s.17(6), s.18(3), ss.18(4),(5),(6), s.3, s.4, s.17(3), s.6(a)(i), s.6(a)(ii), s.6(a)(iii), s.6(b))	
BC	Workers Compensation Act (s. 23.4, 67, 69, 82, 82.1, 86, 87, 88, 96, 111, 113, 132, 153)	Policy item #96.10, Policy of the Board of Directors, of the RS&CM, Vol. II Policy item #98.10, Powers of the Board, of the RS&CM, Vol. II Policy item #98.11, Powers of Officers of the Board, of the RS&CM, Vol. II.
MB	Workers Compensation Act (s. 50, 51.1, 55, 56, 59, 60, 60.1, 60.4, 60.8(1), 60.9)	
NB	Workplace Health, Safety and Compensation Commission Act (s. 4, 5, 7, 11, 12, 16, 17,19, 20) Workers' Compensation Act (s. 31, 32, 33) Occupation Health and Safety Act (s. 2, 3, 9, 28-36, 47-49)	
NL	Workplace Health, Safety and Compensation Act (s. 5, 7, 9, 10, 12, 15, 17)	WHSCC - Policies and procedures : EN-11 Investigations; CHAPTER: Injury fund and reserves
NS	Workers' Compensation Act (s. 160, 171, 172, 178, 180)	
NT/NU	Workers' Compensation Act (s. 83, 89, 93, 99, 97, 101, 104, 106, 96)	
ON	Workplace Safety and Insurance Act (s. 3-10, 118, 119, 121, 122, 131, 132, 135, 136, 159, 161,163, 164, 166, 168, 170, 171, 180, 181)	Policy 11-01-12, Legislative Authority Policy 11-01-03, Merits and Justice Policy 11-01-14, Reconsiderations of Decisions
PE	Workers Compensation Act (s. 6, 18, 30, 32, 63, 80, 85.1)	POL-47 Arbitrary Assessment POL-88 Workers Compensation Appeal Tribunal Decision Implementation POL-101 Executive Limitations, Financial Planning and Budgeting POL-83 New Evidence POL-68 Weighing of Evidence POL-48 Internal Reconsideration POL-134 Data Distribution Methods POL-04 File Release POL-38 Conflict of Interest - Workers Compensation Board Employees POL-37 Governance Process, Board Members' Code of Conduct
QC	Act respecting Occupational Health and Safety (s.136.3, 166 to 176, 177 and following, 223, 242) Act Respecting Industrial Accidents and Occupational Diseases (LATMP) (s. 281, 146, 181 and following, 331 to 331.3, 349-358, 473, 589)	
SK	Workers' Compensation Act, 1979 (s. 20.1, 21, 21.1, 22 - 27, 130, 151, 171-173, 175, 179, 168)	Policy & Legislation
YT	Workers' Compensation Act (s. 99, 100)	

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POWERS, DUTIES and JURISDICTION

Exclusive Jurisdiction

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 17(1), 17(2))	
BC	Workers Compensation Act (s. 96, 113)	N/A
MB	Workers Compensation Act (s. 60(1) & (2))	
NB	Workers' Compensation Act (s. 31, 34(2))	
NL	Workplace Health, Safety and Compensation Act (s. 19)	WHSCC - Policies and procedures: CHAPTER: Entitlement; CHAPTER: Earnings loss ; CHAPTER: Employer services; CHAPTER: Return to work and rehabilitation; CHAPTER: Injury fund and reserves
NS	Workers' Compensation Act (s. 185)	
NT/NU	Workers' Compensation Act (s. 91)	Policy 00.08, Decision Making
ON	Workplace Safety and Insurance Act (s. 118(1), (2))	Policy 11-01-12, Legislative Authority
PE	Workers Compensation Act (s. 32)	
QC	Act Respecting Industrial Accidents and Occupational Diseases (LATMP) (s. 349)	
SK	Workers' Compensation Act, 1979 (s. 22)	Policy & Legislation POL 26/95, 02/2010, 07/2002, 09/2007, 01/2009, 04/1999, 01/2000, 13/2001, 13/2008, 05/2005
YT	Workers' Compensation Act (s. 105)	

Appeal to Court

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 13.4)	
BC	Workers Compensation Act (s. 255)	Policy item C13-102.00, Reviews and Appeals – Workers' Compensation Appeal Tribunal, of the RS&CM, Volume II
MB	Workers Compensation Act (s. 60(1), 60(2))	
NB	Workplace Health, Safety and Compensation Commission Act (s.23)	
NL	Workplace Health, Safety and Compensation Act (s. 35)	N/A
NT/NU	Workers' Compensation Act (s. 133)	Policy 08.01, Reviewing and Appealing a Decision
NS	Workers' Compensation Act (s. 256, 206)	
ON	No reference	
PE	Workers Compensation Act (s. 56.2)	POL-88 Workers Compensation Appeal Tribunal Decision Implementation
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 429.59)	
SK	No reference	
YT	Workers' Compensation Act (s. 59)	

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POWERS, DUTIES and JURISDICTION

Board of Directors

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (ss.6, 8(1) and (2), and 7.1)	
BC	Workers Compensation Act (s. 82, 69, 111)	Policy item #96.10, Policy of the Board of Directors, of the RS&CM, Vol. II
MB	Workers Compensation Act (s. 50.1, 50.2, 51, 51.1, 56, 57, 58, 59(1) & (2))	
NB	Workplace Health, Safety and Compensation Commission Act (s. 8)	Policy No. 41-002 Governance Statement – WorkSafeNB Board of Directors
NL	Workplace Health, Safety and Compensation Act (s. 5, 6, 9, 20.1-20.6)	WHSCC - Policies and procedures: All Policies
NS	Workers' Compensation Act (s. 158, 183, 157)	
NT/NU	Workers' Compensation Act (s. 83)	B-000, Governance Roles and Responsibilities
ON	Workplace Safety and Insurance Act (s. 159, 161, 162, 163, 164, 165, 171, 180, 181)	
PE	Workers Compensation Act (s. 30, 31)	POL-101 Executive Limitations, Financial Planning and Budgeting
QC	Section 2 of the Règlement de régie interne de la Commission de la santé et de la sécurité du travail, c. S-2.1, r. 16	N/A
SK	Workers' Compensation Act, 1979 (s. 21, 21.1, 176)	Policy & Legislation POL 16/2007, POL 11/96, 16/96, 04/2007 02/97, 09/2010
YT		

Superannuation Fund

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	No reference	
BC	Workers Compensation Act (s. 86).	N/A
MB	Workers Compensation Act (s 59(3), 59(4))	
NB	No reference	
NL	No reference	N/A
NT/NU	Workers' Compensation Act (s. 101(7))	None
NS	Workers' Compensation Act (s. 173)	
ON	Workplace Safety and Insurance Act (s. 171) O. Reg. 455/97 as amended – Pension Plan for Board Employees	
PE	Workers Compensation Act (s.36)	
QC		
SK	No reference	
YT	Workers' Compensation Act (s. 116(4))	

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POWERS, DUTIES and JURISDICTION

Decisions / Findings

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 35, 42, 44)	
BC	Workers Compensation Act (s. 96, 113)	Chapter 14 of the RS&CM, Vol. II
MB	Workers Compensation Act (s. 60.1(4), 60.8(5))	Policy 21.00, Review Office Policy 21.05.10, Reconsideration Assessment Related Decisions
NB	Workers Compensation Act (s. 33, 34, 35)	
NL	Workplace Health, Safety and Compensation Act (s. 64)	N/A
NT/NU	Workers' Compensation Act (s. 92(2))	Policy 00.08, Decision Making
NS	Workers' Compensation Act (s. 185, 186 and 187)	
ON	Workplace Safety and Insurance Act (s. 131(4))	Policy 11-01-02, Decision-Making
PE	Workers Compensation Act (s.56(1))	POL-83 New Evidence POL-68 Weighing of Evidence POL-48 Internal Reconsideration
QC	Act respecting Industrial Accidents and Occupational Diseases (s. 351, 365 and 366)	
SK	Workers' Compensation Act (s. 25(1))	Policy & Legislation POL 04/1999, 13/91, 03/94
YT	Workers' Compensation Act (s. 15, 16)	

Reasons for Decisions

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 35, 44)	
BC	Workers Compensation Act (s. 40, 169, 253)	
MB	Workers Compensation Act (s. 60.1(4), 60.8(5))	
NB	Workers' Compensation Act (s. 35)	
NL	No reference	N/A
NT/NU	Workers' Compensation Act (s. 31(3),(4))	Policy 00.08, Decision Making
NS	Workers' Compensation Act (s. 198(2))	
ON	Workplace Safety and Insurance Act (s. 131(4))	Policy 11-01-02, Decision Making
PE	Workers Compensation Act (s.56(5))	
QC	Act respecting Industrial Accidents and Occupational Diseases (s. 354)	
SK	Workers' Compensation Act (s. 49)	Policy & Legislation POL 04/1999
YT	Workers' Compensation Act (s. 58)	

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POWERS, DUTIES and JURISDICTION

Confidentiality of Information / Access to Information – Divulging Information

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 147(1) and (2))	Policy 01-02, Access and Privacy
BC	Workers Compensation Act (s. 95(1))	N/A
MB	Workers Compensation Act (s. 101(1))	
NB	Workplace Health, Safety and Compensation Commission Act (s. 12(1), 12(2)) Occupational Health and Safety Act (s. 40) Protection of Personal Information Act	Policy No. 41-007 Privacy and Information Security
NL	Workplace Health, Safety and Compensation Act (s. 18, 89.3)	WHSCC - Policies and procedures: GP-01 Information Protection, Access and Disclosure ; RE-03 Functional Abilities Information for Return to Work
NT/NU	Workers' Compensation Act (s. 161)	Policy 07.01, Access to Information in Claim Files; Policy 07.02, Access to Information in Employer Files; Policy 07.03, Access to Information in Inspection Reports
NS	Workers' Compensation Act (s. 192) Personal Information International Disclosure Protection Act	
ON	Workplace Safety and Insurance Act (s. 181)	Policies in section 21-02, Confidentiality
PE	Workers Compensation Act (s.83)	POL-134 Data Distribution Methods POL-04 File Release
QC	Act Respecting Occupational Health and Safety (s. 160, 174 to 175)	
SK	Workers' Compensation Act (s. 171(1))	Policy & Legislation POL 06/2008
YT	Workers' Compensation Act (s. 117)	

Confidentiality of Information / Access to Information – Offence to Divulge Information

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 152(1))	Policy 01-09, Administrative Penalties
BC	Workers Compensation Act (s. 95(2))	N/A
MB	Workers Compensation Act (s. 101(7), 109.6)	
NB	Workplace Health, Safety and Compensation Commission Act (s 12(1)(a), 12(1)(b), 12(2)) Protection of Personal Information Act (s.6(1))	
NL	Workplace Health, Safety and Compensation Act (s. 125)	N/A
NT/NU	Workers' Compensation Act (s. 156)	N/A
NS	Workers' Compensation Act (s. 209)	
ON	Workplace Safety and Insurance Act (s. 158)	
PE	N/A	
QC	Act Respecting Occupational Health and Safety (s. 234)	
SK	Workers' Compensation Act, 1979 (s. 171(2))	Policy & Legislation POL 06/2008
YT	Workers' Compensation Act (s. 117(4))	

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POWERS, DUTIES and JURISDICTION

Access to Information

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 147(2), 147(3))	Policy 01-02, Access and Privacy
BC	Workers Compensation Act (s. 156)	See policy item #99.00, Disclosure of Information, of the RS&CM, Vol. II and related sub policies
MB	Workers Compensation Act (s. 101(1.6), 101(1.7), 108(4))	Policy 21.50.10 Disclosure of File Information Policy 21.50.40 Disclosure of File Information - Employer Access Policy 21.50.50, Release of Statistical Data
NB	Workers' Compensation Act (s. 83.1(2) and 83.2(2)) Workplace Health, Safety and Compensation Commission Act (s. 12(1))	Policy No. 41-007 Privacy and Information Security
NL	Workplace Health, Safety and Compensation Act (s. 58)	WHSCC - Policies and procedures : GP-01 Information Protection, Access and Disclosure; ES-16 Certificates of Clearance
NT/NU	Workers' Compensation Act (s. 161, 163, 164)	Policy 07.01, Access to Information in Claim Files ; Policy 07.02, Access to Information in Employer Files ; Policy 07.03, Access to Information in Inspection Reports
NS	Workers' Compensation Act (s. 192, 193(1))	
ON	Workplace Safety and Insurance Act (s. 57, 58, 59)	Policies in section 21-02, Confidentiality
PE	Workers Compensation Act (s. 83)	POL-04 File Release
QC	Act respecting Industrial Accidents and Occupational Diseases (LATMP) (s. 36, 37, 38, 38.1, 39, 40, 41, 42, 42.1, 42.2 and 43)	
SK	Workers' Compensation Act (s. 171.1, 171.2)	Policy & Legislation POL 06/2008
YT	Workers' Compensation Act (s. 56)	

Confidentiality of Information / Access to Information – Privileged Communications

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 148(1))	
BC	Workers Compensation Act (s. 246.1)	N/A
MB	Workers Compensation Act (s. 20.1)	
NB	No reference	
NL	N/A	N/A
NT/NU	No reference	N/A
NS	Workers' Compensation Act (s. 195)	
ON	Workplace Safety and Insurance Act (s ss. 37, 47, 180(4))	
PE	No reference	
QC	No reference	
SK	No reference	
YT	No reference	

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POWERS, DUTIES and JURISDICTION

Conflict of Interest

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	No reference	Corporate Governance Policy Manual
BC	Workers Compensation Act (s. 234)	Board of Directors' Manual
MB	Workers Compensation Act (s. 56, 60.4)	
NB	Workplace Health, Safety and Compensation Commission Act (s. 11)	
NL	Workplace Health, Safety & Compensation Act (s. 29)	N/A
NT/NU	No reference	GNWT Code of Conduct ; B-006, Corporate Governance Guidelines
NS	No reference	
ON	No reference	
PE	Workers Compensation Act (s. 56(16))	POL-38 Conflict of Interest - Workers Compensation Board Employees POL-37 Governance Process, Board Members' Code of Conduct
QC	Act Respecting Occupational Health and Safety (s. 152,153)	
SK	No reference	
YT	Workers' Compensation Act (s. 63, 100)	

FINANCIAL / ANNUAL REPORTS

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 7.1, 91, 92, 93, 156)	
BC	Workers Compensation Act (s. 67, 68, 69)	N/A
MB	Workers Compensation Act (s. 60.11(1), 60.11(2), 69, 70, 71, 94, 96, 97)	
NB	Workplace Health, Safety and Compensation Commission Act (s. 19)	
NL	Workplace Health, Safety and Compensation Act (s. 9, 10, 11, 12)	N/A
NT/NU	Workers' Compensation Act (s. 68, 69, 97, 98, 99, 106)	B-006, Corporate Governance Guidelines ; Policy 10.01, Doubtful Accounts and Write Offs ; Policy 10.02, Investment Policy
NS	Workers' Compensation Act (s. 160, 160A, 171, 172, 175)	
ON	Workplace Safety and Insurance Act (s. 166(2), 168, 169, 170)	
PE	Workers Compensation Act (s. 30, 33, 34)	POL-36 Investment of Board Funds POL-100 Executive Limitations, Financial Conditions and Activities
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 281-286, 381, 429.9-429.12) Act respecting occupational health and safety (art. 136.5 to 136.13, 162, 163 and 165)	
SK	Workers' Compensation Act, 1979 (s. 116, 117, 118, 120, 151, 174, 175, 176)	Policy & Legislation POL 16/2007, 21/2010
YT	Workers' Compensation Act (s. 91-97, 100, 103, 104, 109))	

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FINANCIAL / ANNUAL REPORTS

Real Property

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 3, 83(1)(b) and (c))	
BC	Workers Compensation Act (s. 82)	N/A
MB	Workers Compensation Act (s. 50(5))	
NB	Workplace Health, Safety and Compensation Commission Act (s. 6)	
NL	Workplace Health, Safety and Compensation Act (s. 9)	N/A
NT/N U	Workers' Compensation Act (s. 99)	N/A
NS	Workers' Compensation Act (s. 171)	
ON	Workplace Safety and Insurance Act (s. 159 (2) & (6))	
PE	Workers Compensation Act (s. 30)	POL-100 Executive Limitations, Financial Conditions and Activities
QC	N/A	
SK	Workers' Compensation Act, 1979 (s. 176)	
YT	No reference	

Taxes

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	<i>Municipal Taxation Act</i>	
BC		N/A
MB		
NB	Workplace Health, Safety and Compensation Commission Act (s.24(2))	
NL	Workplace Health, Safety and Compensation Act (s. 10)	N/A
NT/NU	No reference	N/A
NS	Workers' Compensation Act (s. 171(3) and 171(4))	
ON		
PE	Workers Compensation Act (s. 30)	
QC	N/A	
SK		
YT		

Source: Association of Workers' Compensation Boards of Canada (AWCBC)

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FINANCIAL / ANNUAL REPORTS

Investments and Borrowing

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 92)	Policy 01-04, Investment Policy
BC	Workers Compensation Act (s. 67)	
MB	Workers Compensation Act (s. 51.1(8), 97)	Policy 32.00, Statement of Investment Policies and Objectives
NB	Workplace Health, Safety and Compensation Commission Act (s. 24(1))	Policy No. 34-200 Investment Goals and Objectives Policy No. 34-205 Statement of Investment Philosophy Policy No. 37-100 Long-term Fiscal Strategy
NL	Workplace Health, Safety and Compensation Act (s. 10)	WHSCC - Policies and procedures: CHAPTER: Injury fund and reserves
NT/NU	Workers' Compensation Act (s. 97)	Policy 10.02, Investment Policy
NS	Workers' Compensation Act (s. 172)	
ON	Workplace Safety and Insurance Act (s. 96 & 97)	
PE	Workers Compensation Act (s. 30)	POL-36 Investment of Board Funds
QC	Act respecting occupational health and safety (s. 136.7)	
SK	Workers' Compensation Act, 1979 (s. 120)	
YT	Workers' Compensation Act (s. 95)	

Annual Report

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 7.1)	
BC	Workers Compensation Act (s. 69)	N/A
MB	Workers Compensation Act (s. 70, 71, 71.1 – 71.3, 60.11(1), 60.11(2))	
NB	Workplace Health, Safety and Compensation Commission Act (s. 19(4))	
NL	Workplace Health, Safety and Compensation Act (s.12)	N/A
NT/NU	Workers' Compensation Act (s. 106)	N/A
NS	Workers' Compensation Act (s. 160 and 160A)	
ON	Workplace Safety and Insurance Act (s. 168 and 170)	
PE	Workers Compensation Act (s. 34)	
QC	Act respecting occupational health and safety (s. 161.1, 161.3, 161.5, 163, 163.1)	
SK	Workers' Compensation Act (s. 175)	
YT	Workers' Compensation Act (s. 100)	

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FINANCIAL / ANNUAL REPORTS

Auditor

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 93(1))	
BC	Workers Compensation Act (s. 68)	N/A
MB	Workers Compensation Act (s. 69)	
NB	Workplace Health, Safety and Compensation Commission Act (s. 19(3))	
NL	Workplace Health, Safety and Compensation Act (s. 5(2)(a), 11)	N/A
NT/NU	Workers' Compensation Act (s. 68)	N/A
NS	Workers' Compensation Act (s. 175)	
ON	Workplace Safety and Insurance Act (s. 169)	
PE	Workers Compensation Act (s. 33)	
QC	Act respecting occupational health and safety (s. 136.13, 165)	
SK	Workers' Compensation Act, 1979 (s. 174)	
YT	Workers' Compensation Act (s. 97)	

Actuary

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 93(6))	
BC	No reference	N/A
MB		
NB		
NL	No reference	N/A
NT/NU	Workers' Compensation Act (s. 69)	N/A
NS		
ON	No reference	
PE	No reference	
QC	Act respecting Industrial Accidents and Occupational Diseases (s. 285, 286, 304, 314, 454)	N/A
SK	No reference	
YT	Workers' Compensation Act (s. 96)	

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FUNDS / RESERVES / ASSETS

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 91, 95, 100)	Policy 01-01, Funding Policy
BC	Workers Compensation Act (s. 5, 36, 39)	N/D
MB	Workers Compensation Act (s. 4, 73, 81, 87)	Policy 31.05 Funding Policy Policy 31.05.10, Cost Relief/Cost Transfers
NB	Workers' Compensation Act (s. 49, 50, 51, 56)	Policy No. 37-100 Long-term Fiscal Strategy
NL	Workplace Health, Safety and Compensation Act (s. 10, 93, 116)	WHSCC - Policies and procedures: CHAPTER: Injury fund and reserves
NT/NU	Workers' Compensation Act (s. 67)	B-000, Governance Council Roles and Responsibilities; B-006, Corporate Governance Guidelines
NS	Workers' Compensation Act (s. 10, 114, 115, 116, 177)	
ON	Workplace Safety and Insurance Act (s. 96, 97, 98, 99)	
PE	Workers Compensation Act (s. 30, 60, 61, 63)	POL-136 Funding Policy
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 282, 283, 285, 312, 429.12)	
SK	Workers' Compensation Act, 1979 (s. 28, 116-119, 121-123, 144, 150)	Policy & Legislation POL 16/2007, 21/2010, 10/1999
YT	Workers' Compensation Act (s. 32, 91, 92)	

Funds

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (ss. 91(1), (2), and (3))	Policy 01-01, Funding Policy
BC	Workers Compensation Act (s. 36, 39, 78)	N/A
MB	Workers Compensation Act (s. 1(1), 4, 73(1), 81, 87)	
NB	Workers' Compensation Act (s. 49, 50, 51, 56)	Policy No. 37-100 Long-term Fiscal Strategy
NL	Workplace Health, Safety and Compensation Act (s. 93)	WHSCC - Policies and procedures: CHAPTER: Injury fund and reserves
NS	Workers' Compensation Act (s. 114, 115, 116, 118, 119, 218 & 177)	
NT/NU	Workers' Compensation Act (s. 67)	B-000, Governance Council Roles and Responsibilities; B-006, Corporate Governance Guidelines Policy 02.01, Employer Assessments
ON	Workplace Safety and Insurance Act (s. 45, 96, 97, 98, 99)	Policy 18-03-07, Loss of Retirement Income Benefits (Accidents on or after January 1, 1998)
PE	Workers Compensation Act (s. 6, 35, 60, 61, 63, 82)	POL-136 Funding Policy
QC	Act respecting Occupational health and safety (s. 136.2) Act respecting industrial accidents and occupational diseases (s. 281, 282, 283)	N/A
SK	Workers' Compensation Act, 1979 (s. 116, 135)	Policy & Legislation POL 16/2007, 20/2010, 21/2010, 10/1999
YT	Workers' Compensation Act (s. 91)	FA-01; FA-02; FA-03; FA-04; FA-05; FA-06; FA-07

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FUNDS / RESERVES / ASSETS

Reserves

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	<u>Workers' Compensation Act</u> (s. 91(4))	<u>Policy 01-01, Part II, Application 2, Occupational Disease Reserve</u>
BC	<u>Workers Compensation Act</u> (s. 39)	<ul style="list-style-type: none"> • <u>114.20 Depletion or Extinction of Industries or Classes</u> • <u>114.30 Disasters or Other Circumstances which Unfairly Burden a Rate Group</u> • <u>114.40 Enhancement of Disability by Reason of Pre-Existing Disease, Condition or Disability</u> • <u>C18-116.00 Establishment of Amounts Set Aside and Contributed</u> • <u>C18-116.20 Management of Funds Set Aside and Contributed</u>
MB	<u>Workers Compensation Act</u> (s. 1(1), 4, 73(1), 81, 87)	<u>Policy 31.05, Funding Policy</u> <u>Policy 31.05.10 Cost Relief/Cost Transfers</u>
NB	<u>Workers' Compensation Act</u> (s. 49, 50, 51, 56)	<u>Policy No. 37-100 Long-term Fiscal Strategy</u>
NL	<u>Workplace Health, Safety and Compensation Act</u> (s. 116)	<u>WHSCC - Policies and procedures: CHAPTER: Injury fund and reserves</u>
NS	<u>Workers' Compensation Act</u> (s. 115)	
NT/NU	N/A	N/A
ON	<u>Workplace Safety and Insurance Act</u> (s. 97 and 98)	
PE	<u>Workers Compensation Act</u> (s. 30, 67)	
QC	<u>Act respecting industrial accidents and occupational diseases</u> (s. 284, 285, 286)	N/A
SK	<u>Workers' Compensation Act, 1979</u> (s. 135, 144)	<u>Policy & Legislation</u> 21/2010, 10/1999
YT	<u>Workers' Compensation Act</u> (s. 92(5))	<u>FA-05: Funding Policy</u>

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APPEALS

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 10-13, 13.1-13.5, 21(3), 45, 46, 46.1, 46.6, 119, 120)	The Review and Appeal Process Policy 01-07, Mandate: Office of the Appeals Advisor Policy 01-08 Part II – Interaction with the Review and Appeal Processes
BC	Workers Compensation Act (s. 94, 94.1, 96.2, 96.3, 96.4, 96.5, 99, 221, 231–260)	Review Division – Practices and Procedures Rehabilitation Services and Claims Manual - Chapter 13 – Reviews and Appeals
MB	Workers Compensation Act (s. 60, 60.1, 60.2, 60.3, 60.7, 60.8, 60.91, 67, 101, 108, 109.5)	Policy 21.00, Review Office Policy 21.05.10, Reconsideration of Assessment-Related Decisions
NB	Workers' Compensation Act (s. 34, 83.1, 83.2, 88) Workplace Health, Safety and Compensation Commission Act (s. 20, 21, 22, 23)	Policy No. 41-010 Governance – Board of Directors' Principles for Governing the Appeals Tribunal Fee Schedule No. 49-200 Release of Transcripts and Recordings of Appeals Tribunal Hearings Fee Schedule No. 49-310 Release of Appeals Tribunal Decisions
NL	Workplace Health, Safety and Compensation Act (s. 20.7 - 37)	Policy AP-01 Internal Review
NT/NU	Workers' Compensation Act (s. 112 - 132)	08.01 Reviewing and Appealing Decisions
NS	Workers' Compensation Act (s. 197-206, 238-240, 243-252, 255-256, 259-262, 267, 271)	Policies: 8.1.3R2: Appeals and Referral to a Hearing Officer; 8.1.4R: Participants in an Appeal 8.1.6: Referrals to Medical Review Commission 8.1.7R1: Reconsiderations Pursuant to s. 185(2) Where a Final Decision of the Board Addressing an Issue Has Been Rendered; 8.1.8: Requests for reconsideration pursuant to former s.196 of Chapter 10 of the Acts of 1994-1995 8.2.1: Adjournment and Referral of Appeal by Hearing Officer to Chair of Board of Directors; and 8.2.2: Interim Awards During Adjournment
ON	Workplace Safety and Insurance Act (s. 120-134, 173-175, 176)	Policy 11-01-14, Reconsiderations of Decisions
PE	Workers Compensation Act (s. 56, 56.1, 56.2, 85)	POL-48, "Internal Reconsideration" POL-88, "Workers Compensation Appeal Tribunal Decision Implementation"
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 349-351, 358-358.5, 359, 359.1, 361-362, 367, 369-374, 377, 378, 429.49 to 429.59, 579)	
SK	Workers' Compensation Act, 1979 (s. 21, 60-65, 104, 161, 166, 168)	POL 31/2010, Appeals POL 13/91 – Reversing Decisions POL 05/2005 – Appeals – Charter & Constitutional Issues POL 18/2010 – Medical Review Panels POL 32/2010, Appeals – Employer Accounts
YT	Workers' Compensation Act (Part 9, Appeals and Part 10, Appeal Tribunal)	AP-01, AP-02, and AP-03

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APPEALS

Advisors – Workers' Advisors

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	No reference	Policy 01-07, Mandate: Office of the Appeals Advisor
BC	Workers Compensation Act (s. 94)	N/A
MB	Workers Compensation Act (s. 108, 108.1)	Policy 21.90, Fair Practices Advocate
NB	Workers' Compensation Act (s. 83.1)	
NL	No reference (by agreement)	N/A
NT/NU	Workers' Compensation Act (s. 107 - 111)	N/A
NS	Workers' Compensation Act (s. 262 and 269)	
ON	Workplace Safety and Insurance Act (s. 176)	
PE	Workers Compensation Act (s. 85)	POL-88 Workers Compensation Appeal Tribunal Decision Implementation
QC		
SK	Workers' Compensation Act (s. 161)	Policy & Legislation POL 15/2010
YT	Workers' Compensation Act (s. 109)	

Advisors – Employers' Advisors (Advocates)

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	No reference	
BC	Workers Compensation Act (s. 94)	N/A
MB	No reference	
NB	Workers' Compensation Act (s. 83.2)	
NL	No reference (by agreement)	N/A
NT/NU	No reference	N/A
NS	Workers' Compensation Act (s. 162)	
ON	Workplace Safety and Insurance Act (s. 176)	
PE	Workers Compensation Act (s. 85)	POL-88 Workers Compensation Appeal Tribunal Decision Implementation
QC		
SK		
YT		

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APPEALS

Advisors – Legal Advice or Assistance

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	N/A	
BC	Workers Compensation Act (s. 94.1, 100)	N/A
MB		Policy 22.80, Legal Expenses of Judicial Review
NB	No reference	
NL	No reference	N/A
NT/NU	No reference	N/A
NS	No reference	
ON		
PE	No reference	POL-88 Workers Compensation Appeal Tribunal Decision Implementation
QC		
SK		
YT	Workers' Compensation Act (s. 92(3))	

Mediation

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	N/A	
BC	Workers Compensation Act (s. 96(9), 246(2)(g))	N/A
MB	Workers Compensation Act (s. 49.3(12))	
NB	No reference	Policy No. 21-414 Return to Work – Third Party Mediation
NL	Workplace Health, Safety and Compensation Act (s. 89)	WHSCC - Policies and procedures: The Goal of Early & Safe and the Roles of the Parties RE-02
NT/NU	No reference	N/A
NS	Workers' Compensation Act (s. 240, 255A)	
ON	Workplace Safety and Insurance Act (s. 40(7), 122)	
PE		
QC	Act respecting industrial accidents and occupational diseases (chapter XII, division XVI)	
SK		
YT	N/A	

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RIGHT OF ACTION (& SUBROGATION)

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 21, 22.1, 22, 23)	Policy G-3 – Third Party Actions
BC	Workers Compensation Act (s. 10)	Policy: Item #111.10 Injury Caused by Worker or Employer Item #111.20 Injury Not Caused by Worker or Employer Item #111.22 Form of Election Item #111.23 Election Not to Claim Compensation Item #111.25 Pursuing of Subrogated Actions by the Board
MB	Workers Compensation Act (s. 9, 9.1, 10, 12, 13, 60.8(1)(b), 68(4), 112)	Policy 22.10, Elective Rights
NB	Workers' Compensation Act (s. 10, 11, 12)	Policy No. 46-220 Third Party Actions
NL	Workplace Health, Safety and Compensation Act (s. 44, 44.1, 45, 46)	WHSCC - Policies and procedures: EN-08
NT/NU	Workers' Compensation Act (s. 62, 63, 64, 65, 66)	Policy 00.06, Third Party Actions
NS	Workers' Compensation Act (s. 28, 29, 30, 31, 32, 33)	
ON	Workplace Safety and Insurance Act (s. 26-31)	Policy 15-01-05, Third Party Rights of Action Policy 15-01-06, Third Party Motor Vehicle Accident Claim Costs
PE	Workers Compensation Act (s. 11, 12, 13, 88)	POL-87 Third Party Actions
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 438 - 453)	
SK	Workers' Compensation Act, 1979 (s. 39-44, 166-168)	POL 26/95, Determination of a Worker's Right to Bring Action
YT	Workers' Compensation Act (s. 50, 51)	

Right of Action

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (ss. 21 and 23)	Policy G-3 – Third Party Actions
BC	Workers Compensation Act (s. 10, 96, 113)	Policy Item #111.10 Injury Caused by Worker or Employer
MB	Workers Compensation Act (s. 9, 9.1, 10, 12, 13, 60.8(1)(b), 68(4), 112)	Policy 22.10, Elective Rights
NB	Workers' Compensation Act (s. 10, 11, 12)	Policy No. 46-220 Third Party Actions
NL	Workplace Health, Safety and Compensation Act (s. 44, 44.1, 45, 46)	WHSCC - Policies and procedures: EN-08
NS	Workers' Compensation Act (s. 28 & 29)	
NT/NU	Workers' Compensation Act (s. 62)	N/A
ON	Workplace Safety and Insurance Act (s. 26-31)	Policy 15-01-05, Third Party Rights of Action Policy 15-01-06, Third Party Motor Vehicle Accident Claim Costs Policy 14-05-01, Transfer of Costs Policy 14-05-02, Removal of Costs
PE	Workers Compensation Act (s. 11 – 13)	POL-87 Third Party Actions
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 438-445)	
SK	Workers' Compensation Act (s. 39-44, 166-168)	Policy & Legislation POL 26/95, 04/2007
YT	Workers' Compensation Act (s. 50, 51)	

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RIGHT OF ACTION (& SUBROGATION)

Action against 3rd party

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 22)	Policy G-3 – Third Party Actions
BC	Workers Compensation Act (s. 10)	Policy Item #111.20 Injury Not Caused by Worker or Employer
MB	Workers Compensation Act (s. 9, 9.1, 10, 12, 13, 60.8(1)(b), 68(4), 112)	
NB	Workers' Compensation Act (s. 10, 11, 12)	Policy No. 46-220 Third Party Actions
NL	Workplace Health, Safety and Compensation Act (s. 44, 44.1, 45, 46)	WHSCC - Policies and procedures: EN-08
NS	Workers' Compensation Act (s. 30)	
NT/NU	Workers' Compensation Act (s. 64)	Policy 00.06, Third Party Actions
ON	Workplace Safety and Insurance Act (s. 26-31)	Policy 15-01-05, Third Party Rights of Action
PE	Workers Compensation Act (s. 11)	POL-87 Third Party Actions
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 442)	
SK	Workers' Compensation Act (s. 39)	Policy & Legislation POL 26/95, 04/2007
YT	Workers' Compensation Act (s. 51(2))	

Subrogation

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 22)	Policy G-3 – Third Party Actions
BC	Workers Compensation Act (s. 10)	Policy: Item #111.22 Form of Election Item #111.23 Election Not to Claim Compensation Item #111.25 Pursuing of Subrogated Actions by the Board
MB	The Manitoba Public Insurance Corporation Act (s. 195)	
NB	Workers' Compensation Act (s. 10, 11, 12)	Policy No. 46-220 Third Party Actions
NL	Workplace Health, Safety and Compensation Act (s. 44, 44.1, 45, 46)	WHSCC - Policies and procedures: EN-08
NS	Workers' Compensation Act (s. 30, 31 & 105(2))	
NT/NU	Workers' Compensation Act (s. 64)	N/A
ON	Workplace Safety and Insurance Act (s. 30)	Policy 15-01-05, Third Party Rights of Action
PE	Workers Compensation Act (s. 11)	POL-87 Third Party Actions
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 446)	
SK	Workers' Compensation Act (s. 40)	Policy & Legislation POL 26/95, 04/2007
YT	Workers' Compensation Act (s. 51)	GN-06, Subrogated Claims

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RIGHT OF ACTION (& SUBROGATION)		
Motor vehicle		
<i>Updated Fall 2011</i>		
	<u>Legislation</u>	<u>Policy</u>
AB		
BC	Workers Compensation Act (s. 10)	Policy Item #111.20 Injury Not Caused by Worker or Employer
MB	Workers Compensation Act (s. 111, 112, 113)	
NB	Workers' Compensation Act (s. 10, 11, 12)	Policy No. 46-220 Third Party Actions
NL	Workplace Health, Safety and Compensation Act (s. 44, 44.1, 45, 46)	WHSCC - Policies and procedures: EN-08
NS	Workers' Compensation Act (s. 28)	
NT/NU	Workers' Compensation Act	Policy 00.06, Third Party Actions
ON	Workplace Safety and Insurance Act (s. 28(4))	Policy 15-01-05, Third Party Rights of Action; Policy 15-01-06, Third Party Motor Vehicle Accident Claim Costs Policy 18-01-06, Redirected Benefit Payments
PE	Workers Compensation Act (s. 12)	POL-87 Third Party Actions
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 448, 449, 450)	
SK	Automobile Accident Insurance Act (s. 204)	
YT	Workers' Compensation Act (s. 50(4))	
Action against contractor/subcontractor		
<i>Updated Fall 2011</i>		
	<u>Legislation</u>	<u>Policy</u>
AB		
BC	Workers Compensation Act (s. 102-105)	N/A
MB		
NB	N/A	N/A
NL	N/A	N/A
NS	Workers' Compensation Act (s. 3)	
NT/NU	N/A	N/A
ON	Workplace Safety and Insurance Act (s. 115)	
PE	Workers Compensation Act (s. 88)	
QC		
SK		
YT	Workers' Compensation Act (s. 50, 51)	

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INTERJURISDICTIONAL IMPLICATIONS

Updated Fall 2011

	Legislation	Policy
AB	<u>Workers' Compensation Act</u> (s. 28, 29, 30)	<u>Policy 06-01/II/5</u> <u>Policy 07-01/II/1(7)</u>
BC	<u>Workers Compensation Act</u> (s. 8, 8.1, 9)	<u>Rehabilitation Services & Claims Manual, Vol. II, Chapter 16: Third Party/Out of Province Claims</u>
MB	<u>Workers Compensation Act</u> (s. 4(7), 4(8), 5, 6)	<u>Policy 22.10 Elective Rights</u>
NB	<u>Workers' Compensation Act</u> (s. 8(3), 8.1)	<u>Policy No 21-010 - Definition of Worker</u> <u>Policy No. 23-305 Administration of Out of Province Operations</u>
NL	<u>Workplace Health, Safety and Compensation Act</u> (s. 51, 109)	<u>GP-01 - Information Protection, Access and Disclosure</u>
NT/NU	<u>Workers' Compensation Act</u> (s. 22, 23, 168)	<u>Policy 00.03, Interjurisdictional Agreements;</u> <u>Policy 02.04, Coverage Outside the Northwest Territories and Nunavut</u>
NS	<u>Workers' Compensation Act</u> (s. 19, 20, 21, 22, 23, 24, 25, 26, 27, 166, 194)	
ON	<u>Workplace Safety and Insurance Act</u> (s. 18, 19, 20, 159, 160)	<u>15-01-08 Out of Province</u> <u>15-01-09 Entitlement in Ontario and Other Jurisdictions</u> <u>15-01-11 Interjurisdictional Agreement</u> <u>14-02-13 Alternative Assessment Procedure for Interjurisdictional Trucking</u>
PE	<u>Workers Compensation Act</u> (s. 7, 8, 10)	<u>POL-143 Interjurisdictional Claims</u> <u>POL-65 Occupational Disease</u> <u>POL-14 Assessable Payroll</u> <u>POL-142 Interjurisdictional Trucking–Alternative Assessment</u>
QC	<u>Act Respecting Industrial Accidents and Occupational Diseases</u> (s. 7, 8, 8.1, 332, 452) <u>Act Respecting Occupational Health and Safety</u> (s. 170)	
SK	<u>Workers' Compensation Act, 1979</u> (s. 34, 35, 36)	<u>POL 10/2010</u> <u>POL & PRO 13/2008</u> <u>POL & PRO 08/1999</u>
YT	<u>Workers' Compensation Act</u> (s.7, 124)	

Source: Association of Workers' Compensation Boards of Canada (AWCBC)

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COMPENSATION PRINCIPLES AND PRESUMPTIONS

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 24, 24.1) Firefighters' Primary Site Cancer Regulation (102/2003)	02-01/I ; 02-01/II/5 ; 03-01/I ; 03-01/II/3 ; 03-01/II/4(2) ; 03-01/II/8
BC	Workers Compensation Act (s. 5, 6, 7, 6.1, 13, 15, 22, 99) Firefighters Occupational Disease Regulation (BC Reg 125/2009)	Rehabilitation Services & Claims Manual, Vol. II.
MB	Workers Compensation Act (s. 1(1), 1(1.1), 4) Manitoba Regulation 160/2005R,, Firefighters' Minimum Periods of Employment and Non-Smoking Regulation Manitoba Regulation 108/2011, Firefighters' Minimum Periods of Employment and Non-Smoking Regulation, Amendment	Policy 44.05, Arising Out of and in the Course of Employment
NB	Workers' Compensation Act (s. 7(1), 7(2), 7(3))	Policy No. 21-100 Conditions for Entitlement – General Principles
NL	Workplace Health, Safety and Compensation Act (s. 19, 43, 60, 61)	WHSCC - Policies and procedures CHAPTER: Entitlement; <ul style="list-style-type: none"> • EN-19 - Arising Out of and in the Course of Employment; • EN-20 - Weighing Evidence
NT/NU	Workers' Compensation Act (s. 1.1, 10, 12, 14, 14.1, 91)	Policy 00.08, Decision Making
NS	Workers' Compensation Act (s. 10(4), 11, 12(3), 35, 35A, 36, 94, 187)	Policy 1.2.1A - Guidelines for Automatic Assumption - Injuries on or after January 1, 2000
ON	Workplace Safety and Insurance Act (s. 13, 14, 15, 17, 19, 119) Ontario Regulation 253/07, Firefighters	All of the policies in the following sections of the Operational Policy Manual (OPM) : 15-02 , 15-03 , 15-04 , 15-05 , 15-06 , 16-01 , 16-02 , 23-01 , 23-02 15-03-12, Heart Injuries in Firefighters and Fire Investigators 23-02-01, Cancers in Firefighters and Fire Investigators
PE	Workers Compensation Act (s. 6, 17)	POL-71 Arising out of and in the Course of Employment POL-62 Benefit of Doubt POL-80 Deliberate Misrepresentation POL-68 Weighing of Evidence POL-65 Occupational Disease
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 27, 28, 29, 95, 96)	
SK	Workers' Compensation Act, 1979 (s. 29, 29.1, 30, 31)	POL 11/2007, Injuries – Fire Fighters POL 04/2006, Coverage – Volunteer Fire Fighters PRO 21/2010, Second Injury and Re-Employment Reserve POL 13/2001, Arising Out Of and In the Course Of Employment POL 11/2003, Injuries – Occupational Disease PRO 13/2007, Injuries – Occupational Disease POL & PRO 12/2007, Injuries – Cardiac POL 16/2010, Fatalities - Presumption POL 04/1999 Benefit of Doubt
YT	Workers' Compensation Act (s. 4, 17, 19) Firefighters Presumption: (s. 17.1, 17.2 of the Workers' Compensation Act) can be found in the Act to Amend the Workers' Compensation Act . (assented to March 28, 2011, see section 2)	EN-01 Arising Out of and in the Course of Employment EN-02 Mertis and Justice of the Case EN-14 Firefighters Presumption

Source: Association of Workers' Compensation Boards of Canada (AWCBC)

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COMPENSATION PRINCIPLES AND PRESUMPTIONS

Firefighter Presumptions

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 24.1) Firefighters' Primary Site Cancer Regulation (A.R. 102/2003)	N/A
BC	Workers Compensation Act (s. 6.1) Firefighters Occupational Disease Regulation (B.C. Reg 125/2009)	Rehabilitation Services & Claims Manual, Vol. II, policy item C3-16.20 : Firefighters and Heart Injury provides for an inference of work relatedness in certain circumstances where firefighters develop certain heart injuries.
MB	Workers Compensation Act (s. 4(5.1) -4(5.7)) Manitoba Regulation 160/2005R, Firefighters' Minimum Periods of Employment and Non-Smoking Regulation Manitoba Regulation 108/2011, Firefighters' Minimum Periods of Employment and Non-Smoking Regulation, Amendment	N/A
NB	Firefighters' Compensation Act Firefighters' Compensation Act Regulation	1
NL	N/A	N/A
NT/NU	Workers' Compensation Act (s. 14.1) Firefighters' Presumption Regulations	Policy 00.08, Decision Making
NS	Workers' Compensation Act (s. 35A) Firefighters' Compensation Regulations , NS Reg 140/2003	N/A
ON	Workplace Safety and Insurance Act (s. 15.1, 15.2) Firefighters Regulation (Ontario Regulation 253/07)	Policy 23-02-01, Cancers in Full-Time Firefighters Policy 15-03-12, Heart Injuries in Full-Time Firefighters
PE	None	None
QC	N/A	N/A
SK	Workers' Compensation General Regulations, 1985 (s. 22.3 and 22.4)	The following policies/procedures apply to fire fighters: POL 04/1999 – Benefit of Doubt POL 13/2001 – Arising Out of and In the Course of Employment POL 11/2007 – Injuries – Fire Fighters POL & PRO 12/2007 – Injuries – Cardiac POL 11/2003 & PRO 13/2007 – Occupational Disease POL & PRO 04/2006 – Coverage – Volunteer Fire Fighters
YT	<i>Workers' Compensation Act</i> , s. 17.1 and 17.2 Firefighters Presumption: (s. 17.1, 17.2 of the <i>Workers' Compensation Act</i>) can be found in the Act to Amend the Workers' Compensation Act . (assented to March 28, 2011, see section 2) Occupational Health and Safety Act (s. 3 – 11) Occupational Health and Safety Regulations , Part 11 – Firefighting	EN-14 Firefighters Presumption

¹ Policy in development.

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OCCUPATIONAL DISEASE

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	<p>Workers' Compensation Act (s. 1, 24, 24.1, 89, 153)</p> <p>Workers' Compensation Regulation – Alberta Regulation 325/2002 (s. 20, Schedule B)</p> <p>Firefighters' Primary Site Cancer Regulation (A.R. 102/2003)</p>	<p>POLICY: 03-01 PART II (Occupational Disease)</p>
BC	<p>Workers Compensation Act (ss. 1, 6, 7, 6.1)</p> <p>Workers Compensation Act (Schedule B)</p> <p>Occupational Disease Recognition Regulation, B.C. Reg. 71/99</p> <p>Firefighters Occupational Disease Regulation B.C. Reg 125/2009</p>	<p>Chapter 4 of the <i>Rehabilitation Services & Claims Manual</i>: - Compensation of Occupational Disease</p>
MB	<p>Workers Compensation Act (s. 1, 4, 17, 81, 105)</p> <p>Manitoba Regulation 160/2005R, Firefighters' Minimum Periods of Employment and Non-Smoking Regulation</p> <p>Manitoba Regulation 108/2011, Firefighters' Minimum Periods of Employment and Non-Smoking Regulation, Amendment</p>	<p>Policy 44.20, Disease/General</p> <p>Policy 44.20.10.40, Spondylolysis/ Spondylolishesis</p> <p>Policy 44.20.30.60, Laryngeal Cancer</p> <p>Policy 44.20.50.20, Hearing Loss</p> <p>Policy 44.20.60, Psychological Conditions</p> <p>Policy 44.20.65, Gastro-Intestinal Cancer</p>
NB	<p>Workers' Compensation Act (s. 1, 85)</p> <p>New Brunswick Regulation 84-66 to the Workers' Compensation Act (O. C. 84-263) (s. 13)</p>	<p>Policy No. 21-100, Conditions for Entitlement – General Principles</p> <p>Policy No. 21-111 – Conditions for Entitlement – Occupational Diseases</p>
NL	<p>Workplace Health, Safety and Compensation Act (s. 2, 90, 90.1, 91)</p> <p>Workplace Health, Safety and Compensation Regulations – Regulation 1025/96 (s. 23)</p>	<p>Policy EN-12, Hearing Loss</p> <p>Policy EN-13, Occupational Chest Disease</p> <p>Policy EN-14, Asbestos Related Claims</p> <p>Policy EN-15, Peripheral Vascular Disease</p> <p>Policy EN-16, Scleroderma</p>
NT/NU	<p>Workers' Compensation Act (s. 1, 10, 12, 13, 14)</p>	<p>Policy 03.06 – Occupational Disease</p>

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OCCUPATIONAL DISEASE

Updated Fall 2011

	Legislation	Policy
NS	<p>Workers' Compensation Act (s. 2, 10, 12, 13, 14, 15, 16, 17, 18, 35, 35A, 83)</p> <p>Firefighters' Compensation Regulations - (s. 2)</p> <p>Workers' Compensation General Regulations (Appendix B)</p>	<p>Policies 1.2.1R and 1.2.1A, Automatic Assumption</p> <p>Policy 1.2.2, Fee Schedule Assessment – Automatic Assumption Claims</p> <p>Policy 1.2.3, Voluntary Autopsy Reports – Deceased Pneumoconiosis Pensioners</p> <p>Policy 1.2.4R, Carpal Tunnel Syndrome</p> <p>Policies 1.2.5R1 and 1.2.5AR, Occupational Hearing Loss</p> <p>Policy 1.2.6R, Workplace Noise Levels,</p> <p>Policy 1.2.7R, Lead Poisoning</p> <p>Policies 1.2.8 and 1.2.9, Lung Cancer</p> <p>Policy 1.2.10, Medical Conditions from Coke Oven Workers other than Lung Cancer</p> <p>Policy 1.2.11, Lung Cancer in Asbestos Workers</p> <p>Policy 1.2.12, Mesothelioma in Asbestos Workers</p> <p>Policy 1.2.13, Laryngeal Cancer – Asbestos and Nickel Workers</p>
ON	<p>Workplace Safety and Insurance Act (s. 1, 2, 15, 15.1, 15.2, 94, 183)</p> <p>General Regulation to Workplace Safety and Insurance Act – O. Reg.175/98 (Sched. 3 and 4)</p> <p>Firefighters Regulation (Ontario Regulation 253/07)</p>	<p>Policies in Section 16 of the OPM, Long Term Exposures</p> <p>Policies in Section 23 of the OPM, Occupational Diseases</p>
PE	<p>Workers Compensation Act (s. 1, 6, 84)</p> <p>Occupational Diseases are not listed in Schedules or Regulations in Prince Edward Island.</p>	<p>POL-65, Occupational Disease</p> <p>POL-66, Respiratory Diseases</p> <p>POL-09, Hearing Loss</p> <p>POL-67, Cardiac and Circulatory Diseases</p>
QC	<p>Act Respecting Industrial Accidents and Occupational Diseases (s. 7, 29, 30, 226-233)</p> <p>Act Respecting Industrial Accidents and Occupational Diseases (Schedule I)</p>	<p>Policy 1.01 The filing of a claim and its admissibility (Politique 1.01 Le dépôt d'une réclamation et sa recevabilité)</p> <p>Policy 1.02 Admissibility of an occupational injury (Politique 1.02 L'admissibilité de la lésion professionnelle)</p>
SK	<p>Workers' Compensation Act, 1979 (s. 2, 29.1)</p> <p>Occupational Diseases are listed in appendices A-H of PRO 13/2007.</p>	<p>Policy POL11/2003, Injuries – Occupational Disease</p> <p>PRO 13/2007 – Occ. Disease</p> <p>POL/PRO 12/2007 – Injuries – Cardiac</p> <p>POL 11/2007 – Injuries – Fire Fighters</p> <p>POL & PRO 01/2010 – Injuries - Hearing Loss</p> <p>POL & PRO 23/2010 – PFI - General</p>
YT	<p>Workers' Compensation Act (section 3 – definition of "Injury")</p> <p>Occupational Diseases are not listed in Schedules or Regulations in Yukon.</p>	<p>Policy EN-01 Arising Out of and In the Course of Employment;</p> <p>Policy EN-06 Hearing Loss;</p> <p>Policy EN-07 Pre-Existing Conditions;</p> <p>Policy EN-08 Gradual Onset Musculoskeletal Disorder;</p> <p>Policy EN-12 Permanent Impairment</p>

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STRESS

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 1, 24)	03-01/III/6
BC	Workers Compensation Act (s. 5, 5.1)	Rehabilitation Services & Claims Manual, Vol. II , policy items C3-13.00, Mental Stress, and C3-22.30 Compensable Consequences – Psychological Impairment
MB	Workers Compensation Act (s. 1(1), 1(1.1), 4)	Policy 44.20, Disease/General
NB	Workers' Compensation Act (s. 1)	Policy No. 21-100, Conditions for Entitlement – General Principles Policy No. 21-103 Conditions for Entitlement - Stress
NL	Workplace Health, Safety and Compensation Act (s. 2, 19, 26, 43)	WHSCC - Policies and procedures: <ul style="list-style-type: none"> • EN-06 - Mental Health Adjustment Following Physical Injury; • EN-18 - Mental Stress
NT/NU	Workers' Compensation Act (s. 1(1), 10, 12)	Policy 03.09 – Psychiatric and Psychological Disability
NS	Workers' Compensation Act (s. 2)	Policy 1.3.6 Compensability of Stress as an Injury Arising Out of and In the Course of employment – Government Employees Compensation Act (GECA) Policy 1.3.5 Criteria for Psychiatric Conditions: Occupational Stress
ON	Workplace Safety and Insurance Act (s. 13)	15-03-02 Traumatic Mental Stress 15-04-02 Psychotraumatic Disability
PE	Workers Compensation Act (s. 1, 6)	POL-71 Arising out of and in the Course of Employment POL-01 Psychological or Psychiatric Conditions
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 2)	
SK	Workers' Compensation Act, 1979 (s. 28, 29)	POL & PRO 01/2009 – Injuries – Psychological POL 11/2003 & PRO 13/2007 – Injuries - Occupational Disease POL & PRO 23/2010 – PFI - General
YT	Workers' Compensation Act (s.3, 4, 105)	EN-09, Adjudicating Psychological Disorders

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FILING, REPORTING AND NOTICE OF A CLAIM

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 26, 32, 33, 34, 35, 36, 37, 41, 44)	01-05 ; 01-05/II-chart ; 04-06/II/1, Question 3 ; 04-06/II/3, Question 1 ; 06-03/II/5, Questions 1 & 2
BC	Workers Compensation Act (s. 20, 53, 54, 55, 56, 57.1)	Rehabilitation Services & Claims Manual, Vol. II, Chapter 12: Claims Procedures.
MB	Workers Compensation Act (s. 17, 18, 19, 109, 109.7) Manitoba Regulation 65/2006R, Interest, Penalties and Financial Matters Regulation	Policy 22.70.30, Employers' Reporting Responsibilities - Claims Policy 22.70.30.10, Employer Obligation to Pay a Worker for the Day of Accident
NB	Workers' Compensation Act (s. 8, 10, 16, 44)	Policy No. 21-106 Accident Reporting and Application for Benefits
NL	Workplace Health, Safety and Compensation Act (s. 53 – 58.1, 90))	WHSCC - Policies and procedures ; CHAPTER: Entitlement Policies EN-01 through EN-21; CHAPTER: Earnings loss Policies EL-01 through EL-06
NT/NU	Workers' Compensation Act (s. 17-25, 30, 141)	Policy 11.02, Reporting an Injury
NS	Workers' Compensation Act (s. 14, 82, 83, 86, 109)	Policy 10.1.1R - Accident Reporting - Duties of Employers Policy 10.1.2 – Accident Reporting - Penalties
ON	Workplace Safety and Insurance Act (s. 21, 22, 23, 37)	15-01-02, Employers' Initial Accident-Reporting Obligations 15-01-03, Workers' Requirement to Claim and Consent 15-01-04 Survivors' Requirement to Claim for Benefits
PE	Workers Compensation Act (s. 59)	POL-92 Medical Aid POL-83 New Evidence POL-87 Third Party Actions POL-90 Time Frame Limitations for Claim Filing and Invoicing
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 199-203, 208, 212, 265, 272, 280, 458, 461, 462)	
SK	Workers' Compensation Act, 1979 (s. 45-48, 52, 53, 54, 55, 56)	POL 09/2011 & PRO 09/2011, Failure to Register a Business POL 02/2009 & PRO 02/2009, Employer Late Reporting of Injury Claims
YT	Workers' Compensation Act (s. 8, 9, 10)	EN-03 Employer Penalty for Failure to Provide Timely Notice of a Work-related Injury

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SUMMARY REQUIREMENTS FOR REPORTING AN INJURY/DISEASE

Workers - Summary requirements for reporting an injury/disease

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 26, 32(1)) Workers' Compensation Regulation 325/2002 (s. 8)	01-05/I 01-05/II-chart 01-05/II/1
BC	Workers Compensation Act (s. 53 and 55)	Rehabilitation Services & Claims Manual, Vol. II, o #93.10: Report to Employer, o #93.11: Procedure for Reporting, o 93.12: Failure to Report o #93.20: Application for Compensation, o 93.21: Time Allowed for Submission of Application, o #93.22: Application Made Out of Time, o #93.23: Adjudication without an Application; and o #93.25: Signature on an Application for Compensation.
MB	Workers Compensation Act (s. 17, 19, 109, 109.8)	
NB	Workers' Compensation Act (s. 44(6), 44(9), 44(1))	Policy No. 21-106 Accident Reporting and Application for Benefits
NL	Workplace Health, Safety and Compensation Act (s. 53 – 55)	WHSCC - Policies and procedures GP-01 - Information Protection, Access and Disclosure; EN-01 - Permanent Functional Impairment; RE-15 - Determining Suitable Employment and Earnings; EN-17 - Interruptions and Delays in Work Injury Recovery; EN-20 - Weighing Evidence; EL-01 - Earnings Loss: Benefit Calculation
NS	Workers' Compensation Act (s. 82, 83)	
NT/NU	Workers' Compensation Act (s. 17)	Policy 11.02, Reporting an Injury
ON	Workplace Safety and Insurance Act (s. 22)	15-01-03 Workers' Requirement to Claim and Consent
PE	Workers Compensation Act (s. 59(1) & (4))	POL-83 New Evidence POL-87, Third Party Actions POL-90, Time Frame Limitations for Claim Filing and Invoicing
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 265, 267, 272 and 280)	Policy 1.01 The filing of a claim and its admissibility (Politique 1.01 – Le dépôt d'une réclamation et sa recevabilité)
SK	Workers' Compensation Act, 1979 (s. 45, 46, 47, 48)	POL & PRO 05/2010
YT	Workers' Compensation Act (s. 9)	

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SUMMARY REQUIREMENTS FOR REPORTING AN INJURY/DISEASE

Dependant - Summary requirements for reporting an injury/disease

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 26, 32(2)) Workers' Compensation Regulation 325/2002 (s. 8)	01-05/I 01-05/II-chart
BC	Workers Compensation Act (s. 55)	Rehabilitation Services & Claims Manual, Vol. II , <ul style="list-style-type: none"> o #93.20 Application for Compensation, o 93.21: Time Allowed for Submission of Application, o #93.22: Application Made Out of Time, o #93.23: Adjudication without an Application, and o #93.25: Signature on an Application for Compensation.
MB	Workers Compensation Act (s. 17, 19, 109, 109.8)	
NB	Workers' Compensation Act (s. 44(6), 44(1))	Policy No. 21-106 Accident Reporting and Application for Benefits
NL	Workplace Health, Safety and Compensation Act (s. 53 – 55)	WHSCC - Policies and procedures GP-01 - Information Protection, Access and Disclosure; EN-01 - Permanent Functional Impairment; RE-15 - Determining Suitable Employment and Earnings; EN-17 - Interruptions and Delays in Work Injury Recovery; EN-20 - Weighing Evidence; EL-01 - Earnings Loss: Benefit Calculation
NS		
NT/NU	Workers' Compensation Act (s. 18(4))	Policy 11.02, Reporting an Injury
ON	Workplace Safety and Insurance Act (s. 22)	15-01-04 Survivors' Requirement to Claim for Benefits
PE	Workers Compensation Act (s. 59(1) & (4))	POL-87, Third Party Actions
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 265 and 272)	Policy 1.01 The filing of a claim and its admissibility (Politique 1.01 – Le dépôt d'une réclamation et sa recevabilité)
SK	Workers' Compensation Act, 1979 (s. 45, 46, 47, 48)	N/A
YT	Workers' Compensation Act (s. 8, 9)	

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SUMMARY REQUIREMENTS FOR REPORTING AN INJURY/DISEASE

Employer - Summary requirements for reporting an injury/disease

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 33) Workers' Compensation Regulation 325/2002 (s. 9, 10)	01-05/I 01-05/II-chart 01-05/II/2 06-03/I 06-03/II/5
BC	Workers Compensation Act (s. 54)	Rehabilitation Services & Claims Manual, Volume II. <ul style="list-style-type: none"> o #94.10: Report to the Board, o #94.11: Form of Report, o #94.12: What Injuries Must Be Reported, o #94.13: Commencement of the Obligation to Report, and o #94.14: Adjudication and Payment without Employer's Report,
MB	Workers Compensation Act (s. 18, 109.6, 109.7, 109.8) Manitoba Regulation 65/2006R, Interest, Penalties and Financial Matters Regulation	Policy 22.70.30, Employers' Reporting Responsibilities - Claims Policy 22.70.30.10, Employer Obligation to Pay a Worker for the Day of Accident
NB	Workers' Compensation Act (s. 44(4), 44(5))	Policy No. 21-106 Accident Reporting and Application for Benefits
NL	Workplace Health, Safety and Compensation Act (s. 56)	N/A
NS	Workers' Compensation Act (s. 86)	Policy 10.1.1R - Accident Reporting - Duties of Employers Policy 10.1.2 – Accident Reporting - Penalties
NT/NU	Workers' Compensation Act (s. 18)	Policy 11.02, Reporting an Injury
ON	Workplace Safety and Insurance Act (s. 21)	15-01-02 Employers' Initial Accident-Reporting Obligations
PE	Workers Compensation Act (s. 59(3))	POL-90, Time Frame Limitations for Claim Filing and Invoicing
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 60, 268, 269 and 280)	Policy 1.01 The filing of a claim and its admissibility (Politique 1,01 – Le dépôt d'une réclamation et sa recevabilité)
SK	Workers' Compensation Act, 1979 (s. 52, 53)	POL & PRO 02/2009
YT	Workers' Compensation Act (s. 10)	Board Order 2008/20 – The penalty levied to an employer for failure to provide notice within the time required by the Act

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SUMMARY REQUIREMENTS FOR REPORTING AN INJURY/DISEASE

Healthcare Provider - Summary requirements for reporting an injury/disease

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 1(v), 34)	01-05/I 01-05/II-chart 01-05/II/3 04-06/I 04-06/II/1 04-06/II/3
BC	Workers Compensation Act (s. 56)	Rehabilitation Services & Claims Manual, Volume II , <ul style="list-style-type: none"> o #95.00: Responsibilities of Physicians/ Qualified Practitioners, o #95.10: Form of Reports, o #95.20: Reports by Specialist
MB	Workers Compensation Act (s. 20, 109.8)	
NB	Workers' Compensation Act (s. 44(2), 44(3))	N/A
NL	Workplace Health, Safety and Compensation Act (s. 57)	WHSCC - Policies and procedures CHAPTER: Health care services Policies HC-01 through HC-14
NS	Workers' Compensation Act (s. 109)	
NT/NU	Workers' Compensation Act (s. 25)	Policy 11.02, Reporting an Injury
ON	Workplace Safety and Insurance Act (s. 37)	17-02-02 Health Care Practitioner's Reports
PE	Workers Compensation Act (s. 59(2))	POL-92, Medical Aid POL-90, Time Frame Limitations for Claim Filing and Invoicing POL -64 Health Care Providers
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 199-203, 205.1, 212.1)	Politique 1.01 Le dépôt d'une réclamation et sa recevabilité (Policy 1.01 The filing of a claim and its admissibility) Politique 7.01 Le médecin qui a charge (Policy 7.01 The physician in charge)
SK	Workers' Compensation Act, 1979 (s. 54, 56)	Procedure Manual - Section 7: Medical Care
YT	Workers' Compensation Act (s. 11)	

Source: Association of Workers' Compensation Boards of Canada (AWCBC)

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BASIS OF COMPENSATION

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 56, 57, 58, 59, 60, 61, 64, 65, 66, 67, 68, 69)	04-01 04-02 04-03 04-04 Appendix H - Rescinded Policy ADJ-30, Supplement Respecting a Pre-existing Condition
BC	Workers Compensation Act (s. 5, 16, 17, 21, 22, 23, 29, 30, 31, 33, 33.1, 33.8, 33.9, 33.91, 34)	Rehabilitation Services & Claims Manual, Vol. II
MB	Workers Compensation Act (s. 4, 37, 38, 39, 40, 41, 42, 43, 45)	Policy 44.80.10.10, Average Earnings Policy 44.80.10.40, Net Average Earnings Policy 44.80.30.10, Establishing Post Accident Earning Capacity
NB	Workers' Compensation Act (s. 7, 37, 37.01, 38, 38.1, 38.11, 38.2, 38.91, 48) Firefighters' Compensation Act	Policy No. 21-210 Calculation of Benefits
NL	Workplace Health, Safety and Compensation Act (s. 43-52 and 65-82)	WHSCC - Policies and procedures GP-01 - Information Protection, Access and Disclosure; CHAPTER: Entitlement Policies; CHAPTER: Earnings loss Policies; CHAPTER: Return to work and rehabilitation – Labour Market Re-entry Related Policies
NT/NU	Workers' Compensation Act (s. 38, 39, 41, 42, 44, 56, 57, 58, 59)	Policy 03.07, Calculation of Temporary Compensation; Policy 06.03, Calculation of Permanent Compensation; Policy 06.02, Lump Sum Payments and Advances on Pensions
NS	Workers' Compensation Act (s. 10, 34, 37-39, 41-46, 48, 69, 70)	<ul style="list-style-type: none"> • WCB Policy Chapter 2 – Health Care • WCB Policy Chapter 3 - Short-Term and Long-Term Benefits WCB Policy Chapter 6 – Survivor Benefits
ON	Workplace Safety and Insurance Act (s. 43, 45, 46, 48, 49, 50, 51, 52, 52.1, 53, 54, 55)	All of the policies listed in Section 18-02 of the OPM, Average Earnings
PE	Workers Compensation Act (s. 40, 41, 42, 44, 46)	POL-81, Adjustments to Pensions POL-116, Estimating Earning Capacity POL-140, Federal Government Employees POL-85, Review of Benefits POL-86, Wage Loss Benefits POL-84, Waiting Period POL-12, Survivor Benefits
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 44-82)	Recueil des politiques en matière de réadaptation et d'indemnisation Section 2 Réparation financière
SK	Workers' Compensation Act, 1979 (s. 38, 38.1, 50, 68, 69, 70, 76, 77.1)	Policy Manual - Section 4: Benefits to Workers Procedure Manual - Section 4: Benefits to Workers
YT	Workers' Compensation Act (s. 20, 21, 22, 23, 25, 26, 30)	EN-series, " Entitlement " EN-01 through EN-14

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BENEFITS

Employment earnings considered when establishing the compensation rate

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB		04-01, Part II, Application 1
BC	Workers Compensation Act (sections 33.1, 33.2, 33.3, 33.4, 33.5, 33.6, 33.7)	Rehabilitation and Services and Claims Manual (Policy items #67.30 – 67.31, #67.60)
MB		Policy 44.80.10.10, Average Earnings
NB	Workers' Compensation Act (s. 38.1)	Policy No. 21-210 Calculation of Benefits
NL	Workplace Health, Safety and Compensation Act (s. 80)	Policy EL-01
NT/NU		
NS	Workers' Compensation Act (s 37-47)	Policy 3.1.1R2 Calculation of Gross Earnings
ON	Workplace Safety and Insurance Act (s. 53, 55)	18-02-02, Determining Short-term Average Earnings 18-02-03, Determining Long-term Average Earnings: Workers in Permanent Employment 18-02-04, Determining Long-term Average Earnings: Workers in Non-permanent Employment
PE		POL-86 Wage Loss benefits
QC		Policy 2.02
SK		
YT		EL-01 Loss of Earnings Benefit

BENEFITS

Payment of Compensation Benefits

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 25, 38, 47, 49, 51, 52, 53, 54, 55, 56, 57, 58, 69)	Temporary Benefits, 04-02, Parts I & II
BC	Workers Compensation Act (s. 19.1, 23, 23.1, 23.2, 23.3, 31.1, 35, 57, 98)	
MB	Workers Compensation Act (s. 4, 27, 28, 29 – 35, 36, 37, 38, 41, 42, 43)	
NB	Workers' Compensation Act (s. 38.11, 38.21, 38.22, 38.91, 40, 41, 45)	Policy No. 21-210 Calculation of Benefits
NL	Workplace Health, Safety and Compensation Act (s. 65-82 and 90.1)	Client services policies and procedures
NT/NU	Workers' Compensation Act (s. 10)	
NS	Workers' Compensation Act (Permanent Impairment Benefit s. 34; Earnings-Replacement Benefits s. 37; Loss of Earnings s. 38-40; Average Earnings s. 41-49; Annuity s. 50-58; Survivor Benefits s. 59-68; Payment of Compensation s. 74-81; Transitional Provisions s. 225-237)	3.3.1R Permanent Impairment Benefit; 3.2.1R Calculation of Temporary Earnings-Replacement Benefit; 3.4.1R1 Calculation of Extended Earnings-Replacement Benefit; 3.1.1R2 Calculation of Gross Earnings; 3.1.2R Calculation of Net; 3.6.1 Amounts to be reserved to Provide Annuity; 6.2.1R Survivor Pension
ON	Workplace Safety and Insurance Act (s. 24, 25, 32, 33, 37, 41(13)(b), 43, 45, 46, 62, 65, 66)	
PE	Workers Compensation Act (s. 40-42, 44-46, 49.1, 50, 51)	Policies – Claims - Wage Loss Benefits Section
QC	Act Respecting Industrial Accidents and Occupational Diseases	
SK	Workers' Compensation Act, 1979 (s. 67, 67.1, 74, 75, 79, 94, 96, 102, 103, 104)	Policy Manual - Section 4.0 (Benefits to Worker)
YT	Workers' Compensation Act (s. 22, 23)	Policies - Earnings Loss

Source: Association of Workers' Compensation Boards of Canada (AWCBC)

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BENEFITS

Payment of Compensation Benefits – Frequency of Payments

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 56)	
BC	Workers Compensation Act (s. 35)	
MB	Workers Compensation Act (s. 24(1), 39(4), 28(2), 29(1), 32.1, 36, 38)	
NB	Workers' Compensation Act (s. 38.91(2))	
NL	Workplace Health, Safety and Compensation Act (s. 82)	Client services policies and procedures
NT/NU	Workers' Compensation Act (s. 52(1))	
NS	Workers' Compensation Act (s. 74)	
ON	Workplace Safety and Insurance Act (s. 62(1))	
PE	Workers Compensation Act (s. 40(4))	Policies – Claims - Wage Loss Benefits Section
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 125)	
SK	Workers' Compensation Act, 1979 (s 102)	
YT	Workers' Compensation Act (s. 22)	

Payment of Compensation Benefits – Periodic and Lump Sum Payments

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 47)	04-04, Part II, Application 7
BC	Workers Compensation Act (s. 35)	Policy item #45.00, Lump Sums & Commutations of the RS&CM
MB	Workers Compensation Act (s. 28, 29(1)(i), 32.1, 38, 109.4)	
NB	Workers' Compensation Act (s. 40(1))	
NL	<i>The Workers' Compensation Act, 1983, Section 74 and Section 115 (Repealed) Newfoundland Regulation 144/93, Section 25 (Repealed).</i>	Client services policies and procedures
NT/NU	Workers' Compensation Act (s. 56)	
NS	Workers' Compensation Act (s. 74)	3.6.4 Payment when EERB Commuted
ON	Workplace Safety and Insurance Act (s. 62(2))	
PE	Workers Compensation Act (s. 40(4))	POL-89, Impairment
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 131)	
SK	Not specified in the Act or in the Policy Manual Workers' Compensation Act, 1979 , (s 67.1(1) & 89(3))	
YT		

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BENEFITS

Payment of Compensation Benefits – Annuities

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	N/A	04-04, Part II, Application 3
BC	Workers Compensation Act (s. 23.2 & 23.3)	Rehab Services & Claims Manual (#116.00 - #116.30)
MB	Workers Compensation Act (s. 36, 42)	44.100.20 Other Entitlements - Annuities
NB	Workers' Compensation Act (s. 38.22)	Policy 21-206 Funding Annuity Benefits
NL	Workplace Health, Safety and Compensation Act (s. 75)	RE-15 - Determining Suitable Employment and Earnings
NT/NU	N/A	
NS	Workers' Compensation Act (s. 50-58)	Policy 3.6.1 Amounts to be Reserved to Provide Annuity
ON	Workplace Safety and Insurance Act (s. 45)	18-03-07 Loss of Retirement Income Benefits (Accidents on or after January 1, 1998)
PE	Workers Compensation Act (s. 43)	
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 56, 57)	
SK	Workers' Compensation Act, 1979 .(s. 74)	POL 10/2008
YT	Workers' Compensation Act , (s. 32)	FA-06 - Annuities

Payment of Compensation Benefits – Supplemental Benefits

Updated Spring 2011

	<u>Legislation</u>
AB	Workers' Compensation Act (s. 66)
BC	Workers Compensation Act (s. 34)
MB	Workers Compensation Act (s. 40(2) Act prior to January 1, 1992) Workers Act (s. 41, 43) Manitoba Regulation 187/2005, Group Life Insurance Manitoba Regulation 171/2010, Adjustment in Compensation Regulation
NB	Workers' Compensation Act (s. 38.91(1.01), 38.11(9))
NL	Workplace Health, Safety and Compensation Act (s. 81, 81.1)
NT/NU	Workers' Compensation Act (s. 41, 42, 44) Policy 06.03 – Calculation of Permanent Compensation
NS	Workers' Compensation Act (s. 227(4))
ON	Workplace Safety and Insurance Act (s. 25, 102)
PE	Workers Compensation Act (s. 42)
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 235-240)
SK	Workers' Compensation Act, 1979 .(s. 75)
YT	Workers' Compensation Act , (s. 30)

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BENEFITS

Survivor Benefits / Death Benefits

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 70-77)	Fatalities, 04-08 Parts I & II
BC	Workers Compensation Act (s. 16, 17, 18, 19, 19.1, 20, 23.3)	Chapter 8, Compensation on the Death of a Worker, Rehabilitation Services & Claims Manual, Vol. II; C8-52.00 – C863.00
MB	Workers Compensation Act (s. 28, 29 to 35, 36)	
NB	Workers' Compensation Act (s. 38.22, 38.5, 38.51, 38.52, 38.53, 38.54, 38.6, 38.7, 38.8)	Policy No. 21-515 Benefits for Survivors Policy No. 21-513 Who is a Survivor
NL	Workplace Health, Safety and Compensation Act (s. 65-72 and 90 - 91) Workplace Health, Safety and Compensation Regulations 17 – 17.2	EN-09 - Child Dependency Benefits; RH-08-Vocational Rehabilitation-Surviving Spouses
NT/NU	Workers' Compensation Act (s. 7, 11, 48, 50, 51)	
NS	Workers' Compensation Act (s. 59-67)	Policy 6.2.1R Survivor Pension; 6.2.3 Dependent Child Benefit; 6.2.4 Discretionary Benefits to Surviving Dependents; 6.2.7R Duration of Payments to Dependents
ON	Workplace Safety and Insurance Act (s. 48)	
PE	Workers Compensation Act (s. 37, 38, 39)	
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 92-111)	
SK	Workers' Compensation Act, 1979 (s. 82-98)	Policy Manual: Section 5.0 (Benefits to Dependents)
YT	Workers' Compensation Act (s. 43, 44, 45, 46, 47, 48, 49)	

Dependency Benefits – Survivor Benefits

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB		Benefits – Fatalities Policy
BC		Rehabilitation Services & Claims Manual – Compensation on the Death of a Worker
MB	Manitoba Regulation 171/2010, Adjustment in Compensation Regulation	
NB	Workers' Compensation Act , sections 38.51 through 38.54	Policy No. 21-515: Benefits for Survivors
NL	Workplace Health, Safety and Compensation Act (s. 65 - 72) Workplace Health, Safety and Compensation Regulations (s. 17-17.2)	EN-09 - Child Dependency Benefits; RH-08-Vocational Rehabilitation-Surviving Spouses
NT/NU		Policy 06.01 - Pension Entitlement
NS	Workers' Compensation Act (s. 59-68)	Survivor Benefits Policies Policy 6.2.4 Discretionary Benefits to Surviving Dependents
ON	Workplace Safety and Insurance Act (s. 48)	
PE		Survivor Benefits Policy (POL-12)
QC		
SK	Workers' Compensation Act, 1979 (s. 82(1) to s.98)	Policy Manual: Section 5.0 (Benefits to Dependents)
YT		

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BENEFITS

Adjustments of Existing Compensation Payments

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 56, 58, 59, 60, 67, 68)	04-01, Part II, Application 4
BC	Workers Compensation Act (s. 24, 25, 25.2, 26, 27, 33)	
MB	Workers Compensation Act (s. 29(4), 40(2), 44, 47, 48, 49) Manitoba Regulation 171/2010, Adjustment in Compensation Regulation	
NB	Workers' Compensation Act (s. 38.1, 38.11, 38.2, 38.52, 38.53, 38.6, 38.8, 48)	Policy No. 21-210 Calculation of Benefits Policy No. 21-213 Transitional Entitlement
NL	Workplace Health, Safety and Compensation Act (s. 65, 74.1)	
NT/NU	Workers' Compensation Act (s. 1(1), 53)	
NS	Workers' Compensation Act (s. 41, 70, 71, 72, 73)	Policy 3.9.12 Inflation-Indexing of Benefits
ON	Workplace Safety and Insurance Act (s. 49-52.1)	
PE	Workers Compensation Act (s. 49.1, 50)	POL-12, Survivor Benefits
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 117-122)	
SK	Workers' Compensation Act, 1979 (s. 38, 104)	POL 04/2010, 24/83 (Annual review) POL 31/2010, 05/2003 (Appeals)
YT	Workers' Compensation Act (s. 35)	N/A

Adjustments of Existing Compensation Payments – Temporary Compensation

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 56)	04-02, Part I & II
BC	Workers Compensation Act (s. 33, 33.1, 33.8, 33.9)	
MB	Workers Compensation Act (s. 42, 43(5)) Manitoba Regulation 187/2005, Group Life Insurance	
NB	Workers' Compensation Act (s. 38.11(12), 38.2(4), 38.2(4.1, 4.2, 4.3))	Policy No. 21-210 Calculation of Benefits
NL	Workplace Health, Safety and Compensation Act (s. 80(7))	
NT/NU	Workers' Compensation Act (s. 91(2), 92(4))	
NS	Workers' Compensation Act (s. 37)	
ON	Workplace Safety and Insurance Act (s. 43, 44, 53)	18-02-03, Determining Long-term Average Earnings: Workers in Permanent Employment 18-02-04, Determining Long-term Average Earnings: Workers in Non-permanent Employment
PE	Workers Compensation Act (s. 48.5)	Policies – Claims - Wage Loss Benefits Section
QC		
SK	Workers' Compensation Act, 1979 (s. 69)	POL 26/2010 (Determination of Long-Term Loss of Earnings)
YT	Workers' Compensation Act (s. 23)	EL-01 – Loss of Earnings Benefits

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BENEFITS

Adjustments of Existing Compensation Payments – Minors and Apprentices

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 67, 68)	
BC	Workers Compensation Act (s. 33.2)	
MB	Workers Compensation Act (s. 45(4))	
NB	Workers' Compensation Act (s. 38.1(1))	Policy No. 21-208 Workers Under 21
NL	Workplace Health, Safety and Compensation Act (s. 42(2))	
NT/NU	Workers' Compensation Act (s. 91(2), 92(4))	
NS	Workers' Compensation Act (s. 45)	Policy 3.1.1R2 Calculation of Gross Earnings
ON	Workplace Safety and Insurance Act (s. 53(4)) WSIA regulation 175/98 - General (s. 16)	18-02-08, Determining Average Earnings: Exceptional Cases
PE	Workers Compensation Act (s. 44(3))	Policies – Claims - Wage Loss Benefits Section
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 80)	
SK	N/A	POL 21/2001 (Apprentices)
YT	Workers' Compensation Act (s. 23)	EL-01 – Loss of Earnings Benefits

Adjustments of Existing Compensation Payments – Physical Impairment

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 58)	
BC	Workers Compensation Act (s. 24)	
MB	Workers Compensation Act (s. 44, 48)	
NB	Regulation 82-165, Permanent Physical Impairment Rating Schedule Regulation	Policy 21-250, Permanent Physical Impairment
NL	Workplace Health, Safety and Compensation Act (s. 73)	Policy EN-01
NT/NU	Workers' Compensation Act (s. 91(2), 92(4))	
NS	Workers' Compensation Act (s. 71)	Policy 3.3.3R Review of Permanent Impairment Benefit
ON	Workplace Safety and Insurance Act (s. 46)	Section 18-05 of Operational Policy Manual
PE	Workers Compensation Act (s. 49)	Policy-89, Impairment
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 84)	
SK	Workers' Compensation Act, 1979 (s. 67.1(1))	PRO 09/2004 (Allowance – Independence)
YT	N/A	

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BENEFITS

Adjustments of Existing Compensation Payments – Death Benefits

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 70-77)	04-08, Part I & II
BC	Workers Compensation Act (s. 17)	
MB	Workers Compensation Act (s. 29(4))	
NB	Workers' Compensation Act (s. 38.52(4), 38.53(1))	Policy No. 21-515 Benefits for Survivors
NL	Workplace Health, Safety and Compensation Act (s. 65)	
NT/NU	Workers' Compensation Act (s. 53)	
NS	Workers' Compensation Act (s. 70(1) and 70(2)(c))	Policy 3.9.12 Inflation-Indexing of Benefits
ON	Workplace Safety and Insurance Act (s. 48)	Section 20 of Operational Policy Manual
PE	Workers Compensation Act (s. 50) Workers Compensation Act General Regulations (s. 8)	POL-12, Survivor Benefits
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 98 to 111)	
SK	Workers' Compensation Act, 1979 (s. 83(4))	POL 33/2010 POL 10/2009
YT	Workers' Compensation Act (s. 43, 44, 45, 46, 47, 48, 49)	RE-11 – Vocational And Academic Assistance For Surviving Spouse

Adjustments of Existing Compensation Payments – Maximum Earnings

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 56(4),(5))	
BC	Workers Compensation Act (s. 33(9))	
MB	Workers Compensation Act (s. 47, 48, 49)	
NB	Workers' Compensation Act (s. 38.1(1)(3), 38.2(4))	Directive No. 37-110.01 New Brunswick Industrial Aggregate Earnings
NL	Workplace Health, Safety and Compensation Regulations 1025/96 (s. 21.(2))	
NT/NU	Workers' Compensation Act (s. 1(1), 53) General Regulations (s. 1.1)	
NS	Workers' Compensation Act (s. 41, 124) General Regulations (s. 21(3))	
ON	Workplace Safety and Insurance Act (s. 54)	
PE	Workers Compensation Act (s. 47(2))	
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 66 and 119 to 122)	
SK	Workers' Compensation Act, 1979 (s. 38, 38.1)	POL 40/2010 POL 02/2003
YT	Workers' Compensation Act (s. 3)	N/A

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BENEFITS

Minors, Volunteers, Learners, Apprentices and Students

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 56, 67 and 68) Workers' Compensation Regulation (s. 1 and 7)	Policy 04-01, Part I and Part II, Applications 1, 2 & 3
BC	Workers Compensation Act (definition of "worker", s. 3(5), s. 3(6), s. 3(7), s. 12, s. 33.2, s. 33.7)	RS&CM #6.20, #7.10, #67.00, #67.10, #67.30, #67.31, #67.32, #67.33, #67.34, #67.40, #67.50, C3-21.00
MB	Workers Compensation Act (s. 1(1), 1(4)-(8),7(2), 9(9), 13(2), 26, 75.1, 77, 77.1) Manitoba Regulation 545/88R, Declaration of Workers in Government Employment Orders Regulations under The Apprenticeship and Certification Act	Policy 35.10.60, Coverage under Work Experience Policy 35.10.70, Coverage for Volunteers Policy 44.80.20, Apprentices Policy 44.80.30.30, Prospective Earnings: Apprentices and Youthful Workers
NB	Workers' Compensation Act (Part 1; s. 37)	Policy No. 21-208 Workers Under 21 Policy No. 21-010 Definition of Worker Section 2.2 and 2.3
NL	Workplace Health, Safety and Compensation Act (s. 2(z), 40(1), 42) Workplace Health, Safety and Compensation Regulations (s. 14-15.2)	EN-19 - Arising Out of and in the Course of Employment; EL-01 - Earnings Loss: Benefit Calculation
NT/NU	Workers' Compensation Act (s. 4(1))	Policy 00.05, Determining Employer/ Worker Status
NS	Workers' Compensation Act (s. 45) Workers' Compensation General Regulations (s.21)	Policy 3.1.1R2 - Calculation of Gross Earnings
ON	Workplace Safety and Insurance Act (s. 53(4)) Ontario Regulation 175/98 , s. 16 for determination of average earnings	Learners: 12-04-04 12-04-05 12-04-06 12-04-07 18-02-08 18-04-10 Apprentices: 12-04-13 12-04-07 18-02-08 Students: 18-02-08
PE	Workers Compensation Act (s. 1 (1)(2), 9 (2), 44)	POL-94, Learners
QC	Act respecting Industrial accidents and occupational diseases (s. 80 and 82)	
SK	Workers' Compensation Act, 1979 , Section 51 Workers' Compensation Act, 1979 , Section 12 Workers' Compensation Act, 1979 , Section 2(t) Workers' Compensation Act Exclusion Regulations , Section 3(bb)	POL 21/2001 POL 06/2007 POL 04/2006
YT	Workers' Compensation Act (s. 6(1),(2) and (3))	

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BENEFITS

Pre-Existing Condition / Aggravation

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 56(6), 80(1))	Policy 03-02, Parts I & II
BC	Workers Compensation Act (s. 39(1)(e), s. 5(5))	Rehabilitation Services and Claims Manual Volume II, C3-16.00; C3-16.10; #44.10; #44.30; #44.31; #114.40; #114.41; \$114.42
MB	Workers Compensation Act (s. 4(1), 81(1)(c)y(ii))	Policy 31.05.10 Cost Relief/Cost Transfers Policy 44.10.20.10, Pre Existing Conditions
NB	Workers' Compensation Act (s. 7(5))	Policy No. 21-101 Conditions for Entitlement - Pre Existing Conditions
NL	Workplace Health, Safety and Compensation Act (s. 43.1)	EN-01 - Permanent Functional Impairment : EN-02 - Proportionment
NT/NU	No reference	Policy 03.12, Pre-Existing Disability
NS	Workers' Compensation Act (s. 10(5))	Policy 3.9.11R1 Apportionment of Benefits
ON	Workplace Safety and Insurance Act (s. 98)	11-01-15, Aggravation Basis 14-05-03, Second Injury and Enhancement Fund (SIEF)
PE	Workers Compensation Act (s. 6(9))	POL-61 Pre-existing conditions
QC	Act respecting Industrial accidents and occupational diseases (s. 329)	Politique 1.02
SK	Workers' Compensation Act, 1979 , Section 50	POL 01/2000 POL 21/2010
YT		EN-07 Pre-Existing Conditions

MEDICAL AID / HEALTHCARE

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 34, 39, 78-88)	01-05/I; 01-05/II-chart; 01-05/II/3; 01-09/II Addendum A; 03-01/I; 03-01/II/8; 04-06/I; 04-06/II/1; 04-06/II/2; 04-06/II/3; 04-06/II/4; 04-07/I; 04-08/I; 06-03/I; 06-03/II/5
BC	Workers Compensation Act (s. 1, 21, 56)	Rehabilitation Services & Claims Manual, Vol. II, Chapter 10: Medical Assistance
MB	Workers Compensation Act (s. 27, 37)	Policy 44.120.10, Medical Aid Policy 44.120.30, Support for Daily Living
NB	Workers' Compensation Act (s. 1, 41)	Policy No. 25-001 Medical Aid – Principles
NL	Workplace Health, Safety and Compensation Act (s. 84-87)	WHSCC - Policies and procedures CHAPTER: Health care services Policies HC-01 through HC-14
NT/NU	Workers' Compensation Act (s. 32, 34, 36)	Policy 04.02, Payment for Medical Aid; Policy 04.07, Medical Examinations
NS	Workers' Compensation Act (s. 2, 88, 102-111)	WCB Policy – Chapter 2 – Health Care
ON	Workplace Safety and Insurance Act (s. 32-39)	All of the policies in Section 17 of the OPM, Health Care
PE	Workers Compensation Act (s. 1, 18)	POL-64, Health Care Providers POL-92, Medical Aid POL-32, Physician Selection
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 188 to 198.1)	Politique 2.08 (Frais divers) [Policy 2.08 (Sundries)] Politiques 5.01 à 5.05 (Assistance médicale) [Policies 5.01 to 5.05 (Medical assistance)] Politiques 7.01 et 7.02 (Médecin qui a charge et évaluation médicale) [Policies 7.01 and 7.02 (Physician in charge and medical evaluation)]
SK	Workers' Compensation Act, 1979 (s. 106-115, 117(c), 117(e))	Procedure Manual - Section 7: Medical Care
YT	Workers' Compensation Act (s. 36, 37, 39)	HC-series, " Health Care Services " HC-01 through HC-08

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MEDICAL AID / HEALTHCARE

Transportation to Treatment

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 87, 137.1)	01-09/II Addendum A 04-02/II/2 04-02/II Addendum A 06-03/II/5
BC	Workers Compensation Act (s. 21(1), 21(3))	Rehabilitation Services & Claims Manual, Vol. II, o #82.00: Transportation Allowances, o #82.10: Eligibility for Transportation, o #82.20: Amount of Reimbursement, o #82.30: Manner of Payment, and o #82.40: Transportation Provided by the Employer
MB	Workers Compensation Act (s. 27, 27(16))	Policy 44.120.10, Medical Aid
NB	Workers' Compensation Act (s. 43)	Policy No. 21-220 - Claim-related Travel Expenses
NL	Workplace Health, Safety and Compensation Act (s. 87)	WHSCC - Policies and procedures HC-07 - Travel and Accommodation (Claimants); HC-13 - Health Care Entitlement
NS	Workers' Compensation Act (s. 107)	
NT/NU	Workers' Compensation Act (s. 32)	Policy 04.02, Payment for Medical Aid
ON	Workplace Safety and Insurance Act (s. 38(1))	17-01-09 Travel and Related Expenses
PE	Workers Compensation Act (s. 18(6))	POL-92, Medical Aid POL-03, Travel and Related Expenses
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 115, 190 and 210)	Politique 2.08 Les frais divers (Policy 2.08 Sundries) Regulation respecting travel and living expenses
SK	Workers' Compensation Act, 1979 (s. 115(b), 117)	POL 39/2010, Expenses – Travel & Sustenance – General POL 04/2011, Injuries – Travelling for or Attending Medical Aid or Return-to-Work Programming
YT	Workers' Compensation Act (s. 38)	

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MEDICAL AID / HEALTHCARE

Medical Examinations

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	<u>Workers' Compensation Act</u> (s. 38, 39, 84)	<u>04-06/I</u> <u>04-06/II/1</u> <u>06-03/II/5</u> , Q3
BC	<u>Workers Compensation Act</u> (s. 21(7) and 57(1))	<u>Rehabilitation Services & Claims Manual, Vol. II</u> , <ul style="list-style-type: none"> o #74.50: Selection of Physician or Qualified Practitioner, o #78.10: Direction, Supervision, and Control of Treatment, o #78.20: Examinations and Consultations
MB	<u>Workers Compensation Act</u> (s. 21, 27, 38, 67)	<u>Policy 42.20.10, Clinical Examinations</u> <u>Policy 44.90.10, Permanent Impairment Rating Schedule</u>
NB	<u>Workers' Compensation Act</u> (s. 41(12))	<u>Policy No. 25-001 Medical Aid – Principles</u>
NL	<u>Workplace Health, Safety and Compensation Act</u> (s. 62, 92)	<u>WHSCC - Policies and procedures</u> EN-01 - Permanent Functional Impairment
NS	<u>Workers' Compensation Act</u> (s. 17, 85)	
NT/NU	<u>Workers' Compensation Act</u> (s. 24, 33)	<u>Policy 04.03, Choice and Change of Health Care Provider</u> ; <u>Policy 04.07, Medical Examinations</u>
ON	<u>Workplace Safety and Insurance Act</u> (s. 35, 36, 47)	<u>17-04-03 WSIB-Requested Health Examinations</u> <u>17-04-02 Employer-Requested Health Examinations</u> <u>18-05-03 Determining the Degree of Permanent Impairment</u>
PE	<u>Workers Compensation Act</u> (s. 18(1) & (12), 84(4))	<u>POL-64, Health Care Providers</u> <u>POL-92, Medical Aid</u> <u>POL-32 Physician Selection</u> <u>POL-03 Travel and Related Expenses</u>
QC	<u>Act Respecting Industrial Accidents and Occupational Diseases</u> (s. 142, 192-193, 204, 209-211)	<u>Politique 2.03.2 La suspension du versement des indemnités</u> <u>Politique 5.01 Les services des professionnels de la santé</u> (Health professional services) <u>Politique 5.02 Les soins et les traitements fournis par les établissements du réseau de la santé et des services sociaux</u> (Care and treatments provided by establishments of the health and social services network) <u>Politique 7.01 Le médecin qui a charge</u> (The physician in charge) <u>Politique 7.02 Le recours au Bureau d'évaluation médicale</u> (Appeal to the Medical Evaluation Board)
SK	<u>Workers' Compensation Act, 1979</u> (s. 57, 67)	<u>POL & PRO 23/2010, PFI – General</u>
YT	<u>Workers' Compensation Act</u> (s. 13, 14)	<u>EN-12 Permanent Impairment</u>

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MEDICAL AID / HEALTHCARE		
Review on Medical Grounds		
Updated Fall 2011		
	Legislation	Policy
AB	Workers' Compensation Act (s. 46.1 - 46.4) Medical Panels Regulation, Alberta Regulation 290/2006	N/A
BC	Workers Compensation Act (s. 21)	Rehabilitation Services & Claims Manual, Vol. II , policy item #98.20: Conduct of Inquiries.
MB	Workers Compensation Act (s. 1(1), 67)	Policy 42.10.70, Medical Review Panels Policy 42.10.70.20, Convening a Medical Review Panel
NB	Workers' Compensation Act (s. 46)	Policy No. 25-001 Medical Aid – Principles
NL	Workplace Health, Safety and Compensation Act (s. 62, 92)	N/A
NS		
NT/NU	Workers' Compensation Act (s. 27)	Policy 04.13, Conflicting Medical Opinions
ON		
PE	N/A	None
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 216-225)	Politique 7.02 Le recours au Bureau d'évaluation médicale (Policy 7.02 Appeal to the Medical Evaluation Board)
SK	Workers' Compensation Act, 1979 (s. 60, 61, 62, 63, 64)	POL 18/2010, Medical Review Panels
YT	Workers' Compensation Act (s. 60)	
First Aid		
Updated Fall 2011		
	Legislation	Policy
AB	Workers' Compensation Act , Workers' Compensation Regulation (s. 9)	N/A
BC	Workers Compensation Act (s. 159, 160) Occupational Health and Safety Regulation (s. 3.14-3.21, schedule 3-A).	N/A
MB	The provision of first aid falls under The <i>Workplace Safety and Health Act</i> . See Manitoba Regulation 217/2006, Workplace Safety and Health Regulation .	N/A
NB	Workers' Compensation Act (s. 41(7)) First Aid Regulation - Occupational Health and Safety Act	N/A
NL	Regulation 1148/96, Occupational Health and Safety First Aid Regulations	N/A
NT/NU	General Safety Regulations , Sections 60 to 79 and the Mine Health and Safety Regulations , Sections 8.38. to 8.51.	N/A
NS	N/A	N/A
ON	Workplace Safety and Insurance Act (s. 4(1), 10, 82) First Aid Requirements Regulation (R.R.O. 1990, Regulation 1101)	N/A
PE	<i>Occupational Health And Safety Act</i> , General Regulations (s. 9.1 to 9.13). <i>Workers Compensation Act</i> , General Regulations (s.5(3))	N/A
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 190) Act Respecting Occupational Health and Safety (s. 113) Regulation first-aid minimum standards	N/A
SK	Workers' Compensation Act, 1979 (s. 110, 111)	N/A
YT	YWCHSB: Occupational Health & Safety Regulations (See Minimum First Aid Regulations)	N/A

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REHABILITATION / RETURN TO WORK

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (section 89)	Return-To-Work Services Policy
BC	Workers Compensation Act (section 16)	Vocational Rehabilitation Policy
MB	Workers Compensation Act (section 27(20), 33, and 49.3) Manitoba Regulation 65/2006, Interest, Penalties and Financial Matters Regulation Manitoba Regulation 233/2006, Interest, Penalties and Financial Matters Regulation, amendment	See 'Vocational Rehabilitation' at Benefits Administration Policies Policy 43.20.25, Return to Work with the Accident Employer
NB	Workers' Compensation Act (sections 41(1), 41(2), 41(3), 41(16), 42.1, 42.2, and 43)	Policy No. 21-400: Rehabilitation Policy No. 21-420 Return to Work Principles Policy No. 21-421: Vocational Rehabilitation See also generally: WorkSafeNB Policies
NL	Workplace Health, Safety and Compensation Act (Sections 88-89.4)	Return-To-Work and Rehabilitation Policies
NT/NU	Workers' Compensation Act (sections 35(1) and 46)	Policy 4.14, Return to Work
NS	Workers' Compensation Act (sections 89-101, and 112-113)	See 'Vocational Rehabilitation' and 'Re-employment' at Policy Manual
ON	Workplace Safety and Insurance Act (Sections 40-42 and Section 48(9))	Policy: Return to Work and Work Reintegration (Section 19 in OPM)
PE	Workers Compensation Act (Sections 18 and 86-86.12)	Vocational Rehabilitation Policy (POL-117) Return to Work Policy (POL-93)
QC	Act Respecting Industrial Accidents and Occupational Diseases (sections 145-180, and 234-264)	Politiques en matière de réadaptation et d'indemnisation
SK	Workers' Compensation Act, 1979 (sections 2(s.2), 21.1, 51.1, 104(4)(b), 115, and 117) Labour Standards Act - (s. 44.2)	Policy Manual: Section 8.0 (Re-employment Assistance)
YT	Workers' Compensation Act (sections 14, 36, 39, 40)	YWCHSB: Return to Work & Rehabilitation Policies

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REHABILITATION / RETURN TO WORK		
Rehiring Worker		
Updated Spring 2011		
	<u>Legislation</u>	<u>Policy</u>
AB	No reference	Policy 04-05, Part I
BC	No reference	
MB	Workers Compensation Act (s. 49.3)	Policy 43.20.25, Return to Work with the Accident Employer
NB	Workers' Compensation Act (s. 42.1)	Policy No. 21-413 Return to Work – Responsibilities and Re-employment Obligations
NL	Workplace Health, Safety and Compensation Act (s. 89, 89.1, 89.3 and 89.4)	Policies RE-01 - RE-08; Procedures 33.00 - 48.00
NT/NU	Workers' Compensation Act (s.46)	Policy 04.14, Return to Work
NS	Workers' Compensation Act (s. 89-101)	
ON	Workplace Safety and Insurance Act (s. 41) Ontario Regulation 35/08 Return to Work and Re-employment Construction Industry	19-02-02, Responsibilities of the Workplace Parties in the RTW process Construction Industry: <ul style="list-style-type: none"> • 19-05-01 • 19-05-02 • 19-05-03 • 19-05-04
PE	Workers Compensation Act (s. 86.1 – 86.12)	POL-93, Return to Work
QC	Act respecting Industrial accidents and occupational diseases (s. 234 to 251)	
SK	Labour Standards Act , Section 44.2(1)	
YT	Workers' Compensation Act (s. 41(1))	
REHABILITATION / RETURN TO WORK		
Duty to Accommodate		
Updated Spring 2011		
	<u>Legislation</u>	<u>Policy</u>
AB	No reference	
BC	No reference	
MB	Workers Compensation Act (s. 49.3)	
NB	No reference	Policy No. 21-413 Return to Work – Responsibilities and Re-employment Obligations
NL	Workplace Health, Safety and Compensation Act (s. 89 and 89.1)	Policies RE-01 - RE-08; Procedures 33.00 - 48.00
NT/NU	No reference	Policy 04.14, Return to Work
NS	Workers' Compensation Act (s. 91)	
ON	Workplace Safety and Insurance Act (s. 41(6)) Ontario Regulation 35/08 Return to Work and Re-employment Construction Industry (s. 7)	19-02-02 19-05-02
PE	Workers Compensation Act (s. 86.1 – 86.12)	POL-93, Return to Work
QC	Act respecting Industrial accidents and occupational diseases (s. 176)	
SK	Labour Standards Act , Section 44.3 Workers' Compensation Act, 1979 , Section 51.1 & 104(4b)(ii) Saskatchewan Human Rights Code , Sections 9 & 16(1)	POL 06/2004 (Vocational Rehabilitation – Programs and Services)
YT	Workers' Compensation Act (s. 41)	RE-04; RE-05; RE-06; RE-07-1; RE-07-2; RE-07-3; RE-08

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SCOPE OF COVERAGE – INDUSTRIES/OCCUPATIONS

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	<u>Workers' Compensation Act</u> (s. 14, 15, 16) <u>Workers' Compensation Regulation</u> , Alberta Regulation 325/2002, (art. 2-6, Schedule A)	<u>Policy 06-01 Insurance coverage for workers & employers</u>
BC	<u>Workers Compensation Act</u> (s. 2, 3, 102)	N/A
MB	<u>Workers Compensation Act</u> (s. 1(1), 2, 2.1, 73, 74, 75, 75.1, 77, 77.1) <u>Regulation 169/2008 Excluded Industries, Employers and Workers Regulation, amendment</u>	N/A
NB	<u>Workers' Compensation Act</u> (s. 2, 2.1, 4, 5, 6) <u>Exclusion of Workers Regulation - Workers' Compensation Act, Regulation 82-79</u>	N/A
NL	<u>Workplace Health, Safety and Compensation Act</u> (s. 38-42) <u>Workplace Health, Safety and Compensation Regulation</u> , Regulation 1025/96 (s. 4)	N/A
NT/NU	<u>Workers' Compensation Act</u> (s. 1, 8, 9, 10, 11)	N/A
NS	<u>Workers' Compensation Act</u> (s. 3-9) <u>Workers' Compensation General Regulations</u> , N.S. Reg. 22/96 (amended to N.S. Reg. 146/2002)	N/A
ON	<u>Workplace Safety and Insurance Act</u> (s. 11, 12) <u>General Regulations, Ontario Regulation 175/98</u> (s. 3, 4, 5, Schedule 1, Schedule 2)	N/A
PE	<u>Workers Compensation Act</u> (s. 2, 3, 4, 5)	N/A
QC	<u>Act Respecting Industrial Accidents and Occupational Diseases</u> (s. 2, 5, 7 to 21, 23, 74, 310, 332 to 348)	N/A
SK	<u>Workers' Compensation Act, 1979</u> (s. 3-12) <u>Workers. Compensation Act Exclusion Regulations</u>	N/A
YT	<u>Workers' Compensation Act</u> , (s. 2, 3, 4, 5, 6)	N/A

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SCOPE OF COVERAGE		
Coverage for volunteers		
Updated Spring 2011		
	<u>Legislation</u>	<u>Policy</u>
AB		Policy 06-01 Insurance coverage for workers & employers
BC	Workers Compensation Act , sections 1 and 3	<ul style="list-style-type: none"> • Item AP1-1-5, Coverage Under Act - Workers • Item AP1-3-1, Extending Application of the Act • Policy Item #6.20, Voluntary and Other Workers Who Receive No Pay, in the <i>Rehabilitation Services & Claims Manual</i>, Vol II (the RS&CM): Policy Item #7.10, Volunteer Firefighters in the RS&CM • Policy Item #67.30 Workers with No Earnings in the RS&CM
MB	The Workers Compensation Act : s. 1(4), 1(5), 1(6), 1(7), 1(8), 75.1(1), 75.1(2), 75.1(3), 75.1(4) Regulation 545/88R Declaration of Workers in Government Employment , section 4(2), 12(3) and 13	Policy 35.10.70: Coverage for Volunteers
NB		Policy No. 23-200
NL	Workplace Health, Safety and Compensation Act (Section 40) Workplace Health, Safety and Compensation Regulations (Regulation 14, 15, 15.1 and 15.2)	
NT/NU		Policy 00.05
NS	Workers' Compensation Act , section 5 Workers' Compensation General Regulations , section 9 and 21	Policy 1.3.4 – Volunteer Fire Fighters
ON	Workplace Safety and Insurance Act, 1997 , s. 2.1	Operational Policy 12-04-02, Volunteer Forces
PE	Workers Compensation Act , s. 1(1)(z)(2)	
QC	Act respecting industrial accidents and occupational diseases (13)	
SK	Workers' Compensation Act, 1979 , s. 2(t)	POL 07/2005 Coverage – First Responders POL 04/2006 Coverage – Volunteer Fire Fighters
YT	Workers' Compensation Act , section 5	YWCHSB: Optional Coverage For Casual Employees (Those Working Outside The Employer's Normal Industry), Persons Acting In A Religious Function, And Volunteers

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ASSESSMENT / PREMIUMS

Individually Liable Employers (Self Insurers)

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	No reference	
BC	Workers Compensation Act (s. 37)	Assessment Manual Item AP1-37-5
MB	Workers Compensation Act (s. 73, 76, 76.1, 76.2) Manitoba Regulation 278/91, Self-Insured Employers	Policy 35.20.50 Requests for Self insurance
NB	Workers' Compensation Act (s. 28, 41)	
NL	Workplace Health, Safety and Compensation Act (s. 110)	N/A
NT/NU	No reference	
NS	Workers' Compensation Act (s. 134)	
ON	General Regulations, Ontario Regulation 175/98 (Schedule 2) Government Employees Compensation Act (Canada)	
PE	Workers Compensation Act (s. 63)	
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 17, 332-348) Act respecting occupational health and safety (s.170)	
SK	No reference	
YT	No reference	

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ASSESSMENTS / PREMIUMS

Accounts, Records and Reports

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 95-98, 103-106, 108-110, 113, 133)	Policy 06-01 Insurance Coverage for Workers & Employers - Employers and Workers Policy 06-02 Insurance Coverage for Workers & Employers - Optional Coverage Policy 06-03 Insurance Coverage for Workers & Employers - Premiums Policy 07-01 Part I Pricing - Classification Policy 07-02 Pricing - Experience Records Policy 07-03 Pricing - Financial Administration of Safety Association Grants
BC	Workers Compensation Act (s. 37, 38, 48)	Assessment Manual Items AP1-38-1 to AP1-38-6 and AP1-88-1.
MB	Workers Compensation Act (s. 73, 78, 80, 82, 87, 99, 100)	Policy 35.00 Reporting and Remittance of assessments for the General Body of Employers (Employers in Class E)
NB	Workers' Compensation Act (s. 50-55, 57, 69)	Policy 23-100 : Employer Registration Policy 23-400 : Auditing Employer Accounts
NL	Workplace Health, Safety and Compensation Act (s. 96, 115, 116)	PR-01 – PR-13: PRIME Audit for Construction Employers
NT/NU	Workers' Compensation Act (s. 71 – 76, 79 – 81, 140 – 141)	Policy 01.01, Industry Classification Policy 01.02, Industry Re-Classification Policy 02.01 to 2.11, Assessment
NS	Workers' Compensation Act (s. 18, 119, 120, 121, 122, 127, 129)	
ON	Workplace Safety and Insurance Act (s. 75, 78-83, 88, 135)	
PE	Workers Compensation Act (s. 60-73)	
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 2 to 18, 283, 289 to 298, 307, 331.1)	
SK	Workers' Compensation Act, 1979 (s. 121- 124, 128, 135.1, 139, 143, 144, 153) Workers' Compensation General Regulations, 1985	Policy Manual Section 2 – Employer Premiums, Classification & Cost Relief
YT	Workers' Compensation Act (s. 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 82, 83, 84)	EA-01: Payment of Assessments EA_08: Examination of Employer Records EA-10: Transfer of Employer Experience Account

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ASSESSMENT / PREMIUMS

Assessment / Premiums

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 95, 97, 98, 101, 103, 104, 106, 110-112, 116, 126, 132)	Policy 06-03 Part II – Insurance Coverage for Workers & Employers - Premiums
BC	Workers Compensation Act (s. 38, 39, 40, 42, 43)	Assessment Manual Items AP1-39-1 to AP1-42-3.
MB	Workers Compensation Act (s. 76.2(3), 76.6, 80, 81, 82, 85, 86, 87, 88)	Policy 31.05.05 Rate Setting for the General Body of Employers (Employers in Class E)
NB	Workers' Compensation Act (s. 52-57, 59, 76) General Regulation, New Brunswick Regulation 84-66 (s. 12, 14.1)	Policy 23-600 : Setting Basic Assessment Rates Policy 23-605 : Experience Rating System
NL	Workplace Health, Safety and Compensation Act (s. 96-98)	N/A
NT/NU	Workers' Compensation Act (s. 70 - 81)	02.01, Employer Assessments 02.07 ,Mega Project Assessment 02.08, Safe Advantage Program 02.09, Safe Advantage: Prevention Programs 02.10, Safe Advantage: Return to Work
NS	Workers' Compensation Act (s. 114-134)	Policies 9.1.1 to 9.8.5, Assessments and Collections
ON	Workplace Safety and Insurance Act (s. 81-88)	
PE	Workers Compensation Act (s. 2-5, 60-73)	
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 2 to 18, 23, 34, 37-38, 284.1, 284.2, 289 to 295, 298, 304 to 308, 310 to 314.3, 315 to 323.1, 325, 334.1, 338, 341 to 345, 348)	
SK	Workers' Compensation Act, 1979 (s. 124, 133, 135, 136, 137, 140) Workers' Compensation General Regulations, 1985	Policy Manual Section 2 – Employer Premiums, Classification & Cost Relief
YT	Workers' Compensation Act (s. 66, 67)	Assessment Policies

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ASSESSMENT / PREMIUMS

Collection of Assessments

Updated Spring 2011

	<u>Legislation</u>	<u>Policy</u>
AB	<u>Workers' Compensation Act</u> (s. 100, 101, 121, 124-127, 129-135)	<u>Policy 06-03 Part II – Insurance Coverage for Workers & Employers - Premiums</u>
BC	<u>Workers Compensation Act</u> (s. 15, 38, 39, 40, 44-47, 49-52)	<u>Assessment Manual</u> Items AP1-39-2 and AP1-45-
MB	<u>Workers Compensation Act</u> (s. 81, 82, 85, 85.1, 85.2, 86) <u>Manitoba Regulation 65/2006, Interest, Penalties and Financial Matters</u>	<u>Policy 31.10.50 Collections</u>
NB	<u>Workers' Compensation Act</u> (s. 59, 60, 61, 62, 64, 70-73, 76)	<u>Policy 23-200</u> : Assessable Earnings <u>Policy 23-500</u> : Payment of Employer Assessments
NL	<u>Workplace Health, Safety and Compensation Act</u> (s. 99, 100, 117–120, and 122)	N/A
NT/NU	<u>Workers' Compensation Act</u> (s. 79 – 80)	<u>10.01, Doubtful Accounts & Write-offs</u>
NS	<u>Workers' Compensation Act</u> (s. 146-150)	<u>Policies 9.1.1 to 9.8.5, Assessments and Collections</u>
ON	<u>Workplace Safety and Insurance Act</u> (s. 88-95, 137-148)	
PE	<u>Workers Compensation Act</u> (s. 60-73)	
QC	<u>Act Respecting Industrial Accidents and Occupational Diseases</u> (s. 34, 290, 315, 316, 318, 322, 323, 323.2 to 323.5, 334 to 336, 363)	
SK	<u>Workers' Compensation Act, 1979</u> (s. 140, 148, 153-156, 158, 160)	
YT	<u>Workers' Compensation Act</u> (s. 66, 67, 68, 69, 75, 123)	<u>EA-01: Payment of Assessments</u> <u>EA-12: Security Deposits</u>

Source: Association of Workers' Compensation Boards of Canada (AWCBC)

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PENALTIES and FINES (and offences)

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 25, 33, 87, 112, 114, 121, 123, 125, 128, 151.1, 152, 152.01, 152.1)	01-05/II/2 ; 01-09/I ; 01-09/II/1 ; 01-09/II Addendum A ; 06-03/II/1, Q8 ; 06-03/II/5
BC	Workers' Compensation Act (s. 14, 38, 44, 45, 47, 54, 56, 73, 75, 77, 78, 88, 95, 160, 196, 217, 218, 220)	<i>Rehabilitation Services & Claims Manual</i> , Vol. II, <ul style="list-style-type: none"> o #47.20: Contributions from Workers to Employer, o #74.10: General Position of Physicians and Qualified Practitioners, o #94.15: Penalties for Failure to Report, o #94.20: Employer or Supervisor Must Not Attempt to Prevent Reporting o #95.30: Failure to Report, and o #98.12 Examination of Books and Accounts of Employer. Prevention Manual, Division 12: Enforcement
MB	Workers' Compensation Act (s. 4(1.1), 4(1.2), 11, 15, 18,18.1, 19(4), 19.1, 49.3, 68(3), 86, 98, 101(7), 109.1-109.7) Manitoba Regulation 65/2006R, Interest, Penalties and Financial Matters	Policy 35.00 Reporting and Remittance of Assessments for the General Body of Employers (Employers in class E)
NB	Workers' Compensation Act (s. 41, 53, 53.1, 68, 82, 85)	See Penalties & Fines (and Offences)
NL	Workplace Health, Safety and Compensation Act (s. 54.1, 56(3), 89(7), 89(8), 89.1(13), 90(6) 100, 101, 114, 117, 118, 123, 125) Workplace Health, Safety and Compensation Regulations (s. 25, 25.1, 28, 30,3 1)	WHSCC - Policies and procedures CHAPTER: Entitlement CHAPTER: Return to work and rehabilitation
NT/NU	Workers' Compensation Act (s. 141, 142 156, 157, 158, 159)	Policy 02.01, Employer Assessments ; Policy 02.05, Reporting Payroll ; Policy 02.06, Unregistered Employers ; Policy 04.01, Payment of Compensation
NS	Workers' Compensation Act (s. 207-220)	Policy 10.1.1R ; Policy 5.1.1R ; Policy 5.4.2 ; Policy 9.5.1R1 ; Policy 9.5.2R ; Policy 9.5.3R1
ON	Workplace Safety and Insurance Act (s. 149-158)	14-02-07 Employer Non-compliance Interest and Charges ; 22-01-01 Material Change in Circumstances - Employer ; 22-01-02 Material Change in Circumstances – Worker ; 22-01-03 Workers' Co-operation Obligations ; 22-01-05 Offences and Penalties – General ; 22-01-06 Offences and Penalties – External Suppliers of Goods and Services ; 22-01-07 Offences and Penalties - Worker ; 22-01-08 Offences and Penalties -Employer
PE	Workers' Compensation Act (s. 15, 59, 73, 74, 82, 83, 86, 86.9)	POL-71 Arising out of and in the Course of Employment ; POL-80 Deliberate Misrepresentation ; POL-19, Employer Registration ; POL-13 Assessment Billing ; POL-24 Retroactive Assessment of Non-Registered Employers ; POL-123 Self-Insured Employer – Administration Fee
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 33, 194, 207, 208, 307, 308, 319, 321, 323, 458-474).	
SK	Workers' Compensation Act, 1979 (s. 53, 55, 109, 114, 125, 129, 131, 152, 153, 164, 171, 177, 178) The Workers' Compensation General Regulations (s. 8)	POL 09/2011, Failure to Register a Business PRO 58/2010, Penalty, Default in Assessment Payment POL 02/2009, Employer Late Reporting of Injury Claims
YT	Workers' Compensation Act (s. 10, 88, 89, 90, 110)	EN-03 Employer Penalty For Failure To Provide Timely Notice Of A Work-Related Injury

Source: Association of Workers' Compensation Boards of Canada (AWCBC)

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PENALTIES and FINES (and offences)		
Employers – Penalties & Fines (and offences)		
Updated Fall 2011		
	Legislation	Policy
AB	Workers' Compensation Act (s. 19, 25, 33, 87, 112, 114, 121, 123, 125, 128, 151.1, 152, 152.01, 152.1)	01-02/I ; 01-05/I ; 01-09/I ; 01-09/II/1 ; 01-09/II Addendum A ; 04-02/II/2 ; 04-02/II Addendum A ; 05-01/I ; 06-01/I ; 06-02/II/2 ; 06-03/I ; 06-03/II/5 ; 07-01/I
BC	Workers Compensation Act (s. 14, 38, 44(1), 45, 47, 54, 73, 88, 160, 177, 186, 196, 213, 214, 215, 217, 218, 220)	Rehabilitation Services & Claims Manual, Vol. II , <ul style="list-style-type: none"> o #47.20: Contributions from Workers to Employer, o #94.15: Penalties for Failure to Report, o #94.20: Employer or Supervisor Must Not Attempt to Prevent Reporting o #95.30: Failure to Report, and o #98.12 Examination of Books and Accounts of Employer. Prevention Manual, Division 12 – Enforcement
MB	Workers Compensation Act (s. 4(1.1), 4(1.2), 11, 15, 18,18.1, 19.1, 49.3, 68(3), 86, 98, 101(7), 109.1-109.7) Manitoba Regulation 65/2006R, Interest, Penalties and Financial Matters	Policy 35.00 Reporting and Remittance of Assessments for the General Body of Employers (Employers in class E)
NB	Workers' Compensation Act (s. 53(5), 41(5), 31(1))	Policy No. 23-715 Employer Legislative Requirements and Services Policy No. 23-703 Under-estimated or Underreported Payroll Assessment Policy No. 46-300 Fraud and Abuse
NL	Workplace Health, Safety and Compensation Act (s. 56(3), 89(8), 89.1(13), 101, 114, 117, 118, 118.1, 123, 125) Workplace Health, Safety and Compensation Regulations (s. 25, 25.1, 28 and 30)	WHSCC - Policies and procedures RE-09 - Re-employment Penalties and Payments
NS	Workers' Compensation Act (s. 99, 125(3), 127, 137, 145, 207, 216, 217)	Policy 10.1.1R ; Policy 5.4.1 ; Policy 9.5.3R1 ; Policy 9.5.3R1 ; Policy 9.5.2R
NT/NU	Workers' Compensation Act (s. 141)	Policy 02.01, Employer Assessments ; Policy 02.05, reporting Payroll ; Policy 02.06, Unregistered Employers Policy 02.08, Safe Advantage Program
ON	Workplace Safety and Insurance Act (s. 21(3), 25(2), 41(13), 78(7), 78(8), 86, 88(5), 89(1) & (2), 149(1) & (3), 150(1), 151(1), (1.1) & (2), 152(1), (1.1), (2) & (3), 154, 155, 158) Ontario Regulation 175/98, General (s.15)	14-02-07 Employer Non-compliance Interest and Charges 22-01-01 Material Change in Circumstances - Employer 22-01-05 Offences and Penalties -General 22-01-08 Offences and Penalties –Employer
PE	Workers Compensation Act (s. 15, 59, 73, 74, 83, 86, 86.9)	POL-19, Employer Registration POL-13 Assessment Billing POL-24 Retroactive Assessment of Non-Registered Employers POL-123 Self-Insured Employer – Administration Fee
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 319, 321, 323)	
SK	Workers' Compensation Act, 1979 (s. 53, 125,109, 129, 131,152, 164, 177, 178) The Workers' Compensation General Regulations (s. 8, 9)	POL 09/2011, Failure to Register a Business PRO 58/2010, Penalty, Default in Assessment Payment POL 02/2009, Employer Late Reporting of Injury Claims
YT	Workers' Compensation Act (s. 10, 40, 41, 76, 89)	EN-03 Employer Penalty For Failure To Provide Timely Notice of a Work-Related Injury

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PENALTIES and FINES (and offences)		
Workers – Penalties & Fines (and offences)		
Updated Fall 2011		
	Legislation	Policy
AB	Workers' Compensation Act (s. 38(2), 39(2), 54, 147(3) 148, 151, 151.1, 152)	01-05/II/2, Q7 ; 01-09/I ; 01-09/II/1 ; 01-09/II Addendum A ; 04-02/II/1, Q12 ; 04-05/II/1, Q10 ; 05-01/I
BC	Workers Compensation Act (s. 196, 213, 214, 215 and 216)	Prevention Manual, Division 12 – Enforcement
MB	Workers Compensation Act (s. 19(4),68(3), 101(7),109.1-109.7) Manitoba Regulation 65/2006R, Interest, Penalties and Financial Matters	
NB	Workers' Compensation Act (s. 85, 31(1))	Policy No. 46-300 Fraud and Abuse
NL	Workplace Health, Safety and Compensation Act (s. 54.1(2), 89(7), 125)	WHSCC - Policies and procedures ; RE-02 Goal of Early & Safe RTW and Role of the Parties, RE-09 - Re-employment Penalties and Payments; RE-13 - Labour Market Re-entry Co-operation; RE-18 - Hierarchy of Return to Work and Accommodation; EN-17 - Interruptions and Delays in Work Injury Recovery
NS	Workers' Compensation Act (s. 216)	
NT/NU	Workers' Compensation Act (s. 142)	Policy 04.01, Payment of Compensation
ON	Workplace Safety and Insurance Act (s. 23, 34, 35(2), 36(5), 43(7), 149(1), 149(2), 158(1))	22-01-02, Material Change in Circumstances – Worker 22-01-05 Offences and Penalties -General 22-01-07 Offences and Penalties – Worker
PE	Workers Compensation Act (s. 6(12), 11(3.2), 18(13), 86(6))	POL-71 Arising out of and in the Course of Employment ; POL-76 Responsibilities of Recovering Workers ; POL-80 Deliberate Mis-representation ; POL-93 Return to Work ; POL-117 Vocational Rehabilitation
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 462 to 468, 473 and 474)	
SK	Workers' Compensation Act, 1979 (s. 58)	POL 03/2009, Suspension of Benefits
YT	Workers' Compensation Act (s. 14, 111)	RE-03 Mitigation of Loss GN-05 Fraud
Healthcare Providers – Penalties & Fines (and offences)		
Updated Fall 2011		
	Legislation	Policy
AB	Workers' Compensation Act (s. 34, 151.1, 152)	01-05/I ; 01-05/II-chart ; 01-09/I ; 01-09/II/1 ; 01-09/II Addendum A
BC	Workers Compensation Act (s. 56(4) and (5))	Rehabilitation Services & Claims Manual, Vol. II , o #74.10: General Position of Physicians and Qualified Practitioners o #95.30: Failure to Report
MB		
NB	Workers' Compensation Act (s. 31(1))	Policy No. 46-300 Fraud and Abuse
NL	N/A	N/A
NS	Workers' Compensation Act (s. 109, 207)	
NT/NU	Workers' Compensation Act (s. 141)	Policy 11.02, Reporting an Injury
ON	Workplace Safety and Insurance Act (s. 149(1), 149(4), 158(1))	22-01-05 Offences and Penalties -General 22-01-06, Offences and Penalties – External Suppliers of Goods and Services
PE	N/A	
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 462 to 467, 473 and 474)	
SK	Workers' Compensation Act, 1979 (s. 55)	N/A
YT	Workers' Compensation Act (s. 11)	

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REGULATIONS

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 153, 156(2), 157.1(2)) Regulations Act	
BC	Workers Compensation Act (s. 1, 4, 6-7, 54, 75-76, 106, 108, 111, 158, 161-162, 224-230)	Rehabilitation Services & Claims Manual, Vol. II , policy item #26.03: Recognition by Regulation of General Application. Prevention Manual , Policies and Practices Applying the Occupational Health and Safety Regulation.
MB	Workers Compensation Act (s. 1(1), 2.1, 4(5.7), 68, 77(1))	
NB	Workers' Compensation Act (s. 6, 50, 79.4, 81)	N/A
NL	Workplace Health, Safety and Compensation Act (s. 20.6, 38, 40, 65, 66, 80(8), 90, 91, 102, 123, 124)	N/A
NT/NU	Workers' Compensation Act (s. 169, 170)	
NS	Workers' Compensation Act (s. 2(aa), 10H, 60A(7), 60A(8), 184, 184A, 255, 255A, 274 and 275(10)) Workers' Compensation General Regulations	
ON	Workplace Safety and Insurance Act (s. 15.1(8), 52.1, 183)	N/A
PE	Workers Compensation Act (s. 80, 81)	None
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 24.2, 24.6, 24.8 et 454) Act Respecting Occupational Health and Safety (s. 8.3, 8.7, 34 and 223)	
SK	Workers' Compensation Act, 1979 (s. 114, 181)	
YT	Workers' Compensation Act (s. 128)	

Regulations – Who makes Regulations to the Act?

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 153(1))	
BC		
MB	Workers Compensation Act (s. 1(1), 2.1, 4(5.7), 68, 77(1))	
NB	Workplace Health, Safety and Compensation Commission Act (s. 26) Workers' Compensation Act (s. 6, 50, 79.4, 81) Occupational Health and Safety Act (s. 51) Firefighters' Compensation Act (s. 61)	
NL	Workplace Health, Safety and Compensation Act (s. 20.6, 38, 40, 90,91,123,124)	N/A
NT/NU	Workers' Compensation Act (s. 169)	
NS	Workers' Compensation Act (s. 2(aa), 184, 253, 255, 255A, 274, 275(10))	
ON	Workplace Safety and Insurance Act (s. 5.1(8), 52.1, 183)	
PE	Workers Compensation Act (s. 80)	
QC		
SK	Workers' Compensation Act, 1979 (s. 181)	N/A
YT	Workers' Compensation Act (s. 128)	

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REGULATIONS

Regulations – Matters set out in Act for regulations

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 153(1), 153(2), 156(2))	
BC	Workers Compensation Act (s. 4, 6.1, 6(4.1), 54(6), 111)	Rehabilitation Services & Claims Manual, Vol. II: <ul style="list-style-type: none"> • #26.00: The Designation or Recognition of an Occupational Disease; • #68.62: Fishers; • #93.00: Responsibilities of Claimants; • #94.00: Responsibilities of Employers; and • #95.00: Responsibilities of Physicians / Qualified Practitioners Assessment Manual:1-4-1: Fishing Prevention Manual
MB		
NB	Workplace Health, Safety and Compensation Commission Act (s. 26) Workers' Compensation Act (s. 6, 50, 79.4, 81) Occupational Health and Safety Act (s. 51) Firefighters' Compensation Act (s. 61)	
NL	Workplace Health, Safety and Compensation Act (s. 20.6, 38, 40, 65, 66, 73(2), 80(8), 90, 91, 124, 125)	WHSCC - Policies and procedures: <ul style="list-style-type: none"> • ES-01 - Personal Coverage • EN-13 - Occupational Chest Disease • EN-14 - Asbestos Related Claims • EN-15 - Peripheral Vascular Disease • EN-16 – Scleroderma • CO-01 - Coverage for Commercial Fishers
NT/NU	Workers' Compensation Act (s. 169-170)	
NS	Workers' Compensation Act (s. 2(j), 2(p), 2(ix), 3(1), (2), 5(4), 6(6), 10(6), (7), 12(3), 10H, 34(3), 35A, 39(1), 42(1), 45(2), 46(3), 48(2), 52(1), 56(2), 59(a), 59(b), 60, 60A, 86(1), 89(1), 125(2), 128(2), (4), 129(1), 134(1), (2), 145, 184, 217, 227(4)(c), 227(4)(d), 227, 233, 275, 275(4)(d), 275(10), 275(11), 255, 255A, 274)	
ON	Workplace Safety and Insurance Act (s. 15.1(8), 52.1, 183)	
PE	Workers Compensation Act (s. 80, 81)	
QC	Act respecting industrial accidents and occupational diseases (s. 24.2, 24.6, 24.8, 24.12 and 454) Act respecting Occupational health and safety (s. 8.3, 8.7, 8.11, 34 and 223)	
SK	Workers' Compensation Act, 1979 (s. 3(2), 21.1(3), 21.1(5), 29.1, 114, 124(1), 152)	N/A
YT		

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REGULATIONS

Regulations – Timing – Effective Date of Regulations

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Alberta Regulations Act (s. 2)	
BC	Workers Compensation Act (s. 76 and s. 227)	
MB	Workers Compensation Act (s. 68(2.2))	
NB		
NL	N/A	N/A
NT/NU	Workers' Compensation Act (s. 170)	
NS		
ON	Legislation Act, 2006 (s. 22)	
PE	N/A	
QC		
SK		N/A
YT		

Regulations – Are Regulations published in Gazette?

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Alberta Regulations Act (s. 3)	
BC	Workers Compensation Act (s. 226(1))	
MB	Workers Compensation Act (s. 68(2.2))	
NB		
NL	N/A	N/A
NT/NU	Workers' Compensation Act (s. 170(4))	
NS		
ON	Legislation Act, 2006 (s.	
PE	N/A	
QC		
SK	N/A	N/A
YT		

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EXTERNAL REVIEW / ADVISORY COMMITTEES

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	N/A	
BC	Workers Compensation Act (s. 109)	
MB	Workers Compensation Act (s. 69(3), 115)	
NB	N/A	N/A
NL	Workplace Health, Safety and Compensation Act (s. 126)	N/A
NT/NU	Workers' Compensation Act (s. 171)	
NS	Workers' Compensation Act (s. 161)	
ON	Workplace Safety and Insurance Act (s. 5, 159(2)(g))	
PE	Workers Compensation Act (s. 85.1)	POL-108 Governance Process, Committee Principles POL-109 Governance Process, Committee Structure
QC	N/A	
SK	Workers' Compensation Act, 1979 (s. 162)	N/A
YT	N/A	

EMPLOYER ASSOCIATIONS

Updated Fall 2011

	<u>Legislation</u>	<u>Policy</u>
AB	Workers' Compensation Act (s. 136)	Appendix G
BC	N/A	
MB	Workers Compensation Act (s. 97.1)	Policy 31.05.05, Rate Setting for the General Body of Employers (Employers in Class E) Policy 52.20, Funding Industry-Based Safety Programs
NB	Workers' Compensation Act (s. 79.2, 79.3, 79.4) Funding of Safety Associations Regulation	Policy No. 24-100 Safety Association Funding
NL	Workplace Health, Safety and Compensation Act (s. 20.5)	WHSCC - Policies and procedures - Sectoral Council Funding Guidelines
NT/NU	Workers' Compensation Act (s. 94)	
NS	Workers' Compensation Act (s. 162)	
ON	Workplace Safety and Insurance Act (s. 177)	
PE	Workers Compensation Act (s. 1(1)(l))	None
QC	Act Respecting Industrial Accidents and Occupational Diseases (s. 19, 22, 23, 24)	
SK	Workers' Compensation Act, 1979 (s. 145)	POL 20/2010 & PRO 11/2008, Safety Association Funding
YT	N/A	

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