

Sample lesson plan to accompany fact sheet on workers compensation

This tool provides advice to settlement services staff and workshop leaders on delivering the information in the fact sheet for learners entitled “Information for newcomers to Manitoba about workers compensation.” The purpose of the fact sheet is to introduce newcomers to the workers compensation system in Manitoba, including the Workers Compensation Board and what to do in the event of a workplace injury or illness.

The fact sheet is recommended for:

- all newcomers enrolled in English-language classes of LINC 4 or above
- newcomers preparing to enter the labour market (e.g., in job-search and employment-preparation programs)
- newly employed immigrants.

Why introduce this topic

Sometimes new immigrants do not find the work that they hoped to find when they first arrived in Manitoba and instead take “survival jobs” that are not in their field. Research has shown that new immigrants to Canada are more likely to work in manual jobs where the risk of injury is higher. Many newcomers do not know anything about the workers compensation system and, as a result, are unsure about what to do if they are injured at work or get sick due to work.

When to introduce this topic

This topic should be addressed when discussing workplace safety and health or general safety information, workers’ rights and job quality.

How to use this lesson plan

This lesson plan is designed for workshop leaders and settlement services staff who have little knowledge or background in this field and want guidance. The sample lesson plan provides wording that essentially mirrors the information in the fact sheet handed out to learners. It also suggests some classroom exercises.

The lesson plan ends with workshop leaders providing learners with information on “Helpful resources.” Phone numbers and website information are provided as a convenience, but these do not have to be verbally provided during the session. Learners have this information in the fact sheet/handout.

Introduction

Although the aim is to get a job in your field, at first you may have to work in a job that is not in your field in order to become more financially secure and get Canadian work experience. You may work in a factory or a store. You may end up cleaning or doing maintenance work. Research has shown that new immigrants are more likely to work in manual jobs where the risk of injury is higher.

Exercise #1

Ask participants to think about and discuss the types of injuries and illnesses that workers might sustain at work.

Possible answers: slips and falls, cuts, strains, pain that develops slowly over time (e.g. back pain), a disease, violence-related injuries, head injuries, dermatitis (i.e. skin allergic reaction).

About the Workers Compensation Board

If you are injured at work, you will not be able to sue your employer, as is the case for most workers in Manitoba. Instead, you can access Manitoba’s workers compensation system through the Workers Compensation Board (WCB) and get paid for time off work while you recover from your injury.

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

In Manitoba, WCB benefits can cover the following:

- **Wage loss:** If you cannot 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 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 quickly as possible. 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 your injury is so small that you do not need to tell your boss about it. But all incidents or injuries in Manitoba should 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, 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.

Exercise #2

Show participants examples of the forms and pass these around the classroom or workshop.

Ask participants to practise completing the forms so they will be aware of the kinds of information they will need to provide in the event of filing a WCB claim.

Other important information

- Keep a notebook and write down the 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) on which you speak to your boss about your injury.
- 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 a 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.

Exercise #3

Tell participants that it is important to write down the details of an injury, illness or incident at work. Ask them to list the types of information they should make note of in the event of an injury, illness or incident at work.

Possible answers include:

- when the pain started
- the type of job being done when the injury/illness took place
- what was told to the supervisor, when and how he or she reacted
- when the doctor was seen and what happened
- any increases in pain
- the details of the injury (what and why it happened, who was there, etc.)
- what activities can and cannot be done because of the injury
- any contact with the union or safety and health committee
- any changes to the job being done – if so, what changes, for how long, etc.

Ask if the learners have questions, hand out the fact sheet and direct them to the resources at the end of the document.

Helpful resources

If you get hurt or sick because of work, there are a number of places you can turn to for information, help and advice:

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.



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