

2010

WCB facts

Workers Compensation Board of Manitoba

VOLUNTEER EMERGENCY WORKERS

If I am a volunteer emergency worker, am I still eligible for workers compensation benefits and services if I am hurt while on duty?

As a volunteer fire fighter or volunteer ambulance attendant, you are considered a worker and the municipality you volunteer for is considered your employer even if you have a paying job. This means that if you are hurt while on duty, on the way to or from emergency duty, or while taking part in official meetings or training exercises, you have WCB coverage. Even if you have no other employer or source of income, you are still covered.

Men and women who fight fires under the *Fire Prevention Act* are also considered workers with WCB coverage. In this case, your employer is the provincial government.

Am I covered if I'm in training for my duties as a volunteer emergency worker?

Supervised training exercises, authorized meetings or other work-related events are considered part of your employment. While you are involved in these activities, you are covered by *The Workers Compensation Act*.

How will my benefits be calculated if I do not receive money for my duties?

Although you may not be paid as a volunteer fire fighter or volunteer ambulance attendant, you are still covered by *The Workers Compensation Act*. If you are hurt while on duty and lose time from

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your regular job, you will receive wage loss benefits based on the greater of:

- your regular earnings, or
- one-half of the Industrial Average Wage of Manitoba (see Sample Benefit Calculation for Volunteer Emergency Workers attached).

Even if you have no regular employment income at the time you are injured, you may still be paid wage loss benefits. Regardless of your earnings situation, you will not receive wage loss benefits based on less than one-half the Industrial Average Wage of Manitoba in effect in the year your injury occurs.

If you sustain a long term loss of earnings or are fatally injured while performing your duties as a volunteer emergency worker, you or your spouse will receive wage loss benefits based on either 90% of your net loss of earning capacity or 90% of the Industrial Average Wage, whichever is greater.

Do I have to draw sick benefits from my regular employer?

The WCB will pay you for time you lost from your regular employer. You do not have to use your sick leave for a compensable injury.

Am I entitled to receive both sick leave from my regular employer and workers compensation benefits if I am injured while on duty as a volunteer emergency worker?

You are not entitled to draw benefits from both sources. The WCB only provides benefits when a loss of earnings occurs as a result of an injury. If you draw sick leave, you have no loss of earnings. The WCB will send you a letter to gather information about your regular earnings before benefits are issued. If you elect to have the WCB pay for lost wages from your regular employer, you will need to buy back any sick leave taken.

What if my regular employer will not allow me to buy back my sick leave?

In this case, you do not have a loss of earnings. Where there is no loss, the WCB does not pay wage loss benefits. If you stop drawing your sick leave, you may be entitled to ongoing wage loss benefits from the WCB.

If the WCB does not pay wage loss benefits because I am receiving other financial benefits, does it mean I am not eligible for other WCB benefits such as chiropractor treatments or retraining costs?

Although you may not be eligible for WCB wage loss benefits because you are receiving financial benefits from another organization, you may still be eligible for other benefits from the WCB. Examples of such benefits include prescription costs, prosthetic devices, treatment costs, permanent impairment awards, survivor's benefits and vocational rehabilitation services.

Who should fill out my claim form, my regular employer or the municipality?

The municipality will complete an injury report for you. However, you must indicate any earnings you have on your WCB Injury Report. You should inform us of who your regular employer is, any part-time or self-employment income you generally earn, etc. If you do not provide us with this information on your form, we automatically assume that you have no regular employment and will calculate your earnings based on half the Industrial Average Wage for Manitoba. With your permission, your regular employer will supply the WCB with your income information.

What if I don't agree with a decision affecting my claim?

Any decision affecting your claim can be appealed. If you disagree with the initial decision on your claim, talk to your adjudicator or case manager. You may have other information that could change the decision. If your adjudicator or case manager still believes the correct decision was made, you can request a reconsideration of the decision from the WCB Review Office. If you disagree with the Review Office's decision, you can request an appeal by the independent Appeal Commission. This is the final level of appeal.

Sample Benefit Calculation for Volunteer Emergency Workers

- ½ the Industrial Average Wage (IAW) for 2010: \$19,757.96
- The full Industrial Average Wage (IAW) for 2010: \$39,515.84

For injuries on or after January 1, 2006, there is no maximum insurable earnings limit. If you sustain a short term loss of earnings (under 24 accumulated months), your benefits will be based on the greater of:

1. ½ the IAW, or
2. your actual pre-injury earnings.

If you sustain a long term loss of earnings or are fatally injured, you or your spouse will receive benefits based on the greater of:

1. the full IAW, or
2. your actual pre-injury earnings.

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Sample Benefit Calculations - Single with No Dependents

	Gross Annual Wage	Gross Weekly Wage	100% Net Actual (Weekly)	90% Net Sheltered (Weekly)*	100% Net Sheltered (Weekly)*
½ IAW	\$0 income to \$19,757.92	\$379.66	\$312.83		\$285.84
	\$25,000.00	\$480.77	\$382.04	\$332.08	
Full IAW	\$39,515.84	\$759.92	\$572.15	\$501.74	
	\$45,000.00	\$865.38	\$638.03	\$557.12	
	\$62,000.00	\$1,192.31	\$850.43	\$749.09	

For injuries on or after January 1, 2006, WCB wage loss benefits are based on:

- 90% of your net loss of earnings, or
- 100% of your net loss of earnings if your actual earnings before the injury were less than or equal to the minimum annual earnings established by the WCB, or
- 100% of the minimum annual earnings established by the WCB if your actual earnings were greater than the minimum annual earnings, but the minimum annual earnings provide you with a higher benefit.

The minimum annual earnings for 2010 are \$18,720.

*The 90% Net Sheltered and 100% Net Sheltered figures represent the full weekly wage loss benefits an injured worker receives from the WCB if he/she has no other income following the injury, based on the annual income levels shown.

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**Sample Benefit Calculations
Married, Spouse Not Working, Two Dependants**

	Gross Annual Wage	Gross Weekly Wage	100% Net Actual (Weekly)	90% Net Sheltered (Weekly)*	100% Net Sheltered (Weekly)*
½ IAW	\$0 income to \$19,757.92	\$379.96	\$357.91		\$338.45
	\$25,000.00	\$480.77	\$451.99	\$406.04	
Full IAW	\$39,515.84	\$759.92	\$643.48	\$548.21	
	\$45,000.00	\$865.38	\$708.34	\$602.69	
	\$62,000.00	\$1,192.31	\$917.57	\$791.80	

For injuries on or after January 1, 2006, WCB wage loss benefits are based on:

- 90% of your net loss of earnings, or
- 100% of your net loss of earnings if your actual earnings before the injury were less than or equal to the minimum annual earnings established by the WCB, or
- 100% of the minimum annual earnings established by the WCB if your actual earnings were greater than the minimum annual earnings but the minimum annual earnings provide you with a higher benefit.

The minimum annual earnings for 2010 are \$18,720.

*The 90% Net Sheltered and 100% Net Sheltered figures represent the full weekly wage loss benefits an injured worker receives from the WCB if he/she has no other income following the injury, based on the annual income levels shown.

This publication is provided for general information. For more specific information see *The Workers Compensation Act of Manitoba and Regulations* available through Statutory Publications by calling (204) 945-3101. WCB Policies are available by calling (204) 954-4655. These documents are also on the WCB website at www.wcb.mb.ca.