

# INCOME REPLACEMENT INDEMNITY

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CNESST  
SAAQ



Québec 

# WHEN YOUR TRAFFIC ACCIDENT OCCURRED,

you were being paid an income replacement indemnity by the Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST) for a workplace accident or occupational illness.

Since the CNESST is already compensating you for the income you have lost as a result of that accident or illness, you cannot also collect the income replacement indemnity that you would normally have been entitled to following your traffic accident.

As provided for by law, the Société de l'assurance automobile du Québec (SAAQ) and the CNESST have agreed on how to determine the benefits, compensation or indemnities that each one is required to pay in this situation.

## HOW IS MY INCOME REPLACEMENT INDEMNITY CALCULATED?

Your indemnity is equivalent to 90% of your net annual income, which is based on your gross annual income, minus:

- » your contribution to the Québec Pension Plan;
- » your Employment Insurance premiums;
- » your Québec Parental Insurance Plan premiums;
- » an amount equal to your federal and provincial income taxes.



### **Important:**

**The gross annual income used to calculate your indemnity cannot be higher than the maximum insurable earnings determined by each organization.**

# WHICH ORGANIZATION WILL BE PAYING MY INCOME REPLACEMENT INDEMNITY?

That depends on how long your disability lasts. Since you were already receiving an indemnity from the CNESST, you will continue to receive it for as long as you are disabled due to your workplace accident or occupational illness.

## ONCE YOUR WORKPLACE-RELATED DISABILITY ENDS, TWO SITUATIONS ARE POSSIBLE:

### **1. THE DISABILITY CAUSED BY YOUR TRAFFIC ACCIDENT HAS ALREADY ENDED**

With you fit to resume work and no longer disabled as a result of your traffic accident, you are not entitled to an income replacement indemnity from the SAAQ because there is no longer any loss of income as a result of the traffic accident.

### **2. YOU ARE STILL UNABLE TO WORK BECAUSE OF THE INJURIES CAUSED BY YOUR TRAFFIC ACCIDENT**

The SAAQ will pay you an income replacement indemnity until you are able to resume your employment or begin an employment determined for you by the SAAQ.

**If you were unemployed at the time of your traffic accident** and your disability resulting from a workplace accident or occupational illness ended within the six months directly following your traffic accident, the SAAQ will only begin paying you an income replacement indemnity on the **181<sup>st</sup> day following your accident.**

If you are still unable to work at that point, the income replacement indemnity from the SAAQ will be calculated based on earnings from employment you could have held, were it not for your traffic accident.

In any event, no compensation is payable for the first seven days of disability following the accident.

# FROM WHICH ORGANIZATION SHOULD I CLAIM REIMBURSEMENT OF EXPENSES?

Each organization assumes the cost of the illness-and injury-related expenses that arise from the incident for which it provides coverage. You should claim your reimbursement of expenses from the organization that accepted to cover the expenses resulting from your injury.

For example, in the case of someone with work-related back problems who then breaks a leg in a traffic accident, reimbursement of fees for back treatment must be claimed from the CNESST, while reimbursement of expenses related to the broken leg should be claimed from the SAAQ.

# SHOULD I SEE MY DOCTOR?

Consult your doctor **regularly** and have medical reports submitted to either the CNESST or the SAAQ, depending on the cause of injury.

Physicians' reports concerning injuries sustained in a traffic accident must be sent to the SAAQ, whereas those concerning an occupational illness or injuries sustained in a workplace accident must be sent to the CNESST.

This will help us to ensure a better follow-up concerning your file and avoid possible consequences to the payment of your income replacement indemnity.

# WHAT IF MY CONDITION CHANGES?

Should your condition change, you must send a medical report to the CNESST or the SAAQ, depending on the cause of the injury. Your file will then be reassessed in order to determine whether your indemnity payments should be extended or, in the event that you are no longer receiving an indemnity, whether you have once again become entitled to an indemnity.

# NEED MORE INFORMATION?

Commission des normes, de l'équité, de la santé et de la sécurité du travail

Online: [cnesst.gouv.qc.ca](http://cnesst.gouv.qc.ca)

By telephone:

- » 1 844 838-0808  
(Québec, Canada or the United States)

## **Société de l'assurance automobile du Québec**

Online: [saaq.gouv.qc.ca](http://saaq.gouv.qc.ca)

By telephone:

- » Québec area: 418 643-7620
- » Montréal area: 514 873-7620
- » Elsewhere in Québec, Canada and the United States: 1 800 361-7620

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**Société de l'assurance  
automobile**

**Québec** 

Avec vous,  
au cœur de votre sécurité