



### 5.07 WORKERS' COMPENSATION COVERAGE

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#### 5.07.1 RELATED DOCUMENTS

- 5.07 Workers' Compensation Coverage Policy
- 5.07 Workers' Compensation Coverage Procedures
- WorkSafeBC Form 7 – Employer's Report of Injury or Occupational Disease

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#### 5.07.2 FREQUENTLY ASKED QUESTIONS

1. What further information do I need to understand about EMBC's workers' compensation coverage?

WorkSafeBC (WSBC) decides whether or not the "accident occurred out of and in the course of Emergency Services Work" and any payments are made based "in accordance with the provisions of the *Workers' Compensation Act*." If WSBC deems that the injury or death meets the WSBC policy, the WSBC compensation process and claim criteria are then utilized. These same policies are used in any workplace within the province. The main requirement is that the injury or death must have both "arisen out of the employment" and "in the course of the employment."

When there is no income history related to the "employment," as is the case with many Public Safety Lifeline Volunteers (PSLV), WSBC will use the earnings in the workers ordinary employment for their calculations up to the maximum insurable amount. The amount changes yearly. There are criteria for calculating income for casual, part-time, and new workers, and for workers who are unemployed and have no history of earnings. A critical factor to ensure prompt coverage is that any reports of injury or death are provided to the Emergency Coordination Centre (ECC) immediately, and the required paperwork is submitted to the Regional office as soon as practicable.

2. When is a volunteer provided workers' compensation coverage?

EMBC registered volunteers are provided workers' compensation coverage through the *Workers' Compensation Act*. For the purposes of workers' compensation coverage, volunteer activities are divided into four categories:

- **Operational tasks:** Volunteers considered to be on an operational task will receive coverage for the travel portion of their response (portal to portal) as well as for the operational task itself.
- **Training tasks:** Travel related to training tasks is not subject to the same level of urgency, so there is no coverage for the travel portion. Workers' compensation coverage is only applicable for the training or exercise itself.



- **Demonstrations and competitions:** Demonstrations or competitions where there is a significant risk of injury are viewed as an opportunity to test the level and quality of training. An application for a training task number should be submitted. Once assigned a training task number, the participating volunteers qualify for this coverage for the demonstration/competition, but not for travel to these activities.
- **Public education and displays:** This coverage does not apply to public education activities, such as mall displays or parades.

### 3. What does WSBC pay for if I am injured?

WSBC pays applicable medical and rehabilitation expenses, partial wage replacement based on a percentage (normally 90%) of your net earnings, and if required, vocational rehabilitation. Wage replacement does not apply to persons whose present work-related income is not affected by the injury.

### 4. What does WSBC pay if someone is killed while on a task?

Funeral expenses, a one-time-only lump sum payment to your beneficiary, which is over and above the pension amount, and a pension based on a number of variables such as the age of the surviving spouse, the number of dependents and, most significantly, the volunteer's average yearly earnings at the time of the death.

### 5. Will WSBC cover volunteers if the accident was their fault?

Yes, WSBC is "no fault" and volunteers would be covered.

### 6. What conditions are there for workers' compensation coverage?

Volunteers are covered whenever they are registered for an EMBC authorized operational or training task (see categories explained above).

### 7. If an EMBC volunteer is injured and lifted out of a site by helicopter, does workers' compensation still apply?

Yes, workers' compensation still applies.

### 8. Are aircrew (spotters) covered for workers' compensation while flying in a private aircraft? How does WSBC respond in relation to aircraft insurance?

Yes, they are covered. Workers' compensation coverage is primary; meaning no other insurance policy that may be in force at the time of the injury will pay compensation of any kind as long as workers' compensation coverage is applicable.



9. Are volunteers covered for workers' compensation while travelling in a vehicle? How does WSBC pay in relation to ICBC insurance?

Assuming volunteers are travelling to an EMBC authorized operational task after being issued a task number, workers' compensation coverage would apply. If the accident involves another vehicle/driver at fault who was not working at the time, the volunteer may have the ability to pursue an ICBC claim instead of a WSBC claim. We recommend you seek legal advice or contact the Workers' Advisers Office at WSBC for more information.