

CLOTHING ALLOWANCE

What Is a Clothing Allowance?

A clothing allowance is money paid by the Workplace Safety and Insurance Board (WSIB) to replace clothing damaged by a brace, prosthesis, or other device worn for a work-related injury.

When Can You Get a Clothing Allowance?

- You must already be getting a permanent disability pension or a non-economic loss (NEL) award.
- Before you can get a clothing allowance, you must wear a prosthetic or orthotic device for **one full year** after the permanent pension or NEL is awarded. WSIB must authorize or supply the device.
- In most cases, you must apply for a new clothing allowance every year.

How Do You Apply for a Clothing Allowance?

You can write a letter to your Adjudicator. The letter should state:

- that WSIB authorized or supplied the device,
- that you have worn the device for a full year since receiving your pension or NEL award,
- the number of hours you wear or use the device on a daily basis,
- how wearing the device causes damage to your clothing.

You can also call WSIB and request that a clothing allowance application form be sent to you by mail. You will need to complete the form and return it to WSIB.

Do You Re-apply for a Clothing Allowance Every Year?

After you are approved for the first clothing allowance, you must usually apply for a new clothing allowance every year. If you are severely injured, you may not need to apply for a clothing allowance every year if you can show your need for the device will probably not change.

When completing the WSIB application form, you must include the number of hours you continually wear the device as well as explain any damage caused to your clothing by wearing the device. Along with the application form, WSIB will require a letter from your treating health professional. Your treating health professional may be your family doctor, chiropractor, or other specialist. In some cases, WSIB may insist that the letter come from your specialist. The letter should include the medical findings supporting your need for the device as well as confirm you are wearing the device for the prescribed period of time (entitlement criteria).

Exceptions may be made in the entitlement criteria for workers who began using the device prior to November 1, 1996 and continue to be dependent on the device. Such workers must also re-apply for their clothing allowances every year. WSIB requires a letter from the treating health professional authorizing the continued use of the device. In some cases, WSIB may recommend other types of treatment to reduce the need for the device.

What Happens Next?

The Adjudicator, along with WSIB doctors, will decide if you qualify for a clothing allowance. The amount of the allowance will depend on the type of device used and the number of hours you use the device each week.

What Is The Maximum Amount Paid As a Clothing Allowance?

WSIB may pay a maximum clothing allowance of \$511 per year where a worker is wearing a device known to cause major damage to clothing, and up to \$255 per year for devices that cause minor damage to clothing. These amounts are partially indexed for inflation.

Can You Receive More Than One Clothing Allowance at a Time?

Yes. WSIB may allow up to two clothing allowances to be paid to a worker each year. However, a worker is allowed only one clothing allowance for an upper body device and one clothing allowance for a lower body device per year.

What Is a Partial Clothing Allowance?

WSIB may approve a partial clothing allowance for workers who use their devices part-time, or for workers who are provided with uniforms or work garments free of charge.

Can You Object if WSIB Denies a Clothing Allowance?

Yes. If WSIB denies a clothing allowance, then you can object within the time limits. Because appeals involving clothing allowances are usually quite straightforward, you may wish to pursue them on your own. You should collect the information suggested above and submit it to WSIB. Please see the OWA Workers' Information Kit called Appealing WSIB Decisions for guidance.

IMPORTANT INFORMATION

There are time limits for appealing WSIB decisions. If you wish to appeal a decision, contact a qualified representative as soon as possible. For more information on time limits, see OWA Fact Sheets 24 and 25 called "Appealing to WSIB" and "Appealing to WSIAT".

This Fact Sheet contains general information only. It is not a legal document. To see what the law says, you should look at the Workplace Safety and Insurance Act and WSIB policies. If you require help and do not have a union to assist you, contact the Office of the Worker Adviser:

- Our toll free telephone number is 1-800-435-8980 (English) or 1-800-661-6365 (French)
- or visit our website at <http://www.owa.gov.on.ca>

Cette feuille-info est aussi disponible en français

