

704 - 400 Taché Avenue  
Winnipeg, Manitoba  
R2H 3C3

Phone: 204.231.0188  
Fax: 204.237.3927

E-mail:  
[info@stbonifacenurseslocal5.ca](mailto:info@stbonifacenurseslocal5.ca)

[www.stbonifacenurseslocal5.ca](http://www.stbonifacenurseslocal5.ca)

## Do's and Don'ts of Workplace Accident or Illness

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*The Workers Compensation Board (WCB) benefits referenced in the collective agreement (article 2303) arise out of provincial legislation. The collective agreement provisions address the process and options for nurses in the event of a workplace accident or illness*

*This document contains some of the questions that may arise for nurses regarding this topic. We are providing this information so that members are aware of the issues related to workplace accident or illness. If you have further questions or want clarification, please call the Local 5 office at 204.231.0188 or email [info@stbonifacenurseslocal5.ca](mailto:info@stbonifacenurseslocal5.ca)*

*Karen Sadler, RN  
President, Local 5*

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### ***Do document the accident or illness.***

You should document every workplace accident or illness as soon as it occurs.

It doesn't matter whether you will be missing work or not. Even if you are staying at work you must notify your PTM/supervisor at the time of the incident. Document the incident/exposure in case of future absences related to the incident/exposure by completing an Incident Tracker report (available on the SBH intranet). The Incident Tracker is the employer's documentation and goes to your PTM and/or Occupational Health.

*Remember to ask for and keep a copy of the report regarding the incident/exposure. We **strongly** recommend that in addition to filing the Incident Tracker you should personally submit a claim directly to WCB (use your copy of the hospital report) when the incident occurs. If you file a claim yourself, you know for sure that it is on the record.*

*Do know that failure to report a workplace accident or illness to WCB when it occurs may jeopardize your claim approval.*

### ***Do report any injury/illness and the time loss after the incident.***

If for some reason you did not report an incident of injury or illness (exposure) when it occurred, you must personally report it directly to the WCB (Claim Information Centre 204.954.4100 or 1.800.362.3340, Monday to Friday, 8:00 am to 7:00 pm) for documentation purposes.

If there is actual work time loss (at the time of the incident or later) you must personally notify WCB.

### ***Do know the steps you need to take in the event of work time loss.***

- Let WCB, SBH Occupational Health, and your manager know your absence from work is due to an injury/exposure.
- Seek appropriate medical assessment and treatment. This can be done in the SBH Occupational Health office or preferably by your own physician or emergency physician (see hospital policy re ER visits).

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- Medical notes should be submitted directly to Occupational Health. They should not be given to your program team manager (PTM) or supervisor.

***Do know your monetary/contractual options in the event of work time loss.***

- While you are waiting for your claim to be processed by WCB, request (in writing) to your PTM, sick time (income protection) payment. ***If you have documented the incident as a WCB claim, you will not be paid sick time if you do not request it.***
- If you do not have sick time for prepayment, make sure you prepay (both your and the employer's portion) of your benefits so there is no lapse in coverage while you are not getting paid by the employer.
- If you do not have sick time you can apply for Employment Insurance (EI) while you are waiting for your claim to be processed by WCB.
- If your claim is accepted by WCB, review collective agreement article 2303 b) i) and request a top-up of your WCB payment. Not only does this maximize your financial options, it also means that the employer must pay the employer portion of your benefits. Otherwise, you will need to pay the benefits yourself for the period of work time loss.

**Note:** *WCB legislation and policies do not allow the employer to pay you salary for a period of work time loss due to workplace injury or illness. This rule is to protect you, the worker. What may be a solitary occurrence at the time may require future periods of work time loss and/or medical treatment. Therefore, WCB needs to be aware of and have documented your claim at the initial onset. If your manager offers you salary payment in these circumstances, you should refuse. Refer your manager to the Local 5 office, and file a claim with WCB.*

***Do know that a denied or appealed claim can be pursued.***

Nurses' claims that have been denied by WCB have subsequently been accepted when the nurse pursued a "review" or "appeal" of their claim. This includes both injuries (e.g. Carpal Tunnel Syndrome) and illness (e.g. Norwalk Virus). MNU provincial office provides assistance for WCB reviews and appeals.

Please contact the Local 5 office for assistance should your WCB claim be denied or if your approved WCB claim is subsequently appealed by the employer.