

Section	Policy
40	44.80.10

Section Title: Benefits Administration - *Wage Loss*
Subject: Advance Compensation
Effective Date: May 14, 1980

A. POLICY

Advance compensation payments may be made when there is sufficient evidence of disability due to a work-related accident, and there is insufficient information to reach a final adjudicative decision on the compensability of the claim.

When there is clear evidence that personal injury by accident and resulting disability is caused to a worker, and an employer's report of the accident has been received, advance compensation payments may be made to the worker, notwithstanding that the worker has not yet filed his or her claim for compensation. This policy does not apply to claims when the worker is entitled to elect to claim compensation or elect the jurisdiction in which to claim compensation.

Unless an application for compensation is filed within one year after the accident, no compensation is payable. This does not prevent the WCB from making an advance payment; it does make it necessary that an application ultimately be received in cases when an advance payment has been made.

B. REFERENCES

The Workers Compensation Act, sections 4(1), 19(1) and 19(2)

History:

1. Approved by the Board of Directors on May 14, 1980, effective immediately.
2. Minor formatting and grammatical changes were made to the policy and a history section was added, June 27, 2012.
3. Minor formatting changes were made to the policy, July 2021.

C. ADMINISTRATIVE GUIDELINES

1. Benefits staff are satisfied the information indicates a clear-cut accident and resultant disability;
2. Assessment Services Department is satisfied with the coverage aspects based on the information indicated.
3. There are no complications, such as third-party involvement or interprovincial claims; and
4. It is apparent that the employer will not be continuing to pay the employee during the period of disability.

The acceptance of the advance payment by the worker is not to be taken as an "applicant" under section 9(5) of *The Workers Compensation Act* and therefore is not a bar to proceeding with any action.