



## **PRODUCTION COMPANIES**

### **Are production companies required to purchase coverage from the Workers Compensation Board of Manitoba (WCB)?**

Production companies are required to purchase coverage for all workers except entertainers. Entertainers include actors, stunt people and any other person who works in front of the camera. Entertainers are not required to have workers compensation coverage; however, the WCB sells coverage for these individuals.

### **Are all persons, other than entertainers, working on a production considered workers?**

No. The term "worker" is similar to the term "employee" and some people working in the industry are independent contractors, rather than workers. In order to determine the status of a particular individual, the WCB may need to review such factors as the collective agreement, the contract of employment, the amount and type of compensation paid, and whether or not rights and royalties are being paid, etc.

### **Can a production company provide coverage for everyone associated with the production?**

Yes. Production companies may choose to cover all individuals associated with the production, including actors, entertainers, directors, and writers, etc. In some circumstances, these individuals may be considered independent contractors. To ensure independent contractors have coverage, the production company must request coverage at the time of registration and each individual who is an independent contractor must complete an application for coverage.

The completed applications do not need to be provided to the WCB at the time coverage is purchased, but should be retained by the production company so they can be provided to the WCB in the event that a claim is filed.

### **Are individuals with optional coverage - including independent contractors and the production company - protected by the immunity from lawsuit provisions of *The Workers Compensation Act*?**

Yes. If the production company elects to cover all individuals associated with the production and can produce a completed application form for the individual(s) involved following a work-related injury or illness, both the production company and the individual with optional coverage will be immune from potential lawsuits from each other and all other covered employers and workers.

### **What payroll is considered assessable for independent contractors?**

Payroll up to \$513,990 (annualized) per individual in 2020 is considered assessable.

### **What do I do if someone working on the production experiences a workplace injury?**



As soon as you are informed of the injury, report the claim to the WCB. If the value of the injured individual's contract exceeds \$513,990 in 2020, the WCB will determine if the individual is a worker or an independent contractor and, if applicable, a copy of the application and other documentation may be requested of the production company.

If the injury and resulting loss of income continue beyond the duration of the contract, wage loss benefits will be calculated according to the WCB's Average Earnings policy and paid up to the maximum optional coverage level of \$513,990 (annualized). Verification of earnings will be required to pay ongoing wage loss benefits.

### **Who do I contact for more information?**

If you have questions regarding coverage for production companies, entertainers and/or independent contractors, or if you'd like to apply for coverage, please call Assessment Services at (204) 954-4505 or toll-free in Canada at 1-855-954-4321. You may send a fax to (204) 954-4900 or toll-free in Canada and the United States at 1-866-245-0796 or you can write to us at:

Workers Compensation Board of Manitoba  
Assessment Services  
333 Broadway  
Winnipeg, Manitoba R3C 4W3

If you have questions regarding the calculation or payment of benefits please call our Claims Service Centre at (204) 954-4321 or toll-free in Canada and the United States at 1-855-954-4321 and ask to speak to the Payments department.

You can also write to us at:  
Workers Compensation Board of Manitoba  
Compensation Services  
Attention: Payment Specialist  
333 Broadway  
Winnipeg, Manitoba R3C 4W3

This publication is provided for general information. It is not intended to be legal advice, and should not be relied on as such. For more specific information, see *The Workers Compensation Act and Regulations and WCB Policies*. These documents are available on the WCB website at [wcb.mb.ca](http://wcb.mb.ca).

**Application for Optional Coverage  
(Film Industry - Industry Code 505-05)**

Optional Workers Compensation Board (WCB) insurance will be purchased on your behalf to ensure, in the event you are injured in Manitoba while you are working, you will receive the benefits needed to get you back to health and work as soon as possible.

Optional Coverage, in the event of an injury resulting in wage loss, will be paid out according to the contract duration to a maximum of \$513,990 (annualized) in 2020. If the injury and resulting loss of income continue beyond the duration of the contract, wage loss benefits will be calculated according to the WCB's Average Earnings policy and will be paid up to the maximum optional coverage level of \$513,990 (annualized). Verification of your earnings will be required to pay ongoing wage loss benefits. By signing this application, future rights to sue your employer or the holder of your contract for any work-related injury or illness that may arise out of and in the course of your employment or contract in Manitoba for the project identified are forfeited.

Production Company: \_\_\_\_\_

Project Title: \_\_\_\_\_

Production Start Date (day/month/year): \_\_\_\_\_

Individual Information

Surname, First Name, Initial: \_\_\_\_\_

Level of Requested Coverage (up to maximum optional coverage level): \_\_\_\_\_

I have read and understand the above information.

\_\_\_\_\_  
Signature  
(Individual or authorized agent)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title