

5.13 WORKERS' COMPENSATION BOARD CLAIMS

5.13.1 Policy

1. The Provincial Emergency Program (PEP) will ensure that WCB claims for volunteers are processed in a **timely** and **accurate** manner.

5.13.2 Conditions

1. Compliance with WCB Section 54 ensures earlier compensation to injured volunteers and helps to minimize assessment costs.
 - a. Section 54 (1) of the Workers' Compensation Act states:
"An employer shall report to the Board within three days of its occurrence every injury to a worker that is or is claimed to be one arising out of and in the course of employment."; and
 - b. Section 54 (8) of the Workers' Compensation Act states:
"Any compensation paid under subsection (7), until three days after receipt by the Board of the report required by this section, may be levied and collected from the employer by way of an additional assessment as a contribution to the accident fund...".
2. When a volunteer is injured on an **authorized task** (number), the task leader must:
 - a. during working hours - inform the Regional Manager and Emergency Program Coordinator;
 - b. weekends, holidays and after normal working hours, inform the PEP ECC at 1-800-663-3456; and
 - c. ensure that a WCB Form 7 - *Employer's Report of Injury or Industrial Disease* (Annex B) is initiated.
3. The Director of PEP is the only person authorized to sign the WBC Form 7.

5.13.3 Procedures

1. Notify PEP ECC immediately upon being made aware that a WCB claim has been initiated.
2. Complete WCB Form 7. Information shown on the attached sample (Annex B) is constant and must appear on all forms submitted to PEP
3. The Director of PEP is the only person authorized to sign the WCB Form 7.
4. WCB Form 7 must be forwarded immediately to applicable PEP Regional Office together with Task Registration Form and Task Report, if they are available. If not available, do not hold claim, submit immediately and forward Task Registration and Task Report Forms as soon as possible.
5. When a WCB Form 7 is received at the Regional Office, the Regional staff will type the form ensuring that information is complete and that a task number has been assigned. The form is then mailed to PEP Headquarters.
6. PEP Headquarters will obtain the PEP Director's signature and fax the WCB Form 7 to the nearest WCB office identified by the Regional Office on the form. PEP Headquarters will retain a copy of form and return original to Regional Office by mail.

**IMPORTANT - ALL WCB FORM 7'S MUST BE SIGNED BY THE DIRECTOR PEP,
DO NOT SUBMIT FORMS DIRECTLY TO WCB.**

5.13.4 WCB Regulations

1. The following regulations explain the circumstances in which an injury (or claimed injury) must be reported by an employee to the WCB.
 - a. Where none of the conditions listed in 1.b. is present, an injury is a minor injury and not required to be reported to the Board unless one of those conditions subsequently occurs.
 - b. A reportable injury is an injury arising as the result of employment, or which is claimed to have arisen in the course of such employment, when one of the following conditions is present or subsequently occurs.

- (1) the worker loses consciousness following the injury;
 - (2) the worker is transported or directed by a first aid attendant or other representative of the employer to a hospital or other place of medical treatment;
 - (3) the injury is one that obviously requires medical treatment;
 - (4) the worker states that they intend to seek medical treatment;
 - (5) the worker has received medical treatment for the injury;
 - (6) the worker is unable or claims that they are unable by reason of the injury to return to their usual job function on any working day subsequent to the day of injury;
 - (7) the injury or accident resulted or is claimed to have resulted in the breakage of a prosthesis, eyeglasses, dentures, or a hearing aid; or
 - (8) the worker or the WCB has requested that an employer's report be sent to the Board.
- c. The obligation of the employer to report the injury to the WCB commences when a supervisor, first aid attendant, or other representative of the employer first becomes aware of any one of the conditions listed above, or when notification of any such condition is received by mail or telephone at the local or head office of the employer.

NOTE:

Under the Workers' Compensation Act, a reportable injury must be reported to the Board by the employer on the form prescribed by the Board within three days of the moment indicated in regulations 2 and 3 above. Any failure to do so, unless excused by the Board, is an offence punishable by a fine. Also any compensation paid until three days after receipt of the report at the Board may be levied and collected from the employer by way of additional assessment, rather than being charged to the class fund.