

# Workers' Compensation – Key Benefits Information



## Workers' Compensation – Key Benefits Information

The following table identifies some of the key benefits information for the current year, including maximum compensation earnings; percentage of earnings benefits are based on; whether there is a waiting period; whether employer is required to pay worker for day of injury and/or period after injury.

Please note that The Workers' Compensation Board of Prince Edward Island has implemented a change in the percentage of earnings benefit, effective January 1, 2023. The table has been updated to reflect this change. The Summary table will be updated to capture all jurisdiction's revisions in the near future.

Jurisdiction / Workers' Compensation Board / Commission	Max. Comp. Earnings	Percentage of earnings benefits are based on	Waiting Period	Employer required to pay worker for Day of Injury	Employer required to pay worker for Period after Injury
Newfoundland and Labrador / WorkplaceNL	\$67,985 *Maximum Compensable Assessable Earnings (MCAE) for 2021	85% net	No	Yes	No (except for hours worked during an approved ESRTW program)
Prince Edward Island / Workers' Compensation Board of PEI	\$65,000	90% net	No	No	No
Nova Scotia / Workers' Compensation Board of Nova Scotia	\$64,500 * as on January 1, 2021	75% net 1 <sup>st</sup> 26 weeks then 85% net	2/5 <sup>th</sup> of weekly benefits	No	No
New Brunswick / WorkSafeNB	\$67,100	85% loss of earnings <sup>1</sup>	1/5 <sup>th</sup> of weekly benefits <sup>2</sup>	No	No
Québec / Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST)	\$83,500 *in 2021	90% net	No	Yes	14 days <sup>3</sup>
Ontario / Workplace Safety and Insurance Board (WSIB)	\$102,800	85% net	No	Yes <sup>4</sup>	No
Manitoba / Workers' Compensation Board of Manitoba	No Maximum <sup>5</sup>	90% net <sup>6</sup>	No	Yes <sup>7</sup>	No <sup>8</sup>
Saskatchewan / Saskatchewan Workers' Compensation Board	\$63,995 <sup>9</sup> \$91,100 <sup>9</sup>	90% net (for injuries on or after September 1985)	No	No	No
Alberta / Worker' Compensation Board of Alberta	\$98,700	90% net	No	Yes	No
British Columbia / WorkSafeBC	\$100,000 <sup>10</sup>	90% net <sup>11</sup>	No	No <sup>12</sup>	No
Yukon / Yukon Workers' Compensation Health and Safety Board (YWCHSB)	\$84,837	75% gross <sup>13</sup>	No	Yes	No
Northwest Territories / Workers' Safety and Compensation Commission (WSCC)	\$97,300	90% net	No	No	No

**Note: Intended for educational purposes only. Provisions subject to change. Check individual jurisdictions for current law and policy.**

- <sup>1</sup> Loss of earnings is defined as average net earnings, less net estimated capable earnings.
- <sup>2</sup> If the worker is disabled for a period extending beyond 20 working days WorkSafeNB pays the worker for the three working days following the injury. If the worker is admitted as an inpatient to a hospital as a result of the injury, the waiting period is waived. See Workers' Compensation: A Guide for New Brunswick Workers or Policy No. 21-211: Three-day Waiting Period.
- <sup>3</sup> The amount is then reimbursed to the employer by the CNESST.
- <sup>4</sup> Where a worker is entitled to compensation for loss of earnings because of a work-related accident.
- <sup>5</sup> Since January 1, 2006, there is no statutory cap on insurable earnings. However, there is a limit on assessable earnings per worker used in the calculation of an employer's assessment. In 2021, the maximum assessable earnings are \$127,000. Business owners may purchase personal coverage. In 2021, the coverage limit is \$528,590. Where optional coverage is sold to a business in a non-mandatory industry, injured workers in this business are also subject to this coverage limit.
- <sup>6</sup> Where the worker's average earnings are \$24,752 or less, wage loss benefits are based on 100% of net. This figure (\$24,752) is effective from October 1, 2020 to September 30, 2021. The WCB also considers the implications of the worker receiving non-taxable wage loss benefits.
- <sup>7</sup> Where the worker's time-loss or no time-loss claim is accepted by the WCB. In exceptional circumstances, the WCB will pay the worker the wages and benefits they are due. The employer is required to pay the WCB back this amount.
- <sup>8</sup> Under the current Act, a regulation may be passed that requires certain employers to advance injured workers 90% of their net salary for up to 14 days. To date, no regulation has been passed.
- <sup>9</sup> For injuries occurring prior to December 31, 2013, the maximum wage base is \$63,995. For injuries occurring in 2014 or later, the maximum wage base is \$91,100.
- <sup>10</sup> Volume II of the Rehabilitation Services & Claims Manual ("RS&CM") #69.00, link - <https://www.worksafebc.com/en/law-policy/claims-rehabilitation/compensation-policies/rehab-claims-volumeii>; Workers Compensation Act Section 209, link - [https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/19001\\_04](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/19001_04)
- <sup>11</sup> Workers Compensation Act Section 191, 192, link - [https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/19001\\_04](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/19001_04)
- <sup>12</sup> There is no requirement in the Workers Compensation Act for an employer to pay worker for Day of Injury.
- <sup>13</sup> Unless the worker earns equal to or less than the minimum compensation amount (25% of the maximum wage rate), in which case the worker receives 100% of gross.

### Disclaimer:

*\*\*This table has been designed for general information purposes only. The AWCBC makes no representations as to the completeness or accuracy of the information (which is not exhaustive) and individual workers' compensation boards/commissions should be contacted for specific or additional information and clarification. See AWCBC's website for links to [Boards/Commissions](#).*