

Community of practice psychological injury claim participant questions

Dec. 2, 2025 meeting

Q: Once the Saskatchewan Workers' Compensation Board (WCB) accepts a work-related psychological injury claim, what type of information is the employer privy to, if any?

A: If there is any outstanding information from the employer's perspective, they can communicate those concerns to the customer care facilitator.

The employer can access all information, other than medical diagnoses, through a file request with the WCB. Under Section 174 of *The Workers' Compensation Act, 2013*, employers or their representatives have the right to request portions of their claim file that the WCB used to make a decision that the employer does not agree with.

If an employer is requesting a review or reconsideration of a WCB decision regarding an injury claim for a worker, the employer must clearly identify the issue with a claim decision. To get a copy of the relevant information, the employer or representative must complete the [Employer's Request for Information \(EROI\) form](#) or the [Employer's Representative's Request for Information \(EROI2\) form](#).

To fill out the EROI2 form, the employer will need to file an [Authorization Letter of Representation \(EREP\) form](#). The worker has the right to object to the release of this information to the employer. Employers can submit the completed forms to the WCB by emailing them or faxing to 1.888.844.7773. For more information, refer to the WCB's webpage, [Rights to your worker's medical information](#), email claims@wcbask.com or fax 1.888.844.7773.

The WCB may exclude certain information from the worker's claim file. This typically includes information that is deemed irrelevant to the dispute, detailed or unrelated personal information or personal health information, or information that is subject to provisions of *The Freedom of Information and Protection of Privacy Act* (FOIP) and certain provisions of *The Health Information Protection Act* (HIPA).

Q: If an individual has an active WCB claim, but the staff member chooses not to submit absent workplace hours to the WCB for reimbursement, is the onus to complete this on the individual or the organization?

A: If the worker is participating in a graduated return-to-work program, then the worker would be responsible to communicate with the WCB and the employer to assure accurate payment of missed days. If the worker uses vacation or sick time unrelated to the claim, the WCB would suspend benefits for those dates. Customer care facilitators would contact employers if clarification is needed.

Q: Does the WCB communicate that multiple treatment options exist for psychological health and safety injuries to workers and provide education about it to them?

A: The health-care provider explores the treatment options available for the diagnosis. The health-care provider is responsible to refer the patient to another clinician if the appropriate treatment falls outside of their scope. The WCB does not direct medical intervention. However, the WCB works with health-care providers to escalate to a mental health program from primary treatment if the worker's needs exceed the scope of the primary health-care provider.

Q: How does the WCB evaluate work-related psychological health matters and how does that differ from employee short-term disability benefits?

A: The WCB is unable to speak to any external benefits provider. The WCB is obligated to adjudicate all work-related injury reports that workers and employers provide. As the WCB is the first insurer, workers can access short-term disability benefits in the event the WCB disallows the claim. The short-term disability provider will decide the benefits as well. If the worker goes to their short-term disability provider before the WCB, that provider will deny the claim and direct them to go to the WCB first.

Q: How long can someone stay on a WCB claim? How long can an individual delay treatment or a return to work while dealing with a non-compensable issue outside of the injury? What if a return to work is not feasible due to an individual's physical ability or lack thereof?

A: The WCB does not have a time limit on claims. A worker's claim will be active until that worker can mitigate earnings loss, complete their return to work through vocational programming or, if they are unable to return to their pre-injury job, move to earnings replacement.