

POLICY NUMBER: POL-05

Chapter:
CLAIMS

Subject:
LEGAL COSTS

Effective Date:
November 18, 1993

Last Update:
July 30, 2021

PURPOSE STATEMENT:

The purpose of this policy is to outline the responsibility for workers' legal costs and to describe the costs included in a statement of claim against a third party.

REFERENCE:

Workers Compensation Act R.S.P.E.I.1988, Cap. W-7.1, Section 11(6)

DEFINITION:

POLICY:

1. The Workers Compensation Board (WCB) will not pay legal costs incurred by workers in any matter before the WCB.
 2. When a worker brings an action against a party other than an employer for a work-related accident, the statement of claim for damages is to include the cost of health care benefits, administrative services and legal costs incurred in the action.
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HISTORY:

July 30, 2021 – Non-substantive edits to terminology.

April 12, 2017 - Non-substantive changes. Reviewed by Director and Chief Executive Officer; no other revisions required.

September 7, 2012 - The policy was reviewed as a result of the 60 month policy review process. No substantive changes were made to the policy during this review.

May 31, 2007 - The policy was reviewed as a result of the 60 month policy review process. No changes were made to the policy during this review.

January 24, 2002 - Replaces Policy and Practice “Legal Costs” dated November 18, 1993.

Board of Directors Approval Date: November 18, 1993