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Special Cases (Worker Coverage)Subject
Students Pupils in Work Education Programs

Policy

WSIB coverage is provided for pupils (sSecondary school students) who-are

- are registered in Ministry of Education work education or experiential learning and programs, and
- -who are placed with an employer (placement host) to gain practical work experience, and who are not paid by the placement host, have WSIB coverage during the placement. The Ministry of Education provides coverage.

These students pupils are deemed to be "workers" under the *Education Act* and are covered, also referred to as pupils as such for WSIB purposes, are deemed to be workers under the *Education Act*.

WSIB coverage for pupils is provided by the Ministry of Education unless it is provided by the placement host.

Purpose

The purpose of this policy is to identify when pupils are covered by the WSIB and who provides the coverage.

Guidelines

Programs coveredWork Education Agreement

Before a work placement begins, the pupil, school and placement host must complete and sign a Work Education Agreement (WEA) for work education or experiential learning programs that include the following: ~~The Ministry of Education provides WSIB coverage to secondary school students who are on unpaid work placements and participate in the following work education programs~~

- Supervised Alternative Learning for Excused Pupils
- Ontario Youth Apprenticeship Program, and
- Ssecondary school co-op programs,
- ~~job shadowing and job twinning programs for students that are 14 years of age or older~~

NOTE

~~Because some government funded programs may change or be discontinued in subsequent years, it is important that school representatives receive up to date information from the Ministry of Education to determine whether the government funds the WSIB insurance costs.~~

The WEA clarifies whether the pupil will have WSIB coverage through the placement host or the Ministry of Education.

Unpaid work placements: If the placement host does not pay wages to the pupil, the Ministry of Education is considered to be the employer and is responsible for providing WSIB

[coverage. \(Expense allowances or honoraria paid to pupils are not considered wages for the purposes of WSIB coverage\).](#)

[Paid work placements: If the placement host does pay wages to the pupil, the placement host is considered to be the employer for WSIB purposes and is responsible for providing WSIB coverage. \(The Ministry of Education provides coverage and is considered to be the employer for WSIB purposes if the placement host is paying wages but does not have compulsory coverage or coverage by application with the WSIB.\)](#)

WSIB coverage

Work Education Agreement

~~The involved parties must complete and sign a Work Education Agreement form before the student starts the work education program to ensure WSIB coverage is provided by the Ministry of Education.~~

~~The agreement must also be signed for students who are 14 years of age or older if they are participating in job shadowing/twinning experiences that involve hands on work for more than one day.~~

Reporting a work-related injury/disease

[The Employer's Report of Injury/Disease \(Form 7\) must be submitted to the WSIB if a pupil sustains a work-related injury or disease due to the work placement.](#)

- [• The school board representative submits the Form 7 for placements covered by the Ministry of Education, along with the WEA.](#)
- [• The placement host submits the Form 7 for any placements for which they provide WSIB coverage, along with the WEA.](#)

[For more information, see 15-01-02, Employer's Initial Reporting Obligations.](#)

WSIB entitlement

[The WSIB reviews the information submitted to determine if the pupil has sustained an injury or disease that arose out of and in the course of the work placement, and is entitled to WSIB benefits and services.](#)

When are pupils ~~students~~ covered?

[Pupils](#)~~Students~~ are generally covered [in situations such as the following:](#)

- ~~while they are~~ performing the duties assigned by the placement host, under the supervision of a training supervisor
- ~~when the participating in a work placement takes place~~ on school board property, [under and they are the supervised by of a teaching or](#) non-teaching staff member (e.g., [teacher,](#) building custodian, audio-visual technician, purchasing officer)
- ~~while~~ travelling as required to perform the duties assigned by the placement host

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- ~~participating when the~~ in a work placement ~~is~~ outside of Ontario, ~~while if they are~~ enrolled in an international co-operative education program. Coverage is automatic for six months and a written request must be sent to the WSIB to extend coverage.
- being transported from the work placement to receive health care due to a work-related injury or disease.

When ~~are~~ are pupils ~~students~~ not covered?Pupils~~Students~~ are generally not covered in situations such as the following:

- ~~while they are at school~~ attending regular classes at school and participating in regular school activities
- ~~while they are~~ travelling to and from the placement host
- ~~while working as teacher aides in a school classroom or shop because during these school placements the students are under the constant supervision of teachers who have greater control over these working conditions than in other placement settings~~
- ~~while they are~~ training for or are participating in individual or team sports
- ~~while~~ performing a mandatory number of hours of volunteer community service.

WSIB benefitsPupils who have a work-related injury or disease due to the work placement may be eligible to receive WSIB benefits and services such as loss of earnings (LOE) benefits, health care benefits, and work reintegration services.Earnings used to calculate LOE benefits for pupils are identified in accordance with the guidelines for learners as set out in 18-02-08, Determining Average Earnings - Exceptional Cases.**Submission of the Form 7**~~If a student sustains a work-related injury or disease while on a job placement, the school board representative submits to the WSIB the Form 7, (see Form 7 on behalf of the Ministry of Education).~~~~The Ministry of Education is named employer on the Form 7 under "Employer Information".~~**Further information**~~For information about pupils/students and~~

- ~~calculating average earnings for accidents on or after December 1, 2002, see 18-02-08, Determining Average Earnings - Exceptional Cases~~
- ~~calculating average earnings for accidents from January 2, 1990 to December 31, 1997, see 18-06-01, Calculating Temporary Total Disability Benefits (Accidents between 1985 and 1998)~~

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- ~~calculating future economic loss (FEL) benefits, see 18-04-10, Calculating FEL for Students, Learners, and Apprentices~~
- ~~other individuals on unpaid training placements, see 12-04-04, Individuals on Unpaid Training Placements.~~

Application date

This policy applies to all ~~decisions made~~ accidents occurring on or after August January 1, 2018, ~~for all accidents.~~

Document history

This document replaces 12-04-07 ~~dated~~ dated February 2, 2018 ~~November 4, 2004.~~

The document was previously published as:

12-04-07 dated November 4, 2004

01-02-09 dated October 27, 1997

References**Legislative authority**

Workplace Safety and Insurance Act, 1997, as amended
Sections 2(1), 53(4)

O. Reg. 175/98
Section 16

~~*Workers' Compensation Act, R.S.O. 1990*, as amended
Sections 1(1), 40(6)~~

~~*R.R.O. 1990, Reg. 1102*
Section 14~~

Minute

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