



Tables 2 and 3

Injury-on-Duty Leave

What is our demand?

- We demand that, in cases of temporary disability as a result of a workplace accident, a workers' compensation board determine the period during which the employee is entitled to full regular pay. Currently, the employer alone determines the length of such leave.

Why have we proposed this demand?

Where employees become unable to perform their duties as a result of a workplace accident, the employer alone determines the length of the period during which they are entitled to full regular pay. At the end of that period, employees receive benefits from the workers' compensation board which represent only 75% of gross income. That decision of the employer may not be appealed.

There is a financial hardship to members. Not only are they living on a reduced salary while on direct WCB payments, but upon their return to work, they are responsible for repaying the employer for their portions of Superannuation, Public Service Health Care Plan, Supplemental Death Benefit and Disability Insurance.

The employer's decision is often tainted by the individual involved in the accident. If the employer is preferential to him/her, they might improve injury-on-duty leave for a longer period of time. There have been cases of members proceeding to direct WCB payments after only a few days.

Some unions, including CUPW and PSAC/UPCE, have negotiated language ensuring full pay and benefits to all injured or ill workers for the complete period approved by the provincial or territorial workers' compensation board. Our demand is based on this language, as these large national collective agreements (with a former government department) prove that our demand can work and is not administratively burdensome on the employer.

What has been the employer's response?

The employer has not yet deigned to respond to this demand.

