



**YUKON WORKERS'
COMPENSATION
HEALTH AND
SAFETY BOARD**

SUBJECT: CLAIMS POLICY NO.: CL - 35
BOARD APPROVAL: *C. Klassen*
APPROVAL DATE: 93-07-23
BOARD ORDER NO.: _____
EFFECTIVE DATE: 93-01-02 *AK*

POLICY STATEMENT

SECTION
REFERENCE:

23, 101(1)

*Revoked Dec 31, 1999
replaced by CL-35
Average Weekly Earnings
effective Dec 31, 1999*

POLICY:

AVERAGE WEEKLY EARNINGS

GENERAL INFORMATION

A worker who is absent from work due to a compensable disability is entitled to compensation for loss of earnings, which usually takes the form of periodic payments, commonly referred to as "wage loss benefits". As a starting point in the calculation of how much a worker will receive in the event of a work-related injury, a wage rate is established by reference to the average weekly earnings of the worker at the time of or preceding the injury.

POLICY

A. EARNINGS

The term "earnings" is defined in the Act as:

"Earnings" includes salary, wages, commissions, tips, remuneration for overtime, piece work and contract work, bonuses and allowances, the cash equivalent of board and lodging, store certificates, credits, directors fees, indemnities and allowances paid to members of the Legislative Assembly, and any substitute for money but does not include any amount received for expenses incurred by the worker by reason of the worker's employment.

Room and Board

To calculate the value of **Room and Board**, the Board will adopt the amount of room and board reported as taxable income on the worker's T-4 slip provided to the worker by the employer.

B. AVERAGE WEEKLY EARNINGS

Average weekly earnings will be calculated by:

- (a) The worker's hourly rate at the time of the disability times the weekly hours of work, times 52 weeks;
- (b) The worker's annual salary divided by 52 weeks;
- (c) Under special circumstances, the board may consider using a longer period of pre-injury earnings;
- (d) If there is little or no history of earnings available, the board will take the weekly wage rate of a like-occupation in the same industry;
- (e) For those purchasing Optional Coverage, average weekly earnings shall be the amount of personal coverage in effect at the time of the disability, divided by 52 weeks;
- (f) Where a director of an incorporated company, who does not draw a wage, is injured, the benefits paid will be based on the Director's **value of service**, as determined by the Assessment Branch under Section 62.(6)

C. DESCENDING ORDER

The list provided for in Section **B** is to be used in descending order. In other words, the board will first apply test **(a)**, and if test **(a)** is not applicable, the board will proceed to test **(b)** etc.