

Subsection 2.—Workmen's Compensation*

In all provinces, legislation is in force providing for compensation for injury to a workman by accident arising out of and in the course of employment, or by a specified industrial disease, except where the workman is disabled for fewer than a stated number of days. The Acts of all provinces provide for a compulsory system of collective liability on the part of employers. To ensure payment of compensation, each Act provides for an accident fund, administered by the province, to which employers are required to contribute at a rate determined by the Workmen's Compensation Board in accordance with the hazards of the industry. A workman to whom these provisions apply has no right of action against his employer for injury from an accident during employment. In Ontario and Quebec, public authorities, railway and shipping companies, and telephone and telegraph companies are individually liable for compensation as determined by the Board, and pay a proportion of the expenses of administration. A federal Act provides for compensation for accidents to Federal Government employees according to the conditions laid down by the Act of the province in which the accident occurs. Seamen who are not under a provincial Workmen's Compensation Act are entitled to compensation under the Merchant Seamen Compensation Act, 1946.

In all provinces, free medical aid is given to workmen during disability. Compensation is payable in all provinces for anthrax and for poisoning from arsenic, lead, mercury and phosphorus, and silicosis is compensated under certain conditions. Other diseases compensated vary according to the industries of the provinces.

Scope of the Workmen's Compensation Acts.—The Acts vary in scope but, in general, they cover construction, mining, manufacturing, lumbering, fishing, transportation and communications and the operation of public utilities. Undertakings in which not more than a stated number of workmen are usually employed may be excluded, except in Alberta and British Columbia.

Benefits.—Under each Act, except those of Saskatchewan and Alberta, if a workman is disabled from earning full wages for fewer than a stated number of days, usually called the "waiting period", he cannot recover compensation for the period of his disability or, in Manitoba and British Columbia, for the first three days of his disability. Where the disability continues beyond the required number of days, compensation is payable from the date of the accident. Medical aid is always paid from the date of the accident. In Saskatchewan and Alberta, the waiting period is one day, that is, compensation is not payable when the workman is off work only for the day on which the accident occurs. When he is disabled for any longer time, compensation begins from the day following the accident. Compensation in fatal accidents is paid as follows:—

Burial expenses: \$250 in Saskatchewan and British Columbia, \$200 in Newfoundland, Nova Scotia, New Brunswick, Ontario, Manitoba, and Alberta, \$175 in Quebec, and \$150 in Prince Edward Island. In seven provinces a further sum is allowed for transporting the workman's body.

* More detailed information is given in the Department of Labour publication, *Workmen's Compensation in Canada, A Comparison of Provincial Laws*.