



## Calculating ICBC Benefits for Income Loss and Homemaker Expenses

This Info Sheet provides basic information on calculating your ICBC benefits for income loss and homemaker expenses. It is meant to provide information only, and is not a substitute for legal advice.

As a secondary insurer, ICBC requires you to access income loss benefits from other sources before paying you any ICBC Income Loss Accident Benefits, also known as TTDs. For example, if you are unable to work due to injuries, you may be entitled to short- or long-term income loss benefits through your private/group benefit plan. Remember, if you are the innocent victim, ICBC has the discretion to advance you money against your claim.

For more information on other benefit sources see our [Info Sheet 5, Other Types of Coverage – When to Collect](#). If you are self-employed or are a service industry worker, also refer to our [Info Sheet 9, Claiming ICBC Benefits for Income Loss for Self-Employed and Service Industry Workers](#) for more information regarding your circumstances. If you do not have a private/group income loss benefit plan, you may be entitled to Employment Insurance (EI) sickness benefits.

There are generally two situations you might find yourself in:

1. ICBC would be your only source of income loss benefits, if you don't have other benefit coverage;
2. ICBC might top up your other income benefit coverage, which may or may not include EI sickness benefits.

### Calculating ICBC Accident Benefits If You Do Not Have Other Benefit Coverage

The following example guides you through a calculation of the amount of disability income loss benefits you may expect to receive from ICBC when you are not receiving disability income loss benefits from any other source.

Generally, ICBC will pay you 75% of your average gross weekly earnings from the year prior to your accident, up to a maximum of \$300 per week.

**Example 1: Your average gross weekly earnings were \$600.**

<b>Step 1:</b> What is 75% of your average gross weekly earnings?	75% of \$600 is \$450
<b>Step 2:</b> What amount of benefits are you entitled to receive from ICBC?	The lesser of: <ul style="list-style-type: none"> <li>▪ 75% of your average gross weekly earnings, or</li> <li>▪ a maximum of \$300</li> </ul>
<b>Step 3:</b> What amount of benefits will you receive from ICBC?	75% of your average gross weekly earnings equals \$450, which is greater than the \$300 maximum. Therefore, you will only receive \$300 per week from ICBC.

**Calculating ICBC Accident Benefits If You Have Other Benefit Coverage**

If you receive other income loss benefits, but not including EI sickness benefits, ICBC will not pay you anything unless that amount is less than 75% of your average gross weekly earnings. If so, ICBC will only top you up to 75%, or to a maximum of \$300 per week, whichever is less.

This situation does not include EI sickness benefits because ICBC has a special regulation and calculates your entitlement differently. See the next section for calculating your benefit entitlement when you are eligible for EI sickness benefits.

**Example 1: Your average gross weekly earnings were \$600 and you receive \$250 from other benefits.**

<b>Step 1:</b> What is 75% of your average gross earnings?	75% of \$600 is \$450
<b>Step 2:</b> What amount are you receiving from other benefits?	In this example, you are receiving \$250 from other benefits.
<b>Step 3:</b> What amount of benefits can you expect to receive from ICBC?	<p>You must subtract the amount of money you receive from other benefits (\$250) from 75% of your average gross weekly earnings (\$450):</p> $\$450 - \$250 = \$200$ <p>In order to receive 75% of your earnings, ICBC would have to top you up by \$200.</p> <p>ICBC will top you up to 75% of your average gross weekly earnings or to a maximum of \$300 per week, whichever is less. Therefore, ICBC would top you up \$200, for a total of \$450 per week</p>

**Example 2: Your average gross weekly earnings were \$700 and you receive \$200 from other benefits.**

<b>Step 1:</b> What is 75% of your average gross earnings?	75% of \$700 is \$525
<b>Step 2:</b> What amount are you receiving from other benefits?	In this example, you are receiving \$200 from other benefits.
<b>Step 3:</b> What amount of benefits can you expect to receive from ICBC?	<p>You must subtract the amount of money you receive from other benefits (\$200) from 75% of your average gross weekly earnings (\$525):</p> $\$525 - \$200 = \$325$ <p>In order to receive 75% of your earnings, ICBC would have to top you up by \$225.</p> <p>ICBC will top you up to a maximum of \$300 per week. Therefore, ICBC would top you up \$300, for a total of \$500 per week.</p>

**Calculating ICBC Accident Benefits When Eligible for EI Sickness Benefits**

If you are eligible for EI sickness benefits you could receive more than ICBC would pay you without EI benefits. This is because EI sickness benefits pay up to \$468 per week, (in 2010) and ICBC pays up to a maximum of \$300 per week. You could also receive a combination of EI sickness benefits and ICBC income loss accident benefits if ICBC must top you up because you are receiving less than 75% of your average earnings.

Your first step is to determine if EI sickness benefits would pay you more than ICBC income loss benefits would. Calculate 55% of your average gross weekly earnings. If that amount is more than \$468, you would receive a maximum of \$468 per week. That amount is more than ICBC's income loss benefits would pay you, which is a maximum of \$300 per week. In fact, EI sickness benefits will pay you more than ICBC would as long as your EI sickness benefit entitlement is over \$300 per week.

In cases where you are eligible for EI sickness benefits and that amount is less than \$300 per week, ICBC must top you up. However, ICBC will calculate your disability income loss accident benefits differently than the calculations dealing with other benefits set out above.

Because of a special regulation related to EI benefits (s. 83 of the *Insurance (Vehicle) Regulation*), ICBC deducts the amount of EI sickness benefits you are eligible for from the amount of ICBC disability income loss accident benefits you are entitled to. In some cases, ICBC adjusters deduct your EI sickness benefit entitlement even if you did not apply for EI sickness benefits. You end up being less well off than a person with a private plan.

**Example 1: Your average gross weekly earnings were \$500 and you receive \$275 in EI sickness benefits.**

<b>Step 1:</b> What is 75% of your average gross weekly earnings?	75% of \$500 is \$375
<b>Step 2:</b> What amount of benefits are you entitled to receive from ICBC?	The lesser of: <ul style="list-style-type: none"> <li>▪ 75% of \$500 = \$375, or</li> <li>▪ a maximum of \$300</li> </ul> Therefore, you are entitled to \$300.
<b>Step 3:</b> What amount of benefits are you receiving in EI sickness benefits?	In this example, you are receiving \$275 per week.
<b>Step 4:</b> What amount of benefits can you expect to receive from ICBC?	You must subtract the amount you receive in EI sickness benefits (\$275) from the total amount you could receive from ICBC (\$300) to determine if ICBC would top you up.  You receive \$275 from EI leaving a difference of \$25. Therefore, ICBC would top you up by \$25.  <i>NOTE: This is an irrational interpretation of the law on ICBC's part. Logically, you should receive \$125 of the benefit to top you up to \$375.</i>

<p><b>Calculating ICBC Benefits When Eligible for EI Sickness Benefits,</b> <i>continued</i></p>	<p><b>Example 2:</b> Your average gross weekly earnings were \$800 and you receive \$440 in EI sickness benefits.</p>	
	<p><b>Step 1:</b> What is 75% of your average gross weekly earnings?</p>	<p>75% of \$800 is \$600</p>
	<p><b>Step 2:</b> What amount of benefits are you entitled to receive from ICBC?</p>	<p>You are entitled to receive the lesser of:</p> <ul style="list-style-type: none"> <li>▪ 75% of \$800 = \$600, or</li> <li>▪ a maximum of \$300</li> </ul> <p>Therefore, you are entitled to \$300.</p>
	<p><b>Step 3:</b> What amount of benefits are you receiving in EI sickness benefits?</p>	<p>In this example, you are receiving \$440 per week.</p>
	<p><b>Step 4:</b> What amount of benefits can you expect to receive from ICBC?</p>	<p>You must subtract the amount you receive in EI sickness benefits (\$440) from the total amount you could receive from ICBC (\$300) to determine if ICBC would top you up to the maximum of \$300 per week.</p> <p>You receive \$140 more (\$440 - \$300) from EI than you would receive from ICBC.</p> <p>Therefore, ICBC is not required to pay you any benefits.</p> <p><i>NOTE: Again, this is irrational. You should receive \$200 from ICBC to top you up to \$600.</i></p>