

WORKERS' COMPENSATION COVERAGE FOR WORK-INTEGRATED LEARNING ASSIGNMENTS

Overview

Effective July 1, 2021, the Saskatchewan Workers' Compensation Board (WCB) and the Ministry of Advanced Education entered into an Agreement to extend workers' compensation coverage to eligible post-secondary students undertaking unpaid work-integrated learning assignments. The agreement has a five-year term and outlines the coverage eligibility criteria pursuant to this arrangement.

Under the agreement, a work-integrated learning assignment is defined as:

[...] a program or a component of a program which:

- a) is offered by a post-secondary institution; and
- b) provides for participating students to be engaged with a host organization without pay for more than one day in the performance of work normally undertaken by the host organization for the purpose of learning.

All organizations/employers that host a student for a work-integrated learning assignment must be registered with the WCB for students to qualify for coverage. A number of occupations and industries are excluded from the provisions of the Workers Compensation Act, and are not eligible coverage under this agreement (see exclusions section).

In order for students to have valid workers' compensation coverage, a signed and completed *Consents and Waiver of Liability* form must be submitted to the students' program administrator at their post-secondary institution prior to commencing any work-integrated learning assignments. This responsibility falls on both the post-secondary institutions and the students, and a single *Consents and Waiver of Liability* form shall extend coverage for the entire length of all eligible programs. By signing the *Consents and Waiver of Liability* form, eligible students agree to accept workers' compensation coverage per the terms and conditions of the agreement, which includes waiving the right to sue.

Relevant documentation related to this agreement can be found [here](#).

Responsibilities of the University of Saskatchewan

The Ministry of Advanced Education has developed an accompanying policy that outlines the responsibilities of each party (the Ministry, the student, the post-secondary institution, and the employer/host organization). The full policy document is appended for reference (Appendix 1). Under this policy, the University of Saskatchewan is responsible for:

1. approving unpaid work-integrated learning assignments;
2. liaising with host organizations, including communicating safety expectations and monitoring adherence to safety standards;
3. maintaining appropriate records associated with unpaid work-integrated learning assignments;
4. advising participating students of the details of their workers' compensation coverage;
5. for any academic program that includes a work-integrated learning assignment, obtaining a completed and signed *Consents and Waiver of Liability* form (Schedule "C") from each participating student prior to the start of any work-integrated learning assignment(s). The *Consents and Waiver of Liability* form will apply to all work-integrated learning assignments undertaken by the student throughout the course of the academic program;
6. ensuring that, in the event of injury, students and host organizations carry out the necessary reporting and claims submission procedures;
7. ensuring, per the definition of "work-integrated learning assignment", that no such assignments are carried out on a First Nation in Saskatchewan, or in an industry or occupation excluded from coverage under the Act, unless the First Nation or the host organization has applied to the WCB for inclusion under section 3 of the Act and the WCB has approved said application; and,
8. providing an annual report to the Ministry of Advanced Education by June 30 of each year, which confirms:
 - a. the total number of participating students for the current academic year;
 - b. the number of work-integrated learning assignments undertaken in the current academic year; and,
 - c. that each participating student has signed a *Consents and Waiver of Liability* (Schedule "C") for his or her respective program.

Responsibilities of the College/Department

In order for the University of Saskatchewan to meet the above obligations, academic units that coordinate work-integrated learning assignments for students are responsible for:

- registering as a College/Department participating in work integrated learning assignments with Safety Resources;
- liaising with host organizations, including communicating safety expectations and monitoring adherence to safety standards;
- ensuring that, in the event of injury, students and host organizations carry out the necessary reporting and claims submission procedures;
- **In order to meet reporting requirements, any college or academic unit that coordinates unpaid work-integrated learning assignments with an employer that is not the University of Saskatchewan, must submit the following to Safety Resources (to safetyresources@usask.ca) annually by June 1:**

- the number of students registered in that college or academic unit who have participated in work-integrated learning assignments;
- the number of work-integrated learning assignments undertaken (considering one student may undertake more than one assignment in an academic year); and
- confirmation that each student has signed the required consents and liability waiver form.

Responsibilities of the Student

Students participating in a work-integrated learning assignment are responsible for:

1. signing the *Consents and Waiver of Liability* form (Schedule “C”) prior to the start of any work-integrated learning assignments;
2. carrying out the necessary procedures for reporting workplace injuries, which includes:
 - a. immediately reporting the incident to the workplace supervisor/host organization and post-secondary institution;
 - b. in consultation with their post-secondary institution, submitting the Worker’s Initial Report of Injury (W1), along with a copy of the signed *Consents and Waiver of Liability*, to the WCB within five (5) days of the incident; and,
 - c. if applicable, working with the host organization and the WCB to set up a Return to Work (RTW) plan.

Exclusions

The Worker’s Compensation regulations outline a number of industries and occupations that are excluded from the provisions of the Worker’s Compensation Act. Students may not participate in work integrated learning assignment with a host organization in an excluded industries or occupation, unless the host organization has applied for, and received, WCB coverage under the act. A full list of exclusions is included in the appendix. Highlights include:

- Out-of-Province:
 - Coverage is not provided for any work-integrated learning assignments that take place outside of the province of Saskatchewan.
- First Nations in Saskatchewan:
 - The Workers’ Compensation Miscellaneous Regulations outlines a number of industries and occupations that are excluded from the provisions of the Act. Section 3(n) excludes “Indian Bands and Band Endeavors on Reserve”. Therefore, unless the host organization has applied to WCB for inclusion under section 3 of the Act, and the WCB has approved the application, the host organization and any participating students would be excluded from coverage.

- Prior to placing a participating student on a work- integrated learning assignment that is located on a First Nation in Saskatchewan, including Urban Reserves, confirmation in writing must be sought and received from the WCB indicating that the host organization has a WCB account.
- Post-secondary Premises:
 - Coverage is not provided for an injury occurring on a post-secondary institution’s premises unless the injury arises out of and in the course of a work-integrated learning assignment.

The full list of excluded industries and occupations is included in Appendix 2. The relevant regulations are available [here](#).

For more information, contact:

Safety Resources – WCB Support
306-966-4675
safetyresources@usask.ca

Appendices:

Appendix 1 - Advanced Education Policy
Appendix 2 - List of Exclusions
Appendix 3 - Frequently Asked Questions
Appendix 4 - Advanced Education / WCB Agreement

Student WCB Policy, September 2021
Ministry of Advanced Education

Policy	Subject to the Agreement between the Ministry of Advanced Education and the Workers' Compensation Board (the "WCB"), workers' compensation coverage will be extended to eligible students who engage in work-integrated learning assignments in Saskatchewan.
Terms and Conditions	<p>To be eligible for workers' compensation coverage pursuant to <i>The Workers' Compensation Act, 2013</i> (the "Act"), participating students will be considered workers of the Ministry of Advanced Education while engaged in a work-integrated learning assignment with an employer/host organization covered under the Act.</p> <p>The WCB has ordered that any participating student for whom a <i>Consents and Waiver of Liability</i> form has been completed and signed, shall be a worker for the purposes of the Act while in the course of completing a work-integrated learning assignment, and that any injury sustained by such students while engaged in a work-integrated learning assignment shall be an injury sustained by the "worker".</p> <p>The following terms and conditions apply:</p> <ol style="list-style-type: none"> 1. A work-integrated learning assignment means an educational program or a component of a program which is offered by a post-secondary institution identified in Schedules "A" and "B" of the Agreement. 2. The work-integrated learning assignment provides for participating students to be engaged with a host organization (virtually or in-person) without pay for more than one day in the performance of work normally undertaken by the host organization for the purpose of learning, but shall not include those work-integrated learning placements which: <ol style="list-style-type: none"> a. take place outside of Saskatchewan; or, b. take place on a First Nation in Saskatchewan, or in an industry or occupation excluded from coverage under the Act unless the First Nation or host organization has applied to the WCB for inclusion under section 3 of the Act and the WCB has approved said application. 3. The workers' compensation benefits shall apply to participating students who have completed and signed a <i>Consents and Waiver of Liability</i> form, or to minor participating students for whom a <i>Consents and Waiver of Liability</i> has been completed and signed by the parent or guardian and with respect only to injury or death occasioned during the participating student's engagement in the work-integrated learning assignment. The <i>Consents and Waiver of Liability</i> form will apply to all work-integrated learning assignments undertaken by the student throughout the course of the student's academic program. 4. Coverage is not extended to students participating in "Take Your Kids to Work" or any other job-shadowing or similar type of program.

	<ol style="list-style-type: none"> 5. Coverage is not provided for an injury occurring on a post-secondary institution's premises unless the injury arises out of and in the course of a work-integrated learning assignment. 6. No payment for loss of earnings will be made during a school term or a training period unless actual loss of earnings is demonstrated. If there is loss of earnings between school terms or following termination of schooling, the calculation of wage loss benefits for any claims arising out of this policy will be based on: <ol style="list-style-type: none"> a. all earnings from a participating student's employment in industries covered by the Act (section 3); b. Where there are no covered earnings, the provincial minimum wage for a forty-hour work week for the first 24 months of demonstrated earnings loss; c. After wage loss benefits have been paid for a period of 24 consecutive months, two-thirds of the average weekly wage as of June in the year immediately preceding the year in which the loss of earnings or ability to earn occurs; or, d. In the event of a fatality, benefits to dependents will be based on the provisions of the Act (sections 80-93). 7. Any claim costs arising out of this policy are to be applied directly to the cost incurred by the Ministry of Advanced Education and will be reflected in the premiums charged.
<p>Roles and Responsibilities</p>	<p>The Ministry of Advanced Education is responsible for:</p> <ol style="list-style-type: none"> 1. maintaining the Agreement with the WCB; 2. updating Schedules "A" and "B" of the Agreement as necessary; 3. indemnifying the WCB, where applicable, under the terms and conditions of the Indemnity Agreement which forms part of the Agreement; and, 4. paying premiums or levies which may be charged in accordance with paragraph 6 of the Agreement. <p>The Workers' Compensation Board is responsible for:</p> <ol style="list-style-type: none"> 1. establishing and maintaining WCB policy as is necessary to give effect to the Agreement; 2. making all determinations regarding eligibility for benefits, level of benefits and overall administration of claims submitted by or on behalf of participating students; and making all payments in relation thereto as may be required to provide workers' compensation coverage to participating students pursuant to the Agreement; and, 3. reporting the number of annual work-integrated learning claims (July 1 – June 30 inclusive) to the Ministry of Advanced Education by August 1 of each year. <p>Post-secondary institutions are responsible for:</p> <ol style="list-style-type: none"> 1. approving unpaid work-integrated learning assignments;

	<ol style="list-style-type: none">2. liaising with host organizations, including communicating safety expectations and monitoring adherence to safety standards;3. maintaining appropriate records associated with unpaid work-integrated learning assignments;4. advising participating students of the details of their workers' compensation coverage;5. for any academic program that includes a work-integrated learning assignment, obtaining a completed and signed <i>Consents and Waiver of Liability</i> form (Schedule "C") from each participating student prior to the start of any work-integrated learning assignment(s). The <i>Consents and Waiver of Liability</i> form will apply to all work-integrated learning assignments undertaken by the student throughout the course of the academic program;6. ensuring that, in the event of injury, students and host organizations carry out the necessary reporting and claims submission procedures;7. ensuring, per the definition of "work-integrated learning assignment", that no such assignments are carried out on a First Nation in Saskatchewan, or in an industry or occupation excluded from coverage under the Act, unless the First Nation or the host organization has applied to the WCB for inclusion under section 3 of the Act and the WCB has approved said application; and,8. providing an annual report to the Ministry of Advanced Education by June 30 of each year, which confirms:<ol style="list-style-type: none">a. the total number of participating students for the current academic year;b. the number of work-integrated learning assignments undertaken in the current academic year; and,c. that each participating student has signed a <i>Consents and Waiver of Liability</i> (Schedule "C") for his or her respective program. <p>Host organizations are responsible for:</p> <ol style="list-style-type: none">1. responding to student injuries appropriately which includes:<ol style="list-style-type: none">a. providing first aid for injured students if necessary; and,b. supporting injured students to access medical attention from a qualified health-care professional.2. immediately reporting and providing full details of the injury to the student's post-secondary institution; and,3. reporting the injury to the WCB by completing the Employer's Initial Report of Injury (E1) form within five days of the incident, and providing a copy of the submission and accompanying documents to the student's post-secondary institution. <p>Students participating in a work-integrated learning assignment are responsible for:</p> <ol style="list-style-type: none">1. signing the <i>Consents and Waiver of Liability</i> form (Schedule "C") prior to the start of any work-integrated learning assignments;2. carrying out the necessary procedures for reporting workplace injuries, which includes:
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	<ul style="list-style-type: none"> a. immediately reporting the incident to the workplace supervisor/host organization and post-secondary institution; b. in consultation with their post-secondary institution, submitting the Worker's Initial Report of Injury (W1), along with a copy of the signed <i>Consents and Waiver of Liability</i>, to the WCB within five (5) days of the incident; and, c. if applicable, working with the host organization and the WCB to set up a Return to Work (RTW) plan.
Claims Forms	<p>Both the W1 and E1 should be completed regardless of whether there are lost wages as a result of the accident. Loss of wages may occur in cases where the student will have to miss paid employment due to the injury sustained during the unpaid work placement.</p> <p>W1 and E1 forms can be submitted by any of the following methods:</p> <ul style="list-style-type: none"> • Online: W1 form / E1 form • Email: forms@wcbask.com (please send either a picture (JPEG) or a PDF document) • Mail: 200-1881 Scarth Street, Regina, SK S4P 4L1 • Telephone: 1-800-787-9288 (Telefile) • Fax: 1-888-844-7773
References	<p>Acts</p> <ul style="list-style-type: none"> • The Post-Secondary Education and Skills Training Act • The Workers' Compensation Act, 2013 <p>Workers' Compensation References</p> <ul style="list-style-type: none"> • WCB Home Page • Coverage – Students in Work-Based Learning Assignments (POL 12/2012) • Injury Reporting • Excluded Industries and Occupations <p>Ministry References</p> <ul style="list-style-type: none"> • Workers' Compensation for Post-Secondary Students • Agreement between the WCB and Ministry of Advanced Education • Fillable Consents and Waiver of Liability form
Appendices	<p>Schedule A: Eligible Post-Secondary Institutions Schedule B: Inter-provincial Agreements Schedule C: Consents and Waiver of Liability</p>

For any questions or clarification about eligibility, please contact the WCB Employer Services Department.
 Email: employerservices@wcbask.com
 Tel: 306-787-4370
 Toll free: 1-800-667-7590

Schedule "A"

Students registered with any of the following Saskatchewan post-secondary institutions, who pursue a work-integrated learning assignment in Saskatchewan, are eligible for workers' compensation coverage pursuant to this Agreement.

University of Regina
University of Saskatchewan
Saskatchewan Polytechnic
Carlton Trail College
Cumberland College
Great Plains College
Lakeland College
Northlands College
North West College
Parkland College
Southeast College
Gabriel Dumont Institute, *including its subsidiaries: Dumont Technical Institute, Saskatchewan Urban Native Teacher Education Program and Gabriel Dumont College*
Saskatchewan Indian Institute of Technologies
Campion College
First Nations University of Canada
Luther College
St. Thomas More College
Briercrest College and Seminary
College of Emmanuel and St. Chad
Horizon College and Seminary
Lutheran Theological Seminary
St. Andrew's College
St. Peter's College

Schedule “B”

The Government of Saskatchewan holds several inter-provincial agreements in order to reserve seats for Saskatchewan students in out-of-province programs that are not currently offered in Saskatchewan.

Saskatchewan students occupying reserved seats as part of the inter-provincial agreements with the following programs are eligible for workers' compensation coverage pursuant to this Agreement while they are engaged in a work-integrated learning assignment in Saskatchewan.

- Magnetic Resonance Imaging, Northern Alberta Institute of Technology
- Diagnostic Medical Sonography, Southern Alberta Institute of Technology
- Nuclear Medicine Technology, Southern Alberta Institute of Technology
- Respiratory Therapy, Southern Alberta Institute of Technology
- Cardiovascular Perfusion, British Columbia Institute of Technology
- Electro-Neurophysiology, British Columbia Institute of Technology
- Orthotics and Prosthetics, British Columbia Institute of Technology
- Occupational Therapy, University of Alberta

CHAPTER W-17.11 REG 1
The Workers' Compensation Act, 2013

Title

1 These regulations may be cited as *The Workers' Compensation Miscellaneous Regulations*.

23 Dec 2016 SR 96/2016 s3.

Interpretation

2 In these regulations:

- (a) "Act" means *The Workers' Compensation Act, 2013*;
- (b) "outworker" means a person who receives articles or materials in his or her own home, or on other premises not under the control or management of the person who supplies the articles or materials, in order to adapt for sale, clean, wash, alter, ornament, finish, repair or make up those articles or materials.

14 Mar 2014 cW-17.11 Reg 1 s2.

Excluded industries and occupations

3 The following industries and occupations are excluded from the provisions of the Act:

- (a) artists, entertainers and performers;
- (b) circus operations, travelling shows and tradeshow;
- (c) clergy;
- (d) commercial fishing;
- (e) subject to section 17 of *The Workers' Compensation General Regulations, 1985*, employment of persons by the owner of a residence for the purposes of:
 - (i) construction of that residence;
 - (ii) making alterations or improvements to that residence; or
 - (iii) performing domestic functions in that residence;
- (f) consulates and foreign embassies;
- (g) dairy farming;
- (h) demonstrating and exhibiting;
- (i) feedlot or livestock yard operations that are not in connection with an industry within the scope of the Act;
- (j) flying operations that have no place of business in Saskatchewan and that are not licensed by the Canadian Transport Commission;

W-17.11 REG 1 WORKERS' COMPENSATION MISCELLANEOUS

- (k) fur farms;**
- (l) grazing co-operatives;**
- (m) household servants employed in a private home by a resident of that home;**
- (n) Indian bands or band endeavours on reserves;**
- (o) land clearing, brush cutting or stumping that is not in connection with an industry within the scope of the Act;**
- (p) livestock brokers;**
- (q) mobile farm feed service or portable seed-cleaning plants;**
- (r) door-to-door carriers delivering newspapers, flyers or other publications;**
- (s) outworkers;**
- (t) peddling or door-to-door sales;**
- (u) persons whose employment is of a casual nature and who are employed otherwise than for the purposes of the employer's trade or business;**
 - (u.1) persons who:**
 - (i) are employed by a university or an affiliated or federated college of a university; and**
 - (ii) serve as a professor, associate professor, assistant professor, lecturer, special lecturer or instructor;**
- (v) piggery farms;**
- (w) poultry farms;**
- (x) salespersons who sell goods for more than one manufacturer or supplier;**
- (y) salespersons whose employers do not have a place of business in Saskatchewan;**
- (z) school teachers employed under contract by a board of education or the conseil scolaire pursuant to section 200 of *The Education Act, 1995*;**
- (aa) selling or similar canvassing on streets;**
- (bb) show judges;**
- (cc) sports players, including sports coaches and instructors, while participating as a player or competitor in a sporting event of any kind;**
- (dd) sports coaches and instructors employed by professional sports organizations whose intent is to derive profit from the playing of the sport rather than the providing of instruction;**
- (ee) trapping;**
- (ff) trucking firms based in the United States of America that employ only American citizens;**

WORKERS' COMPENSATION MISCELLANEOUS W-17.11 REG 1

- (gg) voluntary workers, except those in mine rescue work and members of the Emergency Measures Organization or a municipal fire brigade;**
- (hh) the cutting, hauling and sawing of wood for fuel that is not in connection with an industry within the scope of the Act;**
- (ii) unless the industries employ workers who are resident in Saskatchewan, industries that have no place of business in Saskatchewan that provide:**
 - (i) on-site warranty service, start-up supervision, training or service incidental to a sale or lease arrangement; or**
 - (ii) consulting or similar services.**

14 Mar 2014 cW-17.11 Reg 1 s3; 10 Apr 2015 SR
28/2015 s2.

Workers' Compensation Coverage for Work-Integrated Learning Assignment

FAQs

General

Why is it important for students participating in unpaid work-integrated learning assignments to be covered by workers' compensation?

The purpose of workers' compensation is to protect students in the case of injury or death, while also protecting those organizations hosting student assignments as well as post-secondary institutions against claims or losses. Ensuring the protection of the parties (students, hosting organizations, and institutions) for the duration of a student's assignment serves to facilitate meaningful partnerships between the post secondary sector and industry so that students can continue to diversify their skillsets via work integrated learning.

Why is an agreement required to provide workers' compensation coverage to post-secondary students?

The legislative framework for Workers' Compensation Board (WCB) coverage in Saskatchewan is intended for paid work only and therefore a standalone arrangement is required to extend coverage for students.

Why is the Memorandum of Understanding (MOU) being renewed, and why is it now called an Agreement?

The current iteration of the MOU is set to expire at the end of June 2021. In order to avoid any gaps in workers' compensation coverage, it is being renewed for an additional five years. It has been termed an Agreement as it is binding for the parties (WCB and the Ministry of Advanced Education).

What is the Ministry of Advanced Education's role in this arrangement?

Under the Agreement, the ministry serves as the "employer," meaning that it bears legal and financial responsibility in the provision of WCB coverage for eligible students while engaged in work-integrated learning assignments. Student claims costs will continue to be applied to the Government of Saskatchewan's employer record, resulting in no financial implications for students, post-secondary institutions or hosting organizations.

What has been updated under the Agreement?

Clarity has been provided around the roles and responsibilities of each party. An indemnity clause has also been added to hold the Board harmless against damages or claims.

Why is a policy also being developed?

The purpose of the policy is to operationalize the Agreement, as well as to outline the roles and responsibilities of the parties in detail, so as to ensure students are covered for the duration of their work integrated learning assignments.

Eligibility

Who is eligible for coverage?

Any "participating student" (an individual who is engaged in a work-integrated learning assignment in the province of Saskatchewan and who is registered with a post-secondary institution listed in Schedules "A" and "B" of the [Agreement](#)) for whom a *Consents and Waiver of Liability* form (Schedule "C" of the [Agreement](#)) has been completed and signed, is eligible for coverage.

What is an unpaid work-integrated learning assignment?

For the purposes of workers' compensation coverage, an unpaid work-integrated learning assignment is an opportunity offered by a post-secondary institution for students to be engaged with a host organization without pay for more than one day in the performance of work normally undertaken by the host organization for the purpose of learning.

What type of benefits and assistance does the WCB provide?

The WCB provides benefits and assistance to injured workers, depending on the medical and vocational needs of the situation. Under the Agreement between the WCB and the Ministry of Advanced Education, participating students are subject to the legal rights, benefits, obligations and restrictions while placed with a host organization, as if the student was a worker in the course of employment.

Benefits may include medical treatment, hospital care, prescription drugs and medical supplies. No payment for loss of earnings will be made during a school term or a training period unless actual loss of earnings is demonstrated. In the event of a fatality, benefits to dependents will be based on the provisions of *The Workers' Compensation Act, 2013*.

Who is excluded from coverage?

Pursuant to the Agreement, workers' compensation does not apply to students undertaking work integrated learning assignments which either: take place outside of Saskatchewan or take place in an industry or occupation excluded from coverage under *The Workers' Compensation Act, 2013* (unless the host organization has applied to the Board for inclusion under section 3 of *The Workers' Compensation Act, 2013* and the Board has approved said application). Examples of excluded industries include farming and organizations operating on a First Nation. Alternative arrangements may be made in these circumstances (e.g., purchasing general liability insurance).

For further clarification, please see below.

- **Out-of-Province:**
Coverage is not provided for any work-integrated learning assignments that take place outside of the province of Saskatchewan.
- **First Nations in Saskatchewan:**
[The Workers' Compensation Miscellaneous Regulations](#) outlines a number of industries and occupations that are excluded from the provisions of the Act. Section 3(n) excludes "Indian Bands and Band Endeavors on Reserve". Therefore, unless the host organization has applied to WCB for inclusion under section 3 of the Act, and the WCB has approved the application, the host organization and any participating students would be excluded from coverage.

Prior to placing a participating student on a work-integrated learning assignment that is located on a First Nation in Saskatchewan, including Urban Reserves, confirmation in writing must be sought and received from the WCB indicating that the host organization has a WCB account.
- **Post-secondary Premises:**
Coverage is not provided for an injury occurring on a post-secondary institution's premises unless the injury arises out of and in the course of a work-integrated learning assignment.

Why is coverage not provided to students at all Saskatchewan post-secondary institutions?

Eligibility for coverage under the Agreement is limited to students registered at post-secondary institutions that receive provincial funding from the Government of Saskatchewan.

Do alternative coverage arrangements exist for students who do not meet the eligibility requirements?

Yes. Alternative coverage arrangements, such as general liability insurance, may be an option for students who are not eligible for coverage pursuant to the Agreement. The ministry has no involvement in alternative coverage arrangements.

For any questions or clarification about eligibility, please contact the WCB Employer Services Department.

Email: employerservices@wcbask.com

Telephone: 306-787-4370

Toll free: 1-800-667-7590

Roles and Responsibilities of the Parties

What are the roles and responsibilities of the WCB?

The WCB is responsible for:

- establishing and maintaining WCB policy as is necessary to give effect to the Agreement;
- making all determinations regarding eligibility for benefits, level of benefits and overall administration of claims submitted by or on behalf of participating students and making all payments in relation thereto as may be required to provide workers' compensation coverage to participating students pursuant to the Agreement; and,
- reporting the number of annual work-integrated learning claims (July 1 - June 30 inclusive) to the ministry by August 1 of each year.

What are the roles and responsibilities of the Ministry of Advanced Education?

The ministry is responsible for:

- maintaining the Agreement with the WCB, updating Schedules "A" and "B" of the Agreement as necessary;
- indemnifying the WCB under the terms and conditions of the Indemnity Agreement, which forms part of the Agreement; and,
- paying premiums or levies which may be charged in accordance with paragraph 6 of the Agreement.

What are the roles and responsibilities of post-secondary institutions?

Post-secondary institutions are responsible for:

- approving unpaid work-integrated learning assignments;
- liaising with host organizations, including communicating safety expectations and monitoring adherence to safety standards;
- maintaining appropriate records associated with unpaid work-integrated learning;
- advising participating students of the details of their workers' compensation coverage;
- for any academic program that includes a work-integrated learning assignment, obtaining a signed *Consents and Waiver of Liability* form (Schedule "C") from each participating student prior to the start of any work-integrated learning assignment(s). *The Consents and Waiver of Liability* form will apply to all work-integrated learning assignments undertaken by the student throughout the course of the academic program;
- ensuring, that in the event of an injury, students follow the necessary injury report and claim submission process outlined in section IV below (and in the "Procedures" and "Claims Submission and Reporting" sections of the policy);
- ensuring, per the definition of "work-integrated learning assignment", that no such assignments are carried out in an industry or occupation excluded from coverage under the Act, unless the host organization has applied to the Board for inclusion under section 3 of the Act and the Board has approved said application; and,
- providing an annual report to the ministry by June 30 of each year, which confirms:
 - the total number of participating students for the current academic year;
 - the number of work-integrated learning assignments undertaken in the current academic year; and,
 - that each participating student has signed a Consents and Waiver of Liability (Schedule "C" of the Agreement) for his or her respective program.

What are the roles and responsibilities of organizations hosting student assignments?

Host organizations are responsible for:

- responding to student injuries appropriately which includes:

- providing first aid for injured students if necessary; and,
- supporting injured students to access medical attention from a qualified health-care professional.
- immediately reporting and providing details of the injury to the student's post-secondary institution; and,
- reporting the injury to the WCB by completing the Employer's Initial Report of Injury (E1) form within five days of the incident and providing a copy of the submission and accompanying documents to the student's post-secondary institution.

What are the roles and responsibilities of students?

All students participating in a work-integrated learning assignment are responsible for:

- signing the Consents and Waiver of Liability form prior to the start of any work-integrated learning assignments;
- carrying out the necessary procedures for reporting workplace injuries, which includes:
 - immediately reporting the incident to the workplace supervisor/host organization and post secondary institution;
 - in consultation with their post-secondary institution, submitting the Worker's Initial Report of Injury (W1), along with a copy of the signed Consents and Waiver of Liability, to the WCB within five (5) days of the incident; and,
 - if applicable, working with the host organization and the WCB to set up a Return to Work (RTW) plan.

Claims Submission

Have there been updates to the student claims submission process?

All claims can now be submitted online. Individual student claim documents are not submitted to the ministry. All documents are to be submitted directly to the WCB.

How do you submit a claim?

Reporting for Students:

- Report an injury to the WCB using the Workers Initial Report of Injury ([W1](#)).
- Work with the host organization and the WCB in setting up a Return to Work (RTW) plan.

Reporting for Host Organizations:

- Make sure the student receives immediate and appropriate medical attention and inform the post-secondary institution.
- Immediately report and provide full details of the injury to the student's post-secondary institution.
- Report the injury to the WCB within five days of the incident, by submitting the Employer's Report of Injury ([E1](#)) form.
- Provide a copy of the [E1](#) form and all supporting documents to the student's post-secondary institution.

Form Submission:

W1 and E1 forms can be submitted by any of the following methods:

- **Online:** [W1 form](#) / [E1 form](#)
- **Email:** forms@wcbsask.com (please send either a picture (JPEG) or a PDF document)
- **Mail:** 200-1881 Scarth St, Regina, SK S4P 4L1
- **Telephone:** 1-800-787-9288 (Telefile)
- **Fax:** 1-888-844-7773

Additional

Why are host organizations responsible for submitting the E1?

Having the host organization submit an E1 facilitates timely and accurate submissions. However, both the host organization and the student must report the details of any injury to the post-secondary institution immediately after it has occurred.

How do other provinces manage coverage for unpaid work placement students?

British Columbia, Alberta, Manitoba and Ontario have legislation that facilitates workers' compensation coverage for unpaid work placements. The respective governments have little involvement in the oversight of work placements and claims reporting and post-secondary institutions bear greater responsibilities in some jurisdictions.

How many student claims have been submitted to date?

Over the last five years, the WCB has processed 93 claims filed by post secondary students undertaking unpaid work placements. The WCB pays an average of \$32K per year for all student claims.

Where can I access more information?

- WCB home page: www.wcbsask.com
- WCB injury reporting: www.wcbsask.com/how-report-work-injury
- [The Workers' Compensation Act, 2013](#)
- [Agreement between the WCB and Ministry of Advanced Education](#)

Who can I contact with questions?

Questions about the claims submission process and premium calculation can be directed to:

The Saskatchewan Workers' Compensation Board

Telephone: 1.800.667.7590

Email: employerservices@wcbsask.com

Questions about the Agreement and the Ministry of Advanced Education policy can be directed to:

Adam Mills

Director, Technical and Indigenous Institutions
Sector Management and Relations
Ministry of Advanced Education

Telephone: 306-787-6076

Email: adam.mills@gov.sk.ca



AGREEMENT

Between

Her Majesty the Queen in Right of the Province of Saskatchewan,
represented by the Minister of Advanced Education or successor (hereinafter referred to as “the
Ministry of Advanced Education”)

OF THE FIRST PART

- and -

The Workers' Compensation Board
(hereinafter referred to as the “WCB”)

OF THE SECOND PART

WHEREAS the Ministry of Advanced Education desires to obtain workers' compensation coverage for post-secondary students engaged in work-integrated learning assignments;

WHEREAS annual expenditures pursuant to this Agreement will be less than \$50,000 in any fiscal year;

WHEREAS the Minister of Advanced Education is authorized to enter into this Agreement pursuant to section 18 of *The Executive Government Administration Act*;

WHEREAS the WCB desires to provide coverage for such students under terms and conditions compatible with the purposes of *The Workers' Compensation Act, 2013* (the “Act”);

AND WHEREAS pursuant to the Act, the WCB has ordered that any student for whom a *Consents and Waiver of Liability* is completed pursuant to this Agreement, shall be a worker for the purposes of the Act, and has determined that any injury sustained by such student while engaged in a work-integrated learning assignment shall, for the purposes of section 43, “be an injury to a worker arising out of and in the course of the worker's employment.”

THEREFORE, the parties agree that the following terms and conditions will govern the provision of such coverage:

DEFINITIONS

In this Agreement:

“participating student” means an individual who is engaged in a work-integrated learning assignment in the province of Saskatchewan, and who is registered with a post-secondary institution.

“host organization” means the organization (private, public, non-profit organization, agency, business, or association, etc.) at which a participating student undertakes a work-integrated learning assignment.

“post-secondary institution” means a post-secondary educational institution identified in Schedule “A” or “B” as may be amended from time to time by the Ministry of Advanced Education.

“program” means an academic program taken by a student at a post-secondary institution.

“term” means a period of time during which students work toward completing the requirements of their post-secondary program. Schedules may vary between post-secondary institutions and programs.

“work-integrated learning assignment” means a program or a component of a program which:

- (a) is offered by a post-secondary institution; and,
- (b) provides for participating students to be engaged with a host organization without pay for more than one day in the performance of work normally undertaken by the host organization for the purpose of learning.

But does not include those work-integrated learning assignments which:

- i. take place outside of Saskatchewan; or,
- ii. take place on a First Nation in Saskatchewan, or in an industry or occupation excluded from coverage under the Act unless the First Nation or host organization has applied to the WCB for inclusion under section 3 of the Act and the WCB has approved said application.

1. Workers' Compensation for Students

The workers' compensation benefits referred to in this Agreement will apply to participating students for whom a *Consents and Waiver of Liability* (in the form found in Schedule “C” attached hereto) has been completed by the participating student and the parent or guardian of a minor participating student prior to engaging in any work-integrated learning assignment(s), and with respect only to injury or death occasioned during the participating student's engagement in their work-integrated learning assignment.

2. Scope of this Agreement

The parties intend that this Agreement will ensure, subject to any changes to benefit entitlement contained in paragraph 5, that participating students are workers for the purposes of the Act, and are eligible for compensation, as if such students were workers under the Act and were injured or killed in the course of their employment.

3. Responsibilities of the Ministry of Advanced Education

The Ministry of Advanced Education will:

- (a) update Schedules “A” and “B” as necessary.
- (b) indemnify the WCB, where applicable, under the terms and conditions of the attached Indemnity Agreement which forms part of this Agreement;
- (c) pay premiums or levies which may be charged in accordance with paragraph 6;
- (d) ensure that post-secondary institutions fulfill the following responsibilities:
 - i. approve unpaid work-integrated learning assignments;
 - ii. liaise with host organizations, including communicating safety expectations and monitoring adherence to safety standards;
 - iii. maintain appropriate records associated with unpaid work-integrated learning assignments;

- iv. advise participating students of the details of their workers' compensation coverage;
- v. for any academic program that includes a work-integrated learning assignment, obtain a signed *Consents and Waiver of Liability* form (Schedule "C") from each participating student prior to the start of any work-integrated learning assignment(s). The *Consents and Waiver of Liability* form will apply to all work-integrated learning assignments undertaken by the student throughout the course of the academic program;
- vi. ensure that, in the event of injury, students and host organizations carry out the necessary reporting and claims submission procedures;
- vii. ensure, per the definition of "work-integrated learning assignment", that no work-integrated learning assignments are carried out on a First Nation in Saskatchewan or in an industry or occupation excluded from coverage under the Act, unless the First Nation or host organization has applied to the WCB for inclusion under section 3 of the Act and the WCB has approved said application;
- viii. provide an annual report to the Ministry of Advanced Education by June 30 of each year, which confirms:
 - a. the total number of participating students for the current academic year;
 - b. the number of work-integrated learning assignments undertaken in the current academic year; and
 - c. that each participating student has signed a *Consents and Waiver of Liability* form (Schedule "C") for his or her respective program.

4. WCB Responsibilities

The WCB will:

- (a) establish and maintain WCB policy as is necessary to give effect to this Agreement;
- (b) make all determinations regarding eligibility for benefits, level of benefits and overall administration of claims submitted by or on behalf of participating students, and make all payments in relation thereto as may be required to provide workers' compensation coverage to participating students pursuant to this Agreement; and
- (c) report the number of annual work-integrated learning claims (July 1 – June 30 inclusive) to the Ministry of Advanced Education by August 1 of each year.

5. Earnings Replacement

The WCB will pay compensation for participating students as follows:

- (a) Benefits respecting loss of earnings are to be paid during a school term only where there is actual loss of earnings demonstrated.
- (b) If there is a loss of earnings between school terms or following termination of schooling which arises from injury occurring during a work-integrated learning assignment, the calculation of wage lost benefits will be based on:
 - i. all earnings from employment in industries covered by the Act (section 3); or
 - ii. Where there are no covered earnings;

- a. for the first 24 months of demonstrated earnings loss, the provincial minimum wage for a forty-hour work week; and,
- b. after wage loss benefits have been paid for a period of 24 consecutive months, two-thirds of the average weekly wage as of June in the year immediately preceding the year in which the loss of earnings or ability to earn occurs.
- c. In the event of a fatality, benefits to dependents will be based on the provisions of the Act (sections 80-93).

6. Financial Arrangements

- (a) The WCB may, in determining premiums or levies charged under the Act to the Government of Saskatchewan, take into consideration such claims as may be paid to participating students pursuant to this Agreement, in like fashion as if such students were employees of the Ministry of Advanced Education.
- (b) The WCB will assess no other premiums, levies, fees or charges against a host organization, a post-secondary institution, or the Ministry of Advanced Education with respect to this Agreement.

7. Term and Termination

This Agreement:

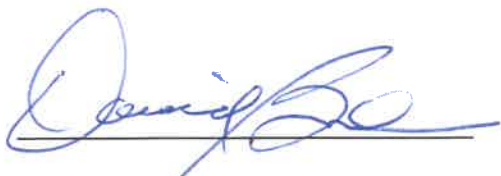
- (a) supersedes all prior Memoranda and/or Agreements between the WCB and the Ministry of Advanced Education or its predecessors;
- (b) will expire five (5) years from the date hereof; and,
- (c) before expiration may be terminated without cause by one year written notice given to either party by the other.

**THIS SPACE HAS BEEN LEFT BLANK INTENTIONALLY. THE FOLLOWING PAGE
IS THE SIGNATORY PAGE**

Execution

The WCB and the Ministry of Advanced Education agree to be bound by the terms and conditions of this Agreement effective the first (1st) day of July, 2021.

The Ministry of Advanced Education



Deputy Minister of
Advanced Education



Witness

The Workers' Compensation Board



Chief Executive Officer



Witness

Schedule "A"

Students registered with any of the following Saskatchewan post-secondary institutions, and who pursue a work-integrated learning assignment in Saskatchewan, are eligible for workers' compensation coverage pursuant to this Agreement.

University of Regina

University of Saskatchewan

Saskatchewan Polytechnic

Carlton Trail College

Cumberland College

Great Plains College

Lakeland College

Northlands College

North West College

Parkland College

Southeast College

Gabriel Dumont Institute, *including its subsidiaries: Dumont Technical Institute, Saskatchewan Urban Native Teacher Education Program and Gabriel Dumont College*

Saskatchewan Indian Institute of Technologies

Campion College

First Nations University of Canada

Luther College

St. Thomas More College

Briercrest College and Seminary

College of Emmanuel and St. Chad

Horizon College and Seminary

Lutheran Theological Seminary

St. Andrew's College

St. Peter's College

Schedule "B"

The Government of Saskatchewan holds several inter-provincial agreements in order to reserve seats for Saskatchewan students in out-of-province programs that are not currently offered in Saskatchewan.

Saskatchewan students occupying reserved seats as part of the inter-provincial agreements with the following programs are eligible for workers' compensation coverage pursuant to this Agreement while they are engaged in a work-integrated learning assignment in Saskatchewan.

- Magnetic Resonance Imaging, Northern Alberta Institute of Technology
- Diagnostic Medical Sonography, Southern Alberta Institute of Technology
- Nuclear Medicine Technology, Southern Alberta Institute of Technology
- Respiratory Therapy, Southern Alberta Institute of Technology
- Cardiovascular Perfusion, British Columbia Institute of Technology
- Electro-Neurophysiology, British Columbia Institute of Technology
- Orthotics and Prosthetics, British Columbia Institute of Technology
- Occupational Therapy, University of Alberta