

due to willful and serious misconduct are compensable if they result in death or serious disability. In addition, New Brunswick excludes injuries if intentionally self-inflicted, due to intoxication or caused by a fortuitous event not connected with the industry. Quebec also excludes intentionally self-inflicted injuries, while Yukon excludes those caused by intoxication.

As regards occupational diseases, the Canadian provinces followed the compensation law of Great Britain, which originally included the following diseases and processes:—

**OCCUPATIONAL DISEASE SCHEDULE OF BRITISH WORKMEN'S COMPENSATION LAW OF 1906**

Disease.	Process.
Anthrax.....	Handling of wool, hair, bristles, hides, and skins.
Lead poisoning or its sequelae.....	Any process involving the use of lead or its preparations or compounds.
Mercury poisoning or its sequelae.....	Any process involving the use of mercury or its preparations or compounds.
Phosphorus poisoning or its sequelae.....	Any process involving the use of phosphorus or its preparations or compounds.
Arsenic poisoning or its sequelae.....	Any process involving the use of arsenic or its preparations or compounds.
Ankylostomiasis.....	Mining.

**Canadian Variations from British Law**

Manitoba and British Columbia adopted verbatim the British Act of 1906; Alberta and Ontario added miners' phthisis to the original list, while Nova Scotia added the three following diseases: Subcutaneous cellulitis of the hand (miners' bent hand), subcutaneous cellulitis over the patella (miners' bent knee), and acute bursitis over the elbow (miners' bent elbow). New Brunswick did not adopt the British schedule, but grants compensation benefits for all occupational diseases, as determined by the board, contracted in industries within the scope of the Act. Quebec and Yukon do not compensate for occupational diseases.

However, the foregoing diseases are compensable only if they are due to the nature of any employment in which the workman was employed at any time within one year previous to the date of disability. Compensation shall be payable in the first instance by the last employer. The latter, however, may recover from other employers whose employment had within the year contributed to the contraction of the disease.

**Waiting Period**

With the exception of Yukon Territory, none of the Canadian compensation laws have a waiting period of over one week. In two provinces the waiting time is only three days. Furthermore, in most of the provinces compensation when payable begins from the date of the injury. The following table shows the waiting period for each province:—

**CANADIAN COMPENSATION LAWS**

Province.	Waiting period.
Alberta.....	3 days. None if disability lasts 10 days or more.
British Columbia.....	3 days.
Manitoba.....	6 days. None if disability is permanent or lasts over 6 days.
New Brunswick.....	1 week.
Nova Scotia.....	6 days. None if disability lasts over 6 days.
Ontario.....	6 days. None if disability lasts over 6 days.
Quebec.....	1 week. None if totally and permanently disabled.
Yukon.....	13 days. None if disability lasts over 13 days.

**Compensation Benefits**

The compensation benefits of the Canadian laws are about on a par with the more liberal American Acts. The scale of benefits is considerably lower, but, on the other hand, the periods for which benefits are paid are much longer, compensation usually being paid during disability or until death or remarriage of the widow. In case of death the usual provision is a fixed monthly pension of \$20 to the widow, with an additional \$5 a month for each child, but not over \$40 in all. In case of disability the usual compensation is 55 per cent. of the employee's earnings, to be paid during disability. The following table shows the per cent. of wages paid as compensation, maximum weekly or monthly payments, and maximum period and amount of compensation payable in case of death, permanent total disability and partial disability:—

**PER CENT OF WAGES PAID AS COMPENSATION, MAXIMUM WEEKLY OR MONTHLY PAYMENTS, AND MAXIMUM PERIOD AND AMOUNT OF COMPENSATION PAYABLE IN CASE OF DEATH, PERMANENT TOTAL DISABILITY, AND PARTIAL DISABILITY**

Province.	Per cent of wages.	Monthly or weekly maximum.	Maximum period and amount of compensation.		
			Death.	Permanent total disability.	Partial disability.
Alberta.....	Not based on wages	\$40 monthly pension (death); \$16 weekly pension (total disability).	Probable industrial life of deceased (\$2,500).	Life (\$2,500)	\$1,000.
British Columbia.....	55 (disability).	\$40 monthly pension (death); \$22 weekly (total disability).	Probable industrial life of deceased.	Life.....	During disability.
Manitoba.....	55 (disability).	\$40 monthly pension (death); \$22 weekly (total disability).	Probable industrial life of deceased.	Life.....	During disability.
New Brunswick.....	55 (disability).	\$40 monthly pension (death); \$15.85 weekly disability.	Probable industrial life of deceased (\$3,500).	Life (\$3,500)	During disability (\$1,500)
Nova Scotia.....	55 (disability).	\$40 monthly pension (death); \$13.20 weekly (total disability).	Probable industrial life of deceased.	Life.....	During disability.
Ontario.....	55 (disability).	\$60 monthly pension (death); \$22 weekly (total disability).	Probable industrial life of deceased.	Life.....	During disability.
Quebec.....	50 (disability).	4 years' earnings (\$2,500).	4 years' earnings (\$2,500).	Life (\$2,500)	During disability (\$2,500)
Yukon.....	50 (temporary total).		\$2,500.....	\$3,000.....	\$3,000.

The provisions relative to weekly or monthly maximums differ widely as between death and disability. In case of death the monthly maximum is usually \$40 (Ontario, \$60), but not over 55 per cent. of the employee's wages. In case of total disability the weekly maximum amounts range from \$13.20 in Nova Scotia to \$22 in British Columbia, Manitoba and Ontario. The Quebec and Yukon laws make no provision in this regard.

Compensation benefits in case of death are not based upon wages. Instead, all of the provinces except Quebec and Yukon provide a fixed monthly pension of \$20 for the widow (\$30 in Ontario), with an additional \$5 for each child (\$7.50 in Ontario). Payments to the widow continue for a period equal to the probable industrial life of the deceased husband, or, to quote the law: "The payments shall continue only so long as, in the opinion of the board, it might reasonably have been expected had the workman lived he would have contributed to the support of the dependents." Payments to the children cease at sixteen years and to the widow upon remarriage, except that in the latter event she is paid a lump sum equal to two years' compensation. Two of the above provinces have a maximum limit; in Alberta this limit is \$2,500 and in New Brunswick \$3,500. Under the Quebec law the death benefits are four years' earnings of the deceased employee (maximum, \$2,500), while the Yukon law provides a flat sum of \$2,500. In addition to the compensation benefits, most of the provinces provide also for burial expenses, the maximum allowance usually being \$75.

**Total and Partial Disability**

In all of the provinces (except Yukon) compensation for total disability accidents continue during disability, and in case of permanent disability, during the life of the injured workman. Three provinces, however, provide a maximum limit: Alberta and Quebec \$2,500 and New Brunswick \$3,500. In five provinces (British Columbia, Manitoba, New Brunswick, Nova Scotia and Ontario) the amount of compensation is 55 per cent. of the employee's wages, subject to weekly maximum and minimum limits. In Quebec the percentage is 50, while in Alberta the amount is not based upon wages, a weekly pension (maximum \$16, minimum \$10) being provided instead.

The Canadian method of compensating partial disability accidents differs widely from the popular American method. Most of the laws in the United States contain a schedule of specified partial disabilities for which benefits are awarded for stated periods, the weekly payments being based upon a percentage of wages earned at the time of the injury. In Canada all of the provinces except Alberta and Yukon base the amount of compensation upon the wage loss or impair-