

wcb

Saskatchewan
Workers'
Compensation
Board



Information for Employers



Contents

2 Information for employers

4 Reporting workplace injury

6 General information

6 What is workers' compensation?

6 What is the Workers' Compensation Board?

6 Confidentiality

7 WCB services

8 Paying for the compensation system

8 Employer premiums

8 Injury Fund and reserves

9 Registering your business

9 Who has to register?

10 How do I register my business?

11 What if I don't register?

11 Stopping operations

11 WCB coverage

11 Who's covered by workers' compensation?

12 Voluntary coverage

12 Optional personal coverage

13 Interprovincial coverage

13 Classification and rates

13 Industry classifications

14 Diversified operations

14 Experience Rating Program

15 Estimating payroll

15 Assessable payroll earnings

16 Employer audits

16 Employer's Payroll Statements

17 Penalties for late filing

17 Paying premiums

18 Contract work

18 Independent workers

18 Hired or rented equipment

19 Principal's responsibility

19 Letters of good standing

19 Clearances

20 How to request a clearance

20 Work injury

- 20 What is a work injury?
- 20 Disease caused by work
- 20 Death at work
- 21 If a worker is injured
- 22 What to expect if a worker is injured
- 22 Injury to report?

24 Handling a claim

- 25 Case management services
- 26 Health services
- 26 Vocational services

27 Benefits for injured workers

- 27 Medical costs
- 27 Travel expenses
- 27 Wage-loss benefits
- 28 Loss of pension benefits
- 29 Permanent functional impairment benefits
- 29 Independence allowance
- 29 Workers 65 years or older
- 29 Death benefits (work injury related)
- 30 Death benefits (not work injury related)

31 Return to work

- 31 Accommodation in the workplace
- 31 Return-to-work information
- 32 Return-to-work programs

33 Disagreeing with a decision

- 33 Ask for an explanation
- 34 Appealing an injury claim
- 34 Appealing an industry classification, experience rating or assessment decision

35 Fair Practices Office

36 Injury prevention

- 36 Unsafe work practices are illegal
- 37 WorkSafe Saskatchewan

38 Reporting suspected fraud

- 38 What is fraud?
- 38 How do I report suspected fraud?

Information for employers

Employers, workers, care providers and the WCB must work together to prevent work injuries and, when injuries happen, assist injured workers back to work as soon as it is medically safe.

Working together, the partners will address workers' medical needs, arrange for meaningful work during recovery, and support the financial and personal challenges created by workplace injuries.

As an employer, it's your responsibility to:

- Provide a safe and healthy workplace;
- Report each workplace injury that requires medical attention within five days of becoming aware of it;
- Keep in touch with your injured workers;
- Work with the WCB to reduce the duration and cost of injuries;
- Find alternate or modified work to help injured workers return to work;
- Pay annual premiums to fund the compensation system;
- Return an annual Employer's Payroll Statement to the WCB;
- Ask for clearances for any contract work; and
- Set up safety and injury prevention programs.

Your workers have a responsibility to:

- Follow safety regulations to avoid injury;
- Seek medical attention immediately if needed;
- Tell you when they are injured;
- Report their injuries to the WCB;
- Follow their treatment program;
- Get involved and co-operate with their return-to-work plans to help speed their recovery; and

- Stay in touch with you, their WCB representative and the care provider during their recovery.

Care providers have a responsibility to:

- Report workplace injuries to the WCB;
- Develop a treatment plan;
- Support the return-to-work process by identifying any restrictions the worker may have;
- Adjust these restrictions as the worker's condition changes;
- Give the best care possible to injured workers; and
- Ask the WCB to arrange services as needed.

The WCB has a responsibility to:

- Facilitate health care services and return to work;
- Register all businesses and assess fair premiums;
- Help firms develop and implement safety and prevention programs;
- Provide wage-loss and other benefits as provided by legislation;
- Return phone calls as soon as possible;
- Provide case management services to monitor workers' recovery and return to work;
- Arrange special medical appointments and treatment upon request from the care provider;
- Provide an open and honest file review and appeals process;
- Be honest, open and fair in all dealings; and
- Treat you, your workers and their care providers with dignity and respect.

Reporting workplace injury

You must report any workplace injury that requires medical attention to the WCB within five days of becoming aware of it.

If you don't file an *Employer's Initial Report of Injury* (E1) form within five days, you could be fined up to \$1,000. You could also be charged with the full cost of compensation benefits and medical aid paid to the injured worker for that claim.

To file an E1, you'll need:

- Name, address and contact numbers for your company and for your injured worker;
- Details about the injury; and
- Records of the worker's earnings and recent employment history.

Choose one of these three filing options:

1. **Online:**

On the homepage of our website, www.wcbsask.com, click either the **File an injury incident form (E1)** link to submit an E1 report electronically or the **Secure Login** link at the top right corner to set up a WCB Online Account. A WCB Online Account will allow you to submit injury reports and conduct the following other business transactions:

- Register a new business;
- Request letters of good standing;
- Request clearances when paying a contractor;
- File your annual Employer's Payroll Statement;
- View your WCB account information; and
- View your injury cost statements.

2. WCB Inquiry Line:

Dial 1.800.787.9288 to file by phone. A WCB representative will fill out the E1 form for you.

3. Fax or mail:

Request an E1 form from our office or download a copy from the Employers section under Forms and Fact Sheets on our website, www.wcbsask.com. You can complete the form on screen, or print it and complete it by hand. See back cover for address and fax number.

Injured workers must also report their injuries to the WCB, using the *Worker's Initial Report of Injury (W1)* form. W1's can be filed online. If an injured worker asks you for a W1 form, you must give it to them. The WCB can send you a master copy or you can download and print copies from the WCB website.

General information

What is workers' compensation?

Workers' compensation is an insurance system for workplace injuries funded by employers. It is a no-fault system. This means that fault does not have to be proven for injured workers to get benefits. Injured workers get financial help and the medical treatment they need. They do not have to pay for these benefits themselves and employers are protected from lawsuits.

What is the Workers' Compensation Board?

The Workers' Compensation Board (WCB) is an independent agency that manages Saskatchewan's workers' compensation system. The WCB operates under provincial legislation known as The Workers' Compensation Act, 2013 (the Act). The WCB is governed by a Board comprised of a Chairman and Board members who represent employers and workers. They make sure that WCB policies follow the Act and they consider appeals. A chief executive officer manages the WCB's day-to-day operations.

Confidentiality

The WCB guards the confidentiality of information being collected. WCB employees cannot give out any information unless authorized to do so. You can give permission to have information about your account released to a third party. This third party must agree to use the information only in the way you intend it to be used, to keep the information secure, and not to release the information to anyone else.

The WCB shares information with the provincial government's Occupational Health and Safety Division and with industry safety associations to help improve workplace safety and injury prevention. This information includes:

- Number of injuries;
- Types of injuries;
- How often specific injuries happen;
- Length of injury claims; and
- Industry trends and individual employer claims.

By law, information about your individual firm's injury rate and claims cost must be kept confidential.

WCB services

The WCB's goal is to get injured workers back to work as soon as it's medically safe. That's why it is important for you to make sure an injured worker gets medical treatment as soon as possible and to let the WCB know about the injury.

Once the WCB knows about the injury, we can:

- Help the worker's care provider arrange for medical treatment;
- Pay the worker for any lost wages if they're off work because of the injury;
- Help you set up a return-to-work plan to get the injured worker back to work as soon as it's medically safe;
- Check on the worker's recovery and need for special treatment programs; and
- Help you identify safety issues in your workplace and develop plans to prevent further injuries.

The WCB also promotes injury prevention and safety in the workplace through information sessions and workshops.

Paying for the compensation system

Employer premiums

Employers pay the cost of the workers' compensation system under an insurance principle known as "collective liability." This means that employers working in the same industry pay the same industry premium rate. This rate is applied to every \$100 of their payroll.

Employers may reduce their premiums by maintaining safe workplaces (see Experience Rating Program, page 14).

Premiums collected during the year must be enough to cover the current costs of injuries that happen that year and the cost of those injuries for the life of the claim.

Employer premiums cover the following costs as required under the Act:

- Benefits on work injury claims, including lost wages, vocational rehabilitation, medical treatment, prescription drugs, hospital care and other health care services. Saskatchewan Health does not cover these costs for WCB clients.
- Administration of WCB programs and services.
- The Ministry of Labour Relations and Workplace Safety's Occupational Health and Safety Division and the Office of the Worker's Advocate.

Injury Fund and reserves

The WCB makes sure that enough money is set aside in the Injury Fund and other reserves to pay the costs of claims today and into the future. The WCB's reserves are:

Disaster and Occupational Disease Reserves

There are two disaster reserves that can be drawn on to assist employers when exceptional

incidents result in extraordinary costs for single or multiple injury claims.

The Disaster Reserve protects employers who face high claims costs due to one incident. The WCB will provide relief when costs for one claim are more than 10 times the maximum wage rate. If one incident resulted in two or more workers being injured, then the WCB will provide relief when costs are more than 20 times the maximum wage rate.

The Occupational Disease Reserve protects employers who face high claims costs for diseases caused by past exposure to materials or environments for which the employer may not be responsible, or for industries where an employer is no longer in business.

Second Injury and Re-employment Reserve

This reserve provides cost relief for current injuries that are related to previous injuries. It can also support return to work through retraining.

Board policy outlines when these reserves can be used.

Registering your business

All businesses covered under the Act must be registered within 30 days of hiring workers or contractors.

Who has to register?

Generally, you must register if your firm:

- Works in an industry that is defined as mandatory under the Act;
- Employs and pays workers on a regular, casual or contract basis;
- Is incorporated and the directors report employment income on a Canada Revenue Agency (CRA) T4 income tax slip; or

- Comes from another province or country and meets the requirements under Saskatchewan legislation.

Firms or persons involved in excluded industries listed in The Workers' Compensation Act Miscellaneous Regulations or Section 3 of the Act are not required by law to register with the WCB, but may voluntarily apply for coverage.

How do I register my business?

There are several ways to register a new business with the WCB:

Online. On the WCB's website, www.wcbsask.com. Under Employers, Register your business, complete the online *Employer Registration* form.

Phone. Call the Employer Services department at 306.787.4370 or toll free at 1.800.667.7590.

Mail or fax. Request an *Employer Registration* form from the WCB or download a copy from www.wcbsask.com.

The WCB needs the following details about your business operations to set up your account:

- Federal business number;
- Complete legal name of your business or, if you are registering under a partnership or proprietorship, the legal names of the owner(s);
- List of contractors including the type of work and contract amounts;
- An estimate of your payroll for workers and directors, if any;
- The start date of operations and the start date of your first worker, if applicable; and
- Address and contact information.

The WCB will then send you a Statement of Account telling you the premium you need to pay for the year, based on your estimated payroll.

What if I don't register?

If you don't register your business within 30 days:

- You may be assessed premiums according to Board policy;
- You'll be charged a penalty of five per cent of premiums for each year you should have been registered (The late reporting penalty won't be less than \$5 or more than \$500 per year);
- You could be responsible for all the costs of any injuries that happened while your business wasn't registered;
- You could be prosecuted and fined up to \$1,000; and
- An administrative penalty up to \$10,000 may be charged.

Stopping operations

If you stop operating your business, you must give the WCB your total gross payroll to the date you stopped operations. You must contact the WCB office or complete an *Account Closure Form* (ACF) available on the WCB website. If you sell the business, the buyer must ask the WCB for a certificate that shows you don't owe any premiums. If they don't ask for the certificate, the new owner could become responsible for any premiums you owe.

WCB coverage

Who's covered by workers' compensation?

Coverage for most industries is mandatory under the Act. All workers in mandatory industries are covered, including those 65 years and older.

Coverage is mandatory for directors that are carried on payroll and claim income on a CRA T4 slip. If the director does not report income on a T4 slip, they can apply for optional personal coverage (see page 12).

Business owners may or may not be covered depending on how their business is set up (see page 12).

Voluntary coverage

Businesses in certain industries listed in the Miscellaneous Regulations may apply for voluntary coverage. The WCB must approve their application.

A firm or person in an excluded industry that chooses voluntary coverage:

- Must apply for coverage. If the application is accepted, coverage continues until they tell the WCB, in writing, that they wish to discontinue it;
- Is covered from the day after the WCB gets their voluntary coverage application;
- Gets the same coverage provided under mandatory coverage; and
- Becomes subject to WCB legislation, policies and procedures.

If you apply for voluntary coverage, you must tell your workers and their union, if they have one, that you have done so.

Optional personal coverage

As an employer (including proprietor or spouse, partner or spouse, or director of a corporation not carried on payroll), you are not personally covered if you're injured at work. However, you can protect yourself by purchasing optional personal coverage.

Sole proprietorship or partnership

As a sole proprietor or partner, you and your spouse can apply for Optional Personal Coverage (OPC). All other workers are automatically covered, regardless of age, including other family members who are employed by and receive wages from the firm.

Corporation

Optional Personal Coverage is available to any director that is not carried on the payroll (does not claim income on a CRA T4 slip) at the minimum OPC amount. A director of a limited company who receives a CRA T4 slip is automatically covered as a worker.

When you apply for optional coverage, you must state the level of coverage you want. Minimum employer coverage is based on assessable earnings for a 40-hour work week at the current provincial minimum wage. If you want more than minimum coverage, you must provide proof that you actually earn at least as much as the amount of coverage you've applied for in the event of an injury.

Interprovincial coverage

For workers being sent out of province

Saskatchewan WCB coverage may apply when you send your Saskatchewan workers to other provinces to work. However, you must contact the WCB Employer Services Departments in those provinces to find out if you are required to register with them (see our fact sheet, *Coverage for Saskatchewan Employers Operating Out of Province/Country*, available at www.wcbsask.com).

For workers coming into Saskatchewan

If you're an employer from another province with workers doing work in Saskatchewan, see our fact sheet, *Coverage for Out-of-Province Employers Operating in Saskatchewan* or contact our Employer Services Department to find out if you have to register with us (see back cover).

Classification and rates

Industry classifications

To make sure that all businesses pay their fair share of the cost of the workers' compensation system, businesses are grouped by type of industry. All businesses that register with the WCB are put into one of 10 broad industry classes. The classes are then broken down into smaller groups based on the specific kind of work the businesses do. Each of these smaller groups is given a rate code. All of the businesses in the same rate code pay the same

industry premium rate – an amount for each \$100 of payroll. This rate applies to earnings of all occupations in that rate code, including administrative and clerical staff, up to the maximum insurable earnings amount per worker per year, as in the Act (see page 15).

If you disagree with the industry classification for your business, you can ask the WCB for a review. An industry association can also ask for a review of the industry classification on behalf of its members.

Diversified operations

When a firm does work in more than one industry, that firm may be eligible for more than one rate code.

The WCB will only consider providing more than one industry classification in the case where the two lines of business are distinct and separate. If this is not the case, the industry classification will be based on the business with the highest premium rate.

Experience Rating Program

The Experience Rating Program rewards employers for their efforts in maintaining safe workplaces.

You may receive a discount or surcharge based on your claims history over a three-year evaluation window. Any discount or surcharge will be applied to your annual industry premium rate.

Standard program

- For employers who pay less than \$21,000 in premiums over a three-year evaluation window
- Based on the number of Time Loss claims within the three-year evaluation window

Advanced program

- For employers who pay \$21,000 or more in premiums over a three-year evaluation window

- Based on claims costs, premium size and the number of years an employer has paid premiums
- Your claims costs within the three-year evaluation window are compared with the claims costs of all other employers in your industry. If your costs are lower than the industry average, you may receive a discount on your premium rate. If your costs are higher, you could be charged a surcharge.

If your firm operates in more than one WCB industry rate code, each rate code will be looked at separately. This means you could get a discount in one rate code and a surcharge in another.

Once you have been told your premium rate for the upcoming year, you have 30 days to appeal your experience rating to the WCB. See page 34 for more information on appeals.

Estimating payroll

To determine your premium, the WCB needs an estimate of what your assessable payroll earnings will be each year.

Assessable payroll earnings

Assessable payroll earnings are gross earnings – before income tax, employment insurance, pension and other deductions are taken off. Earnings include regular wages and salaries, piecework fees, commissions, bonuses, and other payments and taxable benefits. If you give workers room and board, and it's a taxable benefit, you must add the value of the room and board to the payroll you report to the WCB.

Each worker's gross earnings are only insured to the current maximum. See www.wcbsask.com for current amounts.

If at any time during the year you determine that your payroll estimate is too low or too high, you can contact the WCB to change that estimate. If your estimate varies significantly from your actual payroll for the year, a penalty or credit will be applied to your account:

- If your actual payroll is more than 50 per cent higher than your estimate, you'll be charged a six per cent penalty; or
- If your actual payroll is less than 50 per cent of your estimate, and if you've already paid your premiums, a six per cent credit will be applied to your account.

Employer audits

The WCB has a legal right to ask for your employer records for audit purposes. You could be fined if you don't keep proper records, if you give untrue or inaccurate payroll statements or if you refuse to let the WCB look at your books and accounts.

Employer's Payroll Statements

If you've registered with the WCB, you'll receive an Employer's Payroll Statement (EPS) in January to be completed and returned to the WCB by February 28.

On the EPS you must:

- Report your actual gross payroll for the previous year, up to the maximum insurable wage (see www.wcbsask.com for current amounts) per worker regardless of age. The WCB will compare the actual payroll amount with the estimate you gave the year before and make any needed adjustments;
- Provide an estimate of your gross payroll for the current year, up to the maximum insurable wage per worker; and
- List all the contractors you hired during the previous year. If any of them are not registered with the WCB or have unpaid

WCB premiums, the WCB will increase your premiums to cover the labour portion of their contracts. To protect yourself, you should get clearances from the WCB for all contractors before you make payments on their contracts (see page 19).

Penalties for late filing

If you file your EPS after the February 28 deadline:

- You'll be charged five per cent of your previous year's premium as a penalty;
- For every 30 days until we receive your statement, you'll be charged an additional five per cent of the previous year's premium, to a maximum of 15 per cent. (The total late filing penalty won't be less than \$5 or more than \$500); and
- You could be prosecuted and fined up to \$1,000.

If you don't file an EPS, we'll estimate your payroll and premium. Our estimate will stand until you give us your actual payroll. If our estimate of your premium is lower than your actual premium, you're responsible for the difference. Further, if you don't file an EPS, you are not eligible for a discount on your premiums.

Paying premiums

Annual premiums can be paid in two installments: On April 1 and on September 1 of the same year. If your payment is late, you'll be charged interest at the Bank of Canada rate as of October 31 of the previous year plus six per cent.

Contract work

Contract situations involve the:

- Principal – The owner of the project, or the person or business that hires someone to do the work; and
- Contractor – The person or firm doing the work who is not carried on the payroll.

Anyone under contract to a principal is either a worker or an employer. A contractor who is not registered as an employer with the WCB is considered a worker and the principal must report the cost of the whole contract less deductions for non-labour items.

Independent workers

In some cases, a worker could qualify for a WCB account as an independent worker. An independent worker is defined as someone working in an industry covered by the WCB, does not hire workers and works under contract for more than one employer. For more information, contact the WCB's Employer Services Department (see back cover).

Hired or rented equipment

Equipment includes trucks, bulldozers and any other machine described in the Act and through Board policy. Hired or rented equipment operators, including owner-operators, are workers. Principals who hire or rent equipment that comes with an operator must include the labour portion of the contract in their payroll reports to the WCB.

- If the equipment owner has an up-to-date WCB account, the principal won't be assessed premiums for that contract.
- If the equipment owner doesn't have a WCB account, the owner is considered to be the principal's worker and the principal must pay premiums based on the labour portion of the contract. The principal can then deduct the extra premium amount from the amount owed on the contract.

Principal's responsibility

Under workers' compensation legislation, an injured worker can get benefits even if their employer hasn't registered with the WCB or has overdue premiums. The WCB requires principals to request a clearance before they make payments to any contractors they hire. If the principal doesn't get a clearance, they could be charged a portion or all of the overdue premiums and cannot deduct the extra premium paid from the amount of the contract.

By requesting clearances, principals protect themselves. They also help the WCB identify new employers, collect unpaid premiums and make sure that all employers are fairly treated.

Letters of good standing

A letter of good standing is only issued at the start of a job and is only valid on the day it is requested. Once a contract has been awarded and before work begins, the principal can request a letter of good standing from the WCB. This letter will tell the principal if the contractor has a WCB account and if all premiums are paid.

Clearances

All contract situations require clearances. A clearance is a letter from the WCB that tells a principal that they can make a payment to a contractor for completed work. The clearance protects the principal from having to pay any overdue premiums the contractor owes the WCB.

The principal must ask for a clearance before any payment is made. If the WCB tells the principal that the contractor owes WCB premiums, the principal can pay the premiums to the WCB and subtract that amount from the contract. If payment is released to a contractor with overdue WCB premiums, the principal could be responsible for those premiums.

How to request a clearance

You can request clearances and letters of good standing online. You'll need to set up a secure WCB Online Account at www.wcbsask.com. Just click **Secure Login** at the top right of the WCB homepage and follow the instructions.

You can also request a clearance by contacting the WCB's Employer Services Department by phone, email or fax (see back cover).

Automatic Clearance Verification

Your secure WCB Online Account also gives you access to Automatic Clearance Verification (ACV). This system provides automatic email notification of any changes in the clearance status of any contractors you list.

Work injury

What is a work injury?

A work injury is an injury that:

- Happens at work, on company property or on company business;
- Needs medical attention;
- May or may not need time away from work; and
- Was caused by the job.

The WCB looks at each work injury separately to decide if it happened at work or was caused by the job, and what kind of benefits can be given.

Disease caused by work

There's no difference between a disease caused by work and a work injury. They're both covered by the WCB.

Death at work

When a worker is found dead in their workplace, it's presumed that the death was work-related unless proven otherwise. The worker's family may be eligible for benefits (see page 29).

If a worker is injured

Get first aid or medical attention immediately for the injured worker.

This may include getting them to a physician, dentist, chiropractor, optometrist, psychologist, physical therapist or any other care provider who's registered or licensed in Saskatchewan or is a WCB approved provider.

Report the injury to the WCB as soon as possible.

By law, you and your workers have to report all injuries that require medical attention to the WCB, even if there's no time away from work. It's illegal to agree not to report an injury.

You must file an *Employer's Initial Report of Injury* (E1). This report includes accurate payroll information the WCB needs to calculate wage loss if the injury results in time off work.

You could be prosecuted and fined up to \$1,000 if you don't report an injury within five days after being told about it.

Although injuries must be reported within five days, it's very important that the injury is reported as soon as possible because if your E1 is late, benefit payments to your injured worker could be delayed. That could mean financial hardship for the worker and family. Late reporting also means that the injured worker's wage-loss and other benefits may be delayed. This could add to the time the worker is off, and increase your costs for the claim.

You must ensure your worker has access to a *Worker's Initial Report of Injury* (W1) form and provide one to them if they ask. It's illegal to stop a worker from submitting a W1 to the WCB. You can file both E1 and W1 forms on the WCB website, www.wcbsask.com.

What to expect if a worker is injured

If a worker is injured and requires medical attention you must report it to the WCB within five days of being told about it. You, the worker and their care provider file separate injury

NO TIME LOSS No wage-loss benefits are paid

The WCB gathers information from you, your injured worker and the care provider to validate the claim.

The WCB communicates with you and the injured worker advising whether the claim is accepted or denied.

The WCB pays the worker's allowable travel costs, costs for medical items and prescriptions when the invoices are received.

The WCB receives the receipts and issues payment to the injured worker for allowable expenses.

Injury to report?

The WCB makes it easy to file an *Employer's Initial Report of Injury* (E1):

- **Online at www.wcbsask.com – the fastest and easiest way to file**
- By phone using WCB Inquiry Line 1.800.787.9288
- Fax or mail
- You can also apply for a WCB Online Account to see details about your claims and other business transactions with the WCB.

See pages 4-5 for details.

This chart provides a general outline of the claims process only. Timelines and benefits will vary with individual circumstances.

reports. You can file online or by WCB Inquiry Line. Your injury report arrives at the WCB by internet, WCB Inquiry Line, fax or mail.

TIME LOSS

The WCB gathers information from you, the worker and the care provider to validate the claim.

The WCB communicates with you and the injured worker advising whether the claim is accepted or denied.

The WCB pays the worker's allowable travel costs, costs for medical items and prescriptions when the invoices are received.

The claim is assessed on the effect the injuries are likely to have on the worker's ability to do their job.

The WCB issues the first payment of wage loss and letters to you and the injured worker explaining action on the claim within 14 days.

The WCB pays the care provider for their services.

The WCB continues to issue cheques to the worker for allowable medical and travel expenses.

The WCB continues to pay wage-loss benefits every two weeks until the worker is back to work.

The WCB continues to pay the care provider for medical treatment.

SHORT TERM Recovery within 2 weeks or less

Medical treatment and fitness for employment are monitored.

Return to work is co-ordinated where needed.

The worker recovers and is back to work within two weeks.

OR

If recovery is delayed, claim is reassessed as long term.

The WCB tells you, the worker and care provider about the status of the claim.

LONG TERM Recovery takes longer than 2 weeks

Long-term claims are referred to a Case Management team.

You, the worker and care provider help develop treatment and return-to-work plans.

Treatment and return-to-work plans continue until the worker has recovered.

The WCB keeps you, the worker and care provider informed by letter about the status of the claim.

All parties are responsible for maintaining communication throughout the claims process.

Keep accurate records of injuries.

Occupational Health and Safety legislation states that you must log all mishaps and injuries.

Co-operate with your worker's medical treatment.

See "Return-to-work information," page 31.

Help the worker return to work by making changes to their job duties and workstation to allow for any restrictions caused by the injury.

Your injured worker should give you information from their care provider about the work duties they can perform and the date you can expect them to go back to the work they were doing before the injury. The information will help you arrange temporary duties until they're ready to go back to their usual work.

Stay in touch with your worker, their care provider, union representative and the WCB to set up and follow a return-to-work plan to get the worker back on the job as soon as it's medically safe (see page 31).

Handling a claim

Even if your worker didn't take time off work but needed medical attention because of the injury, they need to report it to you. You must send us an Employer's Initial Report of Injury (E1) within five days of being told about the injury, whether it involves time off work or not.

If your worker is off work after the day they were injured, the WCB will review the reports we get from you, your injured worker and their care provider to confirm that the worker:

- Is a worker of your company;
- Was injured during that employment; and
- Can't work because of the injury.

If the injury has resulted in the worker being off work, it's also important that you provide accurate information on the E1 regarding how much the worker was earning at the time of the injury.

Using this information and the rules set out in the Act and WCB policies, the WCB will decide whether or not to accept the claim. If the worker can't go back to work, the WCB is responsible for replacing wages lost starting the day after the injury happened. Medical and travel expenses can also be paid (see page 27). Most Time Loss claims are short term, with the worker returning to work soon after injury.

Case management services

If your recovery exceeds expected durations, or is serious in nature, your claim is reassessed as long term and your claim is assigned to a case management team. Teams are located in both our Regina and Saskatoon offices. Each team consists of:

- A team leader;
- Case managers;
- Case manager support staff;
- Specialists in vocational rehabilitation and payments;
- Administrative support; and
- Health Care Services staff who give support when needed.

The injured worker will be assigned a case manager. The case manager and the rest of the team will work with you and your injured worker to co-ordinate medical and vocational services. This includes return-to-work plans to help your worker get back to productive work as soon as it's medically safe.

Health services

The injured worker's care provider decides what treatment the worker will get for the injury, and reports regularly to the WCB on the worker's progress.

If the worker doesn't recover as expected, the WCB can help the care provider arrange continuing care with specialist appointments, diagnostic testing, assessments, rehabilitation and other services (see our *Right Care at the Right Time* brochure).

The injured worker is expected to work closely with the care provider, and to co-operate fully in treatment and rehabilitation. If they don't, the WCB is required by law to decide if their benefits should continue or be suspended, reduced or stopped altogether based on the reasons they give for not co-operating.

Vocational services

If a job change is required because of work restrictions resulting from the injury, vocational services can be arranged. These services may include:

- Career counselling;
- Job-finding skills development;
- Help with job searches;
- Opportunities for on-the-job training; and
- Formal vocational training.

To reduce the effect of the injury, the WCB could pay for alterations to the worker's home, vehicle or workstation.

If the injury results in a permanent impairment, the WCB will review if the worker requires these services. A permanent injury may not necessarily stop a worker from going back to their regular activities or their usual job.

Benefits for injured workers

The WCB provides the following benefits to injured workers, depending on the situation.

Medical costs

The WCB pays for medical treatment, hospital care, prescription drugs and medical supplies. Saskatchewan Health doesn't cover these costs for work injury claims.

Travel expenses

If the injured worker must travel outside their home community for medical appointments, the WCB may cover travel costs.

If the injured worker is sent to a treatment centre outside their home community, the WCB may cover travel, accommodation and living expenses to certain limits.

Wage-loss benefits

If an injured worker is only off work on the day of the injury, the WCB will only pay for medical treatment. If the injured worker misses work after the day of the injury, the WCB will pay benefits for lost wages. If you prefer, you can continue to pay your injured worker directly and the WCB will repay you.

The WCB bases the injured worker's wage-loss benefits on 90 per cent of what they were earning when they were injured, or 52 weeks of earnings, whichever is higher, up to the maximum insurable amount. The WCB adjusts the annual maximum wage rate in accordance with changes to Saskatchewan's average weekly wage. The WCB also reviews and adjusts wage-loss benefits annually to keep up with changes in the Consumer Price Index (subject to the maximum wage rate). Net earnings are gross earnings minus probable deductions for income tax, Canada Pension and employment insurance.

Wage-loss benefits are calculated as follows:

Gross employment earnings	—	Probable deductions (CPP, EI, income tax)	=	Net employment earnings
Net employment earnings	X	90%	=	Amount of wage-loss benefits

Benefits are adjusted each year based on changes in the Consumer Price Index.

The WCB will continue wage-loss benefits as long as the injury continues, but not after age 65. Some exceptions apply (see page 29).

Because wage-loss benefits are calculated on employment income, injured workers must tell their case manager when they:

- Start any job with a new employer or return to work for you;
- Earn any other income while receiving WCB benefits;
- Start or are already self-employed or involved in work partnerships from which they receive income; or
- Have another employer or any other income at the time of injury.

Loss of pension benefits

If a worker receives wage-loss benefits for more than 24 months in a row, the WCB will put away an extra 10 per cent of benefits for as long as the worker is on compensation. This helps the worker build retirement income. When the worker reaches age 65, these funds must be used to buy an annuity to supplement their retirement income. At age 65, if the total amount plus interest is less than the minimum amount adjusted annually through policy, the worker can choose a lump sum payout or annuity (see the *Annuity Program* fact sheet found at www.wcbsask.com/workers/worker-resources).

Permanent functional impairment benefits

If a work injury leaves part of the worker's body not functioning the same as before they were hurt, they may have a permanent functional impairment (PFI). The worker might be entitled to a lump sum permanent impairment award of \$2,200 to \$45,200.

Independence allowance

Injured workers with a PFI may get an annual independence allowance to help them live independently. This allowance is a percentage of the PFI award.

Workers 65 years or older

If you have workers 65 years or older on your payroll, they are covered and can be entitled to benefits if injured. If a worker has an injury at age 63 or older, they are entitled to medical benefits related to the work injury, although wage-loss benefits are limited to a maximum of two years provided they are unable to earn all or part of their earnings due to the work injury.

Death benefits (work injury related)

If a worker's death is the result of a work injury, the worker's family can get benefits.

Burial expenses

As soon as it's decided that the death is a result of a workplace injury, the WCB makes a lump sum payment to the worker's estate to help with the necessary expenses of the death of the worker, including burial. If the death happens away from the worker's home community, the cost of transporting the body could also be covered.

Spousal benefits

Spousal benefits include wage-loss benefits, vocational benefits, retirement benefits and benefits for dependent children.

A deceased worker's spouse is entitled to the same employment services available to an injured worker. This includes:

- Vocational counselling; and
- Career assessment and planning, payment for tuition, books, fees and other expenses while in an approved training program.

For more information on benefits, see the *Information for Workers* handbook or visit www.wcbsask.com.

Death benefits (not work injury related)

If a worker dies while receiving compensation (wage-loss benefits, earnings replacement benefits) and the death is not related to the work injury, the worker's family may be entitled to some benefits.

If the worker was receiving compensation for two years or less, the worker's dependent spouse will receive that same amount of monthly compensation for three months. If there is no dependent spouse, that same payment can be made to another recognized dependant.

If the worker was receiving compensation for more than two years, the worker's dependent spouse will receive that same amount of monthly compensation for 12 months.

Return to work

Accommodation in the workplace

Under Saskatchewan Labour Standards and Human Rights legislation, you can't dismiss or treat your workers differently because of an injury or illness. You have a legal duty to accommodate such workers, which means that you must make every reasonable effort, short of undue hardship, to identify and eliminate from the workplace anything that discriminates against or puts them at a disadvantage, including situations involving disability. This is true whether the disability is work-related or not, temporary or permanent. For more information on your rights, visit the Human Rights Commission websites www.saskatchewanhumanrights.ca or www.chrc-ccdp.ca.

Return-to-work information

If you have a return-to-work program in place, you should give your injured worker your company's return-to-work form to be filled out by their care provider. If your company doesn't have a form, ask your worker to have the care provider:

- Make a list of the worker's current capabilities and/or restrictions and the expected duration of any restrictions; and
- Give a date when the worker should be able to return to work.

When you have this information you can use it, along with information about the worker's skills and education, to set up a return-to-work plan. Your WCB representative can help you and your worker adjust their duties or workstation to allow them to work with the injury (see our *Recovery and Return to Work* brochure).

Remember to advise your WCB representative once your worker has been accommodated and has returned to work.

Under WCB legislation, your injured worker also has a legal obligation to co-operate with return-to-work plans to keep their loss of earnings to a minimum. They are expected to work closely with their care provider and co-operate fully in their treatment and rehabilitation. If they don't, the WCB is required to decide if their benefits should continue, be suspended, reduced or stopped altogether based on the reasons they give for not co-operating.

Return-to-work programs

The best way to meet your legal obligations and provide fair treatment to injured workers is to develop a return-to-work program that defines the kinds of tasks in your workplace. These tasks can then be modified to accommodate a worker's physical restrictions. This program should contain:

- Return-to-work policies and procedures for your operation;
- Job duties that can be done by a worker with medical restrictions while they recover from their injuries or illnesses; and
- How tasks can be re-distributed or bundled to take into account the safety concerns and abilities of the other workers.

Transitional return to work for workers who are temporarily disabled includes either:

- Maintenance return to work – Changes to hours of work and/or work activities so the injured worker can keep working while they wait for treatment or surgery; or
- Graduated return to work – Gradual increases in work hours or work activities to help disabled workers return to their pre-injury jobs.

A return-to-work plan for an individual worker may include:

- A check of the job duties the injured worker can still do;
- New job duties the injured worker can do with their restrictions;
- Training for new job duties or other jobs in your company;
- A list of changes to the worker's workspace; and
- Follow-up services to help both you and your worker adjust to your new arrangement.

If an injury stops a worker from going back to work with you, the WCB can help them prepare to find suitable work with another employer. However, the WCB is not responsible for finding the worker another job.

For help with return-to-work programs for your workplace, contact the WCB's Prevention Department. Employers with existing return-to-work programs can have them approved by the WCB by completing an audit questionnaire.

For more information about these free services, visit our website www.wcbask.com.

Disagreeing with a decision

If you disagree with a WCB decision on an injury claim, industry classification or experience rating, you can ask to have the decision reviewed. You can also appoint someone else to represent you.

Ask for an explanation

First, ask the WCB employee who made the decision to explain their reasons for it. Many problems can be solved at this stage.

Appealing an injury claim

If you disagree with a decision on an injury claim, you can submit an appeal to the Appeals Department.

To help prepare your appeal of a decision on an injury claim, you or your representative can ask for a copy of information about that decision from the injured worker's file. You must complete an *Employer Request for Information* (EROI) form available at www.wcbsask.com. The WCB will let your worker know that you have requested information from the file. The worker has the right to object to the release of any sensitive or personal information not related to the decision you are questioning.

You must make your appeal in writing and give all the information you can about your case. You can also ask to meet with a WCB appeals officer. The officer will review all information to come to a decision.

If you disagree with the Appeals Department's decision, you can apply for an appeal to the Board Appeal Tribunal. This appeal must also be made in writing and should be addressed to Board Services. You can also ask to meet with the Tribunal members. The Board Appeal Tribunal's decision is final. You can only appeal to them again if new information becomes available.

Appealing an industry classification, experience rating or assessment decision

Contact the Employer Services Department and ask the representative who made the decision for an explanation. You can also ask for statistics regarding your injury rate and claims costs, and how they compare within your industry. Many misunderstandings and disagreements can be settled at this stage.

If you still disagree with the decision, you have the right to request an appeal. Your request must be filed in writing to the Assessment

Committee, c/o Employer Services (see back cover for mail and fax information).

The Committee will advise you of their decision, in writing, with instructions on how to proceed if you decide to appeal the decision further. The final avenue of appeal is a review by the WCB Board Appeal Tribunal. Their decision is binding unless new information becomes available that would warrant another appeal.

Fair Practices Office

The FPO is an independent office within the WCB that provides impartial assistance to the worker and their dependants, the employer, the general public and to the WCB. The FPO does not take sides but assesses each situation based on its own merits and works towards a fair resolution and improved services. The FPO can make recommendations to the WCB to help correct a problem. They cannot make or change a decision on a claim file or employer account or set aside WCB legislation and/or policies. The FPO cannot become involved in matters that have been registered for appeal through the Appeals Department and/or the Board Appeal Tribunal.

Issues the FPO can deal with:

- Delays in decision-making, communication, payment, etc.
- Concerns about written and verbal communication
- Staff conduct
- Implementation of Appeal and Board decisions
- Payments of wage loss, medical or travel expenses, independence allowance, permanent functional impairment (PFI) awards, etc.
- Vocational rehabilitation services
- Employer classification, assessments, experience rating, etc.
- Application of policy and procedure.

Inquiries to the FPO are confidential unless you ask that we speak with the WCB about a claim or employer file or your experience with the WCB. Inquiries can be made in person, in writing, by phone, online, by fax or by email. The Fair Practices Office is located in the WCB's Regina office (see back cover for contact information).

Injury prevention

You can reduce your compensation costs by preventing injuries and getting injured workers back to meaningful work as soon as it's medically safe.

Saskatchewan's Occupational Health and Safety Act requires that everyone in the workplace work together to eliminate health and safety hazards. Workplaces of all sizes need a system to:

- Identify safety hazards;
- Identify the cause of those hazards; and
- Make changes to reduce or eliminate them.

The WCB's Prevention Department can help you create your own injury prevention and return-to-work program (see page 32).

You can ask the Employer Services Department for reports on your injury rate and costs, and how your operation compares to others in your industry. These reports can help you identify safety risks in your workplace.

Unsafe work practices are illegal

You must pay attention to all aspects of health and safety in your workplace. Federal and provincial Occupational Health and Safety regulations and the Criminal Code of Canada require employers to take reasonable steps to make sure their workers and the public are safe in their workplaces. Everyone in your organization who has authority to direct work shares this responsibility, including directors, executives, and day-to-day operations supervisors.

If you and others with authority don't take steps to identify and reduce safety hazards, you could face significant fines, criminal negligence charges and imprisonment under the Criminal Code. There is no limit on fines for serious offences. Less serious offences, or what the Criminal Code calls "reckless disregard for workplace safety," can result in fines of up to \$100,000.

WorkSafe Saskatchewan

The WCB and the Ministry of Labour Relations and Workplace Safety set up the WorkSafe Saskatchewan program to reduce injury rates by promoting workplace safety and injury prevention.

WorkSafe Saskatchewan works to:

- Create public awareness of workplace safety as an important social issue;
- Provide education and support to employers to improve workplace safety;
- Set up partnerships to provide injury prevention resources in the workplace; and
- Target specific high-cost, high-frequency injuries.

Visit www.worksafesask.ca or see back cover for contact information.

Reporting suspected fraud

What is fraud?

Fraud happens when a person gives false information to the WCB on purpose as a way to make money. This is illegal, and the WCB can file criminal charges.

How do I report suspected fraud?

If you suspect fraud, you can report it to the WCB. Reports go directly to the WCB's Internal Audit Department and are confidential. Give as much detail as you can, clearly saying why you believe the activity is inappropriate. You can remain anonymous or you can provide a contact name and number so WCB fraud investigators can get more information from you, if necessary. If you learn more information after you report the first time, it's important that you keep passing information to the WCB.

You can report fraud directly to WCB investigators on the Fraud Tips line, by email or by mail (see back cover for contact information).



Saskatchewan
Workers'
Compensation
Board

Contact Information

To help us respond to inquiries quickly and effectively, please include your name, firm name and number, phone number, email address and claim number when applicable.

Head office

200-1881 Scarth St.
Regina, SK S4P 4L1
Online: wcbask.com

Saskatoon office

800-122 1st Ave. S.
Saskatoon, SK S7K 7E5

Report an injury

Online: wcbask.com or
WCB Inquiry Line: 1.800.787.9288 or
Email: forms@wcbask.com

Report suspected fraud

Fraud TIPS line: 1.877.595.2541
(Direct line to WCB investigators)
Email: fraud@wcbask.com
Mail: c/o Director, Internal Audit (address above)

Fair Practices Office inquiries

Phone: 306.787.8651
Toll free: 1.888.787.8651
Fax: 306.787.6751
Toll free fax: 1.866.787.6751
Email: fairpracticeoffice@wcbask.com

All other phone inquiries

Phone: 306.787.4370
Toll free: 1.800.667.7590

Fax and email inquiries

Employer Services

Fax: 306.787.4205
Toll free fax: 1.877.220.1671
Email: employerservices@wcbask.com

Claims inquiries

Fax: 306.787.4311
Toll free fax: 1.888.844.7773
Email: askwcb@wcbask.com

Prevention inquiries

Email: prevention@wcbask.com

Appeal inquiries

Fax: 306.787.4311
Email: appeals@wcbask.com

WorkSafe Saskatchewan

Fax: 1.888.844.7773
Email: worksafesask@wcbask.com
Website: worksafesask.ca

Other websites

Occupational Health and Safety: saskatchewan.ca
Safe Saskatchewan: safesask.com