

WORKERS' COMPENSATION

PREAMBLE

By law, every school district employee in the Province of British Columbia is covered by the Workers' Compensation Act. This protection is provided so as to compensate employees for loss of earnings because of an injury sustained in relation to their duties. Because injuries may not immediately manifest themselves, it is important to report all accidents.

POLICY

IF AN EMPLOYEE SUSTAINS INJURY IN RELATION TO THEIR DUTIES, THE BOARD SHALL ASSIST THE EMPLOYEE IN SEEKING APPROPRIATE BENEFITS UNDER THE WORKERS' COMPENSATION ACT.

OBJECTIVES

1. To ensure the maximum benefits to employees sustaining injury in relation to their duties by partially protecting them against a loss of earnings in the event that all sick leave is used up or in the event that they will not be able to work again.
2. To ensure that the protection afforded by the Board's contribution under the Workers' Compensation Act be used to pay appropriate claims rather than those funds budgeted for salary.

REGULATIONS

1. If an employee is involved in an accident or suffers an injury in relation to their work:
 - a. the employee shall report the matter immediately to their principal or supervisor, even if there is no apparent injury;
 - b. the employee shall enter the details of the incident in the Accident Record Book, a copy of which shall be available at each location.
2. If the employee expects to miss work and/or to see a doctor, the supervisor shall complete a Workers' Compensation Board Form 7 and forward it to the Workers' Compensation Board (WCB) within three days of the incident.
 - a. Salary and personal information shall be obtained by telephoning the Human Resources Department.
 - b. A copy of the completed form shall be forwarded to the Human Resources Department.

- c. If the supervisor or principal expects that the employee will be absent beyond the date of injury, they shall inform the Human Resources Department immediately by telephone.
 - d. In order for a claim to be considered as compensable by the Workers' Compensation Board, the injured employee must attend a physician and must advise the physician that the injury was sustained in relation to their employment.
3. While a claim is being adjudicated by the Workers' Compensation Board, and until the School District is notified that the claim has been accepted, the Board will pay the employee full salary from their sick bank. Upon acceptance of the claim, the Workers' Compensation Board will pay the School District the amount generated by the WCB formula. The employee's sick leave bank will then be reinstated by the number of days used because of the injury.

During the period that the Workers' Compensation Board continues to pay the School District for the claim, the employee shall receive their regular pay directly from the School Board. The difference between the employee's regular pay and the amount paid under the WCB formula will be paid by the School Board for the first six months of the claim. For any period beyond six months, the difference between the WCB benefit amount and regular pay will be charged against the employee's sick leave bank.

PROVISIONS OF THE WORKERS' COMPENSATION ACT

- 1. Where an injury disables a worker from earning full wages in the work at which they were employed, compensation is payable from the first working day following the day of the injury; but medical aid is payable in respect of the day of the injury.
- 2. Where permanent partial disability results from the injury, the impairment of earning capacity shall be estimated from the nature and degree of the injury. The compensation shall be a periodic payment to the injured worker of a sum equal to 75% of the estimated loss of average earnings resulting from the impairment, which shall be payable during the lifetime of the worker or in another manner which the Workers' Compensation Board determines.
- 3. Other provisions are applicable in the cases of permanent total disability or death.

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Date Adopted: 1963-01
 Date(s) Revised:

Cross References: Policy 3.25, 4.15
 Statutory: Workers Compensation Act
 Other: