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June 2003

Update 2003 – 5

**TO: HOLDERS OF THE *REHABILITATION SERVICES & CLAIMS MANUAL* –  
VOLUME I**

This update of the *Rehabilitation Services & Claims Manual* contains amendments to the *Manual* implemented since update 2003 – 4.

These amendments include:

- Revisions to Chapter 1;
- Additions to Appendix 1 – Index of Retired Decisions from Volumes 1 – 6 (Decisions No. 1 – 423) of the *Workers' Compensation Reporter*, and
- Consumer Price Index Adjustments.

A summary of the amendments is attached and the amended pages are included as part of the package.

If you have any questions regarding subscription information for updates to the *Rehabilitation Services & Claims Manual*, please call WCB Customer Service provided by Benwell Atkins/Moore at 1-866-271-4879.

DOUGLAS J. ENNS  
Chair, Board of Directors

Attachments

## SUMMARY OF AMENDMENTS - Update 2003 - 5

Chapter 1 Chapter 1 of Volume I of the *Rehabilitation Services & Claims Manual* (“*RS&CM*”) has been revised to clarify the distinction between Volume I and Volume II. In doing so, the revisions explain why it was necessary to restructure the *RS&CM* into two volumes and why Volume I (which generally applies to pre-June 30, 2002 injuries and permanent disabilities) will still be subject to amendment from time to time.

An Addendum has been added to Chapter 1 of Volume I that identifies the amendments made to Volume I since June 30, 2002. The Addendum has been prepared for the convenience of readers and will be updated by the Director General of the Policy and Regulation Development Bureau as the Board of Directors makes future amendments to that volume.

The Chapter 1 revisions also incorporate into Volume I the policy amendments made last year to the definition of “recurrence” in Volume II for purposes of section 35.1 of the *Workers Compensation Act*, which contains the transitional provisions for the *Workers Compensation Amendment Act, 2002* (Bill 49).

Appendix 1 Appendix 1 was first issued in August 2000. It consists of an Index of retired Decisions from the *Workers’ Compensation Reporter* Decisions 1 – 423.

At the June 17, 2003 Board of Directors (“BOD”) meeting, the BOD approved the retirement of a further 118 Decisions from *Workers’ Compensation Reporter* Volumes 1 – 6.

The Index has been updated to reflect the retirement of these Decisions. The effective date of retirement is June 17, 2003.

Consumer Price Index Adjustment Policy Item #56.50

June 2003

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# CHAPTER 1

## SCOPE OF VOLUME I OF THIS *MANUAL*

### #1.00 INTRODUCTION

In 2002, the *Workers Compensation Act* underwent significant legislative amendment. This resulted in the restructuring of the *Rehabilitation Services & Claims Manual* into two volumes - Volume I and Volume II. This policy sets out an overview of the legislative changes and explains how readers of this *Manual* can determine which volume is applicable to their particular circumstances.

#### #1.01 *Legislative Amendments*

- (a) *Workers Compensation Amendment Act, 2002* (“*Amendment Act, 2002*”)

The *Amendment Act, 2002* is also referred to as “Bill 49”. It primarily amended the *Workers Compensation Act*:

- effective June 30, 2002 in relation to benefits for injured workers (including the calculation of average net earnings, duration of temporary benefits, integration of CPP disability benefits, indexing of compensation benefits, worker obligations to provide information, mental stress and permanent disability awards); and
- effective January 2, 2003 in relation to the establishment of a new Board of Directors as the governing body of the Workers’ Compensation Board.

- (b) *Workers Compensation Amendment Act (No. 2), 2002* (“*Amendment Act (No. 2), 2002*”)

The *Amendment Act (No. 2), 2002* is also referred to as “Bill 63”. It primarily amended the *Workers Compensation Act* effective March 3, 2003 in relation to a new review/appeal structure and to the Board’s authority to reopen matters previously decided or to reconsider previous decisions.

## *#1.02 Scope of Volume I and Volume II of this Manual*

The *Rehabilitation Services & Claims Manual* was restructured into two volumes to facilitate the implementation of the new benefits policies resulting from the *Amendment Act, 2002*. The new policies were incorporated into Volume II, and the policies in place immediately prior to June 30, 2002 became Volume I. (For policies in effect prior to the Volume I policies, readers are referred to the Board's archives.)

Volume I and Volume II apply to different groups of injured workers. Whether the benefits for an injured worker are to be determined under Volume I or Volume II depends upon the transitional rules set out in policy item #1.03 below. It is the responsibility of decision-makers to determine whether Volume I or Volume II applies to each case before them.

Due to the fact that Volume I covers a finite group of injured workers, its relevance to the workers' compensation system will gradually decrease over time. It is anticipated that there will be very few future amendments to the policies in Volume I. Any major amendments will be listed, for convenience, in the Addendum to this chapter.

Volume II includes injuries occurring on or after June 30, 2002. Its relevance to the workers' compensation system will therefore continue over time. Volume II policies will be subject to amendment from time to time, in the same manner as policies in other policy manuals. Amendments to policies in Volume II will be archived in the Board's records and documented publicly.

## *#1.03 Scope of Volumes I and II in Relation to Benefits for Injured Workers*

### **(a) General**

Subject to subsequent amendments, Volume I sets out the law and policies that were in effect immediately prior to June 30, 2002 in relation to compensation for injured workers. For convenience, the law and policies in effect immediately prior to that date, as amended, will be called the "former provisions".

Volume II sets out the law and policies in effect on or after June 30, 2002, as they may be amended from time to time, in relation to worker benefits. For convenience, the law and policy on or after that date, including any subsequent amendments, will be called the "current provisions".

Except as otherwise stated and except in relation to matters covered by the *Amendment Act (No. 2), 2002*, in Volume I "*Act*" refers to the *Workers*

*Compensation Act*, as it read immediately before June 30, 2002. The *Interpretation Act*, RSBC 1996, Chapter 238, applies to the *Act*, unless a contrary intention appears in either the *Interpretation Act* or the *Act*.

**(b) Amendment Act, 2002 (Bill 49) Transitional Provisions**

The following rules apply to determining whether the former provisions (Volume I) or the current provisions (Volume II) apply in a particular case. These rules are based upon the transitional rules in section 35.1 of the *Workers Compensation Act*, as amended by the *Amendment Act, 2002*.

1. Except as noted in rules 3, 4, and 5, the former provisions apply to an injury that occurred before June 30, 2002.
2. The current provisions apply to an injury that occurs on or after June 30, 2002.
3. Subject to rule 4 respecting recurrences, if an injury occurred before June 30, 2002, but the first indication that it is permanently disabling occurs on or after June 30, 2002, the current provisions apply to the permanent disability award with two modifications:
  - (i) 75% of average earnings (former provisions) is used for calculating the award rather than 90% of average net earnings (current provisions); and
  - (ii) no deduction is made for disability benefits under the Canada Pension Plan (former provisions).

Under this rule, for an injury that occurred before June 30, 2002, where the first indication of permanent disability also occurs before June 30, 2002, the permanent disability award will be adjudicated under the former provisions. Where the first indication of permanent disability is on or after June 30, 2002, the award will be adjudicated under the current provisions, using the modified formula described in (i) and (ii) above. The determination of when permanent disability first occurs will be based on available medical evidence.

An example of when this rule applies is where a worker, injured before June 30, 2002, shows no signs of permanent disability before that date. However, on or after June 30, 2002, the worker has surgery, which first causes permanent disability. The permanent disability award will be adjudicated under the current provisions, using the modified formula.

4. If an injury occurred before June 30, 2002, and the disability recurs on or after June 30, 2002, the current provisions apply to the recurrence.

For the purposes of this policy, a recurrence includes any claim that is re-opened for:

- any additional period of temporary disability where no permanent disability award was previously provided in respect of the compensable injury or disease;
- any additional period of temporary disability where a permanent disability award was previously provided in respect of the compensable injury or disease; and,
- any permanent changes in the nature and degree of a worker's permanent disability.

The following are examples of a recurrence:

- A worker totally recovers from a temporary disability resulting in the termination of wage-loss payments. Subsequently, there is a recurrence of the disability and the claim is re-opened for compensation.
- A worker is in receipt of a permanent disability award and the disability subsequently worsens. The claim is re-opened to provide compensation for a new period of temporary disability and/or an increase in entitlement for the permanent disability award.

5. Regardless of the date of injury or death, the current provisions on indexing apply to compensation paid on or after June 30, 2002. Indexing of retroactive awards payable before June 30, 2002, will be based on the former provisions.

**EFFECTIVE DATE:** June 17, 2003

**APPLICATION:** The policy amendments made effective June 17, 2003 are not intended to change substantive decision-making.

The amendments to transitional rule 4 in policy item #1.03(b) reflect the status quo by inserting the policy on the meaning of "recurrence" in section 35.1 of the *Act* that was previously approved effective October 16, 2002, and only inserted into Volume II.

The remaining amendments to policy items #1.00, #1.01, #1.02 and #1.03 are for purposes of clarification only and do not change the substance of the policies approved effective June 30, 2002.

### **#1.10 The Persons Covered by the Act**

Not everyone is entitled to compensation under the *Act*, even if injured at work. To qualify for compensation, a person must be a "worker" employed by an employer covered by the *Act*. (1) Where a compensable injury or disease results in the worker's death, certain of the worker's relatives are entitled, but they must usually have been "dependants" during the worker's lifetime. (2)

### **#1.20 The Conditions under which Compensation is Payable**

Not all injuries or diseases are compensable. The *Act* prescribes the type of injuries (3) and diseases (4) and the circumstances in which they are compensable. (5) Thus, for example, in the case of injuries, compensation is limited to personal injuries arising out of and in the course of employment. (6)

### **#1.30 The Type and Amount of Compensation**

There are a variety of types of compensation provided under the *Act*:

1. payments to compensate the injured worker for loss of earnings caused by a temporary disability; (7)
2. permanent disability awards for actual or estimated loss of earnings; (8)
3. pensions to dependants for loss of support by a deceased worker; (9)
4. health care benefits; (10)
5. rehabilitation assistance. (11)

### **#1.40 Charging of Claims Costs**

The cost of compensation is normally charged to the employer rate group to which the worker's employer belongs. The cost may also affect the employer's experience rating. There are special provisions which relieve the rate group and/or the employer in certain situations. (12)

## **#2.00 WORKERS' COMPENSATION BOARD**

The Workers' Compensation Board is a corporation set up under the *Act* to administer the provisions of the *Act*. (13) The *Act* defines the word "Board" as the Workers' Compensation Board. (14) The use of the word "Board" throughout this *Manual* means the Workers' Compensation Board.

The Board of Directors of the Workers' Compensation Board sets and revises as necessary the policies of the Board, including policies respecting compensation, assessment, rehabilitation and occupational health and safety. The Board of Directors also sets and supervises the direction of the Board.

**EFFECTIVE DATE:** February 11, 2003 (as to deletion of references to the Appeal Division and the former Governors)

**APPLICATION:** Not applicable.

## **#2.10 Jurisdiction over Claims Adjudication**

The Board has exclusive jurisdiction to inquire into, hear, and determine all matters and questions of fact and law arising under the *Act*, and the action or decision of the Board thereon is final and conclusive and is not open to review in any Court. (17) Thus, the Board has sole jurisdiction over the adjudication of claims for compensation under the *Act*.

**EFFECTIVE DATE:** February 11, 2003 (as to deletion of references to the Appeal Division and the former Governors)

**APPLICATION:** Not applicable.

## **#2.20 Application Of The *Act* And Policies**

In making decisions, Board officers must take into consideration:

1. the relevant provision or provisions of the *Act*;
2. the relevant policy or policies in this *Manual*; and
3. all facts and circumstances relevant to the case.

By applying the relevant provisions of the *Act* and the relevant policies, Board officers ensure that:

1. similar cases are adjudicated in a similar manner;

2. each participant in the system is treated fairly; and
3. the decision-making process is consistent and reliable.

Section 99(2) of the *Act* provides that:

The Board must make a decision based upon the merits and justice of the case, but in so doing the Board must apply a policy of the board of directors that is applicable in the case.

In making decisions, Board officers must take into account all relevant facts and circumstances relating to the case before them. This is required, among other reasons, in order to comply with section 99(2) of the *Act*. In doing so, Board officers must consider the relevant provisions of the *Act*. If there are specific directions in the *Act* that are relevant to those facts and circumstances, Board officers are legally bound to follow them.

Board officers also must apply a policy of the Board of Directors that is applicable to the case before them. Each policy creates a framework that assists and directs Board officers in their decision-making role when certain facts and circumstances come before them. If such facts and circumstances arise and there is an applicable policy, the policy must be followed.

All substantive and associated practice components in the policies in this *Manual* are applicable under section 99(2) of the *Act* and must be followed in decision-making. The term “associated practice components” for this purpose refers to the steps outlined in the policies that must be taken to determine the substance of decisions. Without these steps being taken, the substantive decision required by the *Act* and policies could not be made.

References to business processes that appear in policies are only applicable under section 99(2) of the *Act* in decision-making to the extent that they are necessary to comply with the rules of natural justice and procedural fairness. The term “business processes” for this purpose refers to the manner in which the Board conducts its operations. These business processes are not intrinsic to the substantive decisions required by the *Act* and the policies.

If a policy requires the Board to notify an employer, worker, or other workplace party before making a decision or taking an action, the Board is required to notify the party if practicable. “If practicable” for this purpose means that the Board will take all reasonable steps to notify, or communicate with, the party.

This policy item is not intended to comment on the application of practice directives, guidelines and other documents issued under the authority of the President/Chief Executive Officer of the Board. The application of those documents is a matter for the President/CEO to address.

**EFFECTIVE DATE:** March 3, 2003

**APPLICATION:** To all adjudication decisions made on or after the effective date

## ADDENDUM

### AMENDMENTS TO VOLUME I ON OR AFTER JUNE 30, 2002

This Addendum lists the major amendments to the policies in Volume I of the *Rehabilitation Services & Claims Manual* on or after June 30, 2002. It has been inserted for convenience only and will be updated by the Director General of the Policy and Regulation Development Bureau as necessary. In some cases, the reader may be referred to the appropriate passages in Volume II.

The “resolutions” referenced in this Addendum are the “resolutions” of the former Panel of Administrators or Board of Directors, as the case may be.

Subject	Policy or Item #	Comments
CPI Adjustments	Various	Except for policy item #56.50, the dollar amounts in Volume I are not updated to reflect CPI adjustments. Readers should consult the corresponding policy item in Volume II for the current amount. (Policy item #56.50 does not appear in Volume II and is therefore updated in Volume I.)
Criteria for Commutations	#45.00 - #45.60	<p>Policies amended effective October 1, 2002. Amendments apply to new claims received, all active claims awaiting an initial permanent disability award adjudication, and all active claims awaiting initial adjudication of periodic payments of compensation to a dependant of a deceased worker, on or after the effective date.</p> <p>See <u>resolution 2002/08/27-04</u> if more information is required.</p>
Chronic Pain (or Subjective Complaints)	#22.33, #22.35, #39.01, #97.40	<p>Policies amended effective January 1, 2003. Amendments apply to all new claims received and all active claims awaiting an initial adjudication on or after the effective date.</p> <p>See <u>resolution 2002/11/19-04</u> if more information is required.</p>

Subject	Policy or Item #	Comments
Governance	Various consequential changes	<p>Policies amended effective February 11, 2003 to reflect January 2, 2003 changes to the WCB's governing structure. (None of the amendments affect worker benefits.)</p> <p>See <u>resolution 2003/02/11-05</u> if more information is required. These amendments resulted from the <i>Amendment Act, 2002</i> (Bill 49).</p>
New Review/ Appeal Structure	New Chapter 13  Various consequential changes	<p>Chapter 13 (Appeals) deleted and new Chapter 13 (Reviews and Appeals) adopted effective March 3, 2003. Certain policies continued for transitional purposes. Various consequential changes made throughout Volume I, as identified by March 3, 2003 effective date and the matters to which the effective date applies.</p> <p>See <u>resolution 2003/01/21-01</u> if more information is required. These amendments resulted from the <i>Amendment Act (No. 2), 2002</i> (Bill 63).</p>
Policy on Changing WCB Decisions	New Chapter 14  Various consequential changes	<p>Chapter 14 (Reopenings and Reconsiderations) deleted and new Chapter 13 (Changing Previous Decisions) adopted effective March 3, 2003. Chapter applies to all decisions on and after the effective date.</p> <p>Various consequential changes also made throughout Volume I, as identified by a March 3, 2003 effective date and the matters with respect to which the effective date applies.</p> <p>See <u>resolution 2002/12/17-02</u> if more information is required. These amendments resulted from the <i>Amendment Act (No. 2), 2002</i> (Bill 63).</p>

Subject	Policy or Item #	Comments
Binding Nature of Policy	#2.20, #96.10	<p>New policy item #2.20 adopted effective March 3, 2003. Amendments apply to all adjudication decisions made on or after the effective date.</p> <p>Material also deleted from policy item #96.10 to reflect the amendments.</p> <p>See <u>resolutions 2002/12/17-02</u> and <u>2003/01/21-01</u> if more information is required. These amendments resulted from the <i>Amendment Act (No. 2), 2002</i> (Bill 63).</p>
Other Amendments Resulting from the <i>Amendment Act (No.2), 2002</i> (Bill 63)		
Pension Reviews	#40.30	Policies deleted effective March 3, 2003.
Provisional Rates	#66.12	Policies amended effective March 3, 2003. Policy applies to provisional rates set on or after the effective date.
Penalties for Failure to Report	#94.15	Policies amended effective March 3, 2003.
Preliminary Determination (Formerly Interim Adjudication)	#96.21	Policies amended effective March 3, 2003. Amendments apply to all preliminary determinations made under the policy on or after the effective date.

Subject	Policy or Item #	Comments
Miscellaneous	Various	<p>Other amendments, effective March 3, 2003, include:</p> <ul style="list-style-type: none"> <li>• removal of references to former Part 3 administrative penalty process;</li> <li>• amendments to reflect new wording of section 99;</li> <li>• changes to disclosure provisions;</li> <li>• acknowledgement of WCAT authority to order the Board to pay expenses;</li> <li>• acknowledgement of WCAT authority to award costs; and</li> <li>• changes to reflect the payment of interest provisions under section 258.</li> </ul> <p>See <u>resolutions 2002/12/17-02</u> and <u>2003/01/21-01</u> if more information is required. These amendments resulted from the <i>Amendment Act (No. 2), 2002</i> (Bill 63).</p>
Calculation of Lump-sum Payment or Commutation	#45.61	<p>Direction in policy on calculation of lump-sum payments or commutations after a review or appeal reinserted effective April 8, 2003, with appropriate changes to reflect new review/appeal structure.</p> <p>See <u>resolution 2003/04/08-01</u> if more information is required.</p>

## NOTES

- (1) Chapter 2
- (2) Chapter 8
- (3) Chapter 3
- (4) Chapter 4
- (5) Chapters 3 and 4
- (6) Chapter 3
- (7) Chapter 5
- (8) Chapter 6
- (9) Chapter 8
- (10) Chapter 10
- (11) Chapter 11
- (12) Chapter 17
- (13) S.1 S.80
- (14) S.1
- ~~(15) S.81 Deleted~~
- ~~(16) S.82 Deleted~~
- (17) S.96(1)
- ~~(18) Chapter 12 Deleted~~
- ~~(19) Chapter 13 Deleted~~



## **#56.20 Dependent Widows and Invalid Widowers with Dependent Children**

Where the dependants are a widow or an invalid widower and one or more children, a monthly payment of one hundred and seventy-five dollars and fifty-two cents is made, together with

- (a) an additional monthly payment of fifty-seven dollars and fourteen cents for each child under the age of 16 years and for each invalid child of any age for whom no payment is made under paragraph (b) or (c); and
- (b) an additional monthly payment of sixty-four dollars and twenty-nine cents for each child while regularly attending an academic, technical or vocational school at any time between the child's 16th and 18th birthdays; and
- (c) an additional monthly payment of seventy-one dollars and forty-two cents for each child while regularly attending an academic, technical, or vocational school at any time between the child's 18th and 21st birthdays. (19)

The dollar amounts set out above apply in respect of deaths occurring on or after January 1, 1974. Different amounts applied to prior periods. "Invalid child" is defined in #59.13.

## **#56.30 Dependent Widows and Invalid Widowers with No Dependent Children**

Where the dependant is a widow or an invalid widower without any dependent children, a monthly payment of one hundred and seventy-five dollars and fifty-two cents is made during the life of the surviving spouse. (20) Different dollar amounts applied in respect of deaths occurring prior to January 1, 1974.

## **#56.40 Widow or Widower Separated from Deceased**

There are no special rules for widows or widowers living separate from the deceased in the case of deaths occurring prior to July 1, 1974.

Spouses who are not residing in Canada at the date of death are discussed in #62.00.

## #56.50 Additional Payments

Section 18(1) of the *Act* provides that “Where, on July 1, 1974,

- (a) compensation is being paid to dependants in respect of deaths occurring prior to that date;
- (b) those dependants are not receiving or entitled to receive benefits under the Canada Pension Plan; and
- (c) the dependant is a widow who is 50 years of age or over, or is an invalid spouse, or the dependants are children, or a widow and children,

there must be added to the monthly payments . . .” the sums set out below for each such dependent spouse and each dependent child. These dollar amounts are subject to Consumer Price Index adjustments.

	<b>Spouse</b>	<b>Child</b>
January 1, 2002 — June 30, 2002	\$353.10	\$109.60
July 1, 2002 — December 31, 2002	357.94	110.10
January 1, 2003 — June 30, 2003	364.29	113.07
July 1, 2003 — December 31, 2003	368.52	114.38

If required, earlier figures may be obtained by contacting the Board.

Where dependants would qualify for the increases set out in Section 18(1) but for the fact that they are receiving or entitled to receive benefits under the Canada Pension Plan, and where the amount of benefits under the Canada Pension Plan is less than the amounts set out in Section 18(1), the monthly payments payable to those dependants are increased by the amount by which the benefits under the Canada Pension Plan are less. (21)

The phrase “benefits under the Canada Pension Plan” in Section 18(1)(b) means benefits payable under the Canada Pension Plan and to which the dependants or any of them are entitled as a result of the death, together with any benefits to which the widow is entitled as a result of having retired or reached retirement age. But it does not include any disability benefit payable to a dependant.

## #56.60 Termination of Benefits

### #56.61 Remarriage

If a dependent widow or common-law wife of the deceased married before July 1, 1974, the monthly payments to her ceased, but she was entitled in lieu of them to a sum equal to the monthly payments for two years, but not to exceed

# APPENDIX 1

## INDEX OF RETIRED DECISIONS FROM VOLUMES 1 – 6 (DECISIONS NO. 1 – 423) OF THE *WORKERS' COMPENSATION REPORTER*

### EXPLANATORY NOTE:

The Board of Directors Bylaw re: Policies of the Board of Directors lists the policy manuals and other documents that are policies for purposes of the *Workers Compensation Act*. Included in the list are Decisions No. 1 – 423 in volumes 1 – 6 of the *Workers' Compensation Reporter*. These Decisions consist, for the most part, of decisions made by the former commissioners on various matters between 1973 and 1991.

In order to reduce the number of sources of policies, a strategy has been approved for consolidating Decisions No. 1 – 423 into the various policy manuals, as appropriate, and “retiring” the Decisions over time.

“Retire” for this purpose means that, as of the “retirement date”, the Decision is no longer current policy under the Board of Directors Bylaw.

“Retiring” does not affect a Decision’s status as policy prior to the date it was “retired”. A “retired” Decision therefore applies in decision-making on historical issues to the extent it was applicable prior to the “retirement date”. “Retiring” also does not affect the disposition of any individual matters dealt with in a Decision.

This Index sets out the Decisions from volumes 1 - 6 that have been “retired” and the “retirement date”. It will be updated as further Decisions are “retired” in the future.<sup>1</sup>

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<sup>1</sup> Decisions that do not appear in the Index should not necessarily be considered current policy. Decisions or parts of Decisions may have been replaced, either expressly or impliedly, by subsequent policies in the policy manuals or other policy documents. Under the Board of Directors Bylaw, where there is a conflict between policy in Decisions No. 1 - 423 and policy in a policy manual listed in the Bylaw, the policy in the manual is paramount. In the event of any other conflict between policies, the most recently approved policy is paramount.



<b>DECISION NO.</b>	<b>TITLE</b>	<b>RETIREMENT DATE</b>
01	Publication of Decisions	May 1, 2000
05	Partial Commutation of a Pension	June 17, 2003
08	The Measurement of Partial Disability	May 1, 2000
09	Publication of the Permanent Disability Evaluation Schedule	June 17, 2003
12	A Claim to a Solicitor's Lien	June 17, 2003
13	The Provision of Rehabilitation Services	June 17, 2003
14	Rehabilitation and Re-training	May 1, 2000
18	Dependent's Allowances	June 17, 2003
19	Industrial Hygiene and Cominco Ltd.	June 17, 2003
22	The Measurement of Partial Disability	May 1, 2000
24	The Revision of Appeal Procedures	May 1, 2000
25	Boards of Review	June 17, 2003
26	Coverage of Workmen's Compensation	January 1, 2003
27	An Application for Re-Opening	June 17, 2003
28	Oral Enquiries on Appeals to the Commissioners	May 1, 2000
30	A Claim for Death by Suicide	June 17, 2003
31	Unemployment Insurance Benefits	June 17, 2003
32	The Employment Relationship (Taxis)	January 1, 2003
33	The Measurement of Partial Disability and Proportionate Entitlements	May 1, 2000
35	Procedure on Appeals	June 17, 2003
36	Industrial Hygiene	June 17, 2003
37	The Replacement of Eyeglasses	June 17, 2003

DECISION NO.	TITLE	RETIREMENT DATE
38	Compensation for Loss of Hearing	June 17, 2003
40	The Calculation of Compensation and Recurrence of Disability	June 17, 2003
42	Changes in the <i>Workmen's Compensation Act</i>	June 17, 2003
43	The <i>Workmen's Compensation Amendment Act</i>	May 1, 2000
45	Claims for Silicosis	June 17, 2003
46	The Consumer Price Index	May 1, 2000
47	The Commencement of the <i>Workmen's Compensation Amendment Act, 1974</i>	June 17, 2003
49	The Coverage of Workers' Compensation	January 1, 2003
51	A Penalty Assessment and Northwood Properties Ltd.	June 17, 2003
53	Fire Fighting and Hair	June 17, 2003
55	Rehabilitation and Re-training	May 1, 2000
56	Rehabilitation Provisions for a Surviving Dependent Spouse	June 17, 2003
57	The Termination of Benefits at a Future Date	June 17, 2003
58	Industries and Classifications	January 1, 2003
61	Employers' Reports of Injuries	June 17, 2003
63	The Supply of In-File Information	June 17, 2003
64	Pensions for Widows aged 40 to 49 years	June 17, 2003
66	Boards of Review	June 17, 2003
67	The Commutation of Pensions	May 1, 2000
68	The Maximum Wage Rate	May 1, 2000

<b>DECISION NO.</b>	<b>TITLE</b>	<b>RETIREMENT DATE</b>
71	The Industrial Hygiene Regulations	June 17, 2003
72	The Reinstatement of Pensions	June 17, 2003
73	Transcripts of Interviews	May 1, 2000
74	Unborn Children	June 17, 2003
75	Canada Pension Plan Benefits	June 17, 2003
76	Dependents Resident Abroad	June 17, 2003
78	Multiple Disabilities and the Determination of the Maximum	June 17, 2003
79	Time Limit on Appeals	May 1, 2000
81	The Recurrence of Disability	June 17, 2003
82	The Consumer Price Index	May 1, 2000
84	Industrial Noise	June 17, 2003
85	Funeral Expenses	June 17, 2003
88	The Application of Consumer Price Index Increases to Re-Instated Pensions under section 25A	June 17, 2003
89	Personal Care Allowances	May 1, 2000
90	A Common-Law Wife	June 17, 2003
91	Boards of Review and the Pension Plan	May 1, 2000
92	Allowances to Claimants	May 1, 2000
93	Industrial Diseases	June 17, 2003
94	Industrial Diseases	May 1, 2000
96	Appeal Procedures	June 17, 2003
98	Remarriage Allowances	May 1, 2000
100	Inspection Visits	June 17, 2003

DECISION NO.	TITLE	RETIREMENT DATE
103	Safety Awards	June 17, 2003
104	The Commutation of Pensions	June 17, 2003
105	The Future Employment of a Worker Disabled by a Compensable Injury of Industrial Disease	June 17, 2003
106	A One-Man Company	May 1, 2000
109	The Dual System of Measurement for Injuries Involving the Spinal Column	June 17, 2003
111	A Penalty for Non-Registration	January 1, 2003
112	The Consumer Price Index	May 1, 2000
113	Hearing Aids	June 17, 2003
116	The Coverage of Independent Operators	January 1, 2003
117	Adjustments According to the Consumer Price Index	May 1, 2000
118	Remarriages Allowances	May 1, 2000
119	Medical Information	May 1, 2000
120	The Coverage of Workers' Compensation and Participation in Competitions	June 17, 2003
122	Industrial Disease	June 17, 2003
123	Changes in the <i>Workers Compensation Act</i>	May 1, 2000
125	The Commencement of <i>Workers Compensation Amendment Act, 1975</i>	May 1, 2000
130	The Review of Old Disability Pensions	June 17, 2003
135	Compensation Decisions and the Death of the Worker	June 17, 2003
136	Compensation for Hearing Loss	May 1, 2000
137	Compensation for Hearing Loss	June 17, 2003

<b>DECISION NO.</b>	<b>TITLE</b>	<b>RETIREMENT DATE</b>
138	The Employment Relationship	January 1, 2003
139	Medical Aid Contracts	June 17, 2003
141	A One-Man Company	May 1, 2000
143	The Maximum Wage Rate	May 1, 2000
147	Health and Safety Awards	June 17, 2003
148	The Course of Employment	June 17, 2003
149	Commercial Stock Audits	January 1, 2003
151	The Apportionment of Dependents' Allowances	June 17, 2003
153	Compensation Coverage for Volunteers	May 1, 2000
154	Legal Services for Rehabilitation Purposes	May 1, 2000
155	The Commutation of Pensions	May 1, 2000
156	The Review of Old Disability	June 17, 2003
159	The Consumer Price Index	May 1, 2000
160	The Calculation of Projected Loss of Earnings	May 1, 2000
161	Compensation Coverage for Volunteers	January 1, 2003
163	The Fishing Industry	January 1, 2003
164	Compensation for Hearing Loss	June 17, 2003
165	Compensation Coverage for Trainees	January 1, 2003
166	Adjustments According to the Consumer Price Index	May 1, 2000
167	Industrial Hygiene	June 17, 2003
168	The Disclosure of Information on Claim Files	May 1, 2000
169	An Employer or Independent Operator	January 1, 2003

<b>DECISION NO.</b>	<b>TITLE</b>	<b>RETIREMENT DATE</b>
170	The Fishing Industry	January 1, 2003
171	Allowances to Claimants	May 1, 2000
174	Time for Appeals	May 1, 2000
175	The Reimbursement of Expenses	May 1, 2000
177	Medical Research	June 17, 2003
180	Pollution	June 17, 2003
183	An Employer or an Independent Operator	January 1, 2003
184	Application of the Dual System	May 1, 2000
186	Industrial Hygiene and Cominco Ltd.	June 17, 2003
187	The Fishing Industry	January 1, 2003
188	The Course of Employment	June 17, 2003
189	Broken Glass Claims	June 17, 2003
190	The Coverage of Workers Compensation	June 17, 2003
191	The Consumer Price Index	May 1, 2000
192	Industrial Hygiene and Cominco Ltd.	June 17, 2003
193	Adjustments According to the Consumer Price Index	May 1, 2000
196	Boards of Review	May 1, 2000
197	The Re-Opening of Board of Review Decisions	June 17, 2003
199	The Review of Old Disability Pensions	June 17, 2003
201	Payments of Claims Pending Appeals to the Commissioners	May 1, 2000
202	Dual System of Measuring Disability	May 1, 2000
203	Legal Services for Rehabilitation Purposes	June 17, 2003

<b>DECISION NO.</b>	<b>TITLE</b>	<b>RETIREMENT DATE</b>
204	The Maximum Wage Rate	May 1, 2000
209	Lunch Breaks	June 17, 2003
210	Re-Openings and New Evidence	June 17, 2003
211	The Reimbursement of Expenses	May 1, 2000
212	Commutation of Pensions	May 1, 2000
213	Bunkhouses	June 17, 2003
215	Consulting Firms	January 1, 2003
216	The Consumer Price Index	May 1, 2000
217	Adjustments According to the Consumer Price Index	May 1, 2000
218	Commutation of Pensions	May 1, 2000
220	Proportionate Entitlement and the Dual System	May 1, 2000
223	The Fishing Industry	January 1, 2003
224	The Fishing Industry	January 1, 2003
225	The Fishing Industry	January 1, 2003
226	The Fishing Industry	January 1, 2003
228	Multiple Sclerosis	June 17, 2003
229	Industries and Employment	January 1, 2003
232	Cancer of Gastro-Intestinal Tract	June 17, 2003
233	Security and Investigation Services	May 1, 2000
234	Occupational Hygiene and Cominco Ltd.	June 17, 2003
235	Manpower Supply Agencies	January 1, 2003
236	Interim Adjudication	June 17, 2003

<b>DECISION NO.</b>	<b>TITLE</b>	<b>RETIREMENT DATE</b>
237	Complaints to the Commissioners in Respect of Compensation Claims	May 1, 2000
240	Training Allowances	June 17, 2003
241	Inmates on Work Release Programmes	January 1, 2003
243	Industrial Diseases	June 17, 2003
244	The Consumer Price Index	May 1, 2000
245	Adjustments According to the Consumer Price Index	May 1, 2000
246	Pulmonary Disease and "Hard Metal" Grinding	June 17, 2003
247	Workers Undergoing Custodial Care	June 17, 2003
248	Class 11	May 1, 2000
249	Recurrence of Disability	May 1, 2000
250	Industrial Diseases	June 17, 2003
253	Replacement of Eyeglasses and Wage Loss	June 17, 2003
254	Payment of Claims Pending Appeals to the Commissioners	May 1, 2000
255	Registration of Labour Contractors as Employers	January 1, 2003
256	Scope of Employment	June 17, 2003
257	The Maximum Wage Rate	May 1, 2000
258	The Reimbursement of Expenses	May 1, 2000
259	Common-Law Spouses – "Re-Marriage Allowance"	June 17, 2003
261	Temporary Partial Disability	June 17, 2003
262	Disability and Unemployability	June 17, 2003

<b>DECISION NO.</b>	<b>TITLE</b>	<b>RETIREMENT DATE</b>
264	Compensation Payable when Company Unregistered	May 1, 2000
265	The Consumer Price Index	May 1, 2000
266	Adjustments According to the Consumer Price Index	May 1, 2000
268	Industrial Hygiene and Cominco Ltd.	June 17, 2003
269	Appeal Against Penalty Levy Amounting to \$13,649.37	June 17, 2003
272	Commutations	May 1, 2000
274	Industrial Hygiene and Cominco Ltd.	June 17, 2003
275	Claim for Dependent Benefits	June 17, 2003
276	Compensation for Unauthorized Surgery	June 17, 2003
277	The Consumer Price Index	May 1, 2000
278	Adjustments According to the Consumer Price Index	May 1, 2000
280	Appeals & Referrals to the Commissioners	May 1, 2000
281	Re-Opening of Decisions & Time Limits on Appeals	June 17, 2003
283	Scope of Employment	June 17, 2003
284	The Maximum Wage Rate	May 1, 2000
285	The Reimbursement of Expenses	May 1, 2000
287	Proportionate Entitlement and Dual System	May 1, 2000
288	The Review of Old Disability Pensions	June 17, 2003
290	The Consumer Price Index	May 1, 2000
291	Adjustments According to the Consumer Price Index	May 1, 2000

<b>DECISION NO.</b>	<b>TITLE</b>	<b>RETIREMENT DATE</b>
292	Scope of Employment and Sports Professionals	June 17, 2003
294	Payment of Costs for Medical Review Reports and Examinations	June 17, 2003
295	Section 54(2)(a) Insanitary or Injurious Practices	June 17, 2003
296	Section 8 – Employment out of Province	June 17, 2003
297	Dual System and Non-Spinal Injuries	May 1, 2000
298	Appeals to Medical Review Panels	June 17, 2003
299	Hearing Aids	June 17, 2003
300	Section 52 - “Special Circumstances”	May 1, 2000
301	Single Trauma and Cancer	June 17, 2003
302	Termination and Wage Loss Benefits	June 17, 2003
303	Access to Claim Files	May 1, 2000
304	The Consumer Price Index	May 1, 2000
305	Adjustments According to the Consumer Price Index	May 1, 2000
307	The Fishing Industry	January 1, 2003
308	The Maximum Wage Rate	May 1, 2000
309	The Reimbursement of Expenses	May 1, 2000
310	Commutation of Hearing Loss Pensions	May 1, 2000
311	Commutation of Pensions	May 1, 2000
312	Transportation Costs for Physiotherapy and the Reimbursement of Expenses	June 17, 2003
313	Overpayments	June 17, 2003
314	The Consumer Price Index	May 1, 2000

<b>DECISION NO.</b>	<b>TITLE</b>	<b>RETIREMENT DATE</b>
315	Adjustments According to the Consumer Price Index	May 1, 2000
317	Industrial Hygiene and Cominco Ltd.	June 17, 2003
319	Clothing Allowances	May 1, 2000
321	<i>Workers Compensation Act</i>	May 1, 2000
322	The Consumer Price Index	May 1, 2000
323	Adjustments According to the Consumer Price Index	May 1, 2000
325	The Review of Old Disability Pensions	June 17, 2003
327	The Maximum Wage Rate	May 1, 2000
328	The Reimbursement of Expenses	May 1, 2000
329	Industrial Health and Safety Regulations	June 17, 2003
331	The Consumer Price Index	May 1, 2000
332	Adjustments According to the Consumer Price Index	May 1, 2000
334	Boards of Review	June 17, 2003
335	Principals of Limited Companies	January 1, 2003
336	The Consumer Price Index	May 1, 2000
337	Adjustments According to the Consumer Price Index	May 1, 2000
338	Disclosure of Claim Files	May 1, 2000
339	The Maximum Wage Rate	May 1, 2000
340	The Reimbursement of Expenses	May 1, 2000
341	Industrial Hygiene and Cominco Ltd.	June 17, 2003
342	Assessment of Employers	May 1, 2000

<b>DECISION NO.</b>	<b>TITLE</b>	<b>RETIREMENT DATE</b>
344	The Consumer Price Index	May 1, 2000
345	Adjustments According to the Consumer Price Index	May 1, 2000
346	Payment of Interest	May 1, 2000
347	Oral Hearings on Appeals to the Commissioners	May 1, 2000
350	Commissioners' Decisions	May 1, 2000
351	Assessment of Employers	January 1, 2003
352	The Consumer Price Index	May 1, 2000
353	Adjustments According to the Consumer Price Index	May 1, 2000
354	Industrial Hygiene and Cominco Ltd.	June 17, 2003
357	Subsistence and the Reimbursement of Expenses	June 17, 2003
358	The Maximum Wage Rate	May 1, 2000
359	The Reimbursement of Expenses	May 1, 2000
361	Coverage of the Farming Industry	May 1, 2000
362	The Maximum Wage Rate	May 1, 2000
364	Retraining of Surviving Spouses	May 1, 2000
365	The Consumer Price Index	May 1, 2000
366	Adjustments According to the Consumer Price Index	May 1, 2000
367	Hearing Aids	June 17, 2003
368	Appeals	June 17, 2003
370	Disclosure of Board Files	May 1, 2000
371	Publication of Board Manuals	January 1, 2003

<b>DECISION NO.</b>	<b>TITLE</b>	<b>RETIREMENT DATE</b>
372	The Consumer Price Index	May 1, 2000
373	Adjustments According to the Consumer Price Index	May 1, 2000
374	Appeals to the Commissioners	May 1, 2000
375	The Maximum Wage Rate	May 1, 2000
376	The Reimbursement of Expenses	May 1, 2000
377	Fraudulent Claims	June 17, 2003
380	The Consumer Price Index	May 1, 2000
381	Adjustments According to the Consumer Price Index	May 1, 2000
383	Application of Dual System	June 17, 2003
385	The Consumer Price Index	May 1, 2000
386	Adjustments According to the Consumer Price Index	May 1, 2000
387	Chiropractic Treatment	June 17, 2003
388	Assignments, Charges, or Attachments of Compensation	June 17, 2003
389	Refusals of Certificates of Fitness Under the Mines Act	May 1, 2000
390	The Maximum Wage Rate	May 1, 2000
391	The Reimbursement of Expenses	May 1, 2000
392	The Consumer Price Index	May 1, 2000
393	Appeals	May 1, 2000
395	Payments Pending Appeals	June 17, 2003
396	The Consumer Price Index	May 1, 2000
397	The Maximum Wage Rate	May 1, 2000

<b>DECISION NO.</b>	<b>TITLE</b>	<b>RETIREMENT DATE</b>
398	The Consumer Price Index	May 1, 2000
399	Appeals to Workers' Compensation Review Board	June 17, 2003
400	The Consumer Price Index	May 1, 2000
401	Experience Rating	January 1, 2003
402	Adjustments According to the Consumer Price Index	May 1, 2000
403	Appeals to Workers' Compensation Review Board	May 1, 2000
404	The Maximum Wage Rate	May 1, 2000
405	The Consumer Price Index	May 1, 2000
408	The Consumer Price Index	May 1, 2000
409	The Maximum Wage Rate	May 1, 2000
410	Disclosure of Board Files	May 1, 2000
411	The Consumer Price Index	May 1, 2000
412	The Consumer Price Index	May 1, 2000
413	The Maximum Wage Rate	May 1, 2000
414	The Consumer Price Index	May 1, 2000
415	The Consumer Price Index	May 1, 2000
416	The Maximum Wage Rate	May 1, 2000
417	Adjustments According to the Consumer Price Index	May 1, 2000
418	The Consumer Price Index	May 1, 2000
419	Schedule B	June 17, 2003
420	The Consumer Price Index	May 1, 2000

<b>DECISION NO.</b>	<b>TITLE</b>	<b>RETIREMENT DATE</b>
421	The Maximum Wage Rate	May 1, 2000
422	The Consumer Price Index	May 1, 2000
423	Adjustments According to the Consumer Price Index	May 1, 2000

