

WORKERS' COMP NEWSLETTER | FALL 2026 | ISSUE 2

Practical policy updates and cost-savings strategies for Canadian employers.

What's inside

02 Modified duties: small adjustments, meaningful results

03 Provincial updates

04 Provincial practice notes

05 Cost reduction corner

05 Myth vs Fact

See more highlights inside



Modified duties: small adjustments, meaningful results

When a workplace injury occurs, returning to regular duties may not be immediately possible. But that does not always mean an employee needs to remain off work. Suitable modified duties can help employees stay connected to work while recovering, maintain productivity and reduce wage-loss costs.

Why modified duties matter.

- ✓ **Recovery:** Maintain routine, workplace connections and confidence.
- ✓ **Cost control:** Reduce avoidable wage-loss time when safe work is available.
- ✓ **Productivity:** Make use of the employee's abilities during recovery.

What makes an offer suitable?

A good offer identifies the actual tasks, physical and cognitive demands, schedule, location and expected duration. It considers the worker's functional abilities, available medical information, safety, and applicable accommodation obligations. It should be meaningful and clearly communicated in writing.

Five practices worth adopting

1. **Build a library** of meaningful modified tasks before an injury occurs.
2. **Begin identifying safe options early;** seek clarification when abilities or risks are uncertain.
3. **Put offers in writing,** including duties, hours, start date and contact person.
4. **Record discussions,** responses, concerns and any adjustments.
5. **Review the plan** after medical updates and as recovery progresses.



Did you know?

In British Columbia, WorkSafeBC explains that medical approval is not automatically required for a worker to return to work. The employer must still ensure that duties are safe and suitable. Requirements differ by jurisdiction and individual circumstances.

Provincial updates

Ontario (WSIB)

Independent living and quality-of-life policies | effective September 21, 2026

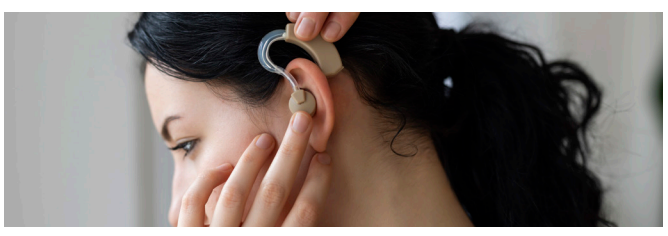
WSIB finalized changes to nine policies covering independent living and quality-of-life supports. The policies address allowances, devices, personal care, home health care, vehicle and home modifications, service dogs, and quality-of-life benefits. The updated framework includes transitional provisions for older claims.

Employer takeaway: On serious injury files, review the specific benefit criteria and transition rules before assuming that previous entitlement rules still apply.

Noise-induced hearing loss | effective October 7, 2026

WSIB revised its occupational noise-induced hearing loss policy. The minimum average hearing-loss threshold for initial entitlement increased from 22.5 dB to 26.25 dB; the age-related presbycusis adjustment was removed; and guidance was revised for non-occupational factors and tinnitus.

Employer takeaway: Preserve reliable exposure histories and review the policy applicable to the accident or exposure period when responding to hearing-loss claims.



New Brunswick | WorkSafeNB

$151.2 million employer performance refund announced

On October 6, WorkSafeNB announced a $151.2 million performance refund for eligible employers. Its 2027 provincial provisional average assessment rate will remain $1.10 per $100 of assessable payroll. WorkSafeNB reported a 161% funding position at the end of 2025.

Employers generally must have paid payroll-based premiums in 2025, remain active on October 31, 2026, and meet account-standing criteria. Refunds above $1,000 will generally be issued by cheque, subject to account and mailing conditions; smaller amounts are generally credited.

Employer takeaway: Confirm account status, mailing information and refund eligibility. Do not assume every registered employer qualifies.

Prince Edward Island | WCB PEI

Pre-existing conditions policy | consultation open

WCB PEI is inviting feedback on proposed changes to Pre-Existing Conditions (POL-61). The stated goal is to clarify adjudication where a workplace injury aggravates a pre-existing condition and align coverage with other Canadian jurisdictions.

Employer takeaway: This is a proposal, not an implemented change. Employers with relevant claims experience may wish to review the draft and submit feedback by October 30, 2026.



Provincial practice notes

British Columbia | WorkSafeBC

A clear return-to-work plan matters

WorkSafeBC emphasizes the legal duty to cooperate, ongoing contact with injured workers, identification of meaningful suitable duties and written return-to-work plans. Some employers also have a duty to maintain employment, depending on workforce size and length of service.

Employer takeaway: Describe specific tasks, document the plan and review it regularly with the worker. This is an established employer responsibility, not presented here as a new October 2026 policy change.

Alberta | WCB-Alberta

Policy interpretation and application

WCB-Alberta introduced Policy 01-00, Part I, Policy Interpretation and Application, in May 2026. It explains how WCB policies are interpreted and applied, including the general approach that policy changes apply prospectively unless otherwise specified.

Employer takeaway: When a claim decision depends on a policy revision, confirm the effective date and whether transitional or retroactive provisions apply.

Nova Scotia | WCB Nova Scotia

Return to work and duty to cooperate

Nova Scotia's return-to-work and duty-to-cooperate framework reinforces the expectation that workers and employers actively participate in safe, timely return-to-work planning. Final policies were published following consultation in 2025.

Employer takeaway: Maintain contact, identify suitable work and document the efforts of both parties. This is a reminder of an existing framework rather than a newly announced October 2026 change.



Cost reduction corner

The modified-duty offer is only the beginning.

A written offer is valuable, but ongoing management is what makes a return-to-work plan effective. Review the worker's actual participation, hours worked, updated restrictions and barriers to progress. Where appropriate, communicate material changes to the compensation board so wage-loss benefits can be assessed using current information.

- ✓ Use a standardized modified-duties template.
- ✓ Track offered hours against hours actually worked.
- ✓ Follow up after meaningful medical or functional changes.
- ✓ Review whether tasks can progress safely toward regular duties.



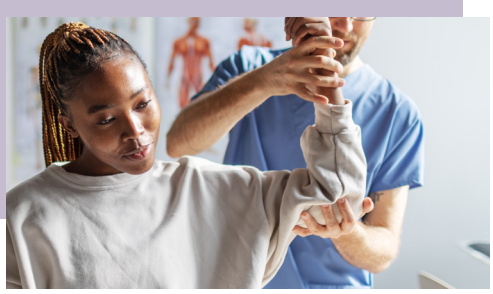


Practical reminder

Cost savings should follow from safe, suitable and well-documented work—not from placing an injured employee into tasks beyond their abilities.

Myth

"We must wait for a doctor to clear regular duties before offering any work."



Fact

Employers can often begin exploring modified work earlier. The work must be safe, suitable and based on the best available information about the worker's abilities. When information is unclear or there is a meaningful safety concern, obtain clarification before assigning tasks.



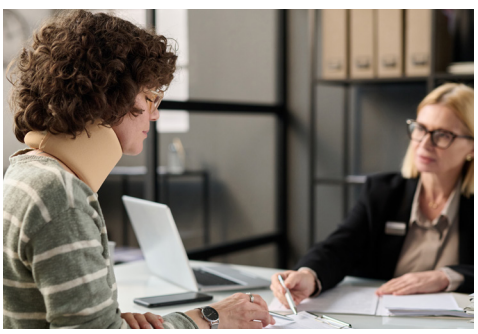
Ask the consultant:

What if a worker refuses a modified-duty offer?

Answer: Start by understanding the reason. The worker may have concerns about pain, safety, duties, transportation or whether the offer matches current abilities. Review the tasks and available medical information, discuss reasonable adjustments, and document the exchange. If the disagreement continues, ask the applicable compensation board for direction rather than assuming benefits will automatically stop.

Did you know?

In BC, suitable work may involve adjusted hours, alternate tasks or a different way of performing regular work. The goal is meaningful, safe work that supports recovery – not simply assigning a “light duties” label.





Looking ahead
What's on our radar

WCB PEI's consultation on pre-existing conditions, closing October 30, 2026.

Implementation and claim-level implications of WSIB's updated independent living and hearing-loss policies.

WorkSafeNB's performance refund eligibility date of October 31 and expected December distribution.

Further published policy consultations and 2027 premium announcements from provincial boards.

Next quarter

We'll examine the claim-cost side of workers' compensation: experience rating, premium drivers, claim reviews and practical opportunities to identify potential cost relief.

