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Overview

This guide is an overview of Workers Compensation Board (WCB) programs and services for workers. For more information about the WCB, visit www.wcb.pe.ca. You can also contact us at 902-368-5680 or toll-free in Atlantic Canada at 1-800-237-5049.

What is the WCB?

The WCB promotes safe workplaces through education and enforcement of safety legislation. We also protect both workers and employers through a sustainable accident insurance program. The program offers health care benefits and financial help to workers in case of an accident. It also protects employers against lawsuits related to workplace injuries.

Who pays for workers compensation?

The workers compensation system is funded entirely by employers. All employers share the cost of the system by contributing to an accident fund. In the case of a workplace injury or illness, we use the accident fund to compensate the worker.

Does workers compensation cover all industries?

Most businesses must have coverage under the WCB if they employ one or more workers. The Workers Compensation Act does not cover employers in certain industries automatically. Employers in an excluded industry can purchase coverage to protect their workers.

Workplace Injuries

Worker Responsibilities

What do I do if I am injured at work?

• Get first aid or medical attention. Tell your healthcare provider that you were hurt at work. Ask them to submit a report to the WCB.
• **Report the injury to your employer.**
  Explain how and where the injury happened and who was involved. Provide as much detail as you can. If you have a safety committee or representative, make sure that they know about your injury.

• **Complete the Worker’s Report – Form 6.**
  Whether you miss time at work or not you must complete this form. Send it to us by mail, fax, or drop it off in person. Please do not leave the report with your employer. You must make sure that the WCB receives the form.

Copies of the form are available at the WCB office or online at www.wcb.pe.ca/form6.

**When do I report the injury?**

You should report the injury as soon as possible. We must receive your form within six months of the date of the injury.

**How do I complete the form?**

Here are some things to remember when completing the Worker’s Report – Form 6:

- Complete the entire form. All questions are important.
- Only complete the time loss and earnings information if you missed time from work.
- Provide as much information as possible. Include an extra page if needed.
- Complete the fillable form on our website. Make sure to sign the form using a pen.
- Read the declaration at the end of the form carefully and sign the form. Keep a copy of the signed form for your records.
- Mail, fax, or bring the form to our office as soon as possible.

If you do not understand the form or need help, please contact us by phone at 902-368-5680 or toll-
free in Atlantic Canada at 1-800-237-5049. You can also stop in to our office and someone will assist you.

**Employer Responsibilities**

**What does my employer do if an injury occurs?**

- **Provide you with first aid.** If you need immediate medical treatment, your employer must provide transportation.

- **Complete the Employer’s Report – Form 7.** Whether you miss time from work or not, your employer must complete the Employer’s Report – Form 7 and send it to us. Your employer must submit the report online, by mail, fax, or in person within three days of being told about your injury.

  Copies of the form are available at our office or online at www.wcb.pe.ca/form7.

**What does my employer need to do if there is a serious workplace accident?**

Your employer must report all serious workplace accidents to the Occupational Health and Safety Division of the WCB immediately by calling 902-628-7513.

**WCB Responsibilities**

**What happens after I file a claim?**

We will verify that we have everything that we need for your claim to proceed. Then we will assign a case worker.

The case worker will review your claim and make a decision. You will receive a letter to advise you of this decision.

If we approve your claim, you may receive benefits and services, such as wage loss benefits, health care benefits, or rehabilitation services.
How long will it take?

We try to make timely claim decisions, usually within three weeks from when you report the injury. If the claim is complex or information is not available, the decision may take more time. Your case worker will let you know if there is a delay in making a decision on your claim.

What if my claim is not accepted?

If your claim is not accepted, we will notify you in writing. Your case worker will also try to reach you by phone. If you have any questions, you can discuss the decision with your case worker. The letter you receive will also include information about your right to appeal the decision.

Returning to Work

Work is an important part of life, especially as you recover from an injury. Staying active, productive, and connected to your workplace can help you recover faster.

Do I need to take time off work?

Many workplace injuries do not require time off work. If it is safe to do so and you do not require urgent medical care, you should remain at work after your injury. Talk to your employer if you feel you need to modify your duties.

When can I return to work?

If you miss time from work because of your injury, we will work with you, your employer, and your healthcare providers to help you return to safe and productive work as soon as you are able to do so.

Stay connected with your employer. You do not have to be able to perform your pre-injury duties to return to work.
An ease back program or alternative or modified work may be arranged until you are able to return to full duties. We can work with you and your employer to develop this kind of individualized return to work plan.

Who can help with the return to work process?

We have a team of professionals who can help you return to work safely and quickly. The team includes case workers, medical staff, occupational therapists, a vocational rehabilitation coordinator and a work disability prevention coordinator.

Where can I get more information on return to work programs?

For more information about return to work programs, visit www.wcb.pe.ca.

Benefits

What kind of benefits may be available to me?

You may be eligible for health care benefits and temporary wage loss benefits.

Based on your injury your case worker will discuss what benefits you may be eligible to receive.

Health Care Benefits

Where should I go for medical treatment?

After your injury, you can receive treatment from a health care provider. This could be a physician, nurse practitioner, physiotherapist, chiropractor or psychologist.
What types of treatment does the WCB cover?

We may pay for treatments prescribed by your health care provider. We may cover treatment necessary to help you remain at work or return to safe and productive work. Before starting treatment, contact us to find out if it is covered.

Do I need a prescription for physiotherapy treatment?

No. We have a direct access program to approved physiotherapy clinics following an injury. You can be assessed within 48 hours of your injury. Contact us for a list of approved physiotherapy clinics.

Do I need to pay for prescriptions?

We have a direct pay program for prescriptions related to your workplace injury. If your prescription is not paid for directly through your pharmacy, contact us to find out why. You can also pay for the prescription and submit your receipt for review. We will review the prescription and determine if we will cover the expense.

Does the WCB cover my expenses if I am injured?

We may cover expenses related to the treatment of your injury, such as medical supplies or mileage for travel to appointments. You must submit the expenses and receipts within six months.

We will not cover certain expenses, such as mileage for return to work programs or for unscheduled visits to the WCB office. If you have questions about whether we will cover your expenses, contact your case worker.
Temporary Wage Loss Benefits

Can the WCB help if I need to be off work because of my injury?

We want to help you remain in your workplace after an injury. If this is not possible, and you need time off work to recover, we may provide temporary wage loss benefits. We base your benefits on your loss of earnings.

Your health care provider must provide information to us about why you need to be off work.

How much are my benefits?

The Workers Compensation Act states that wage loss benefits are 85% of your net earnings before your injury, up to the annual maximum.

What happens if I receive benefits from other sources?

We reduce your wage loss benefits by any other benefits that you receive from other sources for the same injury. Other benefits may include:

- Sick benefits under the Employment Insurance Act of Canada
- Disability benefits under the Canada Pension Plan, the Quebec Pension Plan, or your employer’s private insurance plan

You must notify us of any benefits that you receive because of your injury. Contact us if you apply for any other benefits.
What benefits are available if I can no longer return to my old job?

If you have an impairment, a loss of earnings, and you cannot return to work with your employer because of your injury, we may be able to help. Your case worker may be able to refer you to one of our vocational rehabilitation programs such as job search, work experience or formal training.

Will I receive benefits automatically if my injury recurs?

If your injury recurs or you suffer a relapse, you must reapply for benefits.

You must tell your employer, see your health care provider, and complete a new Worker’s Report – Form 6. We will decide to accept or deny your claim.

The decision relies on medical evidence to support a relationship between the previous injury and your current symptoms.

Appeals

What are my options if I do not agree with the decision made by the WCB?

If you do not understand or agree with a decision, the first step is to contact your case worker for an explanation. The contact information appears on your decision letter. You can also call us at 902-368-5680 or toll-free in Atlantic Canada at 1-800-237-5049.

What if I have new information?

If you have new evidence that we did not consider as part of the decision, you can ask us to review this. You must make the request in writing. The new evidence could be new information from a treating healthcare provider, new work-related information,
or new earnings information. For more information, see the Decision Making Policy on our website at www.wcb.pe.ca.

If I have talked to my case worker and I still do not agree, what is the next step?

After you talk to your case worker, if you feel that you require further assistance, you can contact the Manager. If you still disagree with the decision, you can appeal it through the Internal Reconsideration Office. To do so, you must complete a Request for Internal Reconsideration Form and send it to us. We must receive this form within 90 days of the date that we notified you of the decision. For more information contact the Internal Reconsideration Office at 902-368-5680 or toll-free in Atlantic Canada at 1-800-237-5049. You can also review WCB policy, Internal Reconsideration (POL-48), on our website.

Who can I ask for help?

The Office of the Worker Advisor is a free service to help workers. You can reach the Worker Advisor by email at workeradvisor@gov.pe.ca or by phone at 902-368-6460 or 1-800-658-1806.

Occupational Health and Safety

What is the Occupational Health and Safety Act?

The Occupational Health and Safety Act (OHS Act) and its Regulations set the minimum standards for occupational health and safety in the workplace. The legislation defines the general safety principles for provincially regulated workplaces in Prince Edward Island.

The basis of the OHS Act is the Internal Responsibility System. This means that everyone in the workplace has a role to play and a duty to actively ensure workers are safe.
Who enforces the OHS Act?

The Occupational Health and Safety (OHS) division of the WCB supports the Internal Responsibility System. The OHS team establishes and clarifies the responsibilities of each party and helps them maintain safe workplaces. They also intervene when parties are not carrying out their responsibilities as specified by the OHS Act.

The team includes OHS Officers and OHS Education Consultants.

What do OHS Officers do?

OHS Officers inspect workplaces to make sure that employers are following the health and safety standards set by the OHS Act. OHS Officers also respond to any concerns about occupational illnesses or unsafe workplaces. After a workplace inspection, OHS Officers may issue orders to correct an unsafe situation or an order to stop work if there is immediate danger.

What do OHS Education Consultants do?

Education consultants provide education on the OHS Act. They may bring safety awareness to specific industries, such as healthcare or farming, or target a specific audience, such as young workers. They provide research on best practices for a workplace safety culture and help safety committees or representatives maintain safe workplaces.

What are my rights as a worker under the OHS Act?

You have the following rights under the OHS Act:

- The right to know what hazards exist and how to protect yourself
- The right to participate in finding solutions
- The right to refuse unsafe work
What are my responsibilities as a worker under the *OHS Act*?

You must take every reasonable precaution to protect yourself and other persons at or near the workplace. Following safe work procedures, reporting hazards and incidents, ensuring you wear personal protective equipment as required and cooperating with your employer, safety committee or safety representative will ensure a safe working environment for yourself and co-workers.

What are my employer’s responsibilities under the *OHS Act*?

Employers must maintain all materials and equipment safely. They must also provide training and supervision to keep workers safe and cooperate with the safety committee or representative. Employers are responsible for operating the business in a way that does not expose workers to hazards.

For More Information

For more information, contact us:

- **Online:** www.wcb.pe.ca
- **In person:** 14 Weymouth Street, Charlottetown
- **By mail:** PO Box 757, Charlottetown, PE C1A 7L7
- **By phone:** 902-368-5680 or toll-free in Atlantic Canada at 1-800-237-5049
- **By fax:** 902-368-5696