

INFORMATION FOR WORKERS



INFORMATION for Workers

Employers, workers, care providers and the WCB must work together to prevent work injuries and, when injuries happen, get 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 provide benefits.

If you are injured at work, you have a responsibility to:

- Seek medical attention if needed;
- Tell your employer about your injury;
- Report your injury to the WCB;
- Follow the treatment program set out for you;
- Get involved and cooperate with return-to-work plans to reduce the cost of your injury;
- Stay in touch with your employer, WCB representative and health care provider during your recovery; and
- Follow safety regulations on the job to avoid further injuries.

Your employer has a responsibility to:

- Provide a safe and healthy workplace;
- Report each workplace injury within five days of becoming aware of it;
- Keep in touch with you;
- Work with you and the WCB to reduce the duration of your injury;
- Modify job duties to accommodate your return to work;
- Set up safety and injury prevention programs to prevent other injuries.

Your health care providers have a responsibility to:

- Report workplace injuries to the WCB;
- Develop a treatment plan for you;
- Support the return to work process by identifying any restrictions you may have;
- Adjust these restrictions as your condition changes;
- Give you the best care possible; and
- Ask the WCB to arrange any advanced services you may need.

The WCB has a responsibility to:

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



Injured at Work?

If you needed medical attention for your injury, you must tell your employer and file a *Worker's Initial Report of Injury (W1)* with the WCB as soon as you can.

There are several ways you can report your injury to the WCB:

WCB Telefile:

Before you phone, make sure you have this information with you:

- Your birth date, social insurance number, and provincial health services card number;
- Your employer's name, address and phone number; and
- The name of the health care provider who is treating your injury.

Dial **WCB Telefile** at 1-800-787-9288 for a WCB representative who will fill out a W1 form with you.

Online:

On the home page of our website, www.wcbsask.com, click the **Report an Injury** link to submit a W1 report electronically.

@WCB Online Services

If your time-loss claim is accepted, you may click the @WCB Online Services icon on our homepage to set up an online account so you can:

- See how your wage loss is calculated;
- See a list of all payments made to you;
- Update your personal contact information; and
- Give someone you trust access to your claim information if you need help with your claim or appeal.

Mail or fax:

Request a W1 form from our office or download a copy from the Forms section of 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.

Please let us know if you change your address while you have a claim with us.

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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; and
- May or may not need time away from work.

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

Is a disease caused by work the same thing as a work injury?

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

What about a death at work?

If a worker's death was the result of a work injury, it's presumed that the death was work-related unless proven otherwise. The worker's family can get benefits (see page 25).

General Information



What is workers' compensation?

Workers' compensation is an insurance system for workplace injuries. It's a no-fault system. This means that fault doesn't have to be proven for injured workers to get benefits. Injured workers get financial help and the medical treatment they need (see page 19). They don't have to pay for these benefits themselves or sue their employers to get them.

Who pays for workers' compensation?

Employers pay for the cost of the workers' compensation system. Every year, they're charged premiums that are used to pay for injured workers' lost wages, medical treatment, vocational rehabilitation and other benefits. The WCB also pays for prescription drugs, health care services, and hospital care. Saskatchewan Health doesn't cover these costs for work injury claims. Premiums also cover the costs of running WCB programs and services.

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 a provincial law known as *The Workers' Compensation Act, 1979*. The WCB is governed by a Board made up of a Chair and Board Members who represent workers and employers. They make sure

that WCB policies follow the *Act*, and they also consider appeals. A Chief Executive Officer manages the WCB's day-to-day operations.

Privacy

Your employer will be given basic information about the status of your claim. If your employer asks to have a decision on your claim reconsidered, they can ask the WCB in writing for information from your file for the purposes of that reconsideration.

If you want help with your claim, you can appoint someone to represent you. You can also give the WCB permission to release your information to that person (see "Disagreeing with a Decision", page 29). Anyone who sees this information must agree to keep it private.

What services does the WCB provide?

If you're injured at work, the WCB will usually:

- Pay for the costs of medical treatment and medical supplies;
- Pay you for your lost wages if you're off work because of the injury beyond the day you were injured;
- Check on how your recovery is going and help your care providers arrange treatment programs; and
- Help set up a return-to-work plan with you and your employer to help you get back to work as soon as it's medically safe. When possible, we work to get you back to the employer you had when you were injured.

The WCB's goal is to return you to work as soon as it's medically safe. That's why it's important for you to get medical attention as soon as you can, and to let your employer know that you've been injured.

WCB Coverage

Who's covered by workers' compensation?

Most workers in Saskatchewan are covered from the time they start work. Most employers in most industries are covered from the time they start business and register to pay premiums to the WCB. There are a few industries and occupations that aren't covered. These are listed in *The Workers' Compensation Act Exclusion Regulations*.

If you work in an industry that doesn't have to be covered by the WCB, you can apply for coverage on your own, called "optional coverage." You must tell your employer and your union that you've applied for optional WCB coverage. Your employer can also apply for optional coverage. The WCB will look at these applications and let you know if they've been accepted. For more information, see the Policy and Legislation section on our website, www.wcbsask.com.

Am I covered if I work part-time or only part of the year?

All full-time, part-time, temporary and seasonal workers are covered by the WCB, except for workers who are in occupations excluded under WCB regulations. If you aren't sure whether you're covered, check with your employer or with the WCB.

Am I covered if I work past age 65?

Yes. You are covered regardless of your age. If you suffer a work injury at age 63 or older, you can be entitled to most benefits, although wage-loss benefits are limited to

a maximum of two years provided you are unable to earn all or part of your earnings because of your injury.

If the injury was my fault, am I still covered?

Yes. It doesn't matter what caused your injury. You can still be eligible for benefits from the WCB unless the injury was caused on purpose.

Can I sue my employer or the person who was responsible for my injury?

No. If your employer is covered by the WCB (and most employers are) you can't sue them or any other worker or employer covered by the WCB. By giving up the right to sue, workers get any benefits that they're entitled to. Also, workers and employers don't have to pay the costs of expensive court cases.

If You're Injured

Get medical attention

If you need to, get first aid or medical attention. You can go to any physician, dentist, chiropractor, optometrist, psychologist, physical therapist, or any other health care provider who's registered or licensed in Saskatchewan.

Usually, the first health care provider you see becomes what the WCB calls your "primary health care provider." If you change your primary care provider later, make sure you tell your WCB representative.

Tell your health care provider that you were injured at work, and ask them to report your injury to the WCB.

You should ask your health care provider to fill out your company's return-to-work form. If your company doesn't have a form, ask your health care provider to:

- Make a list of any temporary or permanent limits on what you can do because of your injury; and
- Give a date when you should be able to return to work.

Give this information to your employer. Using this information about your limitations, and your skills and education, your WCB representative will work with you and your employer to set up a return-to-work plan so you can work while you recover (see page 26). This plan might include changes to your duties or to your workstation.

Your health care provider might also send you to another care provider, a specialist, or a treatment centre.

Tell your employer as soon as you can

If you needed medical attention for your injury, the WCB needs your employer to fill out and send us a form called the *Employer's Initial Report of Injury (EI)* within five days of being told about the injury. Give your employer as much detail as you can about your injury.

Report your injury to the WCB as soon as possible

You should file a *Worker's Initial Report of Injury (W1)* with the WCB if your injury needed medical attention. By reporting your injury to the WCB as soon as possible, you can speed up your claim and get any possible benefits sooner. See the front of this brochure for details on how to file a W1 on our website, by phone, mail or fax.

Cooperate with medical treatment and return-to-work plans

This includes staying in touch with your employer, your health care provider and your WCB representative. The WCB will help your employer put together a return-to-work plan. By co-operating with this plan, you can return to work as soon as it's medically safe.

Returning to work can help speed your recovery. You may return to your regular duties or your employer may modify your duties while you recover (see page 27). If you don't cooperate without a good reason, the WCB can reduce or stop your benefits.

What should my employer do if I'm injured?

Your employer must:

- Make sure you get the first aid you need and arrange for transportation to a qualified health care provider;
- Fill out and send an *Employer's Initial Report of Injury (E1)* form to the WCB within five days of being told about your injury;
- Keep an accurate record of your injury on file, even if you don't lose any time from work;
- Cooperate with you, your health care provider and the WCB to return you to work as soon as you are medically fit; and
- Make changes to your workspace or to the work you did before your injury, if needed, so that you can work while you recover.

Can my employer and I agree to not report my injury?

No. You and your employer are legally required to report to the WCB all injuries that need medical attention, even if you don't miss any time at work. Any agreement to not report an injury is illegal.

Your health care provider is also required to report every work injury they treat to the WCB.

Handling Your Claim

Claims with no time off work

Even if you don't take time off work because of your injury, you need to tell your employer about your injury. If you needed medical attention:

- You must fill out and send us a *Worker's Initial Report of Injury (W1)* as soon as possible;
- Your employer must also send us an *Employer's Initial Report of Injury (E1)* within five days of hearing about an injury that requires medical attention;
- Your health care provider will bill the WCB for their services; and
- If you pay for any medical items, prescriptions or travel expenses, keep your receipts. If your claim is accepted, list these receipts in a letter (or on a *Worker's Expense (W6)* form from our website, www.wcbask.com), attach the original receipts and mail to us. The WCB will issue you a cheque for the expenses we cover.

Claims with time off work

If you're off work after the day you were injured, the WCB needs these forms:

- *Worker's Initial Report of Injury (WI)*. Filing options are outlined in the front of this brochure;
- *Employer's Initial Report of Injury (E1)* sent to us by your employer within five days of being told you were hurt; and
- *Primary Practitioner's Initial Report (PP1)* sent to us by your health care provider. This is to let us know that they looked at your injury and prescribed appropriate care. The form also lists your current work restrictions.

The WCB will review all the information we get from you, your employer and your health care provider to make sure:

- You're an employee of the company;
- You were injured at work;
- You can't work because of the injury; and
- What your earnings were before the injury.

Using this information and the rules set out in *The Workers' Compensation Act, 1979* and WCB policies, the WCB assesses whether or not to accept your claim. If you disagree with the decision, you can ask to have it reviewed (see page 29).

If you lose time from work because of a work injury, the WCB looks at replacing lost wages starting the day after the injury happened. Medical and travel expenses can also be paid (see page 18). Most time-loss claims are short-term, with workers returning to work soon after the injury.

Case management services

If your injury is more serious, or if your recovery doesn't go as expected, you'll be 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 management support staff;
- Specialists in vocational rehabilitation and payments;
- Administrative support; and
- Medical staff who give support when needed.

You'll be given the name of your Case Manager and their contact information. Your Case Manager and the rest of the team will work with you and your employer. They'll help organize medical and vocational services, including return-to-work plans to help you get back to productive work as soon as it's medically safe.

Vocational services

If your injury leaves you with work restrictions so a job change is needed, 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 your home, vehicle or workstation.

See "Will the WCB find me a suitable job?", page 28.

What to expect if you're injured at work

**You are injured. Make sure your employer knows about the injury.
You, your employer and your health care provider file separate injury reports.
The injury reports arrive at WCB by internet, *WCB Telefile*, fax or mail.**



NO TIME LOSS No wage-loss benefits are paid

WCB sends letters to you and your employer telling you if your claim is accepted or rejected.

You mail receipts to the WCB for medical items, prescriptions and travel expenses you have because of your injury.

WCB receives the receipts and issues a cheque to you within three days.

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

Injury to report?

WCB makes it easy to file an Initial Report of Injury:

- Online at www.wcbsask.com;
- By phone using *WCB Telefile* 1-800-787-9288;
- Mail or fax; and
- You can also apply for an online account to see details about your claim.

See front of brochure for details.

Ask your employer for a form or you can file online or by *WCB Telefile*.

TIME LOSS

Wage-loss benefits are paid

WCB gathers information from you, your employer and health care provider to validate your claim.

WCB accepts or rejects your claim based on information from injury reports.

WCB mails your first wage-loss cheque within 14 days with letters to you and your employer explaining action on your claim.

You mail receipts to the WCB for medical items, prescriptions and travel expenses you have because of your injury.

WCB issues cheques to you for allowable medical and travel expenses.

WCB pays your health care provider for their services.

You continue to send your receipts for medical items, prescriptions and travel expenses to the WCB.

WCB issues cheques to you for allowable medical and travel expenses.

WCB continues to pay your wage-loss benefits every two weeks until you are back to work.

WCB continues to pay health care provider for their services.

SHORT TERM

If you recover within
4 weeks or less

WCB checks your medical treatment and fitness for employment.

You, your employer, health care provider and WCB plan your return to work.

You recover and are back to work within four weeks.

OR

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

WCB tells you, your employer and health care provider about the status of your claim by letter.

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

LONG TERM

If your recovery takes
longer than 4 weeks

Your claim is assigned to a case management team and your Case Manager contacts you.

A treatment plan and return-to-work plan are in place within seven days.

You continue to receive wage-loss benefits.

You maintain contact with your employer, health care provider and WCB Case Manager.

Treatment and return-to-work programs continue until you recover.

WCB keeps you, your employer and health care provider informed by letter about the status of your claim.

Health services

Your primary health care provider decides what treatment you get for your injury, and reports regularly to the WCB on your progress. If you don't recover as expected, the WCB can help your care provider arrange continuing care with specialist appointments, diagnostic tests, assessments, rehabilitation and other services.

You're expected to work closely with your health care provider, and to cooperate fully in your treatment and rehabilitation. If you don't, the WCB is required by law to decide if your benefits should continue, be suspended, reduced, or stopped altogether, based on the reasons you give for not cooperating.

Medical Treatment and Expenses

Who do I see for medical treatment?

You can go to any physician, dentist, chiropractor, optometrist, psychologist, physical therapist, or any other health care provider who's registered or licensed in Saskatchewan.

Do I pay for medical treatment or hospital care?

No. Tell your health care provider that your injury happened at work. They'll bill the WCB directly. The WCB will pay all medical and hospital costs for your injury, including artificial limbs, braces, and orthopedic and prosthetic aids. If your health care provider has questions about WCB coverage, they should contact us.

Do I pay for prescriptions and medical supplies?

Keep your receipts when you buy prescription drugs and medical supplies to treat your injury. To be repaid for these expenses, send your original receipts and claim number to the WCB.

If you want to have bills for prescriptions and medical supplies sent directly to the WCB, you must get our permission first.

What if I have to travel for medical treatment?

Before you go for treatment, make sure you talk about travel expenses with your WCB representative.

The WCB will repay you for travel expenses only:

- If you have to go to another community for treatment; and
- If travelling to that community costs more than what you'd normally pay to go to work.

Benefits

Wage-loss benefits

Your wage-loss benefits are based on what you were earning when you were injured, up to the maximum insurable amount. The current maximum is \$55,000 a year.*

To calculate the amount of wage-loss benefits you'll receive, the WCB gets your employment earnings from your employer's payroll files.

Your wage-loss benefits will be 90% of the net employment earnings you would probably have received if you hadn't been injured.

**As of January 1, 2005 for workers injured on or after September 1, 1985.*

Wage-loss benefits are calculated as follows:

$$\begin{array}{rcl} \text{Gross} & & \text{Net} \\ \text{employment} & - & \text{employment} \\ \text{earnings} & \text{Probable} & \text{earnings} \\ & \text{deductions} & \\ & \text{(CPP, EI,} & \\ & \text{income tax)} & \end{array}$$

$$\begin{array}{rcl} \text{Net} & & \text{Amount of} \\ \text{employment} & \times & \text{wage-loss} \\ \text{earnings} & 90\% & \text{benefits} \end{array}$$

You can look at all your benefit calculations and a record of your benefit cheques on our website, www.wcbsask.com. You'll need a secure online account. To register for an account, go to www.wcbsask.com, click on **@WCB**, and follow the instructions.

What if I earn other income while I'm getting benefits?

Your wage-loss benefits are based on your employment income. While you are getting wage-loss benefits you must tell your Case Manager if:

- You go back to work for the same employer you had before your injury, or start work with a new employer;
- You earn any other income; and
- You start a business or are already self-employed or involved in a work partnership from which you receive income.

Do wage-loss benefits keep up with inflation?

The WCB reviews wage-loss benefits every year to make sure they keep up with changes in the Consumer Price Index.

When do benefits start?

Benefits are calculated from the first day you lose wages after the date of your injury. The first payment on a straightforward claim is generally made within 14 days if the necessary information is received promptly.

The rest of your payments are usually made every two weeks, for as long as you are medically unable to return to any form of work.

The WCB usually pays your wage-loss benefits directly to you. However, your employer might agree to continue to pay your wages and to be reimbursed by the WCB.

How long can I get benefits?

Most benefits, except wage-loss, continue as long as they're required by your injury, regardless of your age. If you're injured prior to age 63, your wage-loss benefits will stop when you reach 65. If you suffer a work injury at age 63 or older, wage-loss benefits can be paid beyond age 65 but only for a maximum of two years from the date those wage-loss benefits begin, provided you're unable to earn all or part of your earnings because of your injury.

What if my job ends before I can go back to work?

You can still get compensation for as long as you're medically unable to return to work, or as long as you still lose some earnings because of your injury. Wage-loss benefits stop at age 65, except where it's noted in the *Act* (see previous section).

How does getting insurance benefits from somewhere else affect my WCB benefits?

Only disability benefits under the Canada Pension Plan or Quebec Pension Plan will reduce your wage-loss benefits from the WCB. Twelve months after your injury caused a loss of earnings, 50% of any Canada or Quebec Pension Plan disability payments you received for that same injury will be treated as earnings and will be deducted from future WCB compensation benefits.

Your WCB wage-loss benefits aren't affected by any income you get from social assistance, employment insurance or other insurance plans. However, these other sources may reduce what they pay you while you're getting WCB wage-loss benefits. To make sure you don't have to repay any overpayments, let these other sources know as soon as you start getting WCB benefits.

Can I travel out of the province if I'm getting benefits?

If you're going to need medical treatment, or if you're already getting it, contact your WCB representative before leaving the province. Your representative will let you know how this might affect your compensation benefits.

What happens if I move out of the province while I'm getting benefits?

Moving out of the province can affect your benefits and your medical treatment or rehabilitation. Before moving, contact your WCB representative for details on how it could affect your claim.

Do I get anything for loss of pension after age 65?

A workplace injury can affect your retirement income. If you get wage-loss benefits for more than 24 months in a row, the WCB will put away extra money to help you build retirement income.

In the 25th month, the WCB will set aside an amount equal to 10% of the wage-loss benefits you have been paid up to that time. The WCB will continue to put away an extra 10% of your wage-loss benefits for as long as you stay on compensation. The WCB holds these funds, and the funds earn interest.

When you reach age 65, this money must be used to buy an annuity (a sum of money paid out at regular intervals) that will give you retirement income. At age 65, if the amount the WCB has set aside for your retirement income plus interest is less than \$20,000, the WCB will pay you the entire amount in your choice of a lump sum or an annuity (see the *Annuities* fact sheet on our website, www.wcbsask.com).

Other expense benefits

Does the WCB pay for damaged clothes or personal items?

Not usually. We might pay for replacement or repair of dentures, eyeglasses, artificial eyes or artificial limbs that were broken when you were injured. We might also give you an allowance for clothes worn or damaged by an artificial limb or other aid supplied by the WCB because of your injury.

Who pays my travel expenses when I'm asked to come to a WCB office?

If you're asked to travel out of town to a WCB office, the WCB can pay you for your time and allowed travel expenses. Your expenses won't be paid if you visit the WCB without being asked to.

What other expenses does the WCB pay?

For a severe injury, the WCB can arrange to pay for personal care or changes to your home to help you live independently.

Permanent Functional Impairment benefits

If your work injury results in a part of your body not functioning the same way it did before you were hurt, you may have a Permanent Functional Impairment (PFI).

You might be eligible for a PFI award plus your wage-loss benefits.

What is a Permanent Functional Impairment award?

A PFI award is a lump sum payment based on your level of impairment. For PFIs decided after January 1, 2003, the lump sum payment range is \$2,200 to \$45,200.

The amount of a PFI award will be looked at again only if it can be medically shown that there's been an increase in the permanent effects of the injury.

If I'm permanently impaired, do I automatically get the WCB's vocational services?

Not necessarily. Your impairment may not keep you from going back to your job. If you have limits that make it necessary for you to change jobs, you can get employment assistance.

What is an independence allowance?

If you have a 10% or greater permanent impairment, the WCB may give you an independence allowance once a year to help you live independently. The independence allowance is a percentage of the PFI award (see section above).

For PFIs decided after January 1, 2003, eligible injured workers with impairment ratings of 40% or more can get the maximum \$2,260 each year. Eligible injured workers with PFI ratings from 10% to 39% will receive an amount based on that percentage.

Disfigurement award

If you have permanent scarring on your face, neck, hands, arms, torso, legs or feet as a result of a work injury, you may be eligible for a lump sum payment. The amount of the award is determined by the

extent of your disfigurement only, separate from any loss of physical function. The minimum disfigurement award is \$500 and is based on $\frac{1}{4}$ of 1% disfigurement or greater; the maximum amount is \$15,000.

To allow for maximum healing, assessment of a disfigurement will be made no sooner than two years after the injury or final surgery.

Death benefits

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 pay funeral expenses. As of January 1, 2003, the payment is \$10,000, adjusted each year to keep up with the Consumer Price Index. For 2008 the payment is \$11,167. If the death happens away from the worker's home community, the cost of transporting the body inside Canada could also be covered.

Spousal Benefits

A dependent spouse or common-law spouse of a deceased worker could be eligible for a range of benefits. Remarriage has no effect on these benefits.

- **Wage-loss benefits**

A dependent spouse may be paid monthly compensation benefits equal to 90% of the deceased worker's net earnings.

These benefits are paid for up to five years, or until the youngest child turns 16, regardless of other earnings. If a dependent child is a full-time student at a high school or post-secondary school, benefit payments will continue until the child turns 18.

Benefits are adjusted every year to keep up with the Consumer Price Index.

Compensation benefits are not affected by benefits from private life insurance companies.

- Vocational benefits

The dependent spouse can take advantage of all of the WCB's vocational services to increase their chances for a better-paying job. This includes vocational counselling, skills assessment and career planning. It also includes tuition, books, fees and other expenses while in a WCB-approved job training program.

- Retirement benefits

The WCB will help the surviving spouse build retirement income using the same formula as for injured workers (see page 22).

Benefits for Dependent Children

- Education benefits

At age 18, each dependent child who's a full-time student at a high school or post-secondary school can get a monthly allowance, plus the costs of tuition, books and other required educational fees. Each dependent child will be eligible for these benefits for up to three years between the ages of 18 and 25.

Returning to Work

The WCB relies on your health care provider to tell us the things you can't do because of your injury. Then the WCB will help you and your employer plan your return to work.

Accommodation in the workplace

Under Saskatchewan Labour Standards and Human Rights legislation, you can't be dismissed or treated differently by your employer because of an injury or illness. Your employer has a legal "duty to accommodate," which means that they must make every reasonable effort, short of undue hardship, to identify and eliminate from the workplace anything that discriminates against or puts workers at a disadvantage, including in 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.chrc-ccdp.ca or www.shrc.gov.sk.ca.

Under the *Saskatchewan Workers' Compensation Act*, injured workers also have a legal obligation to keep their loss of earnings to a minimum by helping to develop rehabilitation and return-to-work plans, and by participating in those plans.

Return-to-work information

Ask your health care provider about any temporary or permanent limits on what you can do because of your injury, and an estimated date when you should be able to return to work. Give this information to your employer. Your WCB representative will work with you, your employer and your health care provider to put together a return-to-work plan for you based on your medical limits, your skills and your education. This plan may include changes to your hours of work and/or job duties so you can keep working while you wait for treatment or surgery. As you recover, your hours and duties will gradually be increased to help you return to your normal work activity.

Return-to-work plan

A return-to-work plan is based on your injuries and what you can or can't do at work. The plan helps your employer fit your job to what your injury lets you do.

This plan includes:

- A check of what job duties you can safely do with your injury;
- New job duties that you can safely do with temporary or permanent limits because of your injury;
- Training for new job duties or for other jobs with the same employer;
- Training to help you match your job goals;
- Changes to your workspace; and
- Follow-up services to help both you and your employer adjust to your new work arrangement.

Your cooperation is important

You're expected to cooperate with return-to-work plans to reduce your loss of earnings. You're also expected to work closely with your health care provider, and to cooperate fully in your treatment and rehabilitation.

Do benefits continue if I refuse to go back to work?

If you don't cooperate when you are considered fit to return to some kind of work, the WCB is required by law to decide if your benefits should continue, or be suspended, reduced, or stopped altogether, based on the reasons you give for not cooperating.

Will the WCB find me a suitable job?

If you can't go back to your old job because of physical limits to what you can do, the WCB will work with you to find another job with the same employer you had before the injury.

If you have to change jobs because of your injury, the WCB isn't responsible for actually finding you a job. However, your case management team can help you with your job

search by providing vocational services (see page 15).

If I can't find suitable work after I recover, can I still get compensation?

No. Not finding a job doesn't mean you can stay on compensation.

What if I'm asked to take a job at lower pay while I'm injured?

The WCB will pay you the difference between what you earn at the lower rate of pay and the wage-loss benefits based on your regular pay.

What if the effects of my injury come back?

Even after you return to work and your wage-loss benefits stop, the WCB must make sure your work injury is treated until you fully recover. If the effects of your injury come back, see your health care provider right away, and have a report sent to the WCB about your medical condition. Also, write or call your WCB representative, and tell them what's happening to you and why you think it's related to your original injury. If the WCB decides that the problems you're having now are because of the original injury, you could go back on benefits.

Disagreeing with a Decision

If you disagree with a WCB decision on your claim, or if you don't understand it, you or your dependant have the right to have the decision reviewed. You can also appoint someone – a friend, a relative or a union representative – to represent you by submitting an *Authorization Letter of Representation (WREP)* form. You can request this form from the WCB or complete it on our website, www.wcbask.com.

Ask for an explanation

First, talk to the WCB representative who handled your claim. Ask them to explain their reasons for the decision. Many problems can be fixed at this stage. If you and your WCB representative can't agree, you can ask for an appeal or you can contact the Office of the Worker's Advocate (see page 31).

Ask for an appeal

If you are still not satisfied, you can write to the Appeals Department and ask that a WCB Appeals Officer review your file. You can also submit your request electronically at www.wcbask.com.

You or your representative can have a copy of the information from your claim file, but you can only use it in your appeal – it can't be made public. You must complete a *Worker's Request for Copy of File (WR01)* form. You can request this form from the WCB or complete it on our website, www.wcbask.com. You must tell us which decision on your claim you're appealing.

The Appeals Officer will review your claim file to decide whether the decision on your claim should be changed or stay the way it is. The written decision will be mailed to you. If you disagree with the Officer's decision, you can ask for an appeal to the WCB's Board Members. This appeal must also be made in writing and should be addressed to the Director of Board Services. You can also ask to meet with the Board Members. This is the final level of appeal.

If you're questioning a medical decision about your injury and other appeals haven't been successful, you can ask to have a Medical Review Panel consider that decision. Submit your request in a letter addressed to the Assistant to the Board. The panel's decision on the medical question is final.

For more information on appeals, visit www.wcbsask.com.

Worker's Advocate

The Office of the Worker's Advocate can help if you are having a problem with your WCB claim or appeal. The Advocate is completely independent from the WCB, but has full access to your claim file to help you.

Contact: Office of the Worker's Advocate
400 - 1870 Albert Street
Regina SK S4P 4W1
Phone: (306) 787-2456
Toll Free: 1-877-787-2456
Fax: (306) 787-0249
Website: www.labour.gov.sk.ca
Email: workersadvocate@lab.gov.sk.ca

Fair Practices Office

The Fair Practices Office may be able to help you if you think you've been treated unfairly or that a policy or procedure hasn't been properly applied to your claim. The Fair Practices Office doesn't handle appeals and doesn't get involved with problems that have been sent to an Appeals Officer, the WCB Board Members or to the Worker's Advocate.

The Fair Practices Office can:

- Give you information about the status of your claim;
- Explain the policies used to make decisions on your claim;
- Help with any communication between you and the WCB; and
- Explain the results of your appeal and what happens next.

Some of the problems the Fair Practices Office can look at are:

- Delays in deciding whether your claim should be accepted;
- Delays in referring you for medical treatment;
- Delays in communication by letter, phone or in person between you and WCB staff;
- Delays in benefits and expense payments; and
- Errors in calculating benefits and expenses.

Inquiries to the Fair Practices Office are confidential and can be made in person, in writing, by phone, fax or e-mail. The Fair Practices Office is located in the WCB's Regina office (see back cover for address).

Injury Prevention

Saskatchewan's *Occupational Health and Safety Act, 1993*, says that everyone in the workplace must work together to eliminate health and safety hazards.

Every workplace, large or small, needs a system to:

- Identify safety hazards;
- Identify what causes those safety hazards; and
- Make changes to control them.

Our Prevention Department can help you and your employer develop safety programs for your workplace.

Safety in the workplace

All injuries are preventable. Take responsibility for your own safety and the safety of your co-workers by identifying hazards and using the safety equipment required by your job.

WorkSafe Saskatchewan

The WCB and the Ministry of Advanced Education, Employment and Labour 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 a social issue;
- Provide education and support to employers to improve workplace safety;
- Set up partnerships to provide more injury prevention resources in the workplace; and
- Target specific high-cost injuries that happen often.

Visit www.worksafesask.ca for more information

Fraud Prevention

What is fraud?

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

How do I report 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 wrong. If possible, give a name or contact number where we can reach you. If you learn more information after you report the first time, it's important that you keep passing information on to us.

You can report fraud directly to WCB investigators on the Fraud Tips Line, by e-mail or by mail (see back cover for details).

Contact Information

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

Head Office

200 - 1881 Scarth Street, Regina SK S4P 4L1

Saskatoon Office

115 - 24th Street E, Saskatoon SK S7K 1L5

Website

www.wcbsask.com

Report an Injury

Online at www.wcbsask.com; or
Dial **WCB Telefile** 1-800-787-9288; or
Email: internet_clientsvc@wcbsask.com

Report Fraud

Fraud TIPS Line: 1-877-595-2541
(Direct line to WCB investigators)
Email: fraud@wcbsask.com
Mail: c/o Manager, Internal Audit
at our Head Office (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@wcbsask.com

All Other Phone Inquiries

Phone: (306) 787-4370
Toll Free: 1-800-667-7590

Fax and Email Inquiries

Claims Inquiries

Fax: (306) 787-4311
Toll Free Fax: 1-888-844-7773
Email: internet_clientsvc@wcbsask.com

Appeal Inquiries

Fax: (306) 787-1116
Email: internet_appeals@wcbsask.com

WorkSafe Saskatchewan

Fax: 1-877-729-0999
Email: worksafesask@wcbsask.com

Other Websites

Occupational Health and Safety: www.labour.gov.sk.ca
Office of the Worker's Advocate:
www.workersadvocate@lab.gov.sk.ca
WorkSafe Saskatchewan: www.worksafesask.ca