wcb | Saskatchewan Workers' Compensation Board

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THIRD PARTY ACTIONS

An injured worker or surviving dependant and/or the WCB may take legal action against a third party responsible for a work injury.

What is a third party?
A third party is a person or entity that is not a worker or employer covered by *The Workers' Compensation Act, 2013*.

What types of claims involve third parties?
Examples of claims that may involve a third party include:
- Motor vehicle collisions.
- Fatalities.
- Claims involving product liability.
- Aircraft crashes.
- Claims involving assault against a worker.
- Claims involving negligence by a third party, and
- Slip and fall claims.

Do I need to notify the WCB if I am taking legal action?
You must provide written notice when you decide to take action against a third party. We will also advise you of our claim in the third party action.

How does the WCB recover claim costs from the third party?
To recover the costs of a claim, we may:
- Bring legal action in our own name against the third party if the worker chooses not to, or
- Recover claim costs from the amount recovered by the worker in the settlement of the action.

What amount of the settlement will I receive?
If the legal action is successful, we may recover money for:
- All or part of any current and future claim costs, minus
- Our share of the legal costs.

Any amount remaining after this recovery is payable to you.

Will my employer receive cost relief?
We will provide your employer cost relief if we are successful in recovering all or part of the claim costs. The cost relief will equal the lesser of:
- The claim costs charged against the employer (less legal fees), or
- The amount of the settlement.

For more information visit our website, www.wcbsask.com or contact the Operations Division:
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