Workers Compensation Board of Manitoba

Policy # **43.20.40**

Section Title:	Benefits Administration - Vocational Rehabilitation
Subject:	Relocation
Effective Date:	For Decisions on relocation plans established on or after July 1, 2015

A. POLICY PURPOSE

When a worker is injured or adversely affected by an occupational disease, the WCB's goal is to help that worker return to health and work as soon as possible, ideally with the original employer. However, in some cases injured workers are unable to return to their pre-injury place of employment and, when an injured worker resides in a small or rural community it can be difficult to find suitable alternate employment. In these cases, the WCB may support the worker in relocating to a different community and labour market.

This policy and guidelines outline the WCB's approach to supporting the relocation of injured workers when it becomes difficult to recover a loss of earning capacity in the home labour market.

This policy is not intended to cover temporary absences due to travel within or outside the province.

B. POLICY

General Principles:

The goal of vocational rehabilitation is to enhance or establish an injured worker's employability in an occupation which reasonably takes into consideration the worker's post-injury physical capacity, skills, aptitudes and, where possible, interests.

The WCB takes a cost-effective approach to optimizing an injured worker's post-injury employability. The injured worker's pre-injury earnings level is the primary consideration.

To accomplish these goals, the WCB may propose and assist an injured worker with relocating to a labour market or community with increased employability options.

Alternative labour market plans will be compared based on their overall cost effectiveness (the ability to reduce the worker's long-term loss of earning capacity) and the probability of success.

C. REFERENCES

The Workers Compensation Act, sections 1(1), 22, 27(1), 27(10), and 27(20) **[for accidents before January 1, 1992]**

The Workers Compensation Act, sections 1(1), 22, 27(1), 27(10), 39(1), 39(2), and 40(1) **[for accidents on or after January 1, 1992]**

The Workers Compensation Act, sections 1(1), 22, 27, 39(1), 39(2), and 40(1) **[for accidents on or after January 1, 2022]**

Related WCB Policies:

43.00, *Vocational Rehabilitation*
44.10.30.60, *Co-operation and Mitigation in Recovery*
44.80.30.20, *Post-Accident Earnings - Deemed Earning Capacity*
44.120.10, *Medical Aid*

History:

1. Procedural guidelines approved by Board Order 123/84 as "Procedure Manual - Vocational Rehabilitation Services Department" on September 12, 1984.
2. Policy originally approved by Board Order 83/84 as "Procedure for Claimants Leaving the Province" on June 20, 1984.
3. Policy amended by Board Order 155/84 as "Procedure for Claimants Leaving the Province" on October 17, 1984.
4. Policy 43.20.40 approved by Board Order 48/94, effective for decisions on or after October 1, 1994, regardless of the date of accident. Section 2(a)-(e) of Board Order 155/84 rescinded.
5. Updated July 1, 2005 – Bill 41, effective July 6, 2001, redefined “spouse” and added a separate definition of “common-law partner”. The change in the policy adds the phrase “or common-law partner” after “spouse”.
6. Minor formatting and grammatical changes were made to the policy, June 27, 2012.
7. Policy 43.20.40 was approved by the Board of Directors on April 30, 2015 by Board Order No. 19/15 effective July 1, 2015. This policy applies to Decisions on relocation plans established on or after July 1, 2015. "Decisions" refer to the date of the documented relocation proposal from the WCB. In addition, the indexation of the temporary residence benefit was changed to the Canada Mortgage Housing Canada (CMHC) rental market method. The previous policy was rescinded and reissued as

43.20.40.01.

8. October 2019 - A reference to Policy 44.10.30.60 was updated to reflect the proper policy name.
9. In May 2020, Attachment B – Maximum Relocation Costs Reimbursed was revised to show only the relevant 5-year history. In addition, the entries related to attachment updates were removed from the history section. A minor word change was also made. Non-substantive changes that were made to previous policies were removed from the history section.
10. In December 2022, the policy was updated to reflect the amendment and renumbering of section 27 by *The Workers Compensation Amendment Act* (commonly referred to as Bill 18).

D. ADMINISTRATIVE GUIDELINES

To make a decision about relocation, the WCB will follow the steps outlined below.

Step 1: Employability assessment in the home labour market

The WCB will assess the worker's employability in the home labour market, based on the National Occupational Classification (NOC) system, and take into consideration the worker's post-injury physical capacity, skills, aptitudes and potential for further training. Any identified occupations are called "Suitable NOC Occupations" for the worker.

If there are one or more Suitable NOC Occupations in the home labour market, the WCB will develop a Financial Implications Report (FIR) to demonstrate the degree of future cost effectiveness for each occupation. These options will then be compared to the options generated by completing Step 2.

In the event there are no Suitable NOC Occupations in the home labour market, the WCB will develop a FIR to indicate the future costs associated with not pursuing relocation and post-injury employability for the worker. This FIR will then be compared to the options generated in Step 2.

Step 2: Employability assessment in alternate labour markets

If there are no Suitable NOC Occupations in the home labour market, the WCB will expand the search into another labour market, including the labour markets of Brandon and Winnipeg.

The WCB will assess the worker's employability in an alternate labour market, based on the NOC system, and take into consideration the worker's post-injury physical capacity, skills, aptitudes and potential for further training.

If there are one or more Suitable NOC Occupations in an alternate labour market, FIRs will be created for each reasonable alternative. The FIRS will also outline:

- the reasonably expected future costs of each alternative, including relocation costs;
- the reasonably expected future income for each alternative;
- the estimated partial future wage-loss payable by the WCB for each alternative.

Step 3: Comparison of labour market plans

The WCB will compare the FIR documents for the home labour market with those created for the alternate labour market(s). Comparison of FIRs for each plan will consider the overall cost effectiveness and probability of success.

Step 4: Decision making

1) No significant reduction of overall future costs

If the FIR comparison does not indicate that a potential relocation plan would have a positive (30% or more) reduction in the overall future cost of the injured worker's loss of earning capacity, the home labour market plan will be implemented.

In cases where the home labour market plan has no Suitable NOC occupations associated with it and it is found a relocation plan would not have a positive (30% or more) reduction in the overall future costs, the WCB may provide some discretionary assistance if the worker is interested in a particular job opportunity in the home labour market. This type of assistance must be mutually agreed upon by the WCB and the injured worker.

2) Positive reduction of overall future costs

If the FIR comparison indicates that a relocation to a target labour market would have a significantly positive (30% or more) reduction in the overall future costs of the injured worker's loss of earning capacity, discussions will continue with worker about his/her prospective employability in the target labour market.

3) Other considerations

Further discussion items with the injured worker will include:

- the worker's psychosocial, medical and motivational factors that may

affect a relocation to a target labour market;

- whether or not the combined anticipated family income in the target labour market will be affected;
- whether the employability-based earning capacity in the target labour market would support a comparable standard of living to the one already established in the home labour market.

Step 5: Implementation

1) Accepted Relocation Plan

Financial support for a relocation plan will not be provided until:

- the development, communication and explanation of an Individualized Written Rehabilitation Plan (IWRP) have been completed with the worker; and
- the relocation based IWRP has been approved by the WCB.

When an injured worker chooses to accept a relocation plan, the WCB may provide financial support in accordance with Schedule B - Reimbursement of Relocation Costs.

2) Declined Relocation Plans

When an injured worker chooses to decline a relocation plan, the following will apply:

- Support for training in the NOC occupation outlined in the relocation plan will not be provided;
- Benefits payable to the injured worker will be provided on the basis of the earning capacity in the home labour market. These benefits may be continued in this manner for up to two years;
- If, at the start of the two-year period, the injured worker has no earning capacity in the home labour market, the WCB may provide some discretionary assistance if the worker is interested in a particular job opportunity in the home labour market. This type of assistance must be mutually agreed upon by the WCB and the injured worker;
- In the event the injured worker lets qualifications, licenses or skills lapse during the two-year period, the WCB will continue to use the earning capacity previously established for the injured worker;
- After the two years, the level of benefits payable will be established by the earning capacity of the Suitable NOC Occupation associated with

the relocation plan and target labour market.

Step 6: Limitations and Amendments

1) Limitations

The WCB will not normally consider a relocation plan when:

- Commuting to the target labour market is a reasonable and cost-effective alternative;
- The relocation is singularly linked to an employment position or job and not demonstrable employability.

Worker's relocation outside of WCB plan:

If the WCB decides not to support a relocation plan and the injured worker moves anyway, the WCB will not pay the following:

- The costs associated with the relocation;
- The costs for commuting back to the original labour market; or
- The incremental costs to commute to medical appointments or vocational rehabilitation programs beyond what would have been paid had the worker not relocated.

2) Amendment

The WCB may amend or agree to discontinue a relocation plan when it is unreasonable to continue. Some examples of this type of situation are the following:

- The target labour market changes and negatively affects the injured worker's employability prospects;
- During implementation of the IWRP in the target labour market it becomes evident that the injured worker will not acquire the expected skills, training, experience, or education.

E. ATTACHMENTS:

"A" Policy Definitions

"B" Reimbursement of Relocation Costs

ATTACHMENT "A" - GUIDELINE DEFINITIONS

Target labour market: a proposed labour market for relocating an injured worker.

Commuting plan: a plan for an injured worker to travel, on a frequent basis, to another labour market in order to implement a vocational rehabilitation plan.

***Employability*:** the capability of obtaining and maintaining paid employment in a specific labour market.

***Financial Implications Report (FIR)*:** a report that demonstrates the cost-effectiveness of the vocational rehabilitation options under consideration. The FIR delineates the costs associated with a certain proposal, scenario or plan, and when the costs will be experienced. The FIR also projects the amount of post-plan wage loss benefits payable to the injured worker.

***NOC*:** the WCB uses the National Occupational Classification (NOC) system, published by *Statistics Canada and Human Resources and Skills Development Canada*, as an authoritative resource on occupational information in Canada. NOC provides a standardized coding system of skill type and level for describing work performed by Canadians in the labour market. It gives workers and the WCB a consistent way to describe and understand the nature of work when comparing locations.

Home labour market: where the worker resided and/or was employed at the time of the injury.

Relocation plan: a vocational rehabilitation plan which includes moving a worker to another labour market.

Suitable NOC Occupation: a NOC occupation that is confirmed to exist in a specific labour market and determined to be a reasonable alternative employment for an injured worker given his/her post-injury physical capacity, skills, aptitudes and potential for further training.

ATTACHMENT "B" - REIMBURSEMENT OF RELOCATION COSTS

When relocation occurs as part of a rehabilitation plan, the WCB will accept responsibility for the following:

1. The cost of pre-relocation travel for the injured worker and spouse or common-law partner to arrange for residence in the new location. The most economical form of transportation should be used.
    a. Travel costs for day trips up to a maximum of two trips; or,
    b. Travel, accommodation, and meal costs for an overnight trip up to a maximum of four days/nights.

    Travel, accommodation, and meal costs will be covered in accordance with the guidelines established under Policy 44.120.10, *Medical Aid*.
2. The normal expenses for moving household effects, subject to a tender from at least 2 firms. Manitoba-based firms are preferred.
3. The most economical cost of transporting the injured worker and family to the new location.
4. When the injured worker owns residential property, one or more of the following items may be covered:
    a. Discharge of a lease (overlapping rent);
    b. Relocation of a mobile home including the cost of moving (subject to tender) and discharge of lease.
5. Reasonable legal fees for the purchase of a new residence.
6. Incidental costs associated with relocation up to the maximum shown below. Typically, these would be the costs associated for hook-up of utilities (hydro, telephone, gas). This figure is indexed annually by the Consumer Price Index for Manitoba.

For Relocations on or after	Oct 1, 2026	Oct 1, 2025	Oct 1, 2024	Oct 1, 2023	Oct 1, 2022
Amount	$1,007	$965	$948	$932	$875

The maximum incidental amounts are recalculated annually and the amounts apply as of October 1.

The table above displays amounts over a five-year period. A historical summary of maximum incidental amounts can be obtained by contacting: policy@wcb.mb.ca.

7. When a worker is temporarily relocated for training purposes, 1 through 5 of this schedule may apply for both the relocation and return to the original labour market.

8. When a worker is temporarily relocated for training purposes and is maintaining two residences, the WCB may accept the following:

   a. The costs of renting the second (temporary) residence up to a maximum per month as shown below. This figure will be amended annually in accordance with the average one-bedroom apartment rent for Winnipeg CMA, as published in the Canada Mortgage Housing Corporation (CMHC) "Rental Market Report";

   b. The costs of related incidentals, up to a maximum per month as shown below. This figure is indexed annually by the Consumer Price Index for Manitoba;

   c. The travel costs for workers returning to the original labour market once per month to visit a member(s) of their family ("member of the family" is defined in *The Workers Compensation Act of Manitoba*);

      When applicable, travel costs will be covered in accordance with the guidelines established under Policy 44.120.10, *Medical Aid*.

      The worker should obtain authorization from the WCB before incurring any costs. If this is not done, the WCB may not accept responsibility for the costs.

Relocations on or after	**Oct 1, 2026**	**Oct 1, 2025**	**Oct 1, 2024**	**Oct 1, 2023**	**Oct 1, 2022**
Rental of Temporary Residence	TBD	1,232	$1,179	$1102	$1,056
Food, Groceries, Etc.	$460	$441	$433	$426	$400

The maximum monthly amounts are recalculated annually and the amounts apply as of October 1.

The table above displays amounts over a five-year period. A historical summary of maximum monthly amounts can be obtained by contacting: policy@wcb.mb.ca.

9. The WCB may provide financial support to obtain expert assistance to identify and clarify the costs, benefits and other issues that would reasonably arise from a relocation plan, including, but not limited to, the following:

   a. Availability of adequate medical treatment in the target labour market;

b. Adverse physical or vocational rehabilitation effects of the relocation;
c. The probability of maximizing the post-injury earning capacity;
d. The additional program costs created by relocation.

10. The WCB may provide financial support for relocation costs, provided that:
    a. Relocation assistance is not available for the worker from
        - a government "mobility program";
        - part of a termination package provided by an employer;
        - a relocation plan provided by the target employer; or
        - another analogous program.
    b. Partial relocation assistance from other sources is first applied to the total costs, and the WCB may pay the remainder.