



WORKPLACE SAFETY AND INSURANCE BOARD (WSIB) INSURANCE PLAN COVERAGE FOR FIREFIGHTER BURIALS AND OTHER SURVIVOR BENEFITS: RESOURCE PACKAGE

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Office of the Fire Marshal
Policy and Public Safety Programs Division
Ministry of Community Safety & Correctional Services

Produced in consultation with the WSIB

**WSIB Insurance Plan Coverage for Firefighter Burials & Other Survivor Benefits:
Resource Package**

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WSIB Insurance Plan Coverage for Firefighter Burials & Other Survivor Benefits: Resource Package

Introduction

This resource package is provided to the members of the Ontario fire service to assist them in understanding Workplace Safety and Insurance Board (WSIB) insurance plan coverage for funerals and other survivor benefits that may be available in the event of a firefighter death resulting from an injury in the course of his or her employment or from an occupational disease. The aim of the resource package is to consolidate relevant information, serve as an initial point of reference, outline the process for receiving available benefits and provide contact numbers in the event that more information is required.

The primary focus of this package is on the WSIB insurance plan benefits. Information on other survivor benefits available, e.g., the Constable Joe MacDonald Public Safety Officers' Survivor Scholarship Fund, is also included as reference material.

Topics covered in the resource package include:

- Workplace Safety and Insurance Board (WSIB);
- *Workplace Safety and Insurance Act, 1997 (WSIA)*;
- Who is covered under the WSIB insurance plan;
- Burial expenses covered under the WSIB plan;
- Reception expenses covered under the WSIB plan;
- Bereavement counselling for survivors;
- Procedures for requesting and receiving benefits;
- WSIB contact information;
- Useful Web sites and links;
- WSIB benefits for survivors;
- WSIB rates and amounts for 2006; and
- Contact information for the Office of the Fire Marshal and fire service associations.

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Workplace Safety and Insurance Board (WSIB) – An Introduction

The mission of the Ministry of Labour is to advance safe, fair and harmonious workplace practices that are essential to the social and economic well being of Ontarians. A range of specialized agencies, boards and commissions assist the ministry in its work. The Workplace Safety and Insurance Board (WSIB) is one such board.

The mandate of the WSIB is to oversee Ontario's workplace safety education and training system, provide disability benefits, monitor the quality of health care, and assist in an early and safe return to work. The WSIB Web site address is www.wsib.on.ca

The WSIB was first established in 1915 as the Workmen's Compensation Board under the *Workmen's Compensation Act*. The Ontario Legislature adopted the new system based on recommendations made by Sir William Meredith in 1914.

The WSIB is entirely financed by employer premiums. It does not receive funding from the Ontario Government.

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Workplace Safety and Insurance Act, 1997

Section 1 of the *Workplace Safety and Insurance Act, 1997* (WSIA) sets out as one of the purposes of the Act:

1. The purpose of this Act is to accomplish the following in a financially responsible and accountable manner:
 - ...
 - 4. To provide compensation and other benefits to workers and to the survivors of deceased workers.

Section 2 of the Act defines “worker”:

“worker” means a person who has entered into or is employed under a contract of service or apprenticeship and includes the following:

1. A learner
2. A student
3. An auxiliary member of a police force
4. A member of a volunteer ambulance brigade
5. A member of a municipal volunteer fire brigade whose membership has been approved by the chief of the fire department or by a person authorized to do so by the entity responsible for the brigade
6. A person summoned to assist in controlling or extinguishing a fire by an authority empowered to do so
7. A person who assists in a search and rescue operation at the request of and under the direction of a member of the Ontario Provincial Police
8. A person who assists in connection with an emergency that has been declared by the Lieutenant Governor in Council or the Premier under section 7.0.1 of the *Emergency Management and Civil Protection Act* or by the head of council of a municipality under section 4 of that Act
9. A person deemed to be a worker of an employer by a direction or order of the Board
10. A person deemed to be a worker under section 12
11. A pupil deemed to be a worker under the *Education Act*

Section 48 of the Act outlines WSIB death benefits. This section applies “when a worker’s death results from an injury for which the worker would otherwise have been entitled to benefits under the insurance plan”. The section applies to workers whose death resulted from a personal injury by accident that arose out of and in the course of his or her employment, or whose death resulted from an occupational disease that occurred due to the nature of one or more employments in which the worker was engaged.

Each year, benefits are indexed by an appropriate indexing factor, which is specified in the WSIA. In the case of survivor benefits, the Act states:

50. (1) On January 1 every year, an alternate indexing factor for the year shall be calculated. It is the amount of the percentage change in the Consumer Price Index for Canada for all items, for the 12-month period ending on October 31 of the previous year, as published by Statistics Canada. However, the indexing factor shall not be less than 0 per cent.

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- (2) The alternate indexing factor applies with respect to the calculation of payments,
- (a) to workers whose loss of earnings is 100 per cent;
 - (b) under section 48 to survivors; and
 - (c) to the other person referred to in subsection 48 (5) and to a parent or other person described in subsection 48 (20).

Please note that subsection 26.(2) of the WSIA states:

26. (1) ...

Benefits in lieu of rights of action

(2) Entitlement to benefits under the insurance plan is in lieu of all rights of action (statutory or otherwise) that a worker, a worker's survivor or a worker's spouse, child or dependant has or may have against the worker's employer or an executive officer of the employer for or by reason of an accident happening to the worker or an occupational disease contracted by the worker while in the employment of the employer.

The complete text of the WSIA is available at:

www.e-laws.gov.on.ca/DBLaws/Statutes/English/97w16_e.htm

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**Reporting an injury, occupational disease or death, and
requesting WSIB benefits**

Employers are required to report to the WSIB a work related accident / illness / death that results in the worker needing health care or not being able to earn full wages. To fulfill this obligation, the employer must complete WSIB Form 7, Employer's Report of Injury / Disease.

Form 7 and a reference guide to help fill out the form are available on the WSIB Web site at www.wsib.on.ca/wsib/wsibsite.nsf/public/FormsEmployers.

The employer must complete Form 7 within three days after learning of the accident / illness / death and must send a copy of the form to the WSIB within 7 days after learning of the accident / illness / death. Failure to complete the form and to meet these deadlines could result in penalties.

When the WSIB receives a Form 7 from an employer for a fatality, a WSIB staff member will automatically contact the surviving spouse and/or dependants. The WSIB will contact the surviving spouse and/or dependants as soon as it hears of a workplace fatality, even before receiving a Form 7 from the employer.

In the event of a traumatic workplace fatality, employers are encouraged to provide immediate verbal notice to the WSIB.

The completed Form 7 should be mailed to:

WSIB
200 Front Street West
Toronto ON M5V 3J1

or faxed to (416) 344-4684 or 1-888-313-7373 (toll free).

Once Form 7 has been completed and received by the WSIB, a WSIB adjudicator is assigned. In the case of a firefighter death, the adjudicator will work with both the family and the fire department to coordinate benefits available under the WSIB insurance plan. It is strongly recommended that survivors and the fire department communicate with the WSIB to discuss WSIB burial benefits before incurring any expenses in that regard.

Section 22 of the WSIA states:

22. (1) A worker shall file a claim as soon as possible after the accident that gives rise to the claim, but in no case shall he or she file a claim more than six months after the accident or, in the case of an occupational disease, after the worker learns that he or she suffers from the disease.

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(2) A survivor who is entitled to benefits as a result of the death of a worker shall file a claim as soon as possible after the worker's death, but in no case shall he or she file a claim more than six months after the worker's death.

(3) The Board may permit a claim to be filed after the six-month period expires if, in the opinion of the Board, it is just to do so.

To file a claim or ask questions, survivors can call the WSIB at (416) 344-1000 or 1-800-387-0750.

Firefighter Occupational Cancer Claims

WSIB Operational Policy 23-02-01, Brain Cancer and Lymphoid Leukemia Among Firefighters, states that a “worker who has been **a full-time urban firefighter** in Ontario and who has been medically confirmed to have a primary malignant brain cancer or to have lymphoid leukemia is entitled to compensation if the worker's disease is found to be, on a balance of probabilities, due to the nature of the worker's employment as a full-time urban firefighter.”

The WSIB considers that an employment of twenty years or longer of full-time firefighting involving on-call fire smoke exposure provides highly persuasive evidence that a worker's brain cancer is due to the nature of the worker's employment. Similarly, an employment of thirty years or longer of full-time firefighting involving on-call fire smoke exposure provides highly persuasive evidence that a worker's lymphoid leukemia is due to the nature of the worker's employment.

The operational policy does not apply to part-time firefighting exposure, or forest or wildland firefighting exposures.

Claims for other types of cancers from full-time urban firefighters and all other firefighters are adjudicated by the WSIB on a case-by-case basis, taking into consideration for each claimant the intensity, type, and duration of occupational exposures and the presence of non-occupational causes for the cancer.

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Burial Expenses

Subsection 48 (22) of the *Workplace Safety and Insurance Act, 1997* (WSIA) states:

(22) The Board shall determine and pay the necessary expenses of burial or cremation of the deceased worker, paying at least \$2,083.32. If, because of the circumstances of the case, the worker's body is transported a considerable distance for burial or cremation, the Board may also pay the necessary transportation costs.

WSIB Operational Policy 20-03-02, Burial Expenses, which is part of the WSIB Operational Policy Manual (OPM), adds the following information:

The WSIB also pays the actual travel cost when a worker's body must be transported a considerable distance from the place of death to the worker's usual place of residence, or to the residence of the worker's immediate family, for burial or cremation.

The WSIB Operational Policy Manual can be found at

www.wsib.on.ca/wsib/wopm.nsf/home/opmhome

Benefit	WSIA	Operational Policy	Legislated \$ Amount	Rate for 2005 - Minimum	Rate for 2006 - Minimum	Rate for 2006 - Maximum
Burial Expenses	Subsection 48 (22)	20-03-02	Minimum burial or cremation expenses = \$2083.32	\$2,454.93	\$2,518.76	All expenses reasonably connected to burial or cremation

The burial expense minimum is indexed annually according the alternate indexing factor (Consumer Price Index – CPI), which was 2.6% for 2006.

Amounts for previous years can be found in Operational Policy 18-01-02, Benefit Dollar Amounts – Accidents from 1998, and Operational Policy 18-01-03, Benefit Dollar Amounts – Accidents before 1998.

Facts and Figures 2006 and *2006 Table of Rates* are summaries of benefit amounts published by the WSIB. They can be found in Appendices B and C. *Facts and Figures 2006, 2006 Table of Rates* and benefit amount summaries for previous years can also be found on the WSIB Web site at www.wsib.on.ca/wsib/wsbsite.nsf/public/PolicyReports.

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Funeral Reception Expenses

Funeral expenses eligible for reimbursement under the WSIA are those associated with the transportation, preparation and disposition of a deceased worker's body for the purposes of burial or cremation.

In certain cases, however, it is possible that the WSIB will cover funeral reception expenses under WSIB Operational Policy 20-03-02, if the expense, i.e. the funeral reception costs, was "reasonably connected to burial or cremation."

The benchmark for determining what funeral reception costs are covered is based on what the average family would reasonably pay to hold a funeral reception. However, since WSIB insurance coverage for funeral reception costs is not explicitly stated in the WSIA or in the WSIB Operational Policy Manual, what would be covered or how much would be covered can only be determined on a case-by-case basis.

In the case of a firefighter death, the surviving spouse/family and the fire department are encouraged to consult with WSIB staff members to find out about WSIB insurance coverage for funeral reception expenses before incurring any expenses in that regard.

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Bereavement Counselling for Survivors

Subsection 48 (12) of the WSIA states:

(12) Upon request, the Board may pay for bereavement counselling for the spouse or the children of the worker. The request must be received within one year after the worker's death.

WSIB Operational Policy 20-02-02, Bereavement Counselling, provides further details about this benefit.

For deaths that occurred on or after March 1, 2000, the term "spouse" is meant to include both opposite sex and same-sex partners.

If entitlement to death benefits is not determined within one year of the worker's death, the spouse or children can request counselling within one year of the date when the claim was accepted.

If there is no spouse to request counselling for any surviving children, a parent who does not qualify as a spouse, or a person acting in the role of parent, may request counselling for them. Children may also request counselling themselves.

Bereavement counselling is intended to help the surviving spouse and/or children adjust to the worker's death, and to the resulting family and social situation.

The WSIB has two crisis intervention counsellors available for immediate counselling for spouses, dependants, other family members and fellow workers. The WSIB may provide bereavement counselling or, when necessary:

- determine appropriate counselling resources in consultation with the health care practitioner and the spouse;
- make the counselling referral, and ensure that the spouse and/or children are aware of and understand the purpose of the referral;
- obtain any waivers necessary for the release of information;
- monitor the spouse's and/or children's progress in counselling; and/or
- pay for the counselling services.

The WSIB may authorize bereavement counselling for up to 12 months, and must preauthorize any additional counselling.

The Workers' Compensation Act was in effect from April 1, 1985 and December 31, 1997, and was replaced by the WSIA, which came into effect on January 1, 1998. If the injury that resulted in the worker's death occurred on or before December 31, 1997 or if the disease that resulted in the worker's death was diagnosed on or before December 31, 1997, Operational Policy 20-02-02 still applies and the WSIB can pay for bereavement counselling for a spouse and/or children.

WSIB Survivor Benefits - Financial Payments

The WSIB provides financial benefits to help the surviving spouse and dependants when a family member dies as a result of work-related injury or disease. There are two kinds of payments surviving spouses may receive: lump sums and monthly benefits.

1. LUMP SUMS

Lump sum payment to spouses

Spouses of deceased workers are entitled to a one-time lump sum payment. For 2006, this benefit ranges from \$33,583.35 to \$100,750.06, depending on the age of the surviving spouse. The WSIB calculates payments using the case of a 40-year-old spouse as a baseline. A 40-year-old spouse receives the mid-range amount of \$67,166.74. Using the spouse's age at the time of the worker's death, the WSIB:

- adds \$1,679.62 for each year the spouse is under the age of 40; or
- subtracts \$1,679.62 for each year the spouse is over the age of 40.

Lump sum payment to dependent children when there is no spouse

Dependent children under 19 are entitled to a lump sum payment of \$65,464.66 shared equally among them. This age limit may be extended to 30 years, if a child is enrolled in school or training. Approved educational programs lead to a degree, diploma or certificate and include university, college, technical, or vocational programs. They can also include apprenticeship and distance education (correspondence) programs.

The WSIB may pay the lump sum benefit to someone it feels is acting in the child or children's best interest. This may be the surviving parent, a guardian, an attorney, the Public Guardian or Trustee or another person.

2. MONTHLY BENEFITS

The surviving spouse and dependants may also receive monthly payments. The WSIB adjusts these payments each year, on January 1, to reflect the change in the Consumer Price Index. The WSIB also considers any Canada Pension Plan or Quebec Pension Plan benefits paid when calculating the monthly benefit payment. This may alter the amount of the benefit payment.

Surviving spouse with no children

A surviving spouse with no children receives a monthly payment of 40% of the deceased worker's net average earnings. Add one per cent for each year the surviving spouse is over 40, up to a maximum of 60% of the net average earnings. Subtract one per cent of the base amount for each year the surviving spouse is under 40, to a minimum of 20 per cent of the net average earnings. Once the percentage is determined, it will not change as the spouse gets older.

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Surviving spouse with children under the age of 19

A surviving spouse with children under the age of 19 receives a monthly payment of 85% of the deceased worker's net average earnings at the time of death. This lasts until a child reaches the age of 19. The WSIB then reviews the benefit amount and may adjust it if:

- the 19-year-old child decides to continue his or her education; or
- there are other dependent children under the age of 19.

If a 19-year-old dependent child is in school or other acceptable training, he or she receives a monthly payment of 10% of the surviving spouse's monthly payment while he or she remains in school. This 10% is deducted from the surviving spouse's monthly payment. When the child is no longer entitled to the monthly payment, the 10% reverts back to the spouse's monthly payment if there is still one or more dependent children in the care and custody of the spouse.

After the youngest child reaches the age of 19, the WSIB will consider the surviving spouse to be a spouse with no dependent children and will recalculate the amount of the monthly payment accordingly.

Monthly payments to dependent children when there is no surviving spouse

If there is one dependent child under the age of 19 but no surviving spouse, the child receives a monthly payment equal to 30% of the worker's net average earnings. With more than one dependent child, the children as a group receive a base payment of 30% of the net average earnings, plus 10% for each additional child, up to a maximum of 85% of the net average earnings.

Monthly payments to child incapable of earning wages

A surviving dependent child who is physically or mentally incapable of earning wages will receive monthly payments until the child is able to earn wages or until he or she dies.

Other dependants, but no surviving spouse or children

The extent to which a person depended on the worker financially at the time of the worker's death is a factor in determining the benefits this person may receive. Maximum compensation is 50% of the deceased worker's net average earnings at the time of death. Other dependants must provide proof they were financially dependent on the deceased worker to obtain benefits. The WSIB pays compensation if, and only for as long as, the dependant would reasonably have expected support.

More than one spouse – how the benefits are split

When more than one person fits the definition of spouse, the lump sum payment and monthly payments are split between them. But, the total payout will not exceed the maximum set for that year. In 2006, the maximum lump sum amount is \$100,750.06.

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A separated spouse receives a lump sum payment and periodic (monthly) payments as a surviving spouse if:

- a) the separated spouse fits the definition of spouse; or
- b) immediately before the worker's death, the worker was required to make support payments by a separation agreement or court order; or
- c) even without a separation agreement or court order, there is proof that the spouse was dependent on the worker at the time of death.

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Surviving Child Enrolled in an Educational Program

A surviving child who is between the ages of 19 and 30, and who attends school, is entitled to compensation benefits if the WSIB considers it advisable for the child to continue in an educational program.

If the WSIB considers it advisable for this person to continue his or her studies, the child receives monthly payments equal to 10% of the worker's net average earnings at the time of death.

The child's educational program must be:

- an approved certificate program, which leads to a degree, diploma or certificate, and
- delivered by an approved educational institution that the child regularly attends.

Approved educational programs include university, college, technical, or vocational programs. They can also include apprenticeship and distance education (correspondence) programs.

WSIB Operational Policy 20-03-12, Child 19 Years or Older Continuing in Education, provides further details.

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Pregnant Spouse

If a worker's spouse is pregnant at the time of the worker's death, the unborn child is considered to be a dependant from the date of birth.

For deaths that occurred on or after March 1, 2000, the term "spouse" is meant to include same-sex partners.

Pregnant with no other children

If, at the time of the worker's death, a pregnant spouse has no other children, the spouse is entitled, until the child's birth, to

- a lump sum benefit, and
- the same ongoing periodic (monthly) payments as a spouse with no children

When the child is born, the spouse is entitled to the same ongoing periodic payments as a spouse with one or more children

Pregnant with other children

If, at the time of the worker's death, a pregnant spouse has other children, the spouse is entitled to

- a lump sum benefit, and
- the same ongoing periodic payments as a spouse with one or more children

WSIB Operational Policy 20-03-05, Pregnant Spouses or Same-sex Partners, provides further details.

Other WSIB Survivor Benefits

Crisis Intervention Counselling

Shortly after hearing of a sudden or traumatic workplace death, the WSIB sends a counsellor to see how they can help people during this difficult time. The counsellor contacts the surviving spouse, children and co-workers at the workplace to see if people need individual post-trauma support.

Labour Market Re-entry

If needed, the WSIB offers the surviving spouse help to return to the work force. To get this help, a Labour Market Re-entry (LMR) Assessment must be requested within one year of the worker's death. The WSIB will work with the spouse to determine when the assessment will occur. Based on the results of the assessment, the WSIB will see if the spouse needs an LMR plan.

The WSIB considers how the spouse is managing and if they are able to begin a labour market re-entry program. If the spouse is not ready, WSIB staff may wait until a more suitable time to offer this service.

WSIB Operational Policy 20-02-03, Labour Market Re-entry Assessments for Surviving Spouses or Same-sex Partners, and WSIB Operational Policy 20-02-03, Labour Market Re-entry Plans for Surviving Spouses or Same-sex Partners, provide further details.

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Benefit Reinstatement

When the WSIA came into effect on January 1, 1998, things changed for the better for widows and widowers who had married or remarried before April 1, 1985.

Section 109 of the WSIA states:

109. Any person whose benefits were terminated for reason of marriage or remarriage under subsection 36 (2) or 37 (1) of the *Workers' Compensation Act*, as it read on March 31, 1985, may apply to the Board for a reinstatement of benefits and the Board shall reinstate the benefits, as of April 1, 1985.

Widows, widowers and common-law spouses whose spouses died of workplace injury or disease in Ontario, and who remarried prior to April 1, 1985, may be entitled to reinstatement of survivors' benefits. Payable benefits are retroactive to April 1, 1985.

To have benefits reinstated, a person must provide the WSIB with specific information showing that he or she is eligible. If a spouse is deceased, benefits may be payable to the estate.

For further details, please contact the Manager, Occupational Disease and Survivor Benefits Program at:

Workplace Safety and Insurance Board,
200 Front Street West, 4th Floor
Toronto, Ontario
M5V 3J1

Telephone: (416) 344-2346
1-800-465-9846 (toll free)

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**Constable Joe MacDonald Public Safety Officers' Survivor
Scholarship Fund**

The Constable Joe MacDonald Public Safety Officers' Survivor Scholarship Fund was created to provide scholarships for spouses and children of public safety officers killed in the line of duty. The fund is named after Constable Joseph MacDonald of the Sudbury Police Service who was shot in the line of duty in 1993.

For the purpose of the scholarship, a public safety officer is defined as:

- all municipal, provincial or First Nations police officers as defined in the *Police Services Act*;
- all firefighters, including both professionals and volunteers; and
- all correctional officers, probation officers and youth workers, whether employed by a ministry of the Government of Ontario or by a person or organization contracted to deliver such services.

The following persons may apply for the scholarship:

- Any surviving spouse of a public safety officer who was killed in the line of duty; or
- Any child of a public safety officer killed in the line of duty, born within or outside marriage, including an adopted child, who is under the age of 25 at the time of application. Depending on the circumstances, a first time applicant over the age of 25 may be considered.

Additional information about the scholarship and the application form can be found on the Office of the Fire Marshal Web site at:

www.ofm.gov.on.ca/english/Publications/Communiques/2005/2005-10.asp

Anyone who meets the eligibility criteria for this scholarship should submit their application with supporting documents to:

Manager, Program Development Section
Policing Services Division
Ministry of Community Safety and Correctional Services
25 Grosvenor Street, 12th floor
Toronto ON M7A 2H3

An advisory committee reviews all eligible applications and makes recommendations to the Ministry of Community Safety and Correctional Services. Following approval and after having received original receipts, the ministry issues a cheque to cover the cost of tuition, textbooks, accommodation and living expenses.

For further information, please contact Police Support Services, Ministry of Community Safety and Correctional Services at (416) 314-6710.

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Support Provided by the Municipality

Depending on local collective agreements, surviving spouses and dependent children may be entitled to survivor benefits from the municipality in the event of a firefighter death.

In the event of a death, the surviving spouse and/or dependent children may wish to contact the human resources department of the municipality to find out about available survivor benefits.

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Appendix A

WSIB Contact Information

Workplace Safety and Insurance Board
200 Front Street West
Toronto, Ontario
M5V 3J1

Telephone: (416) 344-1000
1-800-387-5540 (toll free)
1-800-387-0750 (toll free in Ontario)
1-800-387-0050 (TTY)

Fax: (416) 344-4684
1-888-313-7373 (toll free)

Web site: www.wsib.on.ca

Industry contact for employers of 20 or more workers:

Municipal – Lillian Embersic
Business Assistant
Telephone: (416) 344-6409
1-800-387-0080
Fax: (416) 344-4684
E-mail: lillian_embersic@wsib.on.ca

Enquiries regarding WSIB policies should be directed to:

Benefits Policy

Telephone: (416) 344-4330
1-800-387-5540, ext. 4330 (toll free)
E-mail: bpb@wsib.on.ca

Medical and Occupational Disease Policy (MODP)

Telephone: (416) 344-4365
1-800-387-5540, ext 4365 (toll free)
E-mail: modpb@wsib.on.ca

Please note that staff members of these policy branches are not decision makers and do not have access to worker claim files or employer account information. For questions specific to claim files, please contact the claims adjudicator. For questions relating to an employer's account, contact the account manager.

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Appendix B

WSIB Facts and Figures 2006

Each year, benefits are indexed by the appropriate indexing factor. For 2006:

- the general indexing factor (Modified Friedland or MF) is 0.3%, and
- the alternate-indexing factor (Consumer Price Index or CPI) is 2.6%.

In the first two columns, you will find the section of the WSIA and the legislated dollar amount under that section. In the third, you will find the indexed amount for 2006. For more information about indexing, please refer to 18-01-02, Benefit Dollar Amounts - Accidents from 1998, and 18-01-03, Benefit Dollar Amounts - Accidents before 1998, in the *Operational Policy* manual.

Section	Legislated dollar amount	2006 \$ amount
43(2)	The minimum annual amount for full loss of earnings (LOE) is the lesser of <ul style="list-style-type: none"> ▪ \$15,312.51, or ▪ the worker's net average earnings (NAE) before injury. 	\$15,575.04
45(6)	Retirement pension: Benefit paid as a lump sum if it is less than \$1,145.63/year.	\$1165.24
46	Non-economic Loss (NEL) benefit: Base amount = \$51,535.57 Age Factor: Plus/minus \$1,145.63 for each year worker is under / over age 45 Maximum amount multiplied by percentage of impairment = \$74,439.52 Minimum amount multiplied by percentage of impairment = \$28,631.22	\$52,417.15 \$1,165.24 \$75,713.20 \$29,121.10
	The benefit is paid as a lump sum if it is \$11,452.07 or less.	\$11,648.02
48(2)	Lump sum to surviving spouse: Base amount = \$55,555.55 Age factor: Plus/minus \$1,388.88 for each year spouse is under / over age 40 Maximum lump sum = \$83,333.30 Minimum lump sum = \$27,777.76	\$67,166.74 \$1,679.17 \$100,750.06 \$33,583.35
48(4)	The minimum compensation amount payable for spouse and children = \$15,312.51/year	\$19,069.44
48(8)	If more than one person is entitled to receive periodic and lump sum payments as a spouse <ul style="list-style-type: none"> ▪ the total periodic payment does not exceed 85% of worker's NAE at the time of injury, and ▪ the total lump sum payment is limited to \$83,333.30 	\$100,750.66
48(13)	Aggregate lump sum payment for children when there is no surviving spouse = \$55,555.55	\$67,166.74
48(22)	Minimum burial or cremation expenses = \$2083.32	\$2,518.76
54	Maximum earnings ceiling: 175% of the average industrial wage for Ontario for the year 2006 (in which the accident takes place)	\$69,400.00

**WSIB Insurance Plan Coverage for Firefighter Burials & Other Survivor Benefits:
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Section	Legislated dollar amount	2006 \$ amount
Pre-1998 WCA		
39(1)	The minimum temporary total disability benefit to a worker is <ul style="list-style-type: none"> ▪ \$10,500 / year when the NAE are equal to or more than \$10,500, or ▪ the actual NAE if earnings are less than \$10,500 / year 	\$15,575.04
50(3)	Maximum clothing allowance: <ul style="list-style-type: none"> - upper limb prosthesis = \$184 - lower limb prosthesis / back brace / leg brace = \$368 	\$255.56 \$511.12
147(14)	Additional monthly payment of up to \$200 for workers in receipt of permanent partial disability benefits	\$211.85

**WSIB Insurance Plan Coverage for Firefighter Burials & Other Survivor Benefits:
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Appendix C

WSIB 2006 - Table of Rates

Every year, the WSIB reviews and sets the following rates after conducting an external survey of costs for each specific rate. The only exception is the minimum burial rate. This rate is indexed annually according to the alternate-indexing factor, the Consumer Price Index (CPI).

The rates apply as of January 1, 2006.

For more information on the rates, please refer to the policy documents referenced in the table.

Benefit	Last year's rate	Rate in 2006	OP Document
Independent Living Allowance	\$3,250.65 / year	\$ 3,335.13 / year	17-06-02
Personal Care Allowance			
General Attendant Rate*	\$7.45/hr	\$7.75/hr*	
Personal Attendant Rate	\$10.95/hr	\$11.23/hr	17-06-05
Skilled Attendant Rate	\$17.52/hr	\$17.98/hr	
Bookkeeping Fee	\$720.00 annually	\$720.00 annually	
* set at minimum wage			
Clothing Allowance	min. damage \$255.56 max. maj. damage \$511.12 max.	min. damage \$255.56 max. maj. damage \$511.12 max.	17-07-03
Escorts	\$59.60/day	\$62.00/day	17-01-08
Burial Expenses	\$2,454.93 minimum	\$2,518.76 minimum	
	Maximum – All expenses reasonably connected to burial or cremation	Maximum – All expenses reasonably connected to burial or cremation	20-03-02
Guide and Support Dog Allowance	\$880.55 annually	\$903.44 annually	17-06-04
Meal Allowance			
Breakfast	\$10.00	\$10.00	
Lunch	\$13.00	\$15.00	17-01-09
Dinner	\$22.00	\$22.00	
Hotels (as accommodation)	Rates negotiated with various hotels	Rates negotiated with various hotels	17-01-09
Transportation	\$0.34/km	\$0.37/km	17-01-09
Witness Fees (hearings)			
Attendance	\$50.00	\$50.00	
Professional	Full day \$600.00 Half day \$300.00	Full day \$600.00 Half day \$300.00	24-01-01
Non-professional	Full day up to \$110.96 Half day up to \$55.48	Full day up to \$110.96 Half day up to \$55.48	

**WSIB Insurance Plan Coverage for Firefighter Burials & Other Survivor Benefits:
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Appendix D

Useful Web Sites and Links

WSIB Links

WSIB Home Page

www.wsib.on.ca/wsib/wsibsite.nsf/public/Home_e

WSIB Fact Sheets

www.wsib.on.ca/wsib/wsibsite.nsf/public/FactSheets

WSIB Operational Policy Manual

www.wsib.on.ca/wsib/wopm.nsf/home/opmhome

WSIB Employer Classification Manual

www.wsib.on.ca/wsib/wecm.nsf/home/ecmhome

Detailed WSIB Survivors Benefits Guide

www.wsib.on.ca/wsib/wsibsite.nsf/public/ODSBP

WSIB Contact Information

www.wsib.on.ca/wsib/wsibsite.nsf/public/Contact

Other Links

Workplace Safety and Insurance Act, 1997

www.e-laws.gov.on.ca/DBLaws/Statutes/English/97w16_e.htm

Ontario Ministry of Labour

www.labour.gov.on.ca

Ontario Professional Fire Fighters Association

www.opffa.org

Ontario Association of Fire Chiefs

www.oafc.on.ca

Fire Fighters Association of Ontario

www.ffao.on.ca

Office of the Fire Marshal

www.ofm.gov.on.ca

**WSIB Insurance Plan Coverage for Firefighter Burials & Other Survivor Benefits:
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Appendix E

Fire Service & Firefighter Associations

Some fire service and firefighter associations in Ontario may provide assistance with submitting WSIB benefit claims and with making funeral arrangements and covering some of the cost. Fire departments and surviving family members may wish to contact the associations listed below to enquire about the type of assistance available.

Ontario Professional Fire Fighters Association

292 Plains Road East
Burlington, Ontario
L7T 2C6

Telephone: (905) 681-7111
Fax: (905) 681-1489
Web site: www.opffa.org

Fire Fighters Association of Ontario

John Scheeringa
6 Eagle Drive
Elmira, Ontario
N3B 3J1

Telephone: (519) 669-8768 (home)
(519) 575-2627 (cell)
E-mail: efd119@rogers.com
Web site: www.ffao.on.ca

Ontario Association of Fire Chiefs

335 Bayly Street West, Suite 206
Ajax, Ontario
L1S 6M2

Telephone: 1-800-774-6651 (toll free)
Fax: 1-905-426-3032
E-mail: administration@oafc.on.ca
Web site: www.oafc.on.ca

Canadian Fallen Firefighters Foundation

133 Walnut Court
Ottawa, Ontario
K1R 7W2

Telephone: Dr. Will Brooks, President
(613) 569-8297
(613) 282-0161
Fax: (613) 569-8544
E-mail: cfff@sympatico.ca

Appendix F

Firefighter Memorials

Ontario Fallen Firefighters Memorial

The Ontario Fallen Firefighters Memorial was dedicated on June 5, 2005 at Queen's Park in Toronto. The memorial commemorates fallen firefighters who sacrificed their lives while protecting the lives and property of the residents in their communities, as well as the environment in our province.

When a firefighter dies while on duty, the memorial foundation should be notified so that the firefighter's name can be engraved on the memorial.

The Ontario Association of Fire Chiefs, the Ontario Professional Fire Fighters Association and the Fire Fighters Association of Ontario each have a representative as a member of the memorial foundation. To submit a name for inclusion on the memorial, please contact one of these associations to speak to their memorial foundation representative. See Appendix E for contact information.

Canadian Fallen Firefighters Foundation

The Canadian Fallen Firefighters Foundation has as one of its goals to build a firefighter memorial in Ottawa. The Foundation maintains a list of names of firefighters who have died in the line of duty. Instructions on how to submit a name to the Foundation can be found at www.cfff.ca/fallen/submit-name_e.php.