

For families

a resource guide for seriously
injured workers and their families



This guide is meant to provide information and practical advice to seriously injured workers and their families.

This guide was produced by the Association for Workplace Tragedy Family Support — Threads of Life. Threads of Life would like to acknowledge the helpful assistance and inputs received from:

- Alberta Justice
- Alberta Employment and Immigration (Workplace Health and Safety division)
- Workers' Compensation Board of Alberta (WCB – Alberta)

Threads of Life is a national, charitable, not-for-profit organization dedicated to supporting families who have been affected by a workplace tragedy, which we generally define as a fatality, a life-altering injury, or a life-altering occupational disease.

In August 2007, an Alberta company was fined for failing to protect a worker who experienced a life-altering injury in a manufacturing incident. Under the “creative sentencing” provisions in the *Alberta Occupational Health and Safety Act*, a portion of the fine was directed to Threads of Life to produce two resource guides for Albertans. The guides are entitled:

- *For Families — A Resource Guide for Survivors*
- *For Families — A Resource Guide for Seriously Injured Workers and their Families*

Families like yours — who have also been through a workplace tragedy — provided valuable insights in the development of these guides. We acknowledge and thank them for their assistance.

Threads of Life would also like to acknowledge WorkSafe BC and the Workplace Safety and Insurance Board of Ontario for their involvement in earlier publications, which helped to lay the foundation for production of these guides.

A third resource guide in the “For Families” series for Albertans has been independently produced by Threads of Life, entitled *For Families — A Resource Guide for Workers and their Families Coping with Serious Life-Altering Occupational Disease*.



Association for Workplace Tragedy Family Support

Contents

About this Guide	3
DVD Resource Available	3
Who Will Contact You?	3
Important Facts About Workplace Injuries in Alberta	3
Important Legislation	4
Workers' Compensation Board – Alberta (WCB)	4
Grief Counselling	5
Filing a Claim for WCB Benefits	5
Types of WCB Benefits	5
Returning to Work	7
About Vocational Services	8
Millard Health Centre	8
About Independent Living	8
If Your Claim is Not Accepted	8
Can the Worker Sue?	9
Canada Pension Plan (CPP) Disability Benefit	9
Can I receive CPP and WCB benefits at the same time?	9
Other Disability Benefits	10
Investigation of a Serious Injury Incident	10
What if the Media Calls?	11
Other Practical Matters	12
Legal Matters	13
Power of Attorney	13
Enduring Power of Attorney	13
About Guardians and Trustees	14
Distress, Grief and Bereavement	14
Support Organizations	15
Online Resources	17
Suggested Reading	17

Helpful Contacts	19
Alberta Government Contacts.....	19
Workers' Compensation Board — Alberta (WCB).....	20
Federal Government Contacts.....	21
Getting Legal Assistance.....	22
Disability-related Organizations.....	22
Closing Thoughts	23
My Contacts	24

© 2008, Association for Workplace Tragedy Family Support — Threads of Life.

This publication is designed to provide helpful and accurate information. It is provided with the understanding that the publisher is not engaged in rendering legal or other professional advice. If legal or other expert advice is required, the services of a competent professional should be sought. Association for Workplace Tragedy Family Support — Threads of Life makes no representation or warranty in connection with this publication. The interpretive information included herein represents the opinion of the publisher and in no way should be construed as being either official or unofficial policy of any governmental or regulatory body.

About this Guide

A serious workplace injury can leave you — the injured worker — in shock, overwhelmed, and in need of immediate support and practical assistance. You may not know what to expect and many questions will arise.

This guide is meant to help you — and your family — understand some of the practical matters that you now have to deal with, as well as some of the services and resources that may be of assistance as you recover from the initial injury and adjust to your new realities.

Please note that although this guide is generally addressed to the injured worker, the worker's spouse or partner, the next of kin, or other family members, we also hope it will be of assistance to any other readers who may be playing a supportive role following the injury incident.

DVD Resource Available

A DVD resource is available which reviews many of the topics included in this guide. The DVD includes:

- A video entitled “Beginning of Forever,” which includes first-hand comments from injured workers and families that have experienced a workplace tragedy, whether a serious injury or fatality.
- A series of informational video segments that will help you understand different processes, such as injury or fatality investigations and court proceedings, as well as the services and benefits you may receive from the workers' compensation system.

To request a copy of the DVD, contact the Workplace Health and Safety (WHS) Contact Centre. Refer to page 20 for contact information.

Who Will Contact You?

In the early days and weeks following a serious, life-altering workplace injury, you or your family may be contacted by different people, or you or your family may have to initiate the contact.

This may include your employer, the WCB, a Workplace Health and Safety (WHS) Investigator, the local police or RCMP, a police victim services representative, friends, relatives, the media and many others.

Important Facts About Workplace Injuries in Alberta

An injured worker must have been employed by an employer covered under the *Workers' Compensation Act* in order to be eligible for WCB benefits or services. There are some instances where others may be eligible, such as contractors that are deemed to be workers, or volunteers that may hold worker status under the *Workers' Compensation Act*.

WHS only investigates workplace injury incidents that fall within their jurisdiction under the *Occupational Health and Safety Act* or other Alberta legislation. Injuries in farming and ranching, federally-regulated industries, or traffic accidents on public roadways are not within WHS's jurisdiction.

Police (local police force or RCMP) are responsible for investigation of work-related motor vehicle accidents on public roadways. WHS will investigate accidents that occur on work sites which include non-public roadways, such as logging roads or leased roads.

Human Resources and Social Development Canada (HRSDC) is responsible for investigating workplace injury incidents in federally-regulated organizations that

operate in Alberta, such as railways, the telecommunications industry, interprovincial transport companies and federal government departments. In some cases, there may be a joint federal-provincial investigation. For information about HRSDC's incident investigation processes, contact HRSDC. Refer to the contact information on page 21.

Important Legislation

Legislation that may be of interest to readers of this guide includes:

- *Occupational Health & Safety Act, Regulation and Code*
- *Workers' Compensation Act* and associated regulations
- *Powers of Attorney Act*
- *Adult Interdependent Relationships Act* and *Alberta Interdependent Partner Agreement Regulation*

In Alberta, a person is an adult interdependent partner if:

- the person has lived with the other person in a relationship of interdependence for a continuous period of not less than 3 years, or of some permanence, if there is a child of the relationship by birth or adoption, or
- the person has entered into an adult interdependent partner agreement with the other person.

In this guide, for simplicity, we have shortened all usages of the term adult interdependent partner to partner. We also use the terms spouse, partner and common-law partner equally, as some federal legislation refers to the common-law term. The use of these terms in this guide generally relates to the eligibility of an injured worker's spouse, partner or common-law partner to receive WCB benefits or services, such as counselling services.

Workers' Compensation Board – Alberta (WCB)

Serious, severe or life-altering injuries do not fit within a single definition. Examples of injuries which are generally considered severe or life-altering include:

- serious burns
- amputations
- brain injuries
- spinal cord injuries

Your injury will be unique to you and may or may not fit into a single category. Many workers experience injuries where one or more body parts or functions are affected. There may be physical or mental impairments, or both, arising from the injury. The effects of a serious or severe injury may be temporary or permanent.

In the case of a serious injury, the injured worker is typically hospitalized right after the injury incident, and remains in serious or critical condition for some time. In most cases, a WCB case manager will contact the worker and family at this time and visit the hospital.

During the initial contact, the WCB case manager sensitively informs the injured worker and the family what they can now expect, in terms of WCB benefits, support and services. Most seriously injured workers will receive:

- regular workers' compensation payments (WCB benefits)
- a wide range of health care services or benefits
- home care services, if needed
- extensive occupational therapy services

- vocational rehabilitation services
- return-to-work assistance
- other supports or services which relate to the worker's type of injury or general needs

Grief Counselling

Presuming your claim for WCB benefits is accepted, grief counselling will be one of many services offered by the WCB to you, your spouse or partner, and your children. Your WCB case manager will offer the services of a licensed psychologist, from a list of approved service providers.

Many workers who have experienced a life-altering workplace injury have stated that grief counselling has been very helpful to them and their families in coping with their loss, changes to their life and work, and in moving on in life.

Filing a Claim for WCB Benefits

Following the initial contacts with the WCB shortly after the injury incident, several steps will subsequently occur in the days and weeks following:

- The worker must file a claim for WCB benefits. Depending on the nature of the injury and the worker's condition, family members may file this claim on the injured worker's behalf, in consultation with the WCB case manager.
- The main form to fill out is the "Worker's Report of Injury or Illness." Similarly, the worker's employer must submit an "Employer's Report of Injury or Illness." These two forms allow the WCB to initially determine if the injury occurred in the normal course of employment, and

the general circumstances regarding the injury and the injury incident. The WCB case manager will talk to the worker and employer on the phone to gather more information as needed.

- The worker's claim for WCB benefits will be adjudicated. This means that a WCB adjudicator will make a decision to allow the claim or not. In most cases, the claim will proceed promptly and benefits will be provided. From this time forward, a case manager will be in regular contact with the injured worker and family. This may be a different case manager than the one who first contacted you or your family at the hospital.

For severely injured workers, an important reference is the WCB Policy Manual, which is available online at www.wcb.ab.ca. Policies 04-01 to 04-07 are among the most important policies that you and your family may wish to review. Your case manager can also provide you with hard copies of key policies relevant to your claim.

Types of WCB Benefits

The WCB offers a number of benefits to workers with a serious or life-altering injury, including:

- Wage Replacement Benefits
- Health Care Benefits
- Non-Economic Payment

Wage Replacement Benefits

Your basic claim for WCB benefits is meant to replace, in part, the wages that you were earning prior to the acceptance of your claim.

Under the WCB system, a worker with an occupational illness or disease may be categorized as partially disabled or totally disabled. A partial or total disability may be temporary or permanent.

Typically, a seriously injured worker will receive Temporary Total Disability (TTD) benefits initially and once medical and vocational plateaus are reached they are transitioned to a permanent wage loss (or, Economic Loss Payment, ELP).

- If your disability is permanent, your WCB benefits continue until the age of 65.
- If your disability is temporary, you will only receive WCB benefits as long as the disability lasts.
- If you are totally disabled (either temporarily or permanently), the WCB will pay you compensation at a rate of 90% of your net earnings, up to a pre-set maximum (based on your earnings from employment before your illness occurred).
- If you are partially disabled, the WCB will pay you a proportionate amount of 90% of your net earnings (based on your earnings from employment before your illness occurred). The proportionate amount is based on the degree of disability and the WCB's estimate of the worker's loss of earning capacity.

Your case manager will explain how the wage replacement amount will be calculated in your case. The method used by the WCB to calculate your pre-illness earnings will be based on *WCB Policy 04-01, Establishing Net Earnings*. The case manager will also inform you about the frequency of benefit payments and any other relevant WCB policies.

Health Care Benefits

Most health care costs and services related to your workplace injury will be paid for by the WCB. Refer to *WCB Policy 04-06, Health Care* and *WCB Policy 04-07, Services for Workers with Severe Injuries* for a detailed explanation of services. Costs or services that will generally be paid for include:

- hospitalization, surgery and emergency care
- treatment by health care professionals such as doctors, chiropractors, physiotherapists and occupational therapists
- prescription drugs
- prosthetics, orthotics or other assistive devices
- aids to daily living, such as wheelchairs, other mobility aids, adjustable beds
- transportations costs or aids, e.g., vehicle modifications (within set guidelines)
- home renovations (within set guidelines) or home maintenance assistance (also within set guidelines)
- contracted services, such as an attendant or other measures to help you live independently
- travel and accommodation costs for medical appointments related to your injury

In some circumstances, your health care provider may recommend hiring a home care assistant. Your case manager will help make the arrangements. Home care assistance is typically paid for severely injured workers that need assistance with self-care and mobility, e.g., amputees, paraplegics and quadriplegics.

Please remember to keep all your receipts related to health care costs so you can be reimbursed by the WCB. Make copies to keep in your personal files. Consult with your case manager, as some costs may have to be pre-approved.

Non-Economic Loss Payment

The Non-Economic Loss Payment (NELP) is a benefit paid to the injured worker if the worker experiences a permanent disability as a result of the compensable injury. Some examples of a permanent disability include loss of a limb, paraplegia, or a brain injury with resulting physical and/or mental impairments.

The NELP is separate from the ELP. The NELP is a one-time payment paid in recognition that a worker's life outside the workplace may be affected by a permanent disability. The amount of the NELP is paid based on a detailed medical assessment of the worker's condition following a workplace injury. This assessment determines loss of function, sensitivity, strength, or other relevant factors. The medical assessment on which your NELP is based will take place when your injury status reaches a medical plateau, i.e., when further significant medical change is unlikely.

Returning to Work

In some cases, the worker's injury will prevent a return to their previous job or career. In other cases, the worker may return to the same employer or career, whether in the same position, a similar position or a different position.

Your case manager will work with you to determine your ability to return to work. Your case manager will also consult with your employer at the time of the injury incident, your physician or specialist, and other health care service providers, such as your physiotherapist or occupational therapist.

Other general steps that are usually followed by the case manager include the following:

- Both the worker and the employer are contacted by telephone to discuss whether modified work is available at the place of employment. The worker's medical treatment plan and expected recovery timelines are discussed.
- The case manager contacts the worker's physician and all treatment providers to determine the worker's progress in treatment and his or her current medical condition. The case manager will determine if the worker should be referred to the WCB's Millard Health Centre, or to other WCB-approved rehabilitation service providers.
- A case conference will be hosted by the case manager, including the worker, employer and service providers (e.g., occupational therapist at the Millard Health Centre) to discuss the expected outcomes following completion of medical treatment and other rehabilitation. At this time, an assessment is made about your fitness for work,

and whether you can return to the same job you had before you were injured. Further discussion will take place with your employer to see if modified work is available, and whether a full return to your previous job is possible.

- If a return to work with the pre-injury employer is not possible, then the case manager will direct you to a wide range of vocational services.

About Vocational Services

A range of vocational services are provided to severely injured workers to help them re-integrate into the work force. Refer to *WCB Policy 04-05, Return to Work*. You may be eligible for some or all of these services, including:

- modifications at the current workplace (to facilitate a return to your job, or a similar or different job with the same employer)
- career counselling, to help you determine your options for education, training, a similar career or a brand new career
- academic retraining (in the event you cannot continue in your past career)
- if additional education or training is required, the WCB can assist with their associated costs (e.g., books, tuition, supplies, childcare, etc.)
- job search assistance, including assistance with resumes, interviewing techniques and employer contacts
- the WCB will sponsor wages during the first three months of on-the-job training with an employer

- supporting injured workers in the creation of a business plan, i.e., for those who choose to launch their own business
- support in relocation (in the event that the worker must relocate to find suitable employment)

Millard Health Centre

The Millard Health Centre provides a wide range of medical assessment services, as well as vocational rehabilitation, counselling and training services. Staff at the Centre includes occupational therapists, physical therapists, psychologists and doctors, among others. The overall aim of all treatments or services is to assist you in achieving the best possible quality of life.

About Independent Living

The WCB's general aim is to help severely injured workers become more independent. Under *WCB Policy 04-07, Services for Workers with Severe Injuries*, you may be eligible for certain kinds of support and assistance that will help you with independent living, at work or at home.

If Your Claim is Not Accepted

All WCB decisions come with a written explanation about the decision, an invitation to contact the case manager to discuss your concerns and the time limits for appealing the decision. Your case manager is prepared to discuss the reasons for a decision with you. If you have additional information you think might affect the decision, make sure you send copies of this information to your case manager as quickly as possible.

If you wish to appeal the decision, there is a process to follow.

- The first step is to contact your case manager and inform the case manager of your wish to appeal.
- Typically, a review of the decision will first be done by the case manager's supervisor.
- If you still wish to continue your appeal after the supervisor's review, the next step is to request a review by the WCB's Dispute Resolution and Decision Review Body.
- If you do not accept the review body's decision, the last stage of appeal is to request a review of the decision by the Appeals Commission.

In all of these steps, you are entitled to receive information and guidance from the WCB's Office of the Appeals Advisor.

If you are a member of a union, the union may also be able to provide information or assistance. You may also wish to seek legal advice or counsel from workers' compensation consultants in the private sector. Be sure to check for credentials or references when engaging legal or other assistance.

Can the Worker Sue?

No. The workers' compensation system is a no-fault insurance system. Under Section 23 of the *Workers' Compensation Act*, when an accident involves a worker covered under the *Act*, and that accident occurs in Alberta, the worker does not have the right to sue any other worker or any employer.

However, under Section 22 of the *Workers' Compensation Act*, the WCB itself may, in some cases, bring an action against a third party, i.e., if there is a person(s) who is responsible, or partially responsible for the accident and who is not a worker or employer under the *Act*. If the WCB action is successful, the proceeds of that action are distributed in accordance with sub-section 22(11) of the *Workers' Compensation Act*.

Canada Pension Plan (CPP) Disability Benefit

If your workplace injury results in a long-lasting or permanent disability which prevents you from working at any job on a regular basis, you may be eligible for the *Canada Pension Plan* (CPP) disability benefit. You must apply in writing for the CPP disability benefit. It may take as long as three months for you to find out if your application has been accepted.

There are also benefits available to the children of a person who receives a CPP disability benefit. You must apply in writing on behalf of your children in order for them to receive the children's benefits.

Can I receive CPP and WCB benefits at the same time?

Yes. The WCB does not reduce your WCB benefits even if you also receive CPP benefits. Your WCB case manager may give you additional information or guidance in regards to your CPP application. Note that if you qualify for other disability benefits from other sources, such as private disability insurance, you may not be eligible for the CPP Disability benefit.

Other Disability Benefits

Be sure to check your other potential sources of revenue, whether from disability insurance, employer benefit programs or other forms of insurance. Review all sources of income, and note that some sources may cancel each other out, to some degree. Consult with your WCB case manager, your lawyer and your family to consider all these matters.

Investigation of a Serious Injury Incident

WHS assigns a Lead Investigator to each serious injury incident. The Lead Investigator will keep in touch with you in the months ahead.

After the initial site investigation, the Lead Investigator will give the family a general update on the status of the investigation at this early stage. Typically, the initial serious injury investigation will take three to five days. The Lead Investigator will usually speak with the injured worker, if possible, in order to obtain a statement, as the injured worker often has information relevant to the investigation.

It can take up to six months or more to complete the Injury Incident Report. Injury Incident Reports are completed in sequence, based on the date of the injury incident. In many cases, a few months after the incident, the Lead Investigator will be willing to meet with you in person. Based on experience, this kind of meeting or contact allows the involved parties to review how the report is coming along, and to sometimes clarify facts, rumours or issues about the case.

Steps in the Serious Injury Incident Investigation

The Lead Investigator collects evidence and compiles a draft Injury Incident Report, liaising with other parties as needed, such as police, the employer, witnesses and outside experts or consultants. Experts or consultants are commonly engaged in regards to technical issues and/or incident investigation details, and to help determine contributing factors.

The general aim of the Injury Incident Report is to determine all of the contributing factors and the root cause of the incident. By learning from past incidents, future or similar incidents may be avoided.

When the draft Injury Incident Report is completed it then undergoes a vigorous technical review within WHS, as well as a review by senior management.

In some cases, if recommended by senior management, the finalized Injury Incident Report is sent to Alberta Justice (Regulatory Prosecutions) for review by a specialized OHS prosecutor.

The OHS prosecutor will review the entire Injury Incident Report and all of the materials or information gathered in the course of the police and WHS investigations. This can include such items as witness statements, documentation on work procedures, investigators' notes, health and safety manuals associated with the work site, photographs, specifications and expert reports.

After this review, the OHS prosecutor may recommend to WHS that charges be laid, in accordance with Alberta Justice guidelines. Charges will only be recommended if there is enough evidence to prove wrongdoing on the part of any one party or person, and that there is a reasonable likelihood of conviction.

WHS must lay charges within two years of the date of the serious injury incident, in accordance with a two-year statute of limitations in the Occupational Health & Safety Act. Charges may be laid against prime contractors, contractors, employers, supervisors, workers or suppliers. They may be charged jointly or individually.

Prosecutions are done in the public interest, with a general aim to have a deterrent effect on employers and workers by handing down fines and/or penalties available under the Occupational Health and Safety Act.

Injury Incident reports are not made public or posted on the WHS website until it is clear that no legal proceedings will be undertaken, or until the completion of any legal proceedings undertaken.

If no charges are to be laid, the report is offered first to the worker for review. If the worker accepts the offer, the report is provided. In this way, the worker can see the report before it is released to the public. Similarly, the employer is provided a chance to review the report at this stage. In both cases, this is done as a courtesy to the involved parties and to ensure that the report contains no unintentional errors, such as clerical errors or misspellings of names.

What if the Media Calls?

When someone is seriously injured in a workplace incident, the media often reports on the matter. Members of the media may contact you, your family or friends for a comment about what has happened.

The following may be helpful to you.

- You do not have to speak to the media if you do not want to. Simply tell them that you have no comment.
- If you choose to speak to the media, you may want to appoint a spokesperson. This may be a family member or a friend of the family.
- Always ask the name of the journalist and what media outlet they represent. Take their contact numbers.
- Don't bow to pressure. Feel free to tell the reporter that you will call them back if you're feeling rushed or you are not ready to talk, or if you've changed your mind and no longer want to speak to them.
- Be firm about what you do and do not want to discuss with the media. Talk with your family members and be very clear as a family about what is okay to say publicly.
- Avoid speculation or guessing.
- If you are not comfortable with the question, don't answer it.
- You can set boundaries with the press — stick to what you're comfortable with.

Other Practical Matters

During this very difficult time, you and your family will be busy. There are many details and practical matters to attend to, so we have made a checklist to help you keep track.

Depending on the extent of your injury, your family members may help you carry out some of these tasks. The list is not comprehensive and some items may not apply to your situation, but we hope this helps to remind you and your family of some important tasks that should be addressed. Use the space at the bottom of the list to add your own items.

Checklist:

- Organize and update your financial affairs and official documents.
- Determine all of your assets and liabilities.
- You and/or a family member may want to meet with your personal banking officer to discuss your situation. Review all automatic withdrawals with the bank.
- Check to see if disability insurance has been purchased for mortgage or other loans or credit card payments.
- You may need a copy of the tax return from the previous year. This may be used by various pensions to determine how much pension you are entitled to.
- Find or obtain title documents for property, mortgages, bonds, debentures and any other investment certificates. Contact insurance companies, brokers, employers, financial institutions.
- Contact your employer, in regards to outstanding salary, employer or union insurance plans/benefits or other matters.
- You and your family members should keep all receipts for expenses incurred after the injury incident, such as hotel bills, meals, parking, transportation and mileage. The WCB may reimburse the family for reasonable costs, if receipts are provided.
- In the weeks ahead, keep a copy of all receipts and correspondence for your records. This includes medical matters, as well as contacts with the WCB, WHS and other agencies.

Make a list of things to do and update it frequently.

- Consider keeping a log of everything that happens, in regards to services you are provided, your medical options and treatments, and any other issues or matters that arise.
- You and/or your family members may feel overwhelmed with information and worry. Try to enlist the support of family members and friends to help you keep in balance during this difficult time.
- Ask for help. When your friends say, "please let me know what I can do" they really mean it. Let them help you.
- Contact your place of worship if you need someone to talk to.
- In the hospital, you will likely be contacted by a staff social worker. Make use of any assistance or support they can provide. Ask for help in accessing community resources, including resources for persons with disabilities.

- Ask for help from any available Pastoral Services that may be provided within the hospital.
- Your family doctor and/or other medical treatment providers can refer you to a wide range of locally available services.
- Remember to take care of yourself. Take part in activities that provide you comfort, such as talking to friends or reading a book. If your injury presents you with new physical or mental limitations, it will take time to adjust. You may not be able to do all of the things you could do in the past. Ask for help from medical staff, loved ones and friends to help you make adjustments and learn new approaches to living.
- Spend time meditating or praying. Write down your thoughts or keep a journal regularly.
- Reach out to others as much as you can. Contact Threads of Life or other support groups in your area. Know that others have travelled a similar path and will talk freely with you and your family when you feel the need. They will also just listen.

Additional Practical Matters

Legal Matters

Power of Attorney

In some cases, a worker that has been severely injured may be less able than before to deal with financial matters or transactions. This may be because they are hospitalized, in a long-term care facility or living with serious physical limitations affecting their ability to manage their own affairs.

In such cases, the injured worker may authorize someone to act as their agent in financial matters. Authorizing someone to act as your agent is called Power of Attorney. On your authority, your agent can then deal with banking transactions, your properties or investments, and other matters, in accordance with your directives.

Enduring Power of Attorney

In other cases, an injured worker or the worker's family may wish to appoint someone in the role of Enduring Power of Attorney. This may occur when:

- a seriously injured worker has a mental impairment or disability, caused by the serious workplace injury
- a seriously injured worker expects their medical condition to change over time, resulting in mental impairment or disability

In both of these scenarios, the injured worker would be unable to make decisions about their affairs. For example, a worker that has experienced a brain injury may be unable to make important financial decisions. The person authorized to act as the worker's agent or attorney can deal with properties, investments, and all aspects of the injured worker's assets and finances.

The injured worker or family members should get legal guidance before granting anyone the Power of Attorney or Enduring Power of Attorney. These are legal documents and must be signed in front of witnesses.

About Guardians and Trustees

In some cases, after a worker has been severely injured, the Courts may play a role in appointing a trustee or guardian for the worker.

- *Trusteeship Order* — Court appoints a trustee to manage the disabled person's *finances and property*.
- *Guardianship Order* — Court appoints a guardian to make *personal decisions* for the disabled person.

For more information about guardians, trustees and related matters contact Alberta Justice.

Distress, Grief and Bereavement

Whether you have experienced a severe injury or are part of the injured worker's family, try your best to share your feelings with others. It will take courage and time to deal with all the feelings and issues you may be going through, but we hope this booklet helps you cope.

Grief has been defined as a "universal human response to loss." There are four stages of working through loss:

- a) **Accepting the reality of the loss.** This stage must be worked through on all levels of your being — emotional, physical, spiritual and intellectual. This is about coming to terms with the meaning of your "new normal" as it unfolds on a daily basis.
- b) **Feeling the feelings associated with the loss.** These feelings are painful and confusing, but expressing them is important to healing. Find a supportive environment where you can express these complex feelings safely.
- c) **Adjusting to the new reality.** This stage includes coming to terms with new limitations and taking on new roles that often require adjustments to your daily life.

- d) **Reinvesting in life after the loss.** This stage is about commitment to self care — eating properly, eliminating negative or destructive behaviours, seeking support, and investing in new relationships and activities. It's a time to begin to find a measure of strength and purpose in surviving the tragic loss. Working through this stage ultimately leads to creating a “new world” with beliefs and ideas that incorporate the significant loss but adjust to your new reality.

We kindly, yet strongly, encourage you — as an injured worker or a family member — to get counselling assistance through any or all stages of your loss. Your counsellor will help you through the initial phases of grief and the long recovery process.

If you have children, seek out similar counselling and support services for them. Children will be going through their own phases of distress, grief and bereavement.


Support Organizations

If you are simply feeling alone, at any time, do not be afraid to call a distress line or support network organization in your area. At any stage of grief or loss, it will help to talk to someone.


Threads of Life — Association for Workplace Tragedy Family Support (Threads of Life)

Threads of Life is a charitable, not-for-profit organization dedicated to supporting families who have been affected by a workplace tragedy. It helps these families work together to protect future generations of Canadian workers by raising awareness of injury prevention through its volunteer speakers bureau and annual Steps for Life walk. Threads of Life provides families with one-on-one peer support with trained Volunteer Family Guides who have also experienced a workplace tragedy. This peer support service is the only one of its kind worldwide. Threads of Life also provides assistance and referral to professional support services, and promotes public awareness and accountability for workplace health and safety.

Consider talking to Threads of Life representatives. They are experienced in family matters, dealing with loss and supporting injured workers and their families in any way possible.

 www.threadsoflife.ca

 www.stepsforlife.ca

 1-888-567-9490

 shickman@threadsoflife.ca

The Support Network

In the Edmonton area, the main distress line service is operated by The Support Network.

🌐 www.thesupportnetwork.com

☎ ① The Distress Line — 482-HELP(4357)
Open 24 hours a day, 7 days a week

A confidential, non-judgmental listening service that provides support and referrals for people experiencing difficulty in their lives.

Youth One

Youth One is a service for youth, associated with The Support Network. General support services and peer support services for youth who are experiencing a difficult or crisis situation.

☎ ① 780-482-0198

✉ youthone@thesupportnetwork.com

Calgary Distress Centre

☎ ① 266-1605 Main Crisis & Addictions Line

☎ ① 264-TEEN (8336) Teen Line

Open 24 hours a day, 7 days a week

Offers a main crisis and addictions line, as well as four specialty phone lines providing crisis intervention and referral services.

2-1-1 Service in Alberta

Some areas have a 2-1-1 service, which will provide you with contacts to a wide range of social and community services, including disability-related organizations, distress lines, counselling, or other types of support organizations. Check your telephone directory or local organizations to see if a 2-1-1 service is available in your region.

In Calgary and Edmonton, certified information and referral specialists answer 2-1-1 calls 24 hours a day, seven days a week.

🌐 www.211calgary.ca

🌐 www.211edmonton.info

Kids Help Phone

Offers phone and web counselling in French and English to children and teenagers, aged 4-19. Will help adults aged 20 and over find the counselling service they need. Parents, teachers and any other concerned adults are welcome to call for information and referral services.

🌐 www.kidshelpphone.ca

☎ ① 1-800-668-6868
(24 hours/day, year-round)

Psychologists' Association of Alberta

Provides a free service to help you locate qualified psychologists in your community, to meet your particular needs or situation, or those of your family members. Search online at the association website, or use the telephone referral service.

🌐 www.psychologistsassociation.ab.ca

☎ ① 428-Talk (8255) (Edmonton)

☎ ① 246-Talk (8255) (Calgary)

☎ ① 1-888-424-0297(Alberta-wide)

Online Resources

Here are just two examples of online services that we have found. Conduct your own search online for useful websites, online resources, books, support groups or other kinds of organizations. If you are not familiar with online searches, enlist the help of friends or family members.

GriefNet.org

This is an Internet community of people dealing with major loss, such as life-altering injuries or death. This community includes e-mail support groups. Resources include an extensive library and bookstore.

🔗 www.griefnet.org

The Dougy Centre

This web site provides children, teens and parents with excellent grief support.

🔗 www.dougy.org

Suggested Reading

We have carefully chosen a selection of books that may help. You may find some of them at your local library. We suggest you also ask church officials, friends and family for their recommended reading. You may also wish to do an online search for topics or book titles of interest.

For Adults:

Now What

Dr. Bill Webster.

Dr. Webster writes from personal and professional experience about the emotions and reactions that are part of grieving.

Life's Losses: Living through Grief, Bereavement & Sudden Change

Betty Jane Wylie.

When Bad Things Happen to Good People

Harold Kushner.

Facing his son's illness and subsequent death, Rabbi Kushner shares his thoughts and feelings about why we humans suffer. Explores the questions of life and faith that can occur after a tragedy.

All is Not Lost

C. Leslie Charles.

An excellent book on grief and loss. It provides an understanding and compassionate viewpoint through parables.

A Time to Grieve

Carol Staudacher.

A compilation of personal reflections on the grief experience.

Grief in Children: A Handbook for Adults

A. Dyregrov.

A handbook for those faced with the task of understanding children dealing with grief and trying to help them.

When Men Grieve: Why Men Grieve Differently and How You Can Help

Elizabeth Levang.

Psychologist Elizabeth Levang explains the special ways that men grieve so those who love them can better understand what they're going through.

Coping with Being a Caregiver

For family members of the injured worker, providing care to your loved one can be a challenge. Sometimes, it can be exhausting. There are so many emotions and factors that come into play. For example, you may be involved in physical care, providing emotional support and other assistance, while at the same time having to cope with life in general.

You will likely go through many emotions with your loved one as you support them along their journey, but at the same time you will experience your own range of emotions and turmoil. Both you and your loved one will be learning and adjusting to many changes arising from the injury incident.

From the time of the serious injury, and with each phase or change you go through in the months and years after the injury, you may experience different feelings of loss, stress, grief or pain. However, there may be times when you feel uplifted, encouraged, hopeful or happy. Each person will react differently. Each family will cope or manage differently. Each seriously injured worker will react or cope differently, depending on the nature or severity of the injury.

As a caregiver, friend, spouse or family member, you will want the best for the injured worker, or your loved one, but you also need to take care of yourself. Here are some suggested actions:

Talk about your feelings

Good friends, religious or spiritual care providers or family members can be good sources of support. Reach out to others — this will help reduce feelings of isolation.

Join a support group

Support groups provide caregivers with the opportunity to share and learn from one another. For those who feel isolated by their responsibilities, consider joining a group by telephone or Internet. Consider contacting Threads of Life. Local organizations often provide support groups that you can attend in person.

Write your feelings down

Writing is not for everyone but for those who do enjoy it, writing can be a wonderful way to express your feelings of loss and grief. It doesn't matter what you write or how you spell — the process of putting your feelings down on paper is what's most important. The writing is for you. Don't think about how it reads or what it looks like.

Read a book on coping with grief

There are several books available on the issues of care giving, self-help, grieving and loss. (See page 17 for examples of books that may be helpful.)

Make time for yourself

Do what you need to do to look after yourself. For some people, that may mean spending time with friends, family members or participating in a group. For others, making time for yourself means spending time alone. You may find that for you, gardening, going for walks, drawing, or exercising is just the thing to nurture yourself.

Get help when needed

Coping with changes or loss and trying to meet the demands of care giving is challenging and often painful. Family or friends or a local community organization can provide some of the help you may need. Please refer to the Helpful Contacts in this guide.

Helpful Contacts

Alberta Government Contacts

From within Alberta, you can make free long distance calls to government departments by calling the Government of Alberta RITE Operator at 310-0000. Provide the operator with the number of the office or department that you are calling. In some cases, the Alberta government contacts listed in this guide will also have a toll-free 1-800 number.

Service Alberta

The provincial government has a “one-window” service agency called Service Alberta, which you may wish to contact first, in order to find other government departments or services.

Contact the Programs & Services Call Centre:

📄 www.services.gov.ab.ca

📞 Tel: 310-0000 (toll-free anywhere in Alberta)

Submit e-mail inquiries from the website.

Life Events

On the Service Alberta website, there is a helpful section called “Life Events.” It includes information for persons with disabilities, dealing with crisis situations (such as injuries) and many other related topics, such as care giving, job search resources and financial resources.

Alberta Seniors and Community Supports

This government department includes a wide range of disability-related services and contacts, within government and in the community. Under the Community Supports umbrella, there are numerous *disability-related* supports. Here are some specific links to follow:

📄 www.seniors.gov.ab.ca/DisabilitySupports

📞 Seniors and Community Supports Information Line: 1-800-642-3853
Edmonton Area: (780) 427-7876

📞 TDD/TTY: 1-800-232-7215 (Edmonton area: 780-427-9999)

Services or programs within the department includes the Office for Disability Issues, the Premier’s Council on the Status of Persons with Disabilities, the Aids to Daily Living Program, Assured Income for the Severely Handicapped, and others.

📞 Office for Disability Issues:
1-800-272-8841

Workplace Health and Safety

Alberta Employment and Immigration (AEI) is the Alberta government department which oversees workplace health and safety legislation in Alberta. The main AEI website is at:

📄 <http://employment.alberta.ca>

To connect more directly to the Workplace Health and Safety (WHS) division, go to the main website and navigate to the workplace health and safety pages.

Workplace Health and Safety Contact Centre

The WHS division maintains a contact centre for all WHS-related inquiries.

- 📞 1-866-415-8690 (toll-free within Alberta)
- 📞 415-8690 (Edmonton and surrounding area)
- 📞 TDD/TTY: 427-9999 in Edmonton, 1-800-232-7215 throughout Alberta

✉️ whs@gov.ab.ca

Alberta Justice

Alberta Justice is the provincial department you may deal with in regards to court proceedings.

www.justice.gov.ab.ca

- 📞 Tel: 780-427-2745
(Alberta Justice Information Line)

Criminal Justice Division

If there are court proceedings, you will have some contacts with the Crown Prosecutor's office.

- 📞 Tel: 780-427-5042

Workers' Compensation Board — Alberta (WCB)

Refer to the WCB website for information on policies, services, benefits, fact sheets and other information. Inquiries about your claim, contents of the *Policy and Information Manual* and other matters should normally go through your case manager. If you have general questions, make your inquiries through the main WCB switchboard.

🌐 www.wcb.ab.ca

- 📞 1-866-922-9221

Edmonton offices:

9912 – 107 Street
📞 780-498-3999

Calgary offices:

300-6 Avenue SE
📞 403-517-6000

Dispute Resolution and Decision Review Body

- 📞 780-498-4480
- 📞 1-866-922-9221

Office of the Appeals Advisor

- 📞 1-866-922-9221
- ✉️ appealsadvisor@wcb.ab.ca

Edmonton office:

Financial Building
5th Floor, 10621 – 100 Avenue
📞 780-498-8640

Calgary office:

Braithwaite Boyle Centre
602-1701 Centre Street North
📞 403-517-6220

Appeals Commission

The Appeals Commission is an administrative tribunal established under the *Workers' Compensation Act*. It is the final level of appeal for workers' compensation matters in Alberta.

📄 www.appealscommission.ab.ca

Edmonton office:

Energy Square Building
901-10109-106 Street
📞 780-412-8700

Calgary office:

Braithwaite Boyle Centre
602-1701 Centre Street North
📞 403-517-6220

Millard Health Centre

The Millard Health Centre is part of the WCB and provides a wide range of vocational rehabilitation and training services.

📄 www.millardhealth.ca

📞 1-888-498-9902

📞 780-498-3200

Federal Government Contacts

Service Canada

This service is a “one-window” service point which gives you program and contact information for all federal government programs and services.

📄 www.servicecanada.gc.ca

📞 1-800-622-6232

📞 TTY: 1-800-926-9105

Life Events

Service Canada’s website includes a “Life Events” section, with helpful information under the heading of “Dealing with a Disability.” Visit the following webpage:

📄 www.servicecanada.gc.ca/en/lifeevents

Canada Pension Plan (CPP)

For complete information about the CPP, visit the Human Resources and Social Development Canada (HRSDC) website.

📄 www.hrsdc.gc.ca

📞 1-800-277-9914

📞 TTY: 1-800-255-4786

Canada Revenue Agency (CRA)

For information about disability-related tax issues, such as tax credits, visit the CRA home page and follow the links for “Persons with Disabilities.” You may be able to claim the “disability” amount as a deduction on your annual tax return, as well as other medical or disability-related expenses.

📄 www.cra.gc.ca

📞 1-800-959-8281

Occupational Health and Safety

For information about workplace incident investigations involving federally-regulated employers, contact HRSDC.

📄 www.hrsdc.gc.ca

📞 1-800-641-4049

Getting Legal Assistance

Law Society of Alberta Referral Service

This service will give the names and telephone numbers of three lawyers practicing in the applicable field of law, such as workplace health and safety, injury law or workers' compensation matters.

The Referral Service is not connected with Legal Aid, nor does it provide any form of financially subsidized legal service.

🌐 www.lawsocietyalberta.com

☎ 1-800-661-1095 (outside Calgary, Alberta only)

☎ 403-228-1722 in Calgary

Legal Aid Alberta

Legal Aid is available to low-income individuals for a variety of legal matters. You may be eligible for legal aid assistance. Legal Aid has offices in many locations throughout Alberta. Visit the Legal Aid website for a complete listing.

🌐 www.legalaid.ab.ca

☎ 780-427-7575

Alberta Law Line

This service is run by Legal Aid Alberta. As a program of Legal Aid, the Alberta Law Line provides free legal information and referrals to all Albertans. Call the Alberta Line if you are unsure whether your matter requires a lawyer. The Law Line does not replace the advice of a lawyer, but it can help you inform yourself as much as possible before you hire a lawyer.

☎ 1-866-845-3425

☎ 780-644-7777 in Edmonton

Disability-related Organizations

There are numerous organizations in Alberta which exist to support or serve persons with disabilities in some manner. The two organizations listed below have contact information to a wide range of additional links or resources.

Alberta Committee of Citizens with Disabilities (ACCD)

The ACCD is a consumer-directed organization that actively promotes full participation in society for Albertans with disabilities.

🌐 www.accd.net (this website includes a listing of disability groups across Alberta)

☎ 1-800-387-5214

☎ 780-488-9088

☎ TDD/TTY: 780-488-9090

✉ E-mail: accd@accd.net

Alberta Disabilities Forum (ADF)

ADF is a coalition of more than 40 not-for-profit provincial disability organizations. The Forum aims to speak with a unified voice on cross-disability issues of concern for Albertans with disabilities.

🌐 www.adforum.ca (this website includes a listing of disability groups across Alberta)

☎ 780-488-9088

Closing Thoughts

For the Injured Worker

Your healing necessarily focuses on the physical and, in time, on the vocational. Too often, however, we forget the need for psychological healing. It is vital that you take control of your physical, vocational, social and psychological healing process.

Your injury may have left you feeling disabled in one or more ways, and you may, at times, feel powerless about your ability to affect or control your own fate. We encourage you to draw upon your own strengths and those of others around you. Try to access every available resource that can help you through every aspect of your recovery.

Do not hesitate to make decisions for yourself; plan for yourself each day to the extent that you are able. In this way, you will regain the sense of having control of your life. Your own attitude, choices and decisions will continue to be important as you determine new directions and adjust to life after your injury.

You may experience a wide range of feelings, depending on your injury, the type of supports you have, and many other factors. In our experience, seriously injured workers and their loved ones often go through moments or phases of intense sadness, anger or frustration. Try to be gentle with yourself and others around you;

recognize that your body and soul may be hurting, and healing. Focus on the steps or decisions you choose to take each day – small or large, few or many — and take encouragement from each small victory.

Please know that others have shared similar journeys, and that many people are concerned and caring about your well-being, now and into the future. We hope this guide helps you on your journey.

For Family Members and Care Givers

It may take a long time for your loved one to recover from their serious injury, and then to adjust to life and new realities. May we kindly suggest that you continue to relate to your loved one with honesty, respect and openness.

You may become intensely focused on the care and nurturing of your loved one; physically, spiritually and emotionally. As much as your loved one may appreciate your efforts, don't forget to take good care of yourself. Try to plan for self-care moments. Develop a list of activities that will refresh and energize you. You will find that by taking care of yourself, you will be better able to support your loved one.

My Contacts

Name/Organization _____

Tel. _____ Cell: _____ Fax: _____

E-mail: _____ Web: _____

Name/Organization _____

Tel. _____ Cell: _____ Fax: _____

E-mail: _____ Web: _____

Name/Organization _____

Tel. _____ Cell: _____ Fax: _____

E-mail: _____ Web: _____

Notes
