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Workers' Compensation

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Workers' Compensation

1. Introduction

Workers' compensation benefits for employees of the Government of Canada who suffer an occupational injury or illness are provided in accordance with both the *Government Employees Compensation Act* and the *Flying Accidents Compensation Regulations*. These guidelines outline the provisions of the *Government Employees Compensation Act*.

2. Authority

2.1 Legislative and regulatory

Government Employees Compensation Act and Regulations.

2.2 Administration

The *Government Employees Compensation Act* is administered by the Labour Program at Employment and Social Development Canada (ESDC). In 1918, when the Act was first passed, arrangements were made whereby the provincial workers' compensation boards would look after the treatment of injured employees and would adjudicate and pay compensation claims on behalf of the Government of Canada. These arrangements remain in existence today. The Labour Program's Federal Workers' Compensation Service at ESDC is responsible for receiving and processing claims through to the appropriate provincial authority. They provide a general advisory service to employees and unions, as well as to employers, on the interpretation and application of the legislation.

3. General provisions

3.1 Benefits

The *Government Employees Compensation Act* provides for employment injury benefits (workers' compensation) to all federal government employees, including employees posted outside Canada, and employees locally engaged outside Canada who are injured in the course of their duties and are not covered under any local legislation. Industrial and occupational diseases are treated in the same way as work-related injuries.

Such benefits include:

- compensation for loss of earnings (if an injured employee is not entitled to injury-on-duty leave);
- medical, hospital, and related services;
- rehabilitation services;
- a pension, if an injury results in a permanent disability; and
- pensions to dependants of employees who are fatally injured in the course of their employment.

The *Government Employees Compensation Act* also provides benefits to employees posted outside Canada, other than locally engaged employees, disabled by reason of any disease that:

- results from the environmental conditions of a place outside Canada to which an employee is assigned, and
- is a type that would not normally be contracted in Canada.

As the claims are adjudicated and paid by the appropriate provincial workers' compensation boards the benefits payable may vary from province to province.

In the case of locally-engaged employees, levels of compensation are determined by the Labour Program at ESDC, subject to the approval of the Treasury Board.

3.2 Costs

The cost of the benefits are borne entirely by the federal government and no direct contributions are made by employees.

3.3 Tax status

Employment-injury benefits (workers' compensation) are not subject to income tax.

3.4 Reporting on injuries by employer

It is the responsibility of employers to ensure that employees are aware of their rights to workers' compensation. Personnel officers must ensure that all occupational injuries or illnesses involving lost time or requiring medical attention are reported to the Federal Workers' Compensation Service within three days of occurrence in order that claims may be checked for accuracy and completeness, countersigned and forwarded to the appropriate provincial workers' compensation authority. (For further

information regarding the proper completion of the applicable provincial "Employer's Report of Accident" form in relation to occupational codes, please refer to appendix A following this chapter.)

Personnel officers are also responsible for the development and communication to employees of appropriate directives and instructions concerning the details of reporting occupational injuries and illnesses to their employer. First aid records should be maintained in cases where the injury does not require the services of a medical doctor. First aid cases should be reported to the Federal Workers' Compensation Service only where a doctor's services are required at a later date.

3.5 Injury-on-duty leave

To avoid duplicate payment, it is extremely important that personnel officers indicate on the original injury report whether the injured employee is entitled to injury-on-duty leave, which is provided for in most collective agreements.

3.6 Forms

As the services of the ten provincial workers' compensation boards are used, injuries must be reported, using the accident report for the province in which the injured person is usually employed.

The report forms are available from the appropriate provincial workers' compensation board.

3.7 Information booklets

There are two information booklets available from the Labour Program at ESDC. A handbook entitled "If You Have an Accident" should be provided to all employees, and a booklet entitled "Employer's Guide" should be in the hands of all persons responsible for the reporting of injuries.

4. Reference

This chapter replaces chapter 5-1 of PMM volume 16.

5. Enquiries

Enquiries concerning reporting of injuries and claims administration should be directed to the [Labour Program's Federal Workers' Compensation Service at Employment and Social Development Canada](#).

Please direct other enquiries about this policy instrument to the organizational unit in your department responsible for this subject matter. For interpretation of this policy instrument, the responsible organizational unit should contact [TBS Public Enquiries](#).

Appendix A - Workers' Compensation Claims - Completion of Claims Reports

A standard method for recording the occupations of injured employees is required in connection with the *Government Employees Compensation Act* (GECA), when provincial workers' compensation claim reports are completed in respect of public service employees.

In the administration of the GECA, the applicable provincial "Employer's Report of Accident" form must normally be submitted whenever a public service employee incurs an occupational injury or occupational illness. The form, together with any supporting documentation, must be completed and forwarded within three working days to the Labour Program's Federal Workers' Compensation Service at ESDC. As the claim is processed, certain information is recorded for accounting and statistical purposes, and it is at this stage that work-injury data must be obtained.

Departments and agencies are to ensure that the applicable employee occupational code is entered on each "Employer's Report of Accident" form to accurately identify the employee's occupation. The employee classification code is the occupational group/sub-group portion of the class code as contained in the Government of Canada Personnel Pay Input Manual, Section 9-3. Examples follow on page A-2.

Occupational Group	Occupational Sub-group	Employee Classification Code
Engineering & Land Survey	Engineering	EN ENG
Purchasing & Supply	N/A	PG
General Labour & Trades	Woodworking	GL WOW
Ship Repair	Woodworking	SR WOW

Questions or other enquiries related to use of the codes should be directed to the Federal Workers' Compensation Service.