



Province of Alberta

WORKERS' COMPENSATION ACT

**WORKERS' COMPENSATION  
REGULATION**

**Alberta Regulation 325/2002**

Current as of January 1, 2016

Office Consolidation

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### **Note**

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(Consolidated up to SA 2015 c19 s9)

**ALBERTA REGULATION 325/2002**

**Workers' Compensation Act**

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Schedules

**Definitions**

**1(1)** In this Regulation, "Act" means the *Workers' Compensation Act*.

**(2)** For the purposes of the Act and this Regulation, "net earnings" of a worker means the worker's annual gross earnings to the nearest \$100 less the total of

- (a) Employment Insurance contributions for those earnings,
- (b) Canada Pension Plan contributions for those earnings, and
- (c) probable amount of income tax deducted or withheld for those earnings,

based on tables produced by the Government of Canada for the immediately preceding calendar year.

**(3)** For the purposes of subsection (2)(c), the amount deducted or withheld is to be based only on the following tax credits:

- (a) tax credits equal to
  - (i) 1.5 times the basic personal amount in the case of an accident occurring before March 31, 2003, and
  - (ii) 1.0 times the basic personal amount in the case of an accident occurring on or after April 1, 2003;
- (b) tax credits for premiums paid under the *Employment Insurance Act* (Canada) and the *Canada Pension Plan* (Canada).

AR 325/2002 s1;90/2003

**Exempted industries**

**2** Employers and workers in the industries listed in Schedule A are exempt from the application of the Act except where the industry in Schedule A in which they are engaged is

- (a) carried on as part of an industry to which the Act applies, or
- (b) included under the Act by order of the Board or on an application approved by the Board.

AR 325/2002 s2;348/2009

**Other exemptions**

**3(1)** The Act does not apply to

- (a) teachers employed by

- (i) a board within the meaning of the *School Act*,
  - (ii) a private school registered under the *School Act*,
  - (ii.1) a charter school established pursuant to the *School Act*, or
  - (iii) a college that is not established pursuant to the *Post-secondary Learning Act*,  
  
except while they are teaching courses in industrial education or home economics or performing duties related to the teaching of courses in industrial education or home economics,
- (b) principals and other administration staff employed by
- (i) a board within the meaning of the *School Act*,
  - (ii) a private school registered under the *School Act*,
  - (ii.1) a charter school established pursuant to the *School Act*, or
  - (iii) a college that is not established pursuant to the *Post-secondary Learning Act*,  
  
while they are engaged in teaching courses other than courses in industrial education or home economics,
- (c) workers while they are participating in competitive sports in the course of their employment, unless
- (i) the activity is consistent with the worker's regular employment duties, and
  - (ii) the worker's participation was expressly pre-authorized by the employer,
- or
- (d) persons in an industry listed in Schedule D
- (i) to whom no wages, as defined in the *Employment Standards Code*, are paid for the performance of farming or ranching work, or
  - (ii) to whom wages, as defined in the *Employment Standards Code*, are paid for the performance of farming or ranching work and who are

- (A) shareholders of a corporation engaged in a farming or ranching operation of which all shareholders are family members of the same family;
- (B) family members of a shareholder of a corporation engaged in a farming or ranching operation of which all shareholders are family members of the same family;
- (C) family members of a sole proprietor engaged in a farming or ranching operation;
- (D) family members of a partner in a partnership engaged in a farming or ranching operation where all partners are family members of the same family.

**(2)** The Board may approve, on terms it directs, an application from an employer to have the Act apply to persons in its employ who are excluded by subsection subsection (1)(a), (b) or (d).

**(3)** The Board may at any time revoke an approval given under this section and, on the revocation, the persons referred to in the revocation cease to be workers to whom this Act applies as of the effective date of the revocation.

**(4)** In this section, "family member", in relation to a shareholder, sole proprietor or partner, means

- (a) the spouse or adult interdependent partner of the shareholder, sole proprietor or partner, or
- (b) whether by blood, marriage or adoption or by virtue of an adult interdependent relationship, a child, parent, grandparent, sibling, aunt, uncle, niece, nephew or first cousin of the shareholder, sole proprietor or partner or of the shareholder's, sole proprietor's or partner's spouse or adult interdependent partner, and includes any other person prescribed to be a family member.

AR 325/2002 s3;348/2009;SA 2015 c19 s9

#### **Application to Schedule A industries**

**4(1)** The Board may approve, on the terms it directs, an application from a proprietor, partnership, corporation or other employer whose industry is listed as exempt in Schedule A to have the Act apply to its industry.

(2) The inclusion of any industry under subsection (1) continues in effect until the Board on application or on its own motion rescinds it.

**Application to employer, proprietor, partner, director**

**5(1)** The Board may approve, on the terms it directs, an application to have the Act apply to an employer, a proprietor, a partner in a partnership or a director of a corporation.

(2) An application under subsection (1) must include

- (a) the name of the person for whom coverage is desired,
- (b) the industry in which coverage is desired,
- (c) the amount of coverage purchased, being either
  - (i) a stated sum for each person in an amount not exceeding the current gross annual earnings set out in section 56(4) of the Act and not less than the current yearly equivalent of gross earnings required to entitle a worker to compensation for permanent total disability as set out in section 56(7) of the Act, or
  - (ii) an amount deemed by the Board to be representative of the applicant's gross annual earnings based on the Board's determination of the annual gross earnings of similarly employed workers (in this section referred to as the "guaranteed coverage amount"),

and

- (d) any other information the Board directs.

(3) Where an application under subsection (1) is approved by the Board, an assessment must be levied on the amount of coverage purchased.

(4) Where an application under subsection (1) is approved and the worker has purchased coverage at the guaranteed coverage amount or a lesser stated sum, compensation must be based on the amount of coverage purchased.

(5) Where an application under subsection (1) is approved and the worker has purchased coverage at a stated sum greater than the guaranteed coverage amount, compensation must be based on the greater of

- (a) the guaranteed coverage amount, and

- (b) the actual earnings of that worker as determined by the Board, to a maximum of the stated sum.

**Application to municipal councillors, school trustees**

**6(1)** The Act does not apply to the members of a council of a municipality under the *Municipal Government Act* unless the council applies by resolution to the Board to have the Act apply to members of the council and, on the approval of any such application by the Board, the members of the council are deemed to be workers of the municipality concerned, while actually engaged in the business of the municipality, and the municipality is deemed to be their employer.

**(2)** The Act does not apply to school trustees unless a school division or school district applies by resolution to the Board to have the Act apply to its school trustees and, on the approval of any such application by the Board, the trustees are deemed to be workers of the school division or school district while actually engaged in the conduct of its business, and the school division or school district is deemed to be their employer.

**(3)** The Board may at any time revoke an approval given under this section and, on the revocation, the person referred to in the revocation ceases to be a worker to whom this Act applies as of the effective date of the revocation.

AR 325/2002 s6;348/2009

**Order declaring Act to apply**

**7(1)** The Board may make orders declaring that the Act applies to the following classes of persons:

- (a) inmates of a correctional institution as defined in the *Corrections Act* who
  - (i) work inside or outside of the institution in an industry to which the Act does not apply, while they are so working, or
  - (ii) participate inside or outside of the institution in a work-related rehabilitation program approved by the institution, while they are so participating;
- (b) patients as defined in the *Mental Health Act* who
  - (i) work inside or outside of the facility in which they are a patient in an industry to which the Act does not apply, while they are so working, or



- (ii) participate inside or outside of the facility in which they are a patient in a work-related rehabilitation program approved by the facility, while they are so participating;
- (c) students registered in and attending
  - (i) a university as defined in the *Post-secondary Learning Act*,
  - (ii) the Banff Centre for Continuing Education,
  - (iii) a public college or provincially-owned institution as defined in the *Post-secondary Learning Act*,
  - (iv) a technical institute as defined in the *Post-secondary Learning Act*,
  - (v) a provincially administered institution under Schedule 1 of the *Government Organization Act*, or
  - (vi) a training program funded by grants provided under
    - (A) the *Employment and Immigration Grant Regulation* (AR 94/2009), or
    - (B) the *Education Grants Regulation* (AR 120/2008) or the *Enterprise and Advanced Education Grants Regulation* (AR 121/2008),where the students do not have sponsoring employers, while they are in attendance, except those students who suffer accidents while engaging or participating in extra-curricular sporting, recreational, social or personal fulfilment activities which are not a current academic requisite or required as a part of the course of study in which the student is registered;
- (d) persons in respect of whom the Government of Alberta has made application to the Board to have the Act apply;
- (e) students registered in a secondary school while they are attending and participating in a work experience program or the practical experience part of a work-related program, including courses in industrial education and home economics, if the program has been designated as such by the secondary school and approved by the Board.

**(2)** In making an order under subsection (1) the Board may exclude any individual, group of individuals or subclass from the classes listed in subsection (1).

(3) The compensation payable to a person who suffers an accident and to whom the Act is declared to apply under this section must,

- (a) in the case of a person to whom subsection (1)(a)(i) or (b)(i) applies, be based on,
  - (i) while the person is an inmate or patient, the actual rate of wages paid to the person in the institution or facility, and
  - (ii) after the person is released from the institution or facility, the greater of
    - (A) the usual rate of wages that would be paid at the time of the accident to a person who performs similar work and is not an inmate or patient, and
    - (B) the actual rate of wages paid to the person in the institution or facility at the time of the accident,

and

- (b) in the case of a person to whom subsection (1)(a)(ii), (b)(ii), (c)(vi) or (e) applies, be based on the usual rate of wages paid at the time of the accident to apprentices in the trade that is most equivalent to the training provided by the work-related rehabilitation program or other program.

(4) The compensation paid under this section is subject to the maximum amount prescribed by the Act.

(5) Section 153(3) of the Act applies to the classes of persons subject to an order under this section.

(6) The Board may at any time revoke an order made under this section and, on the revocation, the persons referred to in the revocation cease to be workers to whom this Act applies as of the effective date of the revocation.

AR 325/2002 s7;348/2009;170/2012;188/2013

#### **Notice of accident by worker or dependant**

**8(1)** The notice of accident required to be given by a worker or dependant to the employer and the Board under section 32 of the Act must

- (a) be in the form prescribed by the Board for that purpose or any other form acceptable to the Board, and
- (b) state in ordinary language the cause of the injury and the date, hour and place the accident occurred and be signed

by the worker or dependant and include the full name and address of the worker or dependant.

(2) In completing the form referred to in subsection (1), the worker or dependant shall provide all of the information required by the Board that the worker or dependant reasonably has in his or her power or possession or with due diligence can reasonably ascertain.

#### **Recording accident**

**9(1)** An employer who receives notice of an accident under section 32 of the Act or otherwise acquires knowledge of the happening of such an accident or of an allegation of the happening of such an accident shall forthwith record the particulars of the accident or allegation of the happening of an accident

- (a) in the record required to be kept under the Occupational Health and Safety Code adopted under the *Occupational Health and Safety Act*, or
- (b) if the employer does not keep that record, in an accident report record maintained for the purposes of this section.

(2) The particulars of the accident to be recorded must include:

- (a) the full name of the injured worker;
- (b) the date, place and time of the accident;
- (c) the date and time that the accident was reported or that the employer acquired knowledge of it;
- (d) the cause of the accident;
- (e) a description of the injury;
- (f) the medical treatment rendered.

AR 325/2002 s9;348/2009

#### **Notice by employer**

**10(1)** The notice of accident required to be given by an employer under section 33(1)(b) and (c) of the Act must be given in the form prescribed by the Board for that purpose or any other form acceptable to the Board.

(2) In completing the form referred to in subsection (1), the employer shall provide all of the information required by the Board that the employer reasonably has in its power or possession or with due diligence can reasonably ascertain.

(3) The Board shall by notice in writing to employers prescribe the means by which the notice of accident is to be given.

(4) The notice of the accident is effectively given when the employer transmits the completed form to the Board by the most expeditious means at the employer's disposal that is prescribed under subsection (3).

#### **Representation**

**11** A person with a direct interest in a claim or an assessment may be represented by legal counsel or another agent in

- (a) a review under section 46 or 120 of the Act, or
- (b) an appeal referred to in section 13.2(1).

AR 325/2002 s11;188/2013

#### **Medical report fee**

**12** The fee for a medical report for which the Board is liable under the Act is an amount prescribed by the Board.

#### **Interest on premiums in default**

**13** If a premium is not paid when it becomes payable, the employer is liable to pay to the Board a monthly interest penalty on the amount in default at a rate to be established by Board directive.

#### **Payroll estimate penalty**

**14** In adjusting estimated payroll to actual payroll at the end of the fiscal year or at the closing of an employer's account, if the employer's actual payroll is more than the estimated payroll, the employer shall pay to the Board a penalty in an amount set by the Board

#### **Purpose of general assessment**

**15** The purposes for which the Board may assess and levy on employers under section 97 of the Act are the following:

- (a) to provide and pay all amounts payable from the Accident Fund;
- (b) to pay the costs of the Board in the administration of the Act, including obligations under section 39 of the *Occupational Health and Safety Act*, and of any other acts, duties and services it may be required to administer or perform;

- (c) to provide and maintain any reserves the Board considers advisable.

**Costs not to be included**

**16** In apportioning the cost in any year of capitalized awards arising out of the deaths of workers, no costs resulting from the death of workers of the Government of Canada may be considered, nor may the costs of accidents occurring before the termination of the Board's 1951 fiscal year be considered.

**Pre-1974 accidents**

**17** The charge against employers made in respect of any fatal accident that occurred prior to January 1, 1974 must be equal to the amount of the average cost of a fatal accident calculated and charged for the year of occurrence of the fatal accident, and the charge must be deducted from the cost of all capitalized awards in any year before the apportionment required under section 96 of the Act is made.

**Payment of interest**

**18(1)** The Board of Directors may, by order, specify

- (a) a class or classes of cases in which interest is payable by the Board in respect of amounts owing by the Board, and
- (b) the rate, manner and terms of the interest payable.

**(2)** The Board is authorized to pay interest only in the circumstances specified in an order referred to in subsection (1).

**Public auction of seized goods**

**19** If the person executing a distress warrant chooses under section 135(8) of the Act to sell by public auction the goods that were seized, the person

- (a) shall give at least 10 days' public notice setting out the time and place of sale, and the name of the debtor,
- (b) may fix an upset price for the goods, or for any part of them, that in the person's opinion is reasonably commensurate with the value of the goods, and may vary that price if it seems advisable in the circumstances, and
- (c) shall, subject to clause (b), at the time and place stated in the notice, sell by public auction the goods that were seized or so much of them as is necessary to pay the money due with all lawful costs.

**Filing of certificate**

**19.1** Where the Board requests the court clerk of the Court of Queen's Bench to issue a garnishee summons under section 35.21(1) of the *Civil Enforcement Regulation* (AR 276/95), the Board must, in addition to filing an affidavit under that section, also file with the court clerk a certificate in the form set out in Schedule C to this Regulation.

AR 164/2010 s40

**Occupational diseases**

**20(1)** For the purposes of the Act and this Regulation, "occupational disease" means

- (a) a disease or condition listed in Column 1 of Schedule B that is caused by employment in the industry or process listed opposite it in Column 2 of Schedule B, and
- (b) any other disease or condition that the Board is satisfied in a particular case is caused by employment in an industry to which the Act applies.

**(2)** For the purposes of subsection (1)(a), employment in an industry or process

- (a) listed in Column 2 of Schedule B, and
- (b) in the manner and circumstances set out in Column 2 of Schedule B

shall, unless the contrary is proven, be deemed to be the cause of the specified disease or condition listed opposite it in Column 1 of Schedule B.

**Appointment of counsel**

**20.1(1)** In this section, section 20.2 and section 21,

- (a) "action" has the same meaning as in section 22(1)(a) of the Act;
- (b) "claimant" has the same meaning as in section 22(1)(b) of the Act.

**(2)** Where the Board brings an action pursuant to section 22(5) of the Act, the claimant may, subject to subsection (3), select as counsel

- (a) a lawyer in private practice named by the claimant, or
- (b) a lawyer employed by the Board.

(3) A lawyer selected by the claimant under subsection (2)(a) must be

- (a) approved by the Board, and
- (b) retained and instructed by the Board on terms satisfactory to the Board.

(4) This section, section 20.2 and section 21 apply to accidents that occur on or after the date section 3 of the *Workers' Compensation Amendment Act, 2005* comes into force.

AR 250/2005 s2

#### **Consultation with claimant required**

**20.2(1)** Counsel selected under section 20.1 must, where practicable, consult with the claimant during the course of an action.

(2) Prior to the settlement of an action under section 22(5)(a)(iv)(B) of the Act, the Board must, where practicable, notify the claimant of the particulars of the settlement.

AR 250/2005 s2

#### **Legal costs**

**21(1)** When a lawyer in private practice is selected under section 20.1(2)(a) to bring an action, the legal costs payable by the Board to the lawyer are to be in an amount set by the Board but not to exceed 25% of the amount recovered through settlement or judgment in the action, unless the Board directs otherwise.

(2) In addition to the costs payable to a lawyer under subsection (1), the lawyer is entitled to the lawyer's disbursements as determined in accordance with the *Alberta Rules of Court* (AR 124/2010) and to the same percentage of a costs award in respect of the action as the percentage determined by the Board under subsection (1).

(3) In subsection (2), "costs award" means a costs award as defined in the *Alberta Rules of Court* (AR 124/2010).

AR 325/2002 s21;250/2005;164/2010

#### **Repeal**

**22** The *Workers' Compensation Regulation* (AR 427/81) is repealed.

**Expiry**

**23** For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on October 31, 2023.

AR 325/2002 s23;188/2013

**Coming into force**

**24** This Regulation comes into force on January 1, 2003.

**Schedule A****Exempted Industries**

accounting, auditing, bookkeeping or Income Tax services, provision of;  
actuarial services, provision of;  
addressing and mailing services, provision of;  
advertising agency, carrying on business as;  
advertising display services, provision of;  
advertising distribution services, provision of;  
Agricultural Financial Services Corporation;  
agricultural management services, provision of;  
alarm clock or wake-up services, provision of;  
alcoholism and drug abuse rehabilitation centre, operation of;  
amusement fair, travelling, operation of;  
analytical services, provision of;  
animal grooming, boarding or training establishment, operation of;  
apartment, building or housing rental agency, operation of;  
appraising services, provision of;  
aptitude testing services, provision of;  
architectural services, provision of;  
art restoration services, provision of;  
artist, entertainer or performer, carrying on business as;  
assaying services, provision of;  
artifacts, historical documents or art exhibits, assembling or displaying;  
Associations and Societies which do not operate as industries under the Act;  
Authorities, Boards, Commissions or Foundations that do not operate as industries under the Act, other than the Alberta Gaming and Liquor Commission, the Alberta Mental Health Board, the Workers' Compensation Board and regional health authorities and subsidiary health corporations under the *Regional Health Authorities Act*;  
auto racing;  
baby sitting services, provision of;  
band or orchestra, performing as;  
banking;



baths, including steam, turkish and sauna, operation of;  
baseball club, operation of;  
Better Business Bureau, operation of;  
billiard parlour, operation of;  
bond, stock, investment or mutual fund dealer, carrying on business as;  
bonding company, carrying on business as;  
booking agency, carrying on business as;  
bowling alley, operation of;  
brokerage services, provision of;  
buying and selling livestock;  
charitable institutions, operation of;  
chiropractic services, provision of;  
churches, operation of;  
clubs, private, operation of;  
coin or stamp dealer, carrying on business as;  
collection agency, carrying on business as;  
commercial traveller representing an industry located outside the province, operating as;  
commissioned livestock buying house, carrying on business as;  
community recreation centre, operation of;  
competitive sports of all description;  
computer processing services, provision of;  
conservation services, provision of;  
construction in respect of a residence or building, other than a commercial building, by the owner for his own use;  
consulates and foreign embassies, operation of;  
consulting services other than consulting by a professional engineer as defined in the *Engineering and Geoscience Professions Act*, provision of;  
convention bureau, operation of;  
counselling services, provision of;  
credit management services, provision of;  
credit reporting bureau, carrying on business as;  
credit union, carrying on business as;  
cricket field, operation of;  
curling rink, operation of;  
dancing studio, operation of;  
demonstration services, provision of;  
designing services, provision of;  
domestic help, provision of;  
drafting services, provision of;  
employment agency, operation of;  
escort services, provision of;  
estimating services, provision of;  
expediting of goods and materials;  
exposition or trade show, presentation or operation of;  
extraprovincial or foreign based charter flights, provision of;  
finance or loan company, carrying of business as;  
fire protection association, operation of;

football clubs, operation of;  
fraternities, operation of;  
geological services, provision of;  
geophysical services, provision of;  
golf course, operation of;  
golf course, miniature, operation of;  
golf driving range, operation of;  
golf school, operation of;  
gun club, operation of;  
hair removal by the electrolysis method;  
health studio, operation of;  
hearing aid dealer, carrying on business as;  
hockey clubs, operation of;  
holding companies, operation of;  
hostess services, provision of;  
hypnotism services, provision of;  
ice skating rink, operation of;  
any industry carried on by an Indian or Band on a Reserve except where the industry is carried on by a corporation or by a partnership in which one or more of the partners is not an Indian or a Band;  
information bureau, operation of;  
inspection bureau or service other than for the testing or inspection of pipe, operation of;  
insurance adjuster, carrying on business as;  
insurance company or agency, carrying on business as;  
inventory loan company, carrying on business as;  
laboratories, including analytical, bacteriological, clinical, medical, metallurgical, petroleum, prescription, research, testing and x-ray, operation of;  
labour organizations, operation of;  
land development, carrying on business of;  
lapidary, carrying on business of;  
lawn bowling clubs, operation of;  
legal services, provision of;  
liquidation, bankruptcy or receivership services, provision of;  
mail order house, operation of;  
mailing list services, provision of;  
manufacturers agent, carrying on business as;  
martial arts, provision of instruction in;  
massage services, provision of;  
medical and dental services, provision of, except when those services are provided by a regional health authority or a subsidiary health corporation under the *Regional Health Authorities Act*, a public hospital as defined in section 29(n) of the *Health Care Protection Act*, long-term care facilities, including nursing homes, home care services and supportive living accommodation, emergency response or paramedic services or manufacturers of medical or dental devices;  
microfilming services, provision of;

mimeographing services, provision of;  
mobile museum, operation of;  
modelling agency, operation of;  
mortgage company, carrying on business as;  
motion picture distribution services, provision of;  
motion picture film library, operation of;  
motion picture film producer, carrying on business as;  
motion picture laboratory, operation of;  
motor association, carrying on business as;  
museum, operation of;  
music arranger, carrying on business as;  
music instructor, carrying on business as;  
naturopath services, provision of;  
neighborhood information centre, operation of;  
carrying out non-public funded activities of the Canadian Armed Forces;  
optometry services, provision of;  
outworker, being a person to whom articles or materials are given out to be made up, cleaned, washed, altered, ornamented, finished, repaired or adapted in his own home or on other premises not under the control or management of the person who gave out the articles or materials, provision of services as;  
patent attorney, agency, developer or searcher, carrying on business as;  
pawnbroker, carrying on business as;  
peddler, carrying on business as;  
pension plan company, carrying on business as;  
personal service bureau, carrying on business as;  
photo finishing services, provision of;  
photographic reproduction and blue printing services, provision of;  
photography, carrying on business of;  
physiotherapy services, provision of;  
piano tuning, carrying on business of;  
planning commission, operation of;  
professional and amateur sports instruction, carrying on business of;  
professional sports;  
promotion, sports and entertainment;  
psychology services, provision of;  
publishing without printing, carrying on business of;  
purchasing agency, carrying on business as;  
racing;  
radio paging and signalling services, provision of;  
real estate agency, operation of;  
recording studio, operation of;  
religious order, administration of;  
rental of rooms and suites in a private residence;  
research or training centre for developmentally disabled persons, operation of;  
research services, provision of;

restaurant or concession in connection with an exhibition, stampede, rodeo, fair or sporting event, operation of;  
 rodeo, presentation or operation of;  
 roller skating rink, operation of;  
 salesperson for an industry located outside the Province, carrying on business as;  
 sales promotion services, provision of;  
 sample distribution services, provision of;  
 savings plan services, provision of;  
 secretarial services, provision of;  
 sheltered workshop, operation of;  
 social service organization, operation of;  
 stampedes, presentation or operation of;  
 statistical services, provision of;  
 steamship agency, carrying on business as;  
 stenographic services, provision of;  
 swimming clubs, operation of;  
 swimming pool, operation of;  
 telephone answering services, provision of;  
 telephone soliciting and interviewing services, provision of;  
 tennis clubs, operation of;  
 town planning service or board, operation of;  
 translating services, provision of;  
 travel agency, carry on business as;  
 trucking conducted by an employer based outside Canada if the employer does not have an ordinary place of business in Alberta or does not employ workers resident in Alberta;  
 trust company, carrying on business as;  
 tutoring services, provision of;  
 unemployment insurance and investigating services, provision of;  
 wax gallery, operation of;  
 wedding arrangement services, provision of;  
 writing services, provision of.

AR 325/2002 Sched. A;348/2009;170/2012;188/2013;  
 SA 2015 c19 s9

### Schedule B

COLUMN 1	COLUMN 2
DESCRIPTION OF DISEASE OR CONDITION	INDUSTRY OR PROCESS
1 Poisoning by  (a) Lead;	1 An Industry or Process  (a) where there is significant occupational exposure to lead or lead compounds;

- |   |   |
|---|---|
| (b) Mercury;  | (b) where there is significant occupational exposure to mercury or mercury compounds;                                   |
| (c) Arsenic or arsine;  | (c) where there is significant occupational exposure to arsenic or arsenic compounds;                                   |
| (d) Cadmium;  | (d) where there is significant occupational exposure to cadmium or cadmium compounds;                                   |
| (e) Manganese;  | (e) where there is significant occupational exposure to manganese or manganese compounds;                               |
| (f) Phosphorus, phosphine or the anticholinesterase action of organic phosphorus compounds;   | (f) where there is significant occupational exposure to phosphorus or phosphorus compounds;                             |
| (g) Organic solvents (n-hexane, carbon tetra-chloride, trichloroethane, trichloroethylene, acetone, benzene, toluene, xylene and others); | (g) where there is significant occupational exposure to organic solvents;   |
| (h) Carbon monoxide;  | (h) where there is significant occupational exposure to products of combustion, or any other source of carbon monoxide; |
| (i) Hydrogen sulphide;  | (i) where there is excessive occupational exposure to hydrogen sulphide;  |
| (j) Nitrous fumes (including silofiller's disease);   | (j) where there is excessive occupational exposure to nitrous fumes including the oxides of nitrogen;                   |
| (k) Nitriles, hydrogen  | (k) where there is occupational   |

cyanide or its soluble salts;	exposure to chemicals containing - CN group including dangerous pesticides;
(l) Phosgene;	(l) where there is excessive occupational exposure to phosgene including its occurrence as a breakdown product of chlorinated compounds by combustion;
(m) Other toxic substances.	(m) where there is significant occupational exposure to toxic gases, vapours, mists, fumes or dusts.
2 Infection caused by	2 An Industry or Process
(a) Staphylococcus aureus, Salmonella organisms, Hepatitis B virus;	(a) where close and frequent occupational contact with a source or sources of the infection has been established and the employment necessitates <ul style="list-style-type: none"> <li data-bbox="924 1018 1224 1129">(i) the treatment, nursing or examination of, or sufficient contact with, patients or ill persons,</li> <li data-bbox="924 1159 1211 1215">(ii) the analysis or testing of body tissues of fluids, or</li> <li data-bbox="924 1245 1245 1329">(iii) research into salmonella, pathogenic staphylococci or Hepatitis B virus;</li> </ul>
(b) Brucella organisms;	(b) where there is occupational contact with animals, carcasses or animal by-products;
(c) Tubercle bacillus.	(c) where close and frequent occupational contact with a source or sources of tuberculous infection has been established and the employment necessitates <ul style="list-style-type: none"> <li data-bbox="924 1703 1245 1791">(i) the treatment, nursing or examination of patients or ill persons,</li> </ul>

- (ii) the analysis or testing of body tissues or fluids, or
- (iii) research into tuberculosis by a worker who:
  - (A) when first engaged, or, after an absence from such employment for a period of more than one year, when re-engaged in such employment, was free from evidence of tuberculosis, and
  - (B) continued to be free from evidence of tuberculosis for 6 months after being so employed (except in primary tuberculosis as proven by a negative tuberculin test at time of employment).

## 3 Pneumoconiosis

- (a) Silicosis;
- (b) Asbestosis;
- (c) Other pneumoconioses.

## 3 Industry or process

- (a) where there is occupational exposure to airborne silica dust including metalliferous mining and coal mining;
- (b) where there is occupational exposure to airborne asbestos dust;
- (c) where there is significant occupational exposure to the airborne dusts of coal, beryllium, tungsten carbide, aluminum or other dusts known to produce fibrosis of the lungs.

## 4 Asthma.

## 4 An industry or process where asthma is precipitated or aggravated

	by occupational exposure to any or all of the following irritants:
	(a) western red cedar dust;
	(b) isocyanate vapours or gases;
	(c) the dust, fume or vapours of other chemicals or organic material known to cause asthma.
5 Extrinsic allergic alveolitis (including farmers' lung and mushroom workers' lung).	5 An industry or process where there is significant occupational exposure to respirable organic dusts.
6 Occupational noise induced hearing loss.	6 An industry or process where there is prolonged occupational exposure to excessive noise levels.
7 Contact dermatitis.	7 An industry or process where there is occupational exposure to irritants, allergens or sensitizers that ordinarily cause dermatitis.
8 Vascular disturbances of the extremities.	8 Employment for at least 2 continuous years immediately preceding the vasospastic response in an industry involving the use of high frequency, rapid acceleration vibratory tools.
9 Radiation injury or disease	9 An industry or process
(a) due to ionizing radiation;	(a) where there is significant occupational exposure to ionizing radiation;
(b) due to non-ionizing radiation	(b)(i) where there is significant occupational exposure to ultra-violet light;
(i) conjunctivitis, keratitis;	(b)(ii) where there is significant occupational exposure to infra-red, microwave or laser radiation.
(ii) cataract or other thermal damage to the eye.	



- 10 Erosion of incisor teeth. 10 An industry or process where there is significant occupational exposure to acid fumes or mist.  
AR 325/2002 Sched. B;348/2009;188/2013

### Schedule C

#### Certificate

*Workers' Compensation Act*

COURT FILE NUMBER

COURT OF QUEEN'S BENCH OF ALBERTA Clerk's Stamp:

JUDICIAL CENTRE

PLAINTIFF WORKERS' COMPENSATION BOARD

DEFENDANT

DOCUMENT

**CERTIFICATE**

ADDRESS FOR SERVICE AND  
CONTACT INFORMATION OF  
PARTY FILING THIS DOCUMENT

The Workers' Compensation Board (the "WCB"), pursuant to section 127 of the *Workers' Compensation Act*, hereby certifies that:

- (a) there is payable by the above defendant to the WCB the amount of \$ \_\_\_\_\_;
- (b) the basis of the payment is \_\_\_\_\_.

The WCB hereby directs the above defendant to make payment to the WCB of the said amount.

This certificate is filed pursuant to the *Alberta Rules of Court* (AR 124/2010).

Dated at \_\_\_\_\_, Alberta, this \_\_\_ day of \_\_\_\_\_, 20\_\_.

WORKERS' COMPENSATION BOARD

\_\_\_\_\_  
Per: SECRETARY

Account No. \_\_\_\_\_

AR 164/2010 s40;227/2011

**Schedule D**

The following are industries to which section 3(1)(d) of this Regulation applies:

agrology and agronomy services, provision of;  
apiary, operation of;  
artificial breeding services, provision of;  
breeding of animals, birds, fish or reptiles;  
collection of urine from pregnant mares;  
dude ranch, operation of;  
egg producer, commercial, carrying on business as;  
farming, carrying on business of;  
farming contracting, including haying and threshing, carrying on business of;  
feed lot, commercial, operation of;  
fertilizer spreading services, provision of;  
fruit grower, commercial, carrying on business as;  
game farm, operation of;  
horse exercising, training or racing, carrying on business of;  
poultry producer, commercial, carrying on business as;  
rabbit producer, commercial, carrying on business as;  
ranching;  
riding academy or horse stable, operation of;  
vegetable grower, commercial, carrying on business as.

SA 2015 c19 s9





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