

Experience and merit rating programs

83 (1) The Board may establish experience and merit rating programs to encourage employers to reduce injuries and occupational diseases and to encourage workers' return to work.

Same

(2) The Board may establish the method for determining the frequency of work injuries and accident costs of an employer.

Same

(3) The Board shall increase or decrease the amount of an employer's premiums based upon the frequency of work injuries or the accident costs or both. 1997, c. 16, Sched. A, s. 83.

Note: On April 6, 2018, the day named by proclamation of the Lieutenant Governor, section 83 is amended by adding the following subsection: (See: 2014, c. 10, Sched. 5, ss. 2, 3)

Regulations re temporary help workers

(4) The Lieutenant Governor in Council may make regulations,

(a) defining a temporary help agency for the purposes of this section;

(b) requiring that, despite section 72, if a temporary help agency lends or hires out the services of a worker to another employer who participates in a program established under subsection (1) and the worker sustains an injury while performing work for the other employer, the Board,

(i) deem the total wages that are paid in the current year to the worker by the temporary help agency for work performed for the other employer to be paid by the other employer,

(ii) attribute the injury and the accident costs arising from the injury to the other employer,

(iii) increase or decrease the amount of the other employer's premiums based upon the frequency of work injuries or the accident costs or both, and

(iv) deem the other employer to be an employer for the purposes of sections 58 and 59 in such circumstances as may be prescribed;

(c) prescribing circumstances for the purposes of subclause (b) (iv);

(d) requiring that, if a temporary help agency lends or hires out the services of a worker to another employer who participates in a program established under subsection (1) and the worker sustains an injury while performing work for the other employer, the other employer notify the Board of the injury;

(e) for the purposes of a notice required by a regulation made under clause (d), governing the notice, including prescribing the manner in which notice of an injury is to be given, the period of time within which notice is to be given and the parties to whom copies of the notice must be given; and

(f) prescribing penalties for failure to comply with requirements prescribed under clauses (d) and (e). 2014, c. 10, Sched. 5, s. 2.

Section Amendments with date in force