

## CHAPTER SIX - WORKER'S COMPENSATION BOARD BENEFITS AND SERVICES

### REGISTERING YOUR BUSINESS WITH THE WCB

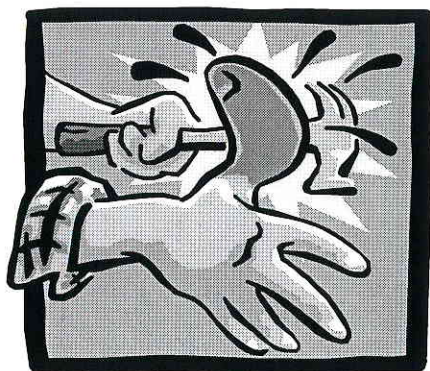
In most cases, workers' compensation coverage is mandatory if you employ workers. To confirm if your business requires workers compensation coverage or not, call the Registration Unit in Winnipeg at 954-4775. Unit staff will be pleased to assist you with your questions. Registrations can usually be done right over the phone.

**Note:**

It is not mandatory that community centres register for Workers Compensation Coverage. However, for the protection of your employees your Board may apply for this coverage.

There are two registration formats an employer can choose from:

1. Annual registration - employer provides an estimate of their workers earnings for the calendar year. If an employer's assessment is more than \$500 they automatically qualify for three installment payments: 40% of the yearly assessment within one month of registration, 30% on August 31; and 30% on October 31.
2. Quarterly Actual registration - employers who have assessable workers' earnings of \$50,000 or more are eligible to report workers earnings quarterly. The employers Quarterly Remittance form and accompanying payment are due as follows: January 20, April 20, July 20 and October 20.



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## OVERVIEW OF THE WORKERS COMPENSATION SYSTEM

The workers compensation system is an accident insurance system for employers and workers, established early in this century to replace the tort system (through the courts) for determining compensation for workplace injuries. Employers, who pay for the system, are not directly liable for the workplace injuries or diseases sustained by their workers. In turn, workers injured in the course of the employment are automatically entitled to compensation regardless of fault. However, the workers give up their right of legal action against a potentially negligent employer in return for the certainty of no-fault benefits.

In Canada, unlike other countries, workers' compensation is a system of social insurance. Coverage is generally compulsory. In situations where compulsory coverage does not apply, there are opportunities for optional protection. Assessments are levied upon employers and gathered into a common fund out of which benefits are paid to workers who are injured as a result of their employment. Administration and adjudication are carried out by the Workers' Compensation Board.

The fundamental concepts of The Workers' Compensation Act of Manitoba, enacted in 1916 and amended subsequently over several years are; no-fault compensation, no right of action, exclusive jurisdiction, universal coverage, collective liability and a tripartite format.

### NO-FAULT COMPENSATION

With no-fault compensation, benefits are paid to injured workers whether or not negligence on the part of the worker or employer contributed to the accident. The injured worker may be eligible for compensation for the duration of the injury's impact on the worker's employment.

### NO RIGHT OF ACTION

According to this principle, workers give up their right of legal action in return for certainty of compensation. A worker injured in the course of employment cannot sue his or her employer for damages.

The inability to sue relieves both employers and workers from having to engage in the costly and time consuming court battles that took place prior to workers' Compensation legislation.

However, if there is third party involvement in an accident causing injury to a worker, the worker may have the right to decide to sue the third party involved or receive compensation benefits. If the worker chooses compensation benefits, the Workers' Compensation Board may proceed with a suit against the third party in order to recover costs. Any money recovered over and above the workers compensation costs is paid directly to the worker.

### **EXCLUSIVE JURISDICTION**

The Workers' Compensation Board of Manitoba (Workers' Compensation Board) retains exclusive jurisdiction or authority when deciding matters under legislation. However, a worker or employer who disagrees with a Workers' Compensation Board decision may appeal that decision through the appeal process.

### **UNIVERSAL COVERAGE**

Workers Compensation in Manitoba currently covers about 60% of employers and 70% of workers. All industries are included within compulsory workers compensation coverage unless the industry is on the list of excluded industries. Employers in excluded industries may apply for voluntary coverage.

### **COLLECTIVE LIABILITY**

All costs associated with the compensation system are covered through levies on employers. All employers in covered industries share financial responsibility for the benefits paid to injured workers, as well as medical aid and administration costs.