Information For Employers

What You Need To Know



Safety Matters @ Work

Workers Compensation Board of PEI

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Purpose of this document

The Workers Compensation Board (WCB) promotes safe workplaces through education and enforcement of safety legislation and provides insurance for work-related injuries and illness when they occur.

The purpose of this resource is to provide an overview of the WCB's programs and services for employers.

Please contact us if you have any questions or concerns about our services.

The Workers Compensation Board is here to help.

Contact Information


902-368-5680 or toll-free in Atlantic Canada 1-800-237-5049


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How does workers compensation benefit me as an employer?
Registering your business for WCB coverage provides your workers with access to health care benefits, wage replacement, and other support after a work-related injury or illness.

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. As an employer, you pay a specific amount based on your assessment rate, your industry, and the size of your payroll.

Coverage

Does workers compensation cover all industries?
Most businesses must have coverage under the WCB if they employ one or more workers. However, some businesses are not covered by the *Workers Compensation Act*. Employers in an excluded industry can purchase optional coverage to protect their workers. The list of excluded industries can be found on our website.

What if I am an out-of-province employer?
If you are an employer from outside of PEI who performs work within PEI, you may be required to register depending on the nature and duration of the work.

You are required to register with WCB PEI if any of the following situations apply:
- You employ PEI-resident workers, working for any period of time.
- You employ non-PEI residents to work in PEI and intend for them to work a total of 10 or more days in PEI in a calendar year.

Who is covered?
If you have WCB coverage, it covers all your workers, including temporary or part-time workers, seasonal workers, or family members on your payroll.

Independent operators, proprietors and partners of a nonincorporated business, and owners and directors of a corporation are not automatically covered by the *Workers Compensation Act* but they may apply for personal coverage.

Personal coverage is voluntary workers compensation coverage that provides individuals with the same protections as workers have under the *Workers Compensation Act*.

What happens if I have workers outside of PEI?
If you are based in PEI and have workers outside of the province, you will need to request coverage extension when the employment of the worker outside of the province lasts or is likely to last for six or more months. In all instances, you should report to the WCB for the province or territory where they will be working. You may need to register with the WCB in those provinces or territories. If you must pay the WCB in another jurisdiction, you will not have to pay for the same payroll in PEI. You can deduct those wages from the total payroll that you report to us.

What happens if I hire contractors or subcontractors?
You should ask the WCB for a clearance letter before hiring any contractors who have workers. A clearance letter is confirmation from us that the contractor or subcontractor is registered with the WCB, and their account is in good standing.

If you do not get a clearance letter from the WCB, you should include the labour portion of the contract in your assessments paid to the WCB.

You can request a clearance letter through the WCB's Online Services at **wcb.pe.ca.** You can also contact us at 902-368-5680 or toll-free in Atlantic Canada at 1-800-237-5049.

If you work with subcontractors who are Independent Operators - self-employed individuals who have no workers - they are not required to register for WCB coverage but may apply for their own Personal Coverage. If you hire an Independent Operator who does not have Personal Coverage, you may be vulnerable to lawsuits in the event of a work-related incident.

Registration

Who has to register?

You must register with the WCB if you operate in Prince Edward Island and employ one or more workers on a regular, part-time, or contract basis. All businesses must register, including both new and existing businesses, unless you are a business in an excluded industry.

What if I am an out-of-province employer?

If you are an employer from outside of PEI who performs work within PEI, you may be required to register depending on the nature and duration of the work.

You are required to register with WCB PEI if any of the following situations apply:

- You employ PEI-resident workers, working for any period.
- You employ non-PEI residents to work in PEI and intend for them to work a total of 10 or more days in PEI in a calendar year.

How do I register a new business for the first time?

You can register your new business in one of two ways:

- Use the WCB's Online Services at **wcb.pe.ca**. This secure site provides you with access to your account at any time. After you sign up, complete the **Employer Registration Form**.

- Call WCB's Employer Services at 902-368-5680 or toll-free in Atlantic Canada at 1-800-237-5049. We will send you the forms that you need to open an employer account. You can also find the forms on our website at **wcb.pe.ca**.

What do I need to provide as part of registration?

We will ask you to estimate for:

- Your payroll for the year and include the number of workers that you employ. When calculating your payroll estimate, use the calendar year – January 1 to December 31.

- A description of your business operations. We use this information for your industry classification.

We combine your industry classification with your estimated payroll to calculate the amount that you pay for coverage.

What happens if I do not register?
It is important that you register with the WCB if you are running a business. If you do not, you may be charged penalties.

Renewal

Do I have to register again?
You must renew your WCB registration by February 28 each year. When you renew you must report your actual payroll for the previous year and an estimated payroll for the current year. When calculating your payroll actuals and estimates, use the calendar year – January 1 to December 31.

How do I renew my registration?
To renew your registration, you must complete the Employer Registration Renewal form. The form can be completed in one of two ways:

- Online at wcb.pe.ca. Once you create your account using the WCB's secure Online Service feature, you can access the Employer Registration Form as well as other account information at anytime.

- Manually complete a paper copy of the Employer Registration Renewal Form and return it to the WCB:

  By email: safetymatters@wcb.pe.ca
  By mail: PO Box 757, Charlottetown, PE, C1A 7L7
  In person: 14 Weymouth Street, Charlottetown
  By fax: 902-368-5705

Why do I have to provide a payroll estimate?
We base your assessment on your payroll estimates. It is important to estimate your payroll as accurately as possible to avoid penalties. Annual payroll estimates can be revised any time prior to November 1. We will also send you a reminder each year to review your estimate and make changes should unanticipated changes come to light throughout the year.

What happens if I close or sell my business?
If you close or sell your business, please let us know. Employers are required to notify the WCB in writing of any changes to their account status. We will ask you to complete an **Account Closure Request Form** so that we can adjust and close your account with the WCB.

Rates

How much are my assessment rates?
Each year, we review your industry experience and calculate your rates.
We combine your industry classification with your estimated payroll to calculate the amount that you pay for coverage.

Each year, you will be informed about your assessment rate for the upcoming year. After you submit your Employer Registration Renewal Form, the WCB will invoice you based on your estimated payroll costs for the current year and your actual payroll from the previous year. The WCB has an optional form to help employers to accurately submit their payroll called Payroll Reporting Guidelines.

What are the group rates based on?
The group rates are based on the relative cost of injuries, the payroll for all employers in each rate group, and the cost of managing the compensation system. The group rates are per $100 of assessable payroll, up to the maximum earnings level for the year.

How does the WCB verify that my payroll is accurate?
The WCB may audit your records at any time. An audit is a formal check of your payroll and business records to make sure your business is in compliance with WCB requirements. An audit allows the WCB to help you better understand payroll reporting, industry classification, and WCB programs and services.

Industry Classification

How is my business classified?
WCB coverage is a type of group insurance. We use an employer classification system to group your business by the industry in which it operates. We use the detailed information you provide when you register to determine your class. We group businesses within each class with other businesses that share similar activities and risks. These businesses are further grouped into industry groups to set rates.

How am I classified if my business operates in more than one industry?
When you register, we create an employer account for you. Usually, an employer has a single operation associated with its employer account. However, if you work in different industries, different rates may apply for different business activities and each business activity could have a separate operation under the one employer account.

Experience Rating Program

What is the Experience Rating Program?
The Experience Rating Program provides an opportunity for employers to see reductions in assessment rates through investment in safety and work disability prevention. Through this program, assessment rates are adjusted based on claims history and associated cost.

With experience rating, your assessment rate is determined in large part by your firm's own experience as it compares to other employers in your industry. If you are an employer with a history of claims costs higher than the group average, you may pay a surcharge. If you have lower claims costs, you could receive a discount.

Who is included in the program?
All Island employers who:
- Are required to have WCB coverage.
- Have been registered with the WCB over the previous four years.

Employers with only Optional Coverage are not eligible.

How can I improve my experience rating?
If you invest in workplace safety and return to work programs, you can reduce your WCB claims costs and improve your experience rating. The changes may take some time, but with continued effort you could see a reduction in your rate.

Payment

When is my payment due?

Your payment is due 30 days from the date of your statement. We encourage you to pay your assessment by the due date to avoid late penalty fees.

Statements are generated once a month, however you do not need to wait for your statement to find out your account balance. Using the WCB's Online Services, you can view your account balance at any time.

What are my payment options?

You can pay using the WCB's Online Services at wcb.pe.ca or through any bank or credit union, either in person or online. We also accept payment by cheque, credit card, cash, debit, or pre-authorized debit. To make a credit card payment over the phone, please call 902-368-5680 or toll-free in Atlantic Canada at 1-800-237-5049.

Annual payment

After you register or renew, you will receive an annual statement for your account. It includes your assessment and the amount due. Please submit your payment in full within 30 days of the statement date.

You may choose to pay your bill in installments throughout the year. However, outstanding balances are subject to a service charge at the rate of 1.5% per month.

Semi-annual payment

If you submit your payroll estimate before the deadline of February 28, and your assessment is $1,000 or more, you qualify for semi-annual billing. The first half of the bill is due on your next statement date. The second half of the bill is due in August of the current year.

Monthly payment

We also offer a monthly assessment payment option (MAPO). This program allows you to pay monthly, based on your actual payroll. You do not need to estimate your payroll or pay in advance. MAPO employers are required to file the amount of their previous month's payroll together with the required assessment payment. Remittance forms are either mailed to employers or available each month using the WCB's Online Services.

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 OHS Act was developed on the principles of the Internal Responsibility System. This system places the responsibility of controlling hazards on everyone in the workplace and recognizes that both workers and employers can provide valuable input into maintaining a safe workplace.

Who enforces the OHS Act?

The WCB's Occupational Health and Safety (OHS) Division enforces the OHS Act. The OHS Division establishes and clarifies the responsibilities of both workers and employers and helps them maintain safe workplaces. They also intervene when either workers or employers do not carry out their responsibilities as specified by the OHS Act. The OHS Division is made up of 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. They also investigate serious work-related incidents and explosions.

What do OHS Education Consultants do?

Education consultants provide education on the OHS Act. They facilitate workplace safety education sessions and 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 assist safety committees or representatives maintain safe workplaces.

What are my employer responsibilities under the OHS Act?

Employers have the responsibility to:

- Provide a safe and healthy workplace.
- Make sure that workers are adequately informed, instructed, trained and supervised.
- Make sure that equipment and materials are properly used and maintained to protect workers.
- Take action when a worker or supervisor tells them about a potentially hazardous situation.
- Establish and maintain an occupational health and safety program, and written health and safety policy where required.
- Support the safety committee, safety representative, and workers in their health and safety activities.
- Report serious work-related injuries, or explosions, by calling our 24-hour Occupational Health and Safety Emergency Line at 902-628-7513.

What are the rights of workers under the OHS Act?

Workers have the following rights under the OHS Act:

- The right to know what hazards exist and how to protect themselves.
- The right to participate in finding solutions.
- The right to refuse unsafe work.

How is occupational health and safety different from WCB coverage?

While occupational health and safety sets safety standards for workplaces and helps educate both you and your workers about safety, WCB coverage is insurance available when a work-related incident or illness occurs.

Work-related Injuries or Illness

How do I report a work-related injury or illness?

- Report the injury or illness to the WCB within three days of being notified by the worker by using the WCB's Online Services at **wcb.pe.ca.**
- Or, you can fill out the **Employer's Report** available on the WCB website or the WCB office.
- The Employer's Report **must be submitted** even if the worker has not missed time from work.
- The **Employer's Report** is also required whether the worker chooses to file a claim or not.
- As required by law, **immediately report** all serious work-related injuries or explosions by calling the 24-hour Occupational Health and Safety Emergency Line at 902-628-7513.

What does the worker have to do?

The worker must also complete a form – the Worker's Report. The worker must make sure that we receive this form. Please do not ask the worker to leave the original copy of this form with you.

What do I need to do if there is a serious workplace accident?

As required by law, immediately report all serious work-related injuries or explosions by calling the 24-hour Occupational Health and Safety Emergency Line at 902-628-7513.

What is a serious work-related injury?

A serious injury can include any of the following:

- Unconsciousness
- A fracture
- Loss of a limb
- Substantial loss of blood
- An amputation of a leg, arm, hand or foot
- A burn to a major portion of the body
- Loss of sign in an eye
- A fatality

When reporting a serious injury, you must report:

- The nature of the accident and the injury
- The date, time and location of the incident
- The name of the employer
- The name of each person involved in the incident

The scene of a serious injury must NOT be disturbed unless you are attending to the person injured or billed, preventing further injuries from happening, or protecting property that is endangered as a result

Return to work

What happens when the worker is away from work due to a work-related injury or illness?

Employers, workers, and health care providers have a responsibility to facilitate safe and timely return to suitable and available work. Return to work planning is a team effort so stay connected with the worker. Be an active and cooperative participant in the worker's return to work plan. A worker does not have to be able to perform pre-injury duties to return to the workplace. You can arrange an ease back program or find alternative or modified work until the worker is able to return to full duties. Providing accommodations for timely and safe return to work leads to better health outcomes compared to recovering entirely at home.

We can work with you and the worker to develop this kind of individualized return to work plan. We can also share information such as Functional Scans so you can monitor the worker's progress following their injury.

By focusing on timely recovery and safe return to work, you can help the worker recover faster. You can also reduce your claim costs, which may reduce your assessments.

Appeals

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

The WCB is committed to making decisions that are fair and objective, and that comply with policy and legislation.

If you do not understand or agree with a decision, you are encouraged to contact the staff person at the WCB who made the decision. Most concerns can be resolved this way.

If the matter is not resolved, a request for internal reconsideration can be made. This is the initial step in the appeal process.

Requests for internal reconsideration may be submitted for decisions related to:

- A worker's claim.
- Employer assessments and classification.

Internal reconsideration requests can be made by a person who has a direct interest in the decision in question.

Requests for internal reconsideration must be submitted to the WCB, in writing, within 90 days of the date of the decision.

To request reconsideration of a decision, complete the Request for Internal Reconsideration form and submit it to the WCB.

What if I have new evidence?

If you have new evidence that we did not consider as part of the decision, you can ask the WCB to review the decision. For more information, see WCB policy, Decision Making (POL-160) on our website at **wcb.pe.ca**

Who can I ask for help?

The Office of the Employer Advisor is a free program to help employers with appeals. You can reach the Employer Advisor by phone at 902-368-6132 or by email at **employeradvisor@gov.pe.ca**

For more information

If you have questions that aren't covered here or need more information, please reach out to us by phone at **902-368-5680** or toll-free in Atlantic Canada at **1-800-237-5049**.

You can also reach us by email at:

General workplace health and safety inquiries	ohs@wcb.pe.ca
General claim inquiries	workerservices@wcb.pe.ca
Employer accounts and services	safetymatters@wcb.pe.ca
Internal Reconsideration Officer	appeals@wcb.pe.ca
WCB service feedback	servicefeedback@wcb.pe.ca