

**Alberta WCB
Policies &
Information**

Chapter:
BENEFITS

Subject:
TEMPORARY BENEFITS

Authorization: **BoD Resolution 2017/04/16** Date: **May 16, 2017**

APPLICATION 1: GENERAL

1. *When is a worker eligible for temporary TOTAL disability benefits?* A worker is eligible for temporary total disability benefits when there is medical evidence the work-related injury has resulted in temporary work restrictions which prevent the worker from resuming pre-accident employment or other suitable employment.

2. *How long are temporary total disability benefits paid?* Temporary total disability benefits are payable for as long as the compensable temporary total disability lasts, generally until:

- the weight of medical evidence indicates the worker is considered fit to return to suitable employment, or
- the remaining disability is considered to be permanent (see Policy 04-04, *Permanent Disability*), or
- the worker dies (see Policy 04-08, *Fatalities*).

Exceptions:

If the period of a worker's disablement is prolonged through no fault of the worker due to:

- the unavailability of a hospital bed or other treatment facility (see Question 10)
- the existence of a concurrent condition (see Question 11)
- the unavailability of suitable modified work which is described in Policy 04-05, *Return-to-Work Services* as work that:
 - accommodates the worker's compensable medical restrictions so the worker can perform the duties without endangering his/her recovery or safety, or the safety of others,

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*Temporary total disability
benefits paid (continued)*

- contributes to the worker’s physical and vocational rehabilitation by keeping the worker active and involved in the workplace,
- promotes the gradual restoration to the worker’s pre-accident level of employment,
- is a meaningful and productive part of the employer’s operations, and
- does not create financial hardship for the worker (for example shift changes that require additional childcare costs, unreasonable travel to another location, etc.).

WCB may consider continuing temporary total disability benefits for the period of unavoidable delay.

3. *How are temporary total disability benefits calculated?*

Temporary total disability benefits are 90% of a worker's net earnings, calculated in accordance with the *WCA* and the *WC Regulation* (see Policy 04-01, *Establishing Net Earnings*).

4. *When is a worker eligible for temporary PARTIAL disability benefits?*

A worker is eligible for temporary partial disability benefits when the weight of medical evidence indicates a worker has compensable temporary work restrictions, but is physically and medically capable of returning to a modified version of the pre-accident job or another suitable job.

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5. *How long are temporary partial disability benefits paid?*

Compensation for temporary partial disability is generally payable until:

- the worker is fit to work at a level of earnings equal to or greater than the pre-accident earnings, or
- the medical condition stabilizes and the worker is assessed for permanent benefits (see Policy 04-04, *Permanent Disability*), or
- the medical condition deteriorates and results in a further period of temporary total disability, or
- the worker dies (see Policy 04-08, *Fatalities*).

6. *What are temporary partial disability benefits based on?*

Temporary partial disability benefits are calculated as a proportionate part of 90% of a worker's net earnings, based on the difference between the worker's pre-accident and post-accident earnings. Post-accident earnings may be actual or estimated, depending on the circumstances (see Questions 7 and 8).

7. *How does WCB calculate temporary partial disability benefits when suitable work is made available?*

When suitable work is made available to a worker who is temporarily partially disabled and WCB is satisfied the worker is physically and medically capable of doing the work, temporary partial disability benefits are adjusted in accordance with s.56(9) of the WCA.

The basis of the calculation will be:

- a) the worker's pre-accident biweekly net earnings calculated in accordance with the WCA and the *WC Regulation*,
- LESS
- b) the worker's biweekly post-accident net earnings calculated in accordance with the WCA and the *WC Regulation*.

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Temporary partial disability benefits when suitable work is made available (continued)

The temporary partial disability benefit will be a proportionate part of 90% of the earnings loss [the difference between a) and b)], based on WCB's estimate of the degree to which the earnings loss is caused by the residual disability.

If a worker refuses an offer of suitable work, compensation for temporary partial disability will be calculated as if the worker accepted the work.

For more information on determining the suitability of modified work, see Policy 04-05, *Return-to-Work Services*.

8. When does WCB estimate the impairment of earning capacity in cases of temporary partial disability?

WCB may estimate the post-accident earning capacity when:

- a worker is capable but unable to obtain modified employment, or
- a worker obtains employment which does not represent the worker's earning capacity, or
- the worker is capable but chooses not to obtain employment.

9. How does WCB estimate the impairment of earning capacity in cases of temporary partial disability?

In cases of temporary partial disability, WCB considers the earnings in a suitable job for which it is reasonable the worker could be hired, given the temporary work restrictions.

10. When will WCB continue temporary benefits pending admission to a hospital or other treatment facility?

When, through no fault of the worker, the period of temporary disability is prolonged due to the unavailability of a hospital bed or other treatment facility, WCB may continue compensation entitlements for the period of unavoidable delay.

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Continued temporary benefits pending admission to a hospital or other treatment facility (continued)

When the worker is not totally disabled, the continuation is restricted to the following situations:

- the worker's employer, knowing of the upcoming treatment, is unable or unwilling to allow a return to work until the completion of treatment, or
- the worker is unable to obtain employment because it is unreasonable to expect an employer to offer a job knowing the employment will be interrupted by the upcoming treatment, or
- the remoteness and inaccessibility of the worker's place of employment rules out the possibility of a return to work while awaiting admission.

For the appropriate application of cost relief, see Policy 05-02, *Cost Relief*.

11. What is a concurrent condition and how does it affect temporary disability benefits?

A concurrent condition is a non-compensable condition that exists at the same time as a compensable disability. Its onset can either be before or after the compensable accident. A concurrent condition may or may not have an impact on the worker's recovery from the compensable disability. "Concurrent condition" should not be confused with aggravation of a pre-existing condition (see Policy 03-02, *Aggravation of a Pre-existing Condition*).

When a concurrent condition affects the rehabilitation or healing of a compensable injury, thereby prolonging the period of disability, WCB will continue paying temporary benefits until healing of the compensable condition or death. If death occurs before healing, no fatality benefits are paid unless the compensable accident caused or contributed to the cause of death (see Policy 02-01, Part II, Application 7).

If, based on medical evidence, the concurrent condition

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***Concurrent conditions
(continued)***

clearly does not affect the worker's recovery from the compensable disability (e.g., non-compensable lung cancer and a compensable broken leg), it is not a factor in determining temporary disability benefits. In all cases, temporary disability benefits are payable for as long as the compensable disability lasts.

Concurrent conditions include underlying disease processes (e.g., diabetes; diseases that compromise the immune system) and short-term medical situations (e.g., a non-compensable injury to a different body part; surgery for a non-compensable condition such as gallbladder surgery; pregnancy).

12. *Under what conditions will WCB reduce or suspend compensation?*

WCB may reduce or suspend compensation when:

- the worker refuses reasonable medical treatment considered necessary for recovery, and/or
- the worker knowingly engages in conduct or activities that endanger or delay recovery.

This policy question is effective December 1, 2005 and applies to claims occurring on or after this date.

Benefits will not be reduced or suspended if the delayed recovery is caused by a worker's error in judgment, with no evidence of a deliberate attempt to delay recovery.

Compensation benefits may also be suspended when a worker leaves the province (see Application 3, Question 1), or when a worker refuses or obstructs required medical examinations (see ss.38 and 39 of the WCA).

Compensation payments may be withheld when:

- a worker or dependant does not provide information WCB considers necessary (see s.36 of the WCA)
- a worker adversely affects the conduct of a third-party

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Conditions when WCB will reduce or suspend compensation (continued)

action or an appeal arising from a third party-action, or does not cooperate with WCB in bringing a third-party action, or advancing an appeal arising from a third-party action. [see s.22(9)(10) of the WCA] (NOTE: medical aid benefits are not affected)

For the appropriate application of cost relief, see Policy 05-02, *Cost Relief*.

13. Under what circumstances will WCB resume payment following suspension or reduction of compensation?

When compensation has been reduced or suspended, payment may be resumed if:

- the reason for the reduction or suspension no longer applies, in which case payment resumes from the date the reason no longer applies, or
- upon further examination it is determined the worker's actions did not endanger or delay recovery, in which case payment will resume retroactive to the date of the reduction or suspension.

14. When is this policy application effective?

This policy application (Application 1 – General) is effective June 1, 2017, and applies to all claims with a date of accident on or after that date, except when noted otherwise in a specific policy section(s).

Previous versions

- [Policy 0402 Part II - August 2015](#)
- [Policy 0402 Part II - March 2006](#)
- [Policy 0402 Part II - January 2004](#)
- [Policy 0402 Part II - June 2002](#)
- [Policy 0402 Part II - January 2002](#)

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- [Policy 0402 Part II - September 2001](#)
- [Policy 0402 Part II - June 2001](#)
- [Policy 0402 Part II \(consolidated manual 1st Issue\) - February 1997](#)