

POLICY NUMBER: POL-142

Chapter:
EMPLOYER SERVICES

Subject:
INTERJURISDICTIONAL TRUCKING – ALTERNATIVE ASSESSMENT

Effective Date:
January 26, 2010

Last Update:
November 18, 2023

REFERENCE:

Workers Compensation Act R.S.P.E.I.1988, Cap. W-7.1.
Government Employees Compensation Act, R.S.C. 1985, c. G-5.
Interjurisdictional Agreement on Workers' Compensation.
Workers Compensation Board Policy, POL-143, Interjurisdictional Claims.

DEFINITION:

In this policy:

“Alternative Assessment Procedure” means a voluntary procedure under which employers and independent operators engaged in interprovincial trucking pay assessments to the Canadian workers compensation board or commission in the province or territory where the worker of the employer or the independent operator resides.

“Assessing Board” means a Canadian workers compensation board or commission in the province or territory where the worker of the employer or the independent operator resides and to which a registered employer or independent operator pays assessments under the Alternative Assessment Procedure.

“Registering Board” means a Canadian workers compensation board or commission, other than an Assessing Board, in the province or territory through which the employer or independent operator travels.

POLICY:

Interjurisdictional Agreement

1. The Workers Compensation Board of Prince Edward Island (WCB PEI) is signatory to an Interjurisdictional Agreement on Workers' Compensation (IJA) which includes provisions for an Alternative Assessment Procedure (AAP) for interjurisdictional trucking.

Alternative Assessment Procedure

2. Registered employers and independent operators who wish to participate in the AAP must apply in writing to WCB PEI by completing the **Application for Alternative Assessment (ES-11)** form.
3. Registered employers who participate in the AAP shall pay assessments to WCB PEI based upon the payroll of its workers who reside in Prince Edward Island and should ensure they satisfy the registration requirements of other Canadian workers compensation boards or commissions in the province or territory where they have workers residing.
4. Independent operators who reside in Prince Edward Island (PEI) and who participate in the AAP shall pay assessments to WCB PEI.
5. Registered employers and independent operators who participate in the AAP shall:
 - Participate for the full calendar year but may opt out for the following year by providing written notice to WCB PEI by October 31st.
 - Provide such information to WCB PEI as is necessary for the effective application of the AAP.
6. Where a registered employer or independent operator pays assessments to WCB PEI, WCB PEI shall be deemed to be an Assessing Board and shall provide notification of the employer's or independent operator's registration in the AAP to the workers compensation board(s) and commission(s) in the provinces and territories identified on the **Application for Alternative Assessment (ES-11)** form, including copies of any reports and documents that may be necessary for the effective application of the AAP.
7. Where an employer or independent operator pays assessments to a workers compensation board(s) or commission(s) other than WCB PEI, that those board(s) or commission(s) shall be an Assessing Board(s). Where PEI is identified as a province through which the employer

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or independent operator travels, WCB PEI shall be a Registering Board and shall relieve the employer or independent operator from the obligation of paying assessments to it.

8. By participating in the AAP, registered employers and independent operators consent to the disclosure of information between the Registering and Assessing Board(s) as is necessary for the effective application of the AAP.

AAP Claims and Cost Reimbursement

9. Where a worker of an employer or an independent operator files a claim for benefits, the election requirements and claim shall be adjudicated pursuant to the *Workers Compensation Act* of PEI and WCB policy, POL-143, "Interjurisdictional Claims".
10. If a worker of an employer or an independent operator who participates in the AAP elects to claim compensation from a Registering Board, the Registering Board shall pay the claim in accordance with its policies and legislation and in accordance with the IJA request cost transfer from the Assessing Board.
11. Where WCB PEI is an Assessing Board, upon receipt of an invoice from a Registering Board, WCB PEI will reimburse costs in accordance with the provisions of the AAP subject to the statutory and policy limitations contained in the *Workers Compensation Act* of PEI and in the policies of WCB PEI, respectively.

HISTORY:

November 18, 2023 – Non-substantive changes for readability and clarity.

July 28, 2011 - Amended to provide clarity with respect to the Alternative Assessment Procedure process.

Board of Directors Approval Date: January 26, 2010.