

**Operational
Policy**

Section
Non-Economic Loss (NEL) (Accidents from 1990)

Subject
Wage Loss for NEL Assessment

Policy

A worker who suffers a wage loss because of an absence from work to attend a NEL assessment is entitled to compensation for that wage loss.

Guidelines

In most cases, workers are compensated for losing half a day's wages.

If attendance at the assessment requires the worker to travel more than 150 km one way, or if it requires additional time off work because of shift schedules, the worker is compensated for a full day's wages.

If a worker loses more than one day's wages, the WSIB determines how long the worker had to be absent from work based on travel arrangements and work schedules.

To calculate the wage loss, the WSIB uses the following table.

Calculating wage loss due to attendance at a NEL assessment

Time Lost	Compensation paid to		
	Workers receiving FEL benefits	Workers receiving temporary benefits	Workers receiving LOE benefits
½ day	3 hours, at 100% gross average earnings	4 hours, at 90% net average earnings	4 hours, at 85% net average earnings
full day	6 hours, at 100% gross average earnings	8 hours, at 90% net average earnings	8 hours, at 85% net average earnings
more than 1 day	6 hours/day, at 100% gross average earnings	8 hours/day, at 90% net average earnings	8 hours/day, at 85% net average earnings

The wage ceiling

The amount a worker can receive in compensation for lost time is limited by the annual wage ceiling which is revised each year, see 18-01-02, Benefit Dollar Amounts - Accidents from 1998.

NOTE

For more information on travel expenses, see 17-01-09, Travel and Related Expenses.

**Operational
Policy**

Section

Non-Economic Loss (NEL) (Accidents from 1990)

Subject

Wage Loss for NEL Assessment**Application date**

This policy applies to all decisions made on or after January 1, 1998, for accidents on or after January 2, 1990.

Document History

This document replaces 18-05-10 dated October 12, 2004.

This document was previously published as:

18-05-10 dated November 30, 2001

18-05-10 dated August 18, 2000

18-05-10 dated June 15, 1999

6.8* dated January 1, 1998

05-06-13* dated January 29, 1994.

* These documents were combined and replaced by 18-05-10 dated June 15, 1999.

References**Legislative Authority**

Workplace Safety and Insurance Act, 1997, as amended
Sections 43, 47(3), 55(1), 133

Workers' Compensation Act, R.S.O. 1990, as amended
Sections 37, 41(1), 42(9), 74

Minute

Administrative

#22, December 11, 2007, Page 454