

chapter A-3.001, r. 8

Regulation respecting travel and living expenses

Act respecting industrial accidents and occupational diseases
(chapter A-3.001, ss. 115 and 150)

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CHAPTER I

TRAVEL AND LIVING EXPENSES

DIVISION I

GENERAL

1. A worker who suffers an employment injury is entitled to reimbursement, in accordance with the norms provided for in this Regulation and in the amounts provided for in Schedule 1, of travel and living expenses incurred by the worker in receiving care, in undergoing medical examinations or in taking part in a personal rehabilitation program in accordance with the Act respecting industrial accidents and occupational diseases (chapter A-3.001).

Where the physical condition of the worker so requires, the person who must accompany him is entitled to reimbursement of travel and living expenses incurred by that person, in accordance with the same norms and amounts.

Decision 93-06-07, s. 1.

2. A nurse, a nursing assistant or a nurse's aide providing home care to a worker in accordance with section 150 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) is entitled to reimbursement of travel and living expenses incurred by that person, in accordance with the norms provided for in this Regulation and in the amounts provided for in Schedule 1.

Decision 93-06-07, s. 2.

3. In the case of an employment injury that occurs in Québec, where the worker chooses to receive care or to undergo medical examinations outside Québec and where the Commission des normes, de l'équité, de la santé et de la sécurité du travail does not pay the cost thereof pursuant to the Regulation respecting medical aid (chapter A-3.001, r. 1), the worker shall not be entitled to reimbursement of travel and living expenses incurred for that purpose.

Decision 93-06-07, s. 3.

4. The Commission shall reimburse travel and living expenses on the basis of the most economical appropriate solution.

Decision 93-06-07, s. 4.

DIVISION II

TRAVEL EXPENSES

§ 1. — *Transportation expenses*

5. Expenses incurred for public transportation by bus, subway, train or boat are reimbursable.

Decision 93-06-07, s. 5.

6. The Commission may authorize a worker to use a personal vehicle or a taxi where the attending physician certifies that the worker is unable to use the means of transport prescribed in section 5 because of his physical condition and where the Commission considers that such incapacity is caused or aggravated by an employment injury.

The physician may indicate how long the incapacity to use public transport is likely to last.

Decision 93-06-07, s. 6.

7. The Commission may authorize a nurse, a nursing assistant or a nurse's aide to use a personal vehicle or a taxi.

Decision 93-06-07, s. 7.

8. Only transportation expenses incurred in travelling by the shortest route between the worker's residence and the place where he must receive care, undergo medical examinations or take part in a personal rehabilitation program are reimbursable, in accordance with the applicable rate provided for in Schedule 1.

A person using a personal vehicle, with or without the authorization of the Commission, is also entitled to reimbursement of parking and toll costs.

Decision 93-06-07, s. 8.

9. Where a worker chooses, without the prior authorization of the Commission, to receive care or to undergo medical examinations more than 100 km from his residence when such care could be obtained or such examinations take place within a shorter distance, only the expenses corresponding to a trip of 200 km with an authorized personal vehicle in the case provided for in section 6 or with an unauthorized personal vehicle in every other case are reimbursable.

Such authorization may be granted where those expenses are more economical taking into account all the indemnities to which the worker would be entitled if he received care or underwent a medical examination 100 km or less from his residence.

Decision 93-06-07, s. 9.

10. Transportation expenses incurred in going to the residence to eat a meal and to come back therefrom are not reimbursable.

Decision 93-06-07, s. 10.

§ 2. — *Meal expenses*

11. Only expenses for meals taken during a trip where the destination is more than 16 km from the worker's residence, by the shortest route, are reimbursable in the following cases:

- (1) where the worker had to leave his residence before 7:30 a.m., breakfast expenses;
- (2) where the worker had to leave his residence before 11:30 a.m. and where he had to return after 1:30 p.m., lunch expenses; or
- (3) where the worker had to leave his residence before 5:30 p.m. and where he had to return after 6:30 p.m., dinner expenses.

Notwithstanding the foregoing, breakfast or lunch expenses are also reimbursable where the worker has to travel 16 km or less from his residence to receive care or to undergo medical examinations and where he has to stay at the destination between 8:30 a.m. and 11:30 a.m. or between 11:30 a.m. and 1:30 p.m.

Decision 93-06-07, s. 11.

12. A nurse, a nursing assistant or a nurse's aide is entitled to reimbursement of meal expenses provided for in the first paragraph of section 11, under the same conditions, where that person travels by the shortest route more than 16 km from the establishment of his employer.

Decision 93-06-07, s. 12.

DIVISION III

LIVING EXPENSES

13. Living expenses incurred in staying at a hotel or at the home of a relative or a friend are reimbursable where the Commission has given prior authorization for the stay.

Decision 93-06-07, s. 13.

DIVISION IV

RETRAINING OR TRAINING

14. Where a worker takes part in a training or retraining program included in his personal rehabilitation program, where the duration of the program exceeds 2 weeks and where the worker must travel or live more than 50 km from his residence, the Commission may, instead of reimbursing the expenses provided for in this Chapter, pay to the worker a weekly lump sum allowance.

Notwithstanding the foregoing, a worker is entitled to receive the travel and living expenses provided for in this Chapter for a maximum period of 7 days in order to make arrangements for his accommodation at the planned place of training or retraining.

Decision 93-06-07, s. 14.

15. A worker who takes part in a training or retraining program at the establishment where he was working when he suffered an employment injury is not entitled to reimbursement of his travel and living expenses.

Decision 93-06-07, s. 15.

CHAPTER II

EXPENSES FOR TRANSPORTATION BY AMBULANCE, BY AIR OR BY ANOTHER MEANS OF TRANSPORT

DIVISION I

GENERAL

16. Subject to section 190 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Commission shall reimburse expenses incurred in transporting by ambulance, by air or by any other means a worker suffering an employment injury and, where his physical condition so requires, the person accompanying him other than a person responsible for the transport, so that the worker receives care or undergoes medical examinations made necessary by the injury, in the cases and in the amounts provided for in this Chapter.

Decision 93-06-07, s. 16.

DIVISION II

TRANSPORTATION BY AMBULANCE

17. The costs for transportation by ambulance are reimbursable in one of the following circumstances:

(1) a worker suffers an employment injury outside his employer's establishment or a construction site and his physical condition requires transportation by ambulance to an institution referred to in the Act respecting health services and social services (chapter S-4.2) or an establishment referred to in the Act respecting health services and social services for Cree Native persons (chapter S-5); or

(2) a prescription drawn up by the attending physician certifies that the worker must be transported by ambulance between 2 establishments or institutions referred to in those Acts or between the worker's residence and such establishment or institution.

Decision 93-06-07, s. 17.

18. Expenses incurred for transportation by ambulance are reimbursable in accordance with the amounts prescribed in the Ministerial Order concerning the determining of ambulance service zones and the maximum number of ambulances per area and per zone, the standards for ambulance service subsidies, the standards of transport by ambulance between establishments and rates of transport by ambulance (chapter L-0.2, r. 2).

The amounts shall be revalued in accordance with the amendments that the Minister may make to his Order but, for the purposes of this Regulation, such amendments shall take effect only from the date of their making.

Decision 93-06-07, s. 18.

DIVISION III

TRANSPORTATION BY AIR

19. Expenses incurred in transporting a worker by air are reimbursable in one of the following circumstances:

(1) there is no other means of transport;

(2) the use of another means of transport would be inadequate or dangerous for the worker because of his physical condition and the length of the journey or poor road conditions; or

(3) using transportation by air is more economical, taking into account all the indemnities to which the worker would be entitled if that means of transport was not used.

Decision 93-06-07, s. 19.

DIVISION IV

OTHER MEANS OF TRANSPORT

20. Expenses incurred for emergency transportation by a means of transport other than transportation by ambulance or air are reimbursable where such means of transport is required in the circumstances.

Decision 93-06-07, s. 20.

CHAPTER III

MISCELLANEOUS

21. The expenses provided for in this Regulation shall be reimbursed only where the application for reimbursement, supported by vouchers, is sent to the Commission within 6 months following the date on which the expenses were incurred.

Notwithstanding the foregoing, the Commission may extend that period where a person demonstrates reasonable grounds to explain his late application.

Decision 93-06-07, s. 21.

22. The amounts provided for in Schedule 1 shall be revalued in accordance with the amendments that the Conseil du trésor may make to the Règles sur les frais de déplacement des fonctionnaires.

Notwithstanding the foregoing, for the purposes of this Regulation, such amendments shall have effect only from the 1 January following their making by the Conseil du trésor and shall apply only in respect of expenses incurred from that date.

Decision 93-06-07, s. 22.

23. This Regulation replaces the Norms and amounts for transportation and travel expenses (Decision 87-10-07).

Decision 93-06-07, s. 23.

24. *(Omitted).*

Decision 93-06-07, s. 24.

SCHEDULE 1

(ss. 1, 2, 8 and 22)

NATURE OF TRAVEL AND LIVING EXPENSES AND AMOUNTS PAYABLE

Nature of expenses: amount payable

- Public transport: actual cost;
- Authorized taxi: actual cost;
- Authorized personal vehicle: \$0.43 per km;
- Unauthorized personal vehicle and taxi: \$0.145 per km;
- Parking and toll costs: actual cost;
- Meals: up to:

breakfast: \$10.40, lunch: \$14.30, dinner: \$21.55;

- Hotel accommodation: up to:

Island of Montréal: \$126 to \$138 per night, Communauté métropolitaine de Québec: \$106 per night, Cities of Laval, Gatineau and Longueuil: \$102 to \$110 per night, Elsewhere in Québec: \$83 to \$87 per night; Plus an allowance of \$5.85 for each day of travel with hotel accommodation;

- Lodging at the home of a relative or friend: \$22.25 per night;
- Allowance for travel and living expenses incurred for purposes of training or retraining: up to a maximum weekly allowance of \$450.

Decision 93-06-07, Sch. 1.

UPDATES

Decision 93-06-07, 1993 G.O. 2, 3347
S.Q. 2015, c. 15, s. 237

