

Students 9800 Reporting Accidents for Students in a Non-Paid Work Based Assignment	Administrative Application	
	Last Reviewed /Approved on:	December 10, 2019
	References:	The Workers' Compensation Act, 2013 Ministry of Education and Workers' Compensation Board: Memorandum of Understanding (Dec, 2012) Work-Based Learning Consent and Agreement Form Student Incident Report Form (Marsh Insurance) Saskatchewan Education Curriculum website Policy 12 – Role of the Director
Status:	Operational	

Preamble

Work-based learning is a school program whereby students practice theory and skills learned in school by working with a local employer.

Students participating in the program are covered under the provincial workers' compensation system during the time spent in the work-based learning component of their course.

Workers' compensation is a collective liability no-fault protection plan for workers. Students are entitled to the benefits that are available to workers who are normally covered by *The Workers' Compensation Act, 2013*.

The Workers' Compensation Board (Board) and the Ministry of Education (Minister) entered into a Memorandum of Understanding (Memorandum) and passed a policy to extend the foregoing workers' compensation benefits to eligible students while in work-based learning portions of their program. If the required consent form (Work-Based Learning Consent and Agreement) has been signed and completed by the student and his or her parent/guardian as required, the student is eligible for workers' compensation and is subject to the legal rights, benefits, obligations and restrictions when placed with an employer, The Minister pays the required workers' compensation premiums to the Board.

The Workers Compensation Act, 2013 provides that neither the worker, in this case the student, or the worker's dependents may sue any employer for injuries or death which arise out of and in the course of the placement.

The Act, the Memorandum, and the Board policy more particularly detail the rights and obligations of pupils and may be obtained by phoning the Coordinator at the Ministry of Advanced Education (in Regina at 306-787-5748).

Types of Situations that may occur:

1. Injury to student – WCB
2. Injury caused by the student to another worker – WCB and possibly School Insurance
3. Accident that include property damage – School Insurance

Application

It is the responsibility of the Teacher to ensure the Placement Employer has a copy of this procedure.

If any of these events should occur, Regina Catholic School Divisions' procedure is as follows:

Type # 1 – Injury to Student

- Employer to ensure first aid or medical treatment is provided to injured party(ies)
- Student and/or Employer to report to the Teacher responsible for the Student
- Teacher notifies parent or guardian
- Teacher notifies the School Administrator
- Employer completes within three (3) days of learning of the incident an Employer's Initial Report of Injury (E1) for the Ministry.
- The Teacher ensures that the Student completes a Worker's Initial Report of Injury (W1) and if not already done, the Work-Based Learning Consent and Agreement form
- The E1, W1 and Work-Based Learning Consent and Agreement form must be sent to Coordinator, Practical and Applied Arts, Ministry of Education.
- School Administrator to notify Superintendent and Practical and Applied Arts (PAA) Consultant
- Superintendent and PAA Consultant to notify Communications Officer (to handle possible media) and Human Resource Manager (to monitor WCB Injury and Cost Statements to ensure RCSD is not charged for injury)

The facts of the injury should be acquired in the first 24 hours of first becoming aware of the incident and the reports completed and to the Ministry within the following three (3) days.

Forms:

Work-Based Learning Consent and Agreement Form

- <https://publications.saskatchewan.ca/#/products/86877>
- Form E1 - <http://www.wcbsask.com/wp-content/uploads/2013/11/E1-EmpFrm.pdf>
- Form W1 - <http://www.wcbsask.com/wp-content/uploads/2013/11/W1-WrkFrm.pdf>

Type #2 – Injury caused by Student to another worker

- Employer to ensure first aid or medical treatment is provided to injured party(ies)
- Employer reports injury to their worker to the WCB
- Employer and Student each report the circumstances of the incident to Teacher responsible for the Student
- Teacher completes the School Incident Report Form for Insurance Purposes (Marsh Insurance Form) and submits to Superintendent of Business and Finance.

This reporting should occur within 24 hours of first becoming aware of the incident and forms should be submitted to the Business and Finance Superintendent as soon as possible.

Forms:

- [School Incident Report Form](#) for Insurance Purposes (staff access only)

Type # 3 – Accident that includes property damage

- Student and/or Employer to report accident and damage to Teacher responsible for Student
- Teacher notifies parent or guardian of damage and estimated costs
- Teacher notifies the School Administrator
- School Administrator to notify Superintendent and Practical and Applied Arts (PAA) Consultant
- PAA Consultant to notify Communications and Media Coordinator
- Teacher to complete the School Incident Report Form for Insurance Purposes (Marsh Insurance Form) and submits to Superintendent of Business and Finance.

This reporting should be done as soon as practical depending on extent of damage and outside agencies that may be involved (i.e. fire department; police; OH&S Officers)

Forms:

- [School Incident Report Form](#) for Insurance Purposes (staff access only)

If you have any questions or require further information, please contact Superintendent of Education Services, Regina Catholic School Division.