

Out-of-province coverage

WCB-Alberta insurance covers Alberta workers even outside of Alberta, as long as all conditions of Section 28(1) of the *Alberta Workers' Compensation Act* are met. All the normal conditions for establishing a WCB-Alberta claim would apply to the out-of-province claim.

The worker

The worker must reside in Alberta. Indicators include having a permanent residence, immediate family, a bank account, registered vehicles/assets and/or provincial taxes paid in Alberta. There is no requirement for Alberta residents to perform work in Alberta before or after working outside of Alberta.

Non-Alberta residents

WCB-Alberta coverage follows non-Alberta residents out of Alberta if the work will be a continuation of the same work they initially performed in Alberta for the same (or related) employer.

Non-Alberta residents are not covered if they do not initially work in Alberta or if they are hired out-of-province with an Alberta company after a break in employment, without first starting again in Alberta.

**Break in employment is defined as being laid-off, terminated or resigning. Vacation, off-shift/rotation and sick leaves are not considered breaks in employment.*

**Training in Alberta for out-of-province work does not establish continuation of employment in Alberta. The non-Alberta resident will be covered during the training in Alberta, but coverage cannot follow the worker out of Alberta based on this training alone.*

For non-Alberta residents in the transport industry, they are covered outside of Alberta after their first driving or piloting excursion from Alberta.

The job

The work conducted by you, as the employer, outside of Alberta must also be conducted by you in Alberta. Your workers cannot be covered by WCB-Alberta for their work outside of Alberta (when employed by you or a related company) unless you conduct the same operations in Alberta.

If any of the above "Worker and Job" criteria are not met, an employer can request that WCB waive them. Where appropriate, coverage may be approved but not back-dated prior to the date of the application.

When all criteria are met (or waived), coverage outside Alberta is provided for up to twelve continuous months at a time. This period starts over again any time a worker returns to Alberta and departs again (which includes being back in Alberta for work, vacation, sick leave or off-shift/rotation).

Extension of coverage

When needed, you can apply by written application to extend out-of province coverage for another twelve months. Your application must provide the location of work, full legal name and residency of worker(s) involved, as well as their original hire, departure and expected return dates. The work

must continue to meet the above requirements, and coverage can only be extended one year at a time beyond the existing coverage expiry.

Work-related injuries

Workers who work away from home for extended periods of time are not always considered 'at work' twenty-four hours a day. They may not be covered while offsite and/or acting outside the course and scope of their employment.

Example: A worker leaves an employer-provided camp at his supervisor's direction to buy supplies and gets into a car accident; he will be covered if he was injured. A worker leaves an employer-provided camp to see a movie and gets into a car accident and is injured; he will not be covered.

Laws of the jurisdiction

In the event of a work-related injury outside Alberta, your workers are eligible for workers' compensation benefits. You are not, however, protected from lawsuit, as Alberta's *Workers' Compensation Act* cannot be enforced beyond Alberta. If the jurisdiction where your worker is injured allows lawsuit for workplace injuries, your worker may elect to take legal action if injured, rather than accepting WCB-Alberta benefits. You may also be held liable if your worker(s) causes injury to another person. Both you and your workers are subject to the laws in the jurisdiction where the accident occurs. You should contact the WCB office (or equivalent) where your workers will be working to determine whether you also need to establish coverage there.

Interjurisdictional agreement

Employers operating in other Canadian jurisdictions may be subject to the Interjurisdictional Agreement on Workers' Compensation. This agreement is intended to avoid duplicate payment of premiums, and to aid injured workers in claiming and receiving compensation when two or more jurisdictions are involved.

When you are required to have coverage with other Canadian jurisdictions (except Nova Scotia), you only report earnings and pay premiums to the WCB in the jurisdiction where the work is being performed. If injured, the worker can make a claim for compensation to either WCB-Alberta or the jurisdiction where the work was being performed.

If coverage is required in Nova Scotia or outside Canada, you may be required to report earnings and pay premiums in that location as well as Alberta.

Interjurisdictional trucking agreement

If you are in the trucking industry and have workers who travel between provinces, you have the option to report your workers' total insurable earnings to the WCB in the workers' home province*. This eliminates the need to prorate earnings between each province your workers travel in. To participate, you must apply in writing. This is also available to independent operators who travel inter-provincially. For more information about the Interjurisdictional Trucking Agreement, refer to the [Interjurisdictional Trucking Agreement fact sheet](#).

*Employers who specialize in providing pilot car services but have no trucks are not able to participate in the Interjurisdictional Trucking agreement. Pilot car services travelling into other provinces or territories must contact the WCB of that jurisdiction to determine any registration requirements. Where they do not require an account, we will continue to follow them as per our Section 28 of the *Alberta Workers' Compensation Act*. This change does not affect trucking companies that have workers who operate pilot cars as part of their own trucking services.

You can find the *Alberta Workers' Compensation Act* at:

<http://www.wcb.ab.ca/public/policy/legislation.asp>