

Chapter: Benefits

Legislative authority: section 98

Prevention statement

Preventing injuries is one of the most important responsibilities in the workplace. The Workers' Safety and Compensation Act (the 'Act') establishes the responsibilities of all workplace parties to work together to ensure the physical and psychological health and safety of workers. When injuries do occur, workers and employers must continue to work together to facilitate an injured worker's early and safe return to health and work.

Purpose

This policy provides information on when a worker is entitled to payment for personal property that has been damaged or destroyed in connection with a work-related injury.

Definitions

board means the Workers' Safety and Compensation Board

personal clothing means the personal clothing, including footwear, owned by a worker and that the workers in a workplace or industry normally wear in the course of employment. It does not include clothing or footwear supplied by the employer

personal property means items owned by a worker and worn or used by the worker, usually on or in the worker's body, for the purpose of protecting the worker from workplace hazards, improving or maintaining the worker's functional abilities or minimizing the risk of further injury. It does not include items such as jewelry, watches or wallets, or items supplied by the employer

worker means a person who performs work or services for an employer under a contract of service or apprenticeship, written or oral, express or implied and as further defined in section 77 of the Act

Policy statement

1. General

The board may pay to repair or replace a worker's personal property that is damaged in connection with a work-related injury.

2. Amount of compensation

2.1 Personal property (other than personal clothing)

Personal property includes, but is not limited to:

- a. protective clothing and footwear
- b. adaptive devices
- c. mobility aids
- d. hearing aids
- e. eyewear
- f. dental aids
- g. pacemakers

For the damage or destruction of personal property the board will pay the lesser of:

- h. the cost of repair to a like condition; or
- i. the cost of replacement to a like quality.

The maximum is the lesser of the cost of repairing or replacing the personal property.

In the case of eyewear, the worker must produce receipts or the damaged eyewear itself to the board, in order to verify the original cost of the damaged or destroyed eyewear. In cases where this is not possible, the board will pay the worker for the damage or destruction of personal eyewear to a maximum of \$500.00.

2.2 Personal clothing

For loss of personal clothing, the board will pay the lesser of:

- a. the cost of repair to a like condition to a maximum amount of \$1,500.00, or
- b. the cost of replacement to a like quality to a maximum amount of \$1,500.00.

This maximum applies to all of the worker's personal clothing affected by the work-related injury, rather than to each specific article of clothing affected by the injury.

History

EN-05 Compensation for Loss of Personal Property, effective July 1, 2008, revoked July 1, 2022

CL-39 Compensation for Loss of Personal Property, effective January 1, 2007, revoked July 1, 2008