BILL

No. 74

An Act to amend *The Workers' Compensation Act, 2013*

(Assented to)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title

1 This Act may be cited as *The Workers' Compensation (Strengthening Compensation Outcomes) Amendment Act, 2026*.

SS 2013, c W-17.11 amended

2 *The Workers' Compensation Act, 2013* is amended in the manner set forth in this Act.

Section 2 amended

3(1) Subclause 2(1)(cc.1)(ii) is amended by striking out "prescribed worker**" and substituting "**worker prescribed in the regulations**".**

(2) The following subsection is added after subsection 2(4):

"(5) Notwithstanding clause (1)(ii), a person occupying any of the following positions is not a worker unless that person has been deemed to be a worker in accordance with subclause (1)(ii)(iii):

(a) a director of a body corporate, regardless of the name given to the position;

(b) an employer;

(c) a partner in a partnership;

(d) a proprietor**".**

Section 9 amended

4 Subsection 9(5) is repealed and the following substituted:

"(5) Members of the board are responsible for the following:

(a) full-time members are responsible for:

(i) issuing board orders made pursuant to this Act;

(ii) making determinations with respect to applications made pursuant to section 3;

(iii) hearing and deciding appeals to the board made pursuant to this Act;

(iv) making determinations pursuant to section 169; and

(v) governing and properly administrating matters governed by this Act;

(b) part-time members are responsible for the governance and proper administration of matters governed by this Act**".**

New section 14

5 Section 14 is repealed and the following substituted:

"Quorum

14(1) Subject to subsection (2), a majority of the members constitutes a quorum of the board.

(2) If the matter before the board falls under a responsibility mentioned in subclause 9(5)(a)(i), (ii), (iii) or (iv), a majority of the full-time members constitutes a quorum of the board**".**

Section 18 amended

6 The following subsection is added after subsection 18(4):

"(4.1) An application to the board pursuant to subsection (4) must be filed with the board within 2 years after the day on which the applicant was notified of the act or decision of the delegate**".**

Section 19 amended

7 The following clause is added after clause 19(1)(a):

"(a.1) determine whether a worker has sustained any injury or any psychological injury as defined in section 28.1**".**

Section 20 amended

8 Subsection 20(5) is repealed and the following substituted:

"(5) Notwithstanding any other provision of this Act, the board may, on its own initiative:

(a) reconsider any matter that it has dealt with; and

(b) rescind, alter or amend any decision or order it has made**".**

New section 28.1

9 Section 28.1 is repealed and the following substituted:

"Presumption of psychological injury

28.1(1) In this section, **'psychological injury'** means a psychological disorder or condition that meets the diagnostic criteria for a disorder or condition that is described in the edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association that is prescribed in the regulations.

(2) Unless the contrary is proven, a psychological injury is presumed to be an injury arising out of and in the course of employment if a worker is:

(a) either:

(i) in an occupation that is prescribed in the regulations; or

(ii) exposed to a traumatic event arising out of and in the course of the worker's employment; and

(b) diagnosed with a psychological injury by:

(i) a psychiatrist;

(ii) a psychologist authorized to diagnose psychological disorders or conditions; or

(iii) a health care professional approved by the board**".**

Section 31 amended

10 The following subsection is added after subsection 31(2):

"(3) Notwithstanding subsection (1), if a worker must attend a medical appointment to maintain a return to full employment and that attendance results in a loss of earnings, the board may pay a medical appointment allowance**".**

Section 61 amended

11(1) Clause 61(1)(a) is repealed and the following substituted:

"(a) a list setting out the names of health care professionals who possess specialized training, qualifications or experience in the class of injury for which compensation has been claimed**".**

(2) Subsection 61(1.1) is amended in the portion preceding clause (a) by adding ", health care professionals**" after "**physicians**".**

Section 72 amended

12 Section 72 is amended:

(a) by renumbering it as subsection 72(1); and

(b) by adding the following subsection after subsection (1):

"(2) Notwithstanding section 69, for the purposes of this section, the applicable maximum wage rate is the maximum wage rate in effect on the date of the worker's initial injury**".**

Section 73 amended

13 Subsection 73(3) is repealed and the following substituted:

"(3) If compensation is paid to a worker for a cumulative period of 24 months with respect to the same injury, the board shall set aside an amount equal to:

(a) 10% of the compensation paid during that period; and

(b) 10% of the future compensation to be paid after that period**".**

Section 80 amended

14 Subsection 80(1) is amended by adding "subject to and**" after "**payable**".**

Section 81 amended

15(1) Subsection 81(1) is amended in the portion preceding clause (a) by striking out "if the worker is survived by a dependent spouse**" and substituting "**if a worker dies and is survived by a dependent spouse, and the worker's death results in a loss of the worker's earnings**".**

(2) Subsection 81(3) is repealed and the following substituted:

"(3) If compensation is paid to a surviving dependent spouse pursuant to subsection (1) for a cumulative period of 24 months:

(a) the board shall set aside an amount equal to:

(i) 10% of the compensation paid during that period; and

(ii) 10% of the future compensation to be paid after that period; and

(b) the amount mentioned in clause (a), together with accrued interest, must be used to provide an annuity for the surviving dependent spouse at age 65".

Section 89 amended

16 Subsection 89(5) is amended:

(a) in the portion preceding clause (a) by striking out "dependant**" and substituting "**dependent**"; and**

(b) in clause (b) by striking out "dependant**" and substituting "**dependent**".**

Section 122 amended

17 Subsection 122(1) is amended in the portion preceding clause (a) by striking out "Every**" and substituting "**Subject to subsection (2), every**".**

Section 132 amended

18 The following subsection is added after subsection 132(5):

"(6) Every principal shall provide to the board, in accordance with any requirements prescribed in the regulations, any information or documents respecting payments made to, or on behalf of, a contractor or subcontractor for work mentioned in section 131".

Section 155 amended

19 Clause 155(1)(b) is repealed and the following substituted:

"(b) an amount required to be paid pursuant to section 142, 148, 152, 153, 158 or 159".

Section 174 amended

20(1) Subsection 174(2) is repealed and the following substituted:

"(2) If a decision of the board made pursuant to this Act with respect to a worker's claim for compensation is the subject of a reconsideration or a review, whether or not the employer is a party to the reconsideration or review, the board may, on written request, in accordance with this section, grant the employer or the employer's representative access to the information that the board used to make its decision**".**

(2) Subsection 174(4) is amended in the portion preceding clause (a) by adding "by an employer or an employer's representative**" after "**made**".**

Section 187 amended

21 The following clause is added after clause 187(1)(f):

"(f.1) for the purposes of section 132, respecting payments by contractors and principals**".**

Coming into force

22 This Act comes into force by order of the Lieutenant Governor in Council.

THIRD SESSION

Thirtieth Legislature

SASKATCHEWAN

BILL

No. 74

An Act to amend
The Workers' Compensation Act, 2013

Received and read the

First time

Second time

Third time

And passed

Honourable Ken Cheveldayoff

Printed under the authority of
The Speaker of the Legislative Assembly
of Saskatchewan
2026