

1994 BILL 210

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Second Session, 23rd Legislature, 43 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 210

**WORKERS' COMPENSATION  
AMENDMENT ACT, 1994**

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MR. DUNFORD

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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*Bill 210*  
*Mr. Dunford*

## **BILL 210**

1994

### **WORKERS' COMPENSATION AMENDMENT ACT, 1994**

*(Assented to , 1994)*

HER MAJESTY, by and with the advice and consent of the  
Legislative Assembly of Alberta, enacts as follows:

- 1 The Workers' Compensation Act is amended by this Act.*
- 2 Section 3(1)(d) is amended by adding the following after "workers,":*

one of which shall be a member of a trade union which is  
certified as a bargaining unit under the *Public Service*  
*Employees Relations Act*, one of which shall be a member of  
trade union other than one which is certified as a bargaining  
unit under the *Public Service Employee Relations Act*, and one  
of which shall not be a member of a trade union,

- 3 Section 20(2)(b) is repealed and the following is substituted:*

(b) the Board shall pay compensation to the worker in respect

## Explanatory Notes

1 Amends chapter W-16 of The Revised Statutes of Alberta, 1981.

2 Section 3(1) presently reads:

*3(1) There shall be a board of directors of the Board, to be appointed by the Lieutenant Governor in Council, consisting of*

*(a) a member who shall be chairman,*

*(b) the President of the Board,*

*(c) not more than 3 members whom the Lieutenant Governor in Council considers to be representative of the interests of employers,*

*(d) not more than 3 members whom the Lieutenant Governor in Council considers to be representative of the interests of workers, and*

*(e) not more than 3 members whom the Lieutenant Governor in Council considers to be representative of the interests of the general public.*

3 Section 20(2)(b) presently reads:

*20(2)(b) the Board shall pay compensation to the worker in respect of*

of every day after the seventh day following the day of the accident to which he is entitled under this Act to receive compensation, excluding any day on which he would not have worked in the normal course of his employment, or for which he would not have been paid.

*4 Section 51 is amended*

*(a) in subsection (5) by striking out "90%" wherever it occurs and substituting "66 2/3%", and*

*(b) by adding the following after subsection (9):*

(10) Upon the amount of compensation paid to a worker reaching \$10 000, the Board shall, upon notice given to the employer and the claimant, cause the claim to be reviewed by a claims services review committee pursuant to section 40.

*5 Section 53.1 is amended by adding the following after subsection (3):*

(4) The Board shall not make an order under subsection (1) which has the effect of increasing an amount payable by more than 60% of the amount by which the All-items Consumer Price Indexes published by Statistics Canada has increased in the region in which the person lives or the nearest applicable region.

*6 The following is added after section 91:*

91.1(1) In accordance with and for the purposes specified in the regulations, the Board shall assess and levy on employees a sum based on a percentage of employer contributions or on some other rate that, or a specific sum that the Board chooses.

(2) Provided that the sum assessed and levied on an employee under this section shall not exceed 40% of the amount contributed by the employer in respect of that employee.

*7 This Act comes into force on Proclamation.*

*every day after the day of the accident to which he is entitled under this Act to receive that compensation, excluding any day on which he would not have worked in the normal course of his employment, or for which he would not have been paid.*

**4** Section 51(5) presently reads:

*51(5) The amount of the periodic payment of compensation is*

*(a) in the case of permanent total disability and temporary total disability, 90% of the worker's net earnings, and*

*(b) in the case of permanent partial disability and temporary partial disability, a proportionate part of 90% of the worker's net earnings based on the Board's estimate of the impairment of earning capacity from the nature and degree of disability.*