

Information for newcomers to Manitoba about workers compensation

If you are injured at work, you can access Manitoba's workers compensation system through the Workers Compensation Board and get paid for time off work while you recover from your injury.

This is important to know because research has shown that new immigrants or newcomers to Canada are more likely to work in manual jobs where the risk of injury is higher.

Injury at work

You might be hurt at work because of an incident or because of the nature of your work. For example:

- You might fall off a ladder or get cut when using a machine.
- You might develop an injury over time because of your work. You might lift heavy things in your job or do the same motion repeatedly, and you may start to feel pain in your back, shoulders or neck because of this lifting or repetition.
- You may be exposed to harmful chemicals that, over time, could affect your health.

The workers compensation system

In Manitoba, most workers cannot take their employers to court if they have been injured. Instead, most workplaces in the province are covered by the Workers Compensation Board (WCB).

The WCB is a “no-fault” insurance system. That means it does not matter to the WCB who or what caused an injury.

For example, if you are injured while working on a machine because you forgot to put the safety guard down, you can still file a claim for benefits with WCB. It also does not matter if you just started the job or if you are new to Canada.

In Manitoba, WCB benefits can cover the following:

- **Wage loss:** If you can't work because of your injury and the WCB accepts your claim, then the WCB will cover a percentage of your take-home pay until you can work again.
- **Healthcare services for your injury:** This includes hospital expenses, medication, dental treatment, chiropractic and physiotherapy related to your injury, as well as the costs of assisted living devices and, in some cases, costs for travel to healthcare or other service providers.
- **Permanent impairment payments:** You may be given a lump sum payment, in addition to your wage loss payments, if you have a permanent impairment because of a workplace injury.
- **Help with returning to work:** The WCB will work with you to ensure you get the support you need to return to work.
- **Vocational rehabilitation services:** If you are no longer able to work with the employer where you suffered your injury due to the effects of that injury, these services help you return to work that respects your work capabilities.



What to do if you are injured or sick at work

If you are injured and need healthcare attention, go see a healthcare provider as soon as possible and be sure to tell your healthcare provider that you were injured at work.

Report the injury to your employer (boss) as soon as possible. You may be afraid to do this. You may be worried that your boss will be angry or that you will lose your job. **Your boss does not have the right to fire you just because you have been injured or because you report your injury.**

You might think an injury is so small that you do not need to tell your boss about it. But all incidents or injuries in Manitoba must be reported to the employer. This is important because sometimes things that seem small – a minor cut, for example – can become more serious. The cut could become infected, and it could mean that you cannot work for a period of time.

If you miss time from work as a result of your injury, report the injury to the WCB as soon as possible. To do so, call 204-954-4100 or toll free at 1-855-954-4321. You can ask to have a language interpreter join the call if you are more comfortable in a language other than English.

You can also fill out a **Worker Incident Report** form. The Worker Incident Report form is found on the WCB website: wcb.mb.ca. Click on “Workers” followed by “Forms.” Print out the form or fill it in online.

Your employer has a responsibility to report your injury to the WCB as soon as possible after learning of the injury.

Your employer can report the injury using the Online Incident Reporting System, by calling the WCB’s Claim Information Centre or by filling out a **WCB Employer’s Incident Report** form.

Your employer should not discourage you from making a claim for WCB benefits. Sometimes employers may offer you time off work instead of reporting an injury to the WCB or tell you that you cannot get WCB benefits. If your employer is doing either of these things, you should call the WCB directly at 204-954-4100 or toll free at 1-855-954-4321.



Other important information

- Keep a notebook and write down details of your injury, the pain you are feeling, the date(s) of your injury and the names of co-workers who may have witnessed your injury. If an incident took place, get the names and contact information of anyone who saw it happen. Also record the date(s) when you speak to your boss about your injury and/or incident.
- If you are sick because of your job, tell your boss that you are sick because of your activity or incident at work; do not just say you are sick without an explanation.
- Keep a record of the wages you are paid, and any other forms that you receive from work, such as a record of employment (ROE).
- If you have a safety and health committee or representative at work, tell this person about your injury, sickness or incident. You can also tell your union representative if you feel comfortable doing so.
- Get medical help. See your healthcare provider, or go to the hospital or a community health clinic. **Tell your healthcare provider that your injury or pain is related to your work activity or an incident at work.** Provide as much detail as you can about your job, the kinds of work activities you do, what happened when you got the injury and the nature of your injury. Ask your healthcare provider to fill out a **WCB Healthcare Report** and send it to the WCB.
- **If English is a second language, bring a family member or friend who speaks English to your appointment, or ask for an interpreter if you are at a hospital. If you are calling the WCB, you can also ask for an interpreter while on the phone.**
- Get help filling out forms from someone who speaks English well and understands WCB processes for filing a claim.



Helpful resources

The **WCB website** has information in many different languages, including fact sheets about filing a claim, your rights and return to work. The website is at: wcb.mb.ca.

The **WCB** provides services and information in multiple languages. You can call the WCB at 204-954-4321 or toll-free at 1-855-954-4321 and ask **to speak to a language interpreter**.

The **Worker Advisor Office** provides free and confidential services to injured workers and their families who require assistance when dealing with the WCB. Call 204-945-5787 or toll-free at 1-800-282-8069 (ask for the Worker Advisor Office at ext. 5787), or visit the website at: gov.mb.ca/labour/wao.

Manitoba Workplace Safety and Health is responsible for protecting the safety and health of workers on the job. For WSH resources in various languages or to report unsafe work, visit safemanitoba.com.

The **Fair Practices Office** helps to ensure that claims are resolved in a fair, courteous and timely manner. It can help to address concerns related to delays, communications or the fairness of the decision-making process at the WCB. Call 204-954-4467 or toll-free at 1-855-954-4321, or visit the website at: fairpracticesofficemb.ca.

The **24-Hour Worker Distress Line** is available to you or any member of your family who is having trouble dealing with the effects of your injury. To speak to a trained counsellor, 24-hours a day, seven days a week, call 204-786-8175 or toll free at 1-800-719-3809. The service is confidential and free of charge.

This document does not constitute legal advice or formal training. To determine rights and obligations under *The Workplace Safety and Health Act* or *The Workers Compensation Act*, contact legal counsel or refer to the legislation at:

web2.gov.mb.ca/laws/statutes/ccsm/w210e.php (WSH), or web2.gov.mb.ca/laws/statutes/ccsm/w200e.php (WCB).

The original content for this toolkit was developed by the Institute for Work & Health (IWH) for settlement agencies and other teachers of newcomers to Ontario (Kosny A, Lifshen M, Smith P, Saunders R and Rhooms R. 2011).

The Institute for Work & Health is an independent, not-for-profit organization. The Institute's mission is to conduct and share research that protects and improves the health of working people and is valued by policy-makers, workers and workplaces, clinicians, and health & safety professionals. To learn about IWH visit iwh.on.ca.

For more information, call 204-957-SAFE in Winnipeg or 1-855-957-SAFE outside Winnipeg.



**Institute
for Work &
Health**

Research Excellence
Advancing Employee
Health

