



Dependants of fatally injured workers

If a worker dies as a result of a workplace injury, their spouse or common-law partner may be entitled to benefits. For deaths occurring on or after May 31, 2021, if the worker had no eligible spouse, common-law partner, former spouse or former common-law partner, benefits may be paid to the deceased worker's estate or to another person, as determined by the Workers Compensation Board of Manitoba (WCB).

A claim must be filed with the WCB within one year of the date of death. In some cases, the employer or the Workplace Safety and Health division under the Province of Manitoba notifies the WCB when a death occurs in the workplace. It's important that you call the WCB to file your claim, as benefits can only be paid if a claim is filed.

If the claim is accepted and the worker had an eligible spouse or common-law partner, they may be entitled to the following (dollar amounts represent fatalities that occur in 2025):

- A lump sum payment of \$102,130, which may be converted into an annuity (regular monthly payments) administered by the WCB.
- In most cases, a monthly payment equal to 90% of the deceased worker's net average earnings before the date of death (less any amount payable to any other dependant(s), such as a child) for a period of five years or until your youngest child turns 18 (special provisions apply to spouses or common-law partners over the age of 60).
- In some cases, the WCB will provide you with vocational rehabilitation services to help you return to the workforce, become self-sufficient or increase your workforce participation to become self-sufficient.

If the claim is accepted and the worker did not have an eligible spouse or common-law partner, the estate or another person (as determined by the WCB) may be entitled to a lump sum payment of \$102,130.



In addition, either the estate of the worker or such person as the board may determine, is entitled to an immediate payment of \$15,720 to help with expenses.

Benefits for children of deceased workers

If the claim is accepted, a monthly payment of \$560 for each child under 18 years of age will be paid. In addition, a monthly payment may be paid to dependent children 18 years of age or older if they are continuing their education.

The term “child” includes all dependent children of the worker and all children to whom the worker stands in the place of a parent (e.g. a step-parent).

Benefit total maximum

The total monthly payments made to all dependants cannot exceed 90% of the worker’s net average earnings before the date of death. The WCB insures a worker’s earnings up to a maximum, which is \$167,050 for 2025. Where there are dependent children, the monthly payment to the spouse or common-law partner may change depending on the children's age.

Eligibility

A dependant typically includes members of a worker’s family who were wholly or partly dependent on the worker’s earnings at the time of their death. Dependants may include:

- a spouse who was living with the worker at the time of the worker’s death
- a common-law partner registered under *The Vital Statistics Act* and living with the worker prior to the death of the worker OR cohabiting with the worker in a conjugal relationship for at least three years immediately before the death of the worker (the three-year period is reduced to one year if you and the deceased worker are the parents of a child)
- children under 18 years of age
- children 18 years of age or older attending school



- children mentally or physically incapable of earning, until they become eligible for Old Age Security or they are no longer incapable of earning, whichever comes first
- former or separated spouse or former common-law partner if they were entitled to receive spousal support
- other individuals who meet the meaning of 'dependant' within *The Workers Compensation Act* (the Act)

Documents you will need to provide

To process a claim, you will need to provide:

- a marriage certificate and birth certificate for a dependent spouse
- a dependent common-law partner needs to provide a birth certificate and:
- a certificate of registration of your common-law relationship under *The Vital Statistics Act*, or
- evidence regarding your cohabitation with the deceased
- a birth certificate for the deceased worker
- where appropriate, a statement from the school to establish attendance of children 18 years of age or over
- a birth certificate for dependent children
- a separation agreement or court order, if applicable

In all cases, baptismal certificates will be satisfactory in the absence of birth certificates. In some cases, sworn or affirmed statements or further investigation may be required.

This publication is provided for general information. It is not intended to be legal advice, and should not be relied on as such. For more specific information, see *The Workers Compensation Act* and Regulations, and WCB Policies. These documents are available on the WCB website at wcb.mb.ca.