



Retroactive payments

I have requested a review of my wage loss due to an increase resulting from the ratification of my collective agreement. How long will it take to address my request?

Unfortunately, we cannot provide an estimate for the wait time. Each individual's situation is unique, so the time needed to review, recalculate, and process a retroactive wage loss adjustment can vary significantly.

How are reviews being prioritized?

Active in-pay claims will have the current benefit rate adjusted so that ongoing payments are made at the adjusted rate. The recalculation of the wage loss benefits already paid to you will be completed based on the priority assigned, as follows:

- Claims that were under 12 weeks in duration will be first priority.
- Claims that are 12 weeks or greater in duration will undergo a review for the opportunity to issue an interim adjustment/advance.

Because wage loss recalculations for some of these longer claims can be particularly complex, the WCB will conduct a preliminary review of them for an opportunity to issue an interim adjustment or advance prior to final calculations being made.

Workers with multiple claims under review will be addressed based on the longest duration of their claims.

Why does it take so long to recalculate my wage loss payments?

The recent ratification of many collective agreements has impacted a significant number of workers receiving wage loss benefits. The recalculation process can be complex and the WCB's systems differ from your employer's payroll systems. Various factors must be considered, such as the 90% net sheltered rate and partial wage loss for those in a return to work plan.

To expedite the processing of these requests, we have added additional resources.

How does being in a return to work plan impact my adjustment?

If the ratified collective bargaining agreement (CBA) takes effect before your injury date, retroactive increases will be applied to your pre-accident earnings to establish a new weekly benefit rate.

Suppose you returned to work with your employer during your claim and received post-accident earnings (and consequently partial wage loss benefits from the WCB). In that case, these wage increases will also be applied to your post-accident earnings. This includes any



increases in your hourly rate, shift and overtime premiums, bonuses, etc., that were retroactively applied.

This means that if you received post-accident earnings for all or part of your claim, you may not be owed any additional benefits and could, in fact, be overpaid. The outcome will depend on how much you worked and earned during your return to work plan.

What if I was injured before the effective date of the ratified CBA?

If your injury occurred before the CBA went into effect, and you have been in receipt of full wage loss benefits since your accident, or were in receipt of full wage loss benefits after your accident until you returned to work, the retroactive wage increase you received under the WCB should not impact your wage loss benefits. This is because the increase in wages would typically does not apply to your earnings prior to the accident.

However, if you were part of a return to work plan and had post-accident earnings after the CBA became effective, the retroactive provisions of the CBA would apply to those post-accident earnings. This may lead to an overpayment situation, because your post-accident income may increase relative to your pre-accident income.

I'm still receiving wage loss benefits. Do I have to wait until my wage loss review is complete for my weekly benefit rate to change?

No. Once you advise the WCB of your retroactive wage increase, your weekly benefit rate will be adjusted to include your retroactive wage increase. However, the recalculation of the wage loss benefits already paid to you will be completed based on the priority assigned.

Who do I contact for more information?

If you have questions regarding your retroactive payments, please call the Claims Service Centre at (204) 954-4321 or toll-free at 1-855-954-4321, ext. 4505. You can also write to us via email at wcb@wcb.mb.ca.

This publication is provided for general information. It is not intended to be legal advice, and should not be relied on as such. For more specific information, see *The Workers Compensation Act and Regulations and WCB Policies*. These documents are available on the WCB website at wcb.mb.ca.