Document Number 18-02-01

Section
Average Earnings

Operational Policy

Subject
Overview

General policy model

The short-term average earnings are the worker's earnings from the accident employer and all other employment at the time of the injury. Loss of earnings (LOE) benefits are paid for the first 12-weeks following the injury based on the short-term average earnings. (See 18-02-02, Determining Short-term Average Earnings.)

If the worker was in permanent employment at the time of injury, a recalculation to long-term average earnings is not required unless it is not fair to continue paying LOE benefits based on the short-term average earnings. If a recalculation is required, the recalculation period is the 12-month period prior to the injury, subject to a break in the employment pattern. (See 18-02-03, Determining Long-term Average Earnings - Workers in Permanent Employment.)

If the worker was in non-permanent employment at the time of injury, a recalculation to long-term average earnings is automatically conducted. The recalculation period is the 24-month period prior to the injury, subject to a break in the employment pattern. (See 18-02-04, Determining Long-term Average Earnings - Workers in Non-permanent Employment.)

Following a recalculation, the worker's long-term average earnings are used to pay LOE benefits from the 13th week of the claim.

~~Document History~~

~~This document replaces 18-02-01 dated December 1, 2002.~~

Short-term ~~A~~average ~~E~~earnings

- Include the worker's earnings from all employment at the time of injury
- Loss of earnings (LOE) benefits paid for the initial 12-week period following the injury, based on the short-term average earnings
- See 18-02-02, Determining Short-term Average Earnings. For workers that are concurrently employed at the time of injury see 18-02-05, Determining Average Earnings – Concurrent Employment.

~~Short-term Average Earnings~~ ~~• Include the worker's earnings from all employment at the time of injury~~ ~~• Loss of earnings (LOE) benefits paid for the initial 12-week period following the injury, based on the short-term average earnings~~ ~~• See 18-02-02. For workers that are concurrently employed at the time of injury see 18-02-05~~
~~Recalculating Average Earnings~~ ~~• Short-term average earnings are recalculated to long-term average earnings if it is unfair to~~

~~continue paying LOE benefits based on the short-term average earnings~~ ~~• Long-term average earnings reflect the worker's long term average earnings and employment pattern~~ ~~• The period of recalculation depends on whether the worker is in permanent or non-permanent employment at the time of injury~~ ~~• LOE benefits using the long-term average earnings are paid from the start of the 13th week following the injury~~

Recalculating ~~A~~average ~~E~~earnings

- Short-term average earnings are recalculated to long-term average earnings if it is unfair to continue paying LOE benefits based on the short-term average earnings
- Long-term average earnings reflect the worker's long-term average earnings and employment pattern
- LOE benefits using the long-term average earnings are paid from the start of the 13th week following the injury
- The period of recalculation depends on whether the worker is in **permanent** or **non-permanent employment** at the time of injury

Long-term average earnings – permanent employment

- Long-term average earnings for these workers are generally the same as the short-term average earnings
- Period of recalculation is generally the 12 months before the date of injury
- See 18-02-03, Determining Long-term Average Earnings – Workers in Permanent Employment.

Long-term average earnings – non-permanent employment

- Long-term average earnings for these workers generally differ from the short-term average earnings due to variations in their earnings and pattern of employment
- Period of recalculation is generally the 24 months before the date of injury
- See 18-02-04, Determining Long-term Average Earnings – Workers in Non-Permanent Employment.

~~Long-term Average Earnings~~	~~Long-term Average Earnings~~
~~Permanent Employment~~	~~Non-permanent Employment~~ ~~• Long-term average earnings for these workers generally differ from the short-term average~~

~~Long term average earnings for these workers are generally the same as the short term average earnings~~ ~~Period of recalculation is generally the 12 months before the date of injury~~ ~~See 18-02-03.~~	~~earnings due to variations in their earnings and pattern of employment~~ ~~Period of recalculation is generally the 24 months before the date of injury~~ ~~See 18-02-04.~~

Other ~~A~~average ~~E~~earnings ~~P~~policies

~~Concurrent Employment, 18-02-05~~18-02-05, Determining Average Earnings – Concurrent Employment	~~Recurrences, 18-02-06~~18-02-06, Determining Average Earnings – Recurrences	~~Calculating Net Average Earnings, 18-02-07~~18-02-07, Calculating Net Average Earnings	~~Exceptional Cases, 18-02-08~~18-02-08, Determining Average Earnings – Exceptional Cases
Average earnings are the earnings from all employment at the time of injury.	Average earnings are the higher of the: • pre-injury (escalated) average earnings, or • average earnings at the time of the most recent employment.	The WSIB determines the amount of the workers net average earnings by deducting from the worker's earnings: • the probable tax payable • CPP/QPP premiums payable, and • EI payable.	Refer to 18-02-08, to calculate average earnings for workers who are considered: • dependent contractors • workers with optional insurance • apprentices • learners • students • pupils • volunteer force members • emergency workers, or • Ontario Works participants.

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