



## Cost relief for reactions to compulsory COVID-19 vaccinations (Policy 05-02, Part II, Application 2)

### Background

The widespread impact of COVID-19 has caused unprecedented challenges for employers. WCB Alberta introduced one of the most comprehensive cost relief packages in the country in 2020 to support employers during this difficult time. Now that many employers are implementing compulsory COVID-19 vaccination policies, we propose an additional policy change to extend our COVID-19 support to employers when their employees have a reaction to a compulsory vaccination.

Workers have always had coverage for compulsory vaccine reactions. Currently, under Policy 03-01, Part II, Application 3, Question 4, when immunization is required for the prevention of a work-related disease or infection and because of a reaction to this **compulsory immunization** a worker experiences a **loss of earnings**, WCB will consider the reaction and its consequences to be **compensable**. To provide support to employers with compulsory COVID-19 vaccination policies, we recommend claims costs for these cases be moved off an employer's individual experience record and shared collectively by the industry.

### What we propose

We propose adding a provision for cost relief for reactions to compulsory COVID-19 vaccinations under Policy 05-02, Part II, Application 2. Under this policy revision, cost relief will only be available when the following criteria is met:

- the worker has a **compensable claim** under Policy 03-01, Part II, Application 3 (compulsory immunization with loss of earnings), and
- the vaccine is for the prevention of **COVID-19**

The policy revision would be effective the date the initial cost relief package for COVID-19 claims was released (October 2020).

See attached draft Policy 05-02, Part II, Application 2.

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**We welcome your feedback, ideas and suggestions.**

This posting will be open until March 28, 2022.

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**COST RELIEF**

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**BoD Resolution 2018/02/18**

**April 17, 2018**

**APPLICATION 2: OCCUPATIONAL DISEASE**

**1. *How is cost relief applied to hearing loss claims?***

WCB provides cost relief if the noise induced hearing loss develops gradually and the total cost is attributable to:

- employment with two or more Alberta employers. WCB will determine the degree of exposure and prorate the costs of the claim among the rate groups to which the various employers belong, or
- factors such as enhancement or occupational exposure in the employ of a non-Alberta employer. The costs resulting from these factors will be removed from the accident employer and the rate groups.

When the factor relates to occupational exposure in the employ of a non-Alberta employer, WCB will then, if possible, seek reimbursement for the prorated costs from the applicable WCB.

WCB, however, does not relieve costs from a claim for traumatic hearing loss or if the noise induced hearing loss results solely from employment with a single Alberta employer. The total cost of the claim is charged to the accident employer's experience account.

**2. *When does WCB manually distribute the costs of a noise induced hearing loss claim?***

Noise induced hearing loss claims charged to direct deposit accounts must be distributed manually when:

- the accident date is prior to January 1, 1984, **and**
- the deposit account has contributed 20% or greater to the overall disability.

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**3. *When does an employer receive cost relief on a respiratory disease claim?***

WCB will provide cost relief when the total cost for a respiratory disease claim includes factors such as:

- non-occupational exposure,
- exposure in an industry not under the *WCA*,
- exposure in the employ of a non-Alberta employer,
- enhancement of non-compensable heart disease, or
- any other factors as determined by WCB.

When the occupational portion of a respiratory disease, other than asbestosis, is not solely attributable to the date of accident employment, WCB will determine the degree of exposure in each source of employment. The prorated costs are distributed among the industries to which the various Alberta employers belong.

**4. *Does cost relief apply to asbestosis claims?***

For asbestosis claims with accident dates prior to January 1, 1976, WCB judges each case on its own merits.

Costs from asbestosis claims with accident dates on or after January 1, 1976, are removed from the accident employer's experience account. Those costs are charged to the accident employer's industry.

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**5. *What is the provision for cost relief on cardiac claims?***

Cost relief applies only if the claim for cardiac condition is accepted:

- as an aggravation of a pre-existing cardio respiratory condition, or
- on the basis of a presumptive causal relationship (see Policy 03-01, *Injuries*).

For accidents on or after September 1, 2018, WCB will relieve claim costs exceeding eight times the worker’s weekly compensation rate. The dollar value will not be the same for all workers as the amount is dependent on the worker’s individual earnings.

For accidents on or before August 31, 2018, WCB will relieve claim costs exceeding the dollar value of eight times the weekly maximum compensation rate [based on maximum compensable earnings under s.56(4) of the former *WCA*] in effect at the date of accident. The dollar value is the same for all workers, regardless of the worker's individual earnings (see Addendum A at the end of the policy for the dollar value).

**6. *When does an employer receive cost relief on a reaction to a compulsory COVID-19 immunization claim?***

**WCB may provide cost relief if the reaction to a compulsory COVID-19 immunization is compensable under Policy 03-01, Part II, Application 3.**

**76. *How is cost relief applied to other occupational disease claims?***

Depending on the nature of the disease, each case is judged on its own merits. Cost relief may be considered using the principles described in Questions 1 and 3 above.

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**87** *When is this policy application effective?*

This policy application (Application 2 – Occupational Disease) is effective **September 1, 2018**, except when noted otherwise in a specific policy section(s).

**Previous versions**

- [Policy 0502 Part II - April 2018](#)
- [Policy 0502 Part II - August 2015](#)
- [Policy 0502 Part II - January 2007](#)
- [Policy 0502 Part II - January 2004](#)
- [Policy 0502 Part II - January 2002](#)
- [Policy 0502 Part II - June 1999](#)
- [Policy 0502 Part II - June 1998](#)
- [Policy 0502 Part II \(consolidated manual 1st Issue\) - February 1997](#)