

Workmen's Compensation

MOST ADVANCED LEGISLATION YET ADOPTED BY ANY COUNTRY

On May 1st, 1914, there was placed on the Statute Books of Ontario the Workmen's Compensation Act. It is admitted on all hands that the Act is the most advanced piece of legislation that has yet been enacted in any province of the Dominion, or in any State of the Union, or in any of the countries of the Old World.

Some of the salient features of the Act are as follows:—

(1) If a workman is injured he is entitled in every case to compensation, unless the injury was caused solely by his serious and wilful misconduct, and even where the injury was caused solely by his serious and wilful misconduct, compensation must still be paid if the injury results in death or serious disablement.

(2) There is no waiting period during which no compensation is payable. It is true that the injury must last more than seven days, but if it does the compensation dates back to the date of the injury.

In most states and countries a definite period, generally of at least two weeks, is fixed during which no compensation is payable.

(3) All law suits are done away with. The workman simply sends his claim to the Board. The Board receives a report from its local official, and awards the compensation without ever seeing the workman or his employer. Nothing is deducted from the compensation to pay costs.

(4) The compensation cannot be garnished or attached by a creditor.

(5) The scale of compensation is generous—

1. Where the injury results in death—

\$75 for burial expenses.

\$20 monthly to widow and \$5 monthly for each child under 16.

\$10 monthly to each child where there is no widow.

If the widow marries again she gets a lump sum equal to the total of the weekly payments for two years.

2. Where a workman is permanently disabled he receives a weekly payment during his lifetime equal to 55 per cent. of his average weekly earnings.

Under most laws there is a limit fixed to the total amount which a workman may receive, but under the Ontario Act there is no limit fixed, because he receives 55 per cent. of his wages as long as he lives. If his wages run as high as \$2,000, and he lives forty years after his injury, he will have received a total of \$44,000.

(6) Payment of compensation out of the Accident Fund is practically guaranteed to the workman by the province, provision being made for payment out of the Consolidated Revenue Fund of Ontario wherever the Accident Fund runs short, and the Board is also required to raise, by assessments on the employers, reserve funds sufficient to meet all future payments for compensation. The province contributes annually \$100,000 towards the cost of administering the Act, and a further \$26,000 to pay the salaries of the members of the Board.