

WSIB Benefits and COVID-19

COVID-19 falls within the definition of an occupational disease. Therefore, where a worker contracts COVID-19 at work and is sick, they should be entitled to receive compensation from WSIB.

Criteria for receiving benefits

1. Worker must be diagnosed with COVID-19;
2. Exposure leading up to diagnosis must have occurred at workplace or was a significant contributing factor to the risk of contracting the illness, beyond that faced in the community at large.

How does a worker start the WSIB claims process?

- A Form 6 (worker completes). This form can be completed online and submitted through the WSIB website; and/or
- A Form 7 (employer completes). If a worker goes off work and/or requires health care as a result of COVID-19, the employer is legally obligated to report the illness and submit a Form 7 to WSIB; and/or
- A Form 8 (a medical professional completes). A worker should request their medical professional complete the Form 8 with the COVID-19 diagnosis and submit it to WSIB;

Medical affirmation of COVID-19 should be sought:

- Ideally a Health Professional's Report (Form 8); or an opinion stating that COVID-19 was contracted at work;
- Once a positive test confirms illness, result should be forwarded to WSIB.

How does a WSIB claim interact with other benefits provided in the Collective Agreement or EI Sickness Benefits?

A worker can access other benefits through the Collective Agreement and/or EI Sickness Benefits **and** file a WSIB claim at the same time.

A successful WSIB claim will be retroactive to when the member began to miss time from work due to illness and possibly the pre-diagnosis period of self-quarantine.

A successful claim should result in a replenishment of any used sick pay or short-term disability.

The first step when advising a worker on what benefits they can access is always to look at the Collective Agreement:

- An employer-paid benefit in the Collective Agreement may provide for a greater loss of earnings benefit than WSIB (e.g. sick pay or short-term disability at 100% income replacement);
- The Collective Agreement may provide for an employer-paid top-up while the member's WSIB claim is being adjudicated.

WSIB provides a higher replacement rate up to a higher earnings cap than EI Sickness Benefits:

	<u>WSIB</u>	<u>EI Sickness Benefits</u>
<u>Income Replacement Rate</u>	<u>85%</u>	<u>55%</u>
<u>Max. Insured Earnings</u>	\$90,300	\$54,200
<u>Duration</u>	Until illness no longer affects ability to return to pre-injury work or no longer losing pay	Max. 15 weeks