



## VISION

Eliminate workplace diseases and injuries.

## MISSION

In partnership with stakeholders, we ensure workplace safety, and care for workers.

## VALUES

**Respect** – We demonstrate care, compassion, honesty, and fairness.

**Engagement** – We work with others to ensure meaningful participation and collaboration.

**Integrity** – We honour our commitments.

**Openness** – We are clear and transparent in everything we do.

**Excellence** – We are efficient and service focused.

## WORKERS' RIGHTS

### **Right to Know**

*You have the right to know about unsafe work, materials, and machinery. You also have the right to know how to do your job safely.*

### **Right to Participate**

*You have the right to participate in workplace safety and report any unsafe work practices or conditions you see.*

### **Right to Refuse**

*You have the right to refuse unsafe work and work practices or conditions*

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# Workers' Safety & Compensation Commission

## **What is workers' compensation?**

Workers' compensation is insurance for workers and employers. Employers pay annual assessments—or premiums—to the WSCC, which go into the Workers' Protection Fund. This fund covers WSCC administrative cost of existing and future injured worker claims.

Workers' compensation protects workers and employers.

Employers must report workplace injuries and illnesses to the WSCC. It's the law!

## **If I get hurt doing my job and can't go to work, what does the WSCC do?**

If you get hurt at work, you must file a claim with us. If we accept your claim, we do one or more of the following things:

1. Pay you wage replacement benefits.
2. Pay for medical treatment you need.
3. Help you get ready to return to work.
4. Pay you a pension if you have a permanent disability.



# Injured at Work

## What do I do if I get hurt at work?

As a worker, you must:

1. Tell your employer right away.
2. Get First Aid help if you need it.
3. Go to a doctor or nurse. Your employer must provide transportation if you need it. It is very important to tell the doctor or nurse you were hurt at work.
4. Complete a WSCC Claim: *Worker's Report of Injury* form as soon as possible. Report as many details as you can about your injuries and clearly explain where you hurt. It's better to have too many details than not enough. Send the fully completed form to the WSCC.
5. Contact your employer and the doctor or nurse who saw you to make sure they send their reports to the WSCC.
6. Write down everything that happens.
7. Keep receipts for everything you pay for related to your injury. You may be eligible for reimbursement.

## What does my employer do if I get hurt?

Your employer must:

1. Provide First Aid.
2. Provide transportation to the closest doctor, hospital, or healthcare facility.
3. Complete and submit a WSCC *Employer's Report of Injury* form.
4. Keep an accurate account of the incident such as, what happened, where it happened, who it happened to, and witnesses.
5. Complete an incident investigation report and give a copy of it to WSCC Prevention Services.

If your employer doesn't send the WSCC *Employer's Report of Injury* to the WSCC within three working days of your injury, they may have to pay a penalty.

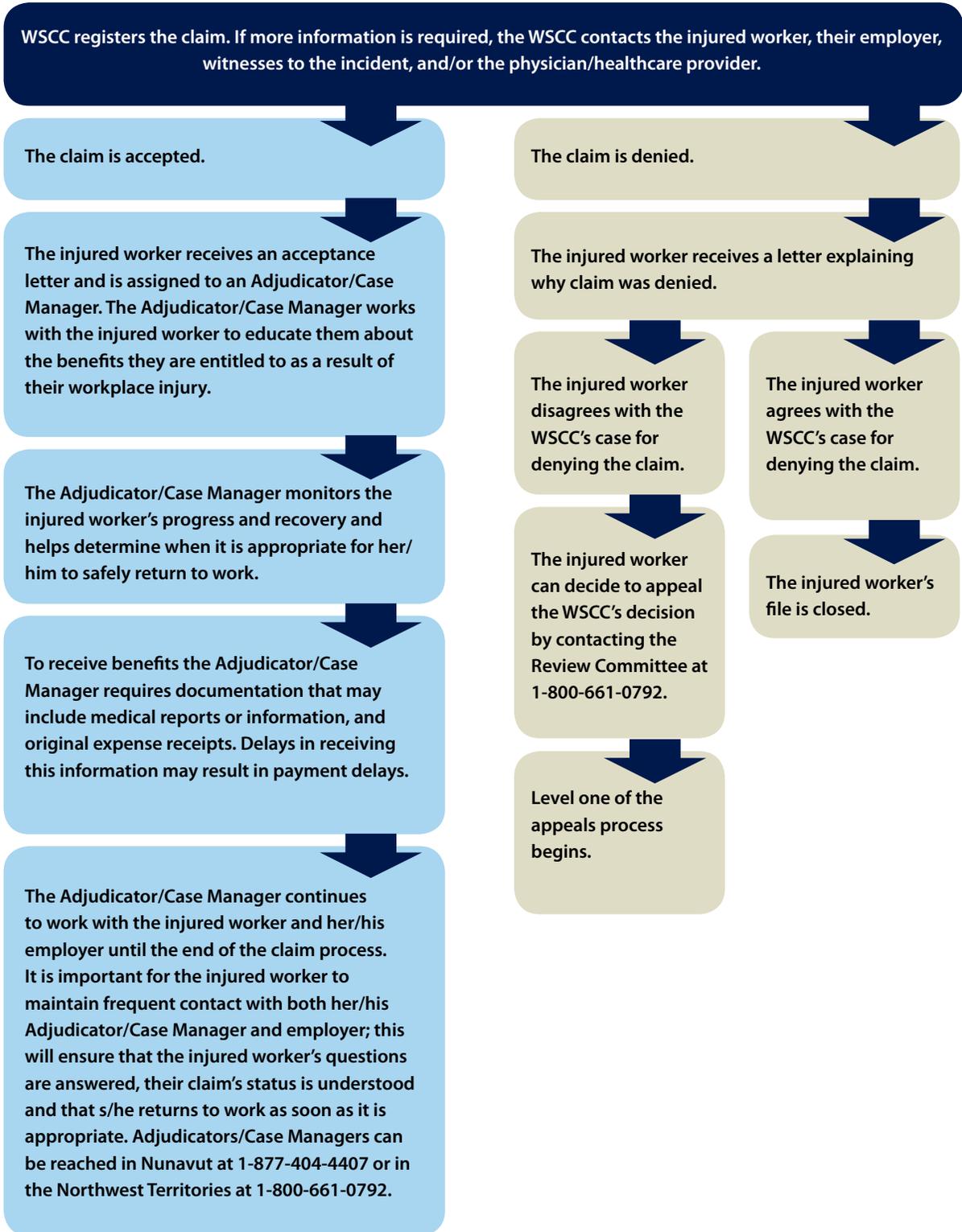
## What does the doctor or nurse do when I get hurt?

The doctor or nurse that treats you must complete and send a WSCC *First Medical Report* form to the WSCC. *The First Medical Report* provides the WSCC with information about your injury and treatment.

**The WSCC may require other medical reports during the claims process.**

**WSCC 24-HOUR INCIDENT REPORTING LINE 1-800-661-0792**

# Claims Process Map



# Claims Process

## How does the claims process work?

The claims process determines whether we can accept your claim and what benefits you may receive.

The claims process has four steps:

1. Information Gathering: you file a claim with us.
2. Claim Entitlement: we make a decision on your claim.
3. Benefits Calculation: if we accept your claim, we calculate benefits.
4. Return to Work: you work closely with a WSCC Adjudicator or Case Manager throughout your recovery to get you back to work safely and quickly.

## Is there someone that can help me with my claim?

Yes.

In addition to what we provide, the Workers' Advisor Office offers a free confidential service to assist injured workers. Don't hesitate to call them to help you with your claim.

## Information Gathering - STEP 1

### When does a claim start?

A claim starts when we receive one of the following three reports:

1. WSCC Claim: *Worker's Report of Injury*;
2. WSCC *Employer's Report of Injury*; or
3. *First Medical Report* about your incident.

When we receive one of the reports, we register your claim and assign a claim number. Your claim is now open.

To avoid potential delays in receiving benefits, it's in your best interests to immediately notify your employer of your injury or illness.

Your employer and the treating doctor or nurse have specific deadlines to submit their reports to us. The *First Medical Report* must include objective evidence to support your work-related injury or illness. See *Medical Treatment & Other Benefits*.

## Claim Entitlement - STEP 2

### What is entitlement?

Entitlement means you may be eligible to receive WSCC benefits.

### Who is eligible to receive WSCC benefits?

Under the *Workers' Compensation Acts* and WSCC Policies, you are eligible for WSCC benefits if:

1. you are a worker;
2. you got hurt or sick because of your work;
3. there is evidence of an injury or illness; and
4. there are medical reports confirming your injury or illness.

### What happens if the WSCC determines I am eligible to receive benefits?

We accept your claim and confirm what benefits you will receive.

### What happens if the WSCC determines I am not eligible to receive benefits?

We deny your claim and send you a letter advising why we denied your claim.

If we deny your claim and you disagree with our decision, you can appeal our decision to the Review Committee. Please see the appeals section in this handbook.



Health care professionals must:

1. Provide timely and complete reporting of medical visits, including an accurate diagnosis and relevant treatment plan;
2. Monitor your recovery and refer you to specialists and other health care professionals as required;
3. Consult with WSCC staff and Medical Advisors about additional or alternate treatment requirements; and
4. Actively participate in early intervention treatment plans focused on Return to Work.

You, the worker, must:

1. Provide early and complete reporting of your injuries;
2. Actively participate in treatment plans; and
3. Maintain regular contact with the WSCC and your employer.

**Can the WSCC help if I can't physically do my old job?**

Our Hierarchy of Re-employment Goals provides direction when we consider your Return to Work.

**The Hierarchy:**

Goal	Description
<b>Same work with the same employer.</b>	The worker returns to their pre-incident employment.
<b>Modified work with the same employer.</b>	The worker returns to similar or comparable work with their pre-incident employer. Requires some work restrictions or modifications.
<b>Different work with the same employer.</b>	The worker returns to their pre-incident employer with alternate work appropriate to their skills, aptitudes and experience.
<b>Same work with a different employer.</b>	The worker is unable to return to their pre-incident employer, but can complete similar work. Considers alternative work in the same or related industry.
<b>Modified work with a different employer.</b>	The worker is unable to return to their pre-incident employer and requires work restrictions or modifications with the new employer.
<b>Different work with a different employer.</b>	The worker is unable to return to their pre-incident employer or work.

### **What happens when I fully return to work?**

If you no longer receive WSCC benefits, we close your claim.

### **Can I reopen my closed claim?**

Maybe.

To re-open your claim, you must complete and send us a *Worker's Continuity Report* form, and medical reports that state you still have a disability because of your injury. Find this form on the WSCC website under the worker's section forms tab.

### **Is medical treatment for my work-related injury or illness covered after my claim is closed?**

Maybe.

Medical treatment must relate to your original injury, and you need medical reports to show this. Have your doctor submit medical reports to us.

# Pensions

## What is a WSCC Pension?

We pay you a pension if you have a permanent disability from your work injury. You get the payment whether you work or not.

## How much money will I get?

The amount of money you get depends on:

1. How much money you were earning when you got hurt; and
2. The percentage of permanent disability you have as a result of your workplace incident. A medical assessment determines this.

## How often will I receive pension payments?

You will receive monthly payments. Or, you can apply for a lump sum, one-time payment if your percentage of disability is 10% or lower.

## How long will I receive pension payments?

We pay you your pension for the rest of your life.

## Will I get my pension if I live outside the Northwest Territories or Nunavut?

Yes.

You must tell us when you move and where you move to.

## Will my pension payments increase?

Possibly.

On January 1, each year, we adjust pension payments for inflation. We base the adjustments on the Consumer Price Index (CPI).

## Will I get medical treatment with my pension?

Yes.

We cover medical treatment related to your original injury or illness. We may send you to a doctor, pay for travel and other expenses, and if you miss work for the medical appointment, we pay for the time you lost at work.

## PENSION BENEFITS FOR YOUR FAMILY

### How much money does my spouse receive if I die in a work accident?

A surviving dependent spouse receives a monthly pension for life. The pension is equal to a percentage of the YMIR (maximum amount) in the year of the worker's death.

### How much money do my children receive if I die in a work accident?

Until they reach 19 years of age, each child gets a monthly pension payment equal to a percentage of the YMIR (maximum amount). Dependent children older than 19, receive monthly payments if they enroll in an academic institution; meet the requirements of the academic institution they attend; or enroll in full time studies as established by the academic institution. Payments to your children end when they complete their schooling and get a university degree, or college or technical school certificate. Payments also end if your children don't maintain adequate progress in school.

### Are there other benefits for my family if I die in a work accident?

Yes.

We may help your family pay for your burial or cremation.

# Medical Treatment & Other Benefits

## What is the difference between subjective and objective evidence?

Objective evidence refers to visible, measurable findings obtained by a medical examination, tests, or diagnostic imaging. Someone other than the injured worker must see or feel the evidence. Examples of objective evidence include a broken leg or an abrasion.

Subjective evidence refers to self-reported injuries or pain not visible. The injured worker feels it, but no one else can see it. Examples include head aches and stomach pains.

## Which doctor should I go to?

You can choose your own doctor. Once we start your claim, you need to discuss changing doctors with your Adjudicator or Case Manager.

## Who pays for medical treatment and travel?

We pay for all medical treatment due to your work injury. If you travel for medical treatment, we pay for your travel, meals, and a place to stay, up to a maximum.

Your Adjudicator, Case Manager, or Pensions Specialist issues you a subsistence allowance. Subsistence allowance rates are subject to change; we review them every year.

If you pay for something the WSCC pre-approved, we pay you back. Save your receipts and submit them to your Adjudicator, Case Manager, or Pensions Specialist.

We prefer to send workers to medical appointments by air travel. However, if air travel is not possible, we pay for the worker's mileage (mileage rates reviewed annually). You must make a written request to us for reimbursement of your mileage. Your request must include your appointment date, the doctor's or facility's name, the community you travelled to, and the total mileage for each visit.

We may pay for an escort to accompany you if medically necessary.

## Does the WSCC keep paying for medical treatment if my compensation benefits stop?

Yes.

You are eligible for this benefit if you need continued medical treatment because of your work-related injury. Objective medical evidence must show you need on-going treatment.

## Who pays for prescription drugs and medical supplies?

We review all prescriptions to ensure they're necessary for your injury and reflect best medical practice. We only reimburse you for prescriptions and medical supplies that relate to your injury.

You pay for the prescription or medical supplies, and submit receipts to us. When we receive them, we pay you back. Keep all of your receipts and send them to us within 60 days.

The WSCC carefully monitors the use of addictive medication.

## Does the WSCC pay for glasses and independence aids, like a hearing aid or leg brace?

Yes.

We pay for glasses or any independence aid you may need because of your injury. We also pay for repairs or replacement of glasses and independence aids damaged when you were hurt.

We do not pay replacement costs or repair for:

- damage or loss resulting from a personal act not related to employment;
- damage or loss where glasses are ill-fitting and merely fall off;
- damage caused by normal wear and tear; and
- non-prescription sunglasses.

**What if I damage my teeth?**

We pay for any dental work you need because of your injury. We also pay to repair or replace your dentures damaged when you were hurt.

The WSCC must authorize all dental services, except emergency services, prior to treatment. If you obtain emergency treatment within 48 hours of your injury, inform the WSCC of all emergency care your dentist provided.

**Does the WSCC pay for clothing?**

It depends.

We may pay to replace clothing damaged when you were hurt. We may also pay you a clothing allowance if you need special clothing because of your injury.

**Are there any other benefits I am entitled to?**

Maybe.

You may be eligible for the following services:

1. Counselling for you, or your family, to help you adjust to your injury.
2. Childcare costs, when needed outside of normal working hours.
3. Financial counselling.
4. Special equipment to help you increase your independence, or to acquire or maintain employment.
5. Attendant care costs, in cases of severe disability.

**The WSCC evaluates individual worker's needs on a case-by-case basis.**

# Frequently Asked Questions

## Can I agree with my employer to not file a claim?

No, the law says you must file a claim, even if you don't lose time from work.

## Can I sue my employer?

No, the WSCC pays benefits. Legal action is not an option.

## What does the WSCC need to know about my gross earnings?

Your rate of compensation depends on your employment situation. If you are a permanent worker, the WSCC needs to know your gross earnings (when you were hurt). If you are a seasonal or term worker, or have personal optional coverage, the WSCC needs to know your gross earnings for the 12 months prior to your injury.

You must produce one or more of the following documents:

1. Pay Stubs;
2. T4's (Income Tax Statements); or
3. Employer verification of employment periods and gross earnings for the 12-month period.

## When will I receive WSCC compensation payments?

Most people receive their first compensation payment within 25 days of their incident. The WSCC pays from the first day of work you missed because of your injury.

The WSCC does not pay you for the day of the incident.

## Does the WSCC deduct taxes from my WSCC compensation payments?

No.

You do not pay Income Tax, Canada Pension, or Employment Insurance on your compensation payments. The WSCC sends you a T5007 at tax time and you report your WSCC earnings on your income tax form.

## How often do I get paid?

You get paid every two weeks. If your employer pays you while you cannot work, the WSCC sends your compensation benefits to your employer, not you.

## How long will I get WSCC compensation payments?

How long a worker receives compensation payments varies from case-to-case. The WSCC uses medical reports from a doctor, nurse, or other specialist to determine entitlement to ongoing compensation benefits.

## How do I get my WSCC compensation payments?

The WSCC offers three payment options:

1. By cheque, mailed every two weeks;
2. By cheque, where you pick-up your cheque at our Yellowknife office; or
3. By direct deposit into your bank account.

If you choose the direct deposit option, you must submit an encoded personalized cheque marked VOID, or your bank can complete a pre-authorization form. Your branch can submit the completed pre-authorization form to the WSCC. For auditing purposes, you must send an original cheque to our office for subsequent deposits.

For direct deposits, the initial transaction takes two business days for you to receive the payment into your account. The WSCC prefers this method of payment to all injured workers.

**If I'm under 18, am I eligible for WSCC compensation payments?**

Yes.

If you are under 18 years of age, injured at work, and we accept your claim, the WSCC pays you directly, or can send your payments to your parent or guardian.

**Can I work while I get WSCC payments?**

Maybe.

You must talk to your WSCC Adjudicator or Case Manager if you are working or planning to work.

**Can my employer use my sick leave while I get better?**

No.

Although you may use sick leave while you're waiting for the WSCC's decision on your claim, your employer must restore your sick leave days if we accept your claim.

**Do I get compensation payments for an industrial disease?**

Yes.

You must show the industrial disease resulted from your work.

**Am I eligible for compensation benefits if I get hurt working outside of the Northwest Territories or Nunavut?**

Yes.

If you're working for a company operating in the Northwest Territories or Nunavut and they send you to work outside of either territory for a period less than six months, you can apply for compensation benefits.

Depending on the territory or province where the incident takes place, you can choose to claim compensation under that territory or province, or in the Northwest Territories or Nunavut. This is called the Right of Election.

**Am I eligible for compensation benefits if I get hurt working temporarily or as a seasonal worker in the Northwest Territories or Nunavut?**

Yes.

If an employer hires you from another province or territory for a specific job in the Northwest Territories or Nunavut, you can apply for compensation benefits if injured while completing that job.

If an employer operates in another province or territory and sends you to work in the Northwest Territories or Nunavut, you can apply for benefits in the province or territory you normally live or work, or in the Northwest Territories and Nunavut, where you were injured.

**Can I visit a different province, territory, or country if I am getting compensation payments?**

Yes.

You must advise the WSCC, and we decide if we can continue your compensation payments while you are away from the Northwest Territories or Nunavut.

**If the WSCC asks me to do something, like go to the doctor, do I get paid?**

Yes.

You receive pay for time away from work and any expenses related to your injury or illness, such as travel.



# Review & Appeals

## What is an appeal?

If you disagree with a decision we made on your claim, you can ask for an impartial review of that decision. The first level of appeal is to the Review Committee. If you disagree with its decision, you can take the review to the second level of appeal—to the Appeals Tribunal. The Appeals Tribunal only looks at Review Committee decisions.

## What if the WSCC denies my claim, or I disagree with a WSCC decision?

When we make a decision on your claim, we send you a letter explaining the decision. If you think we made a mistake with our decision, you can appeal it. The Workers' Advisor can help you appeal any WSCC decision, or you can have anyone you like help you with your appeal. Some people use a lawyer, but that can be costly. We do not pay legal fees or preparation costs for your appeal.

## Who hears my appeal?

There are two levels of appeal:

1. The Review Committee, the first level of appeal; and
2. The Appeals Tribunal, the second and final level.

## How do I ask for a review ?

Download the *Request for Review* form located on our website, or write a letter to the Review Committee Registrar asking for an appeal. Your letter must include:

1. your claim number;
2. date of the WSCC decision letter you want reviewed;
3. the reasons why you disagree with the decision;
4. what you think the decision should be; and
5. whether you want an oral hearing or a documentary review.

If possible, get all documents, for example, medical reports, to support why you disagree with the decision. You must show why the WSCC should change the decision. The Workers' Advisor can assist you.

## What is an oral hearing?

In an oral hearing, you, or your representative, present your case to the Review Committee in person, by telephone, or by video conference. The Committee considers this information, along with any written submissions.

## What is a documentary review?

In a documentary review, the Review Committee looks at all information in your file, as well as any other submissions you, or your representative, provide.

## What if I disagree with the Review Committee's decision?

If you disagree with the Review Committee's decision, you can ask the Appeals Tribunal to look at it. The Appeals Tribunal is the second and final level of appeal. If you need help to prepare your case, talk to the Workers' Advisor.

## How do I ask the Appeals Tribunal to look at the Review Committee's Decision?

Complete a *Notice of Appeal* form available at [appealstribunal.ca](http://appealstribunal.ca), and submit it to the Appeals Tribunal.

## How long does the process take?

1. First Level of Appeal: The Review Committee must communicate its decision to you within 50 working days of receiving your request for review. If the Review Committee requires further investigation, the process may take longer.
2. Second Level of Appeal: The Appeals Tribunal must communicate its decision to you within 90 days of hearing all the evidence.









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