

**Operational
Policy**

Section

In the Course of and Arising Out of

Subject

Travelling

Policy

As a general rule, a worker is considered to be in the course of ~~the~~ employment when the person reaches the employer's premises or place of work, such as a construction work site, and is not in the course of employment when the person leaves the premises or place of work.

Purpose

The purpose of this policy is to outline when a worker may be considered to be in the course of employment when travelling and off the employer's premises.

Guidelines

Travel on employer's business

When the conditions of the employment require the worker to travel away from the employer's premises, the worker is considered to be in the course of ~~the~~ employment continuously except when a distinct departure on a personal errand is shown. The mode of travel may be by public transportation or by employer or worker vehicle if the employment requires the use of such a vehicle. However, the employment must obligate the worker to be travelling at the place and time the accident occurred.

Proceeding to and from work

The worker is considered to be "in the course of employment" when the conditions of the employment require a worker to drive a vehicle to and from work for the purpose of that employment, except when a distinct departure on a personal errand takes place enroute.

"In the course of employment" also extends to the worker while going to and from work in a conveyance under the control and supervision of the employer.

Overnight accommodation

Entitlement ~~under the Workplace Safety and Insurance Act or the Workers' Compensation Act (the Act)~~ extends to persons travelling in the course of employment to and from various places. Coverage also extends to accidents occurring in such places as hotels when the employer is paying the worker's expenses. The worker is covered should ~~he~~ they suffer injury by accident at any time while in the hotel engaged in reasonable acts such as dining in the restaurant and using washroom facilities. If the worker chooses to dine in a restaurant other than in the hotel but within a reasonable distance of it, coverage is extended during this activity. There is no entitlement if the worker is injured while visiting a movie theatre or cocktail lounge or engaging in some other personal activity.

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Workers travelling to answer an emergency call from the employer, requiring immediate action on the worker's part, are in the course of their employment.

Coverage starts from the time the telephone call is received, and while travelling by reasonable and direct route to the employer's premises or work site from the time and point of departure.

Coverage also applies on the return trip to the worker's own property or the point of departure.

Off-duty police officers

Off-duty police officers are in the course of their employment while carrying out police duties for and paid by organizations other than the police commission, such as directing traffic at shopping malls when:

- the request is assigned by a senior officer in a local police station, from the extra duty list available and posted in the station, and
- the police officer accepting extra duty, reports to and parades for inspection before and after extra duty, if required, by the local police department or commission.

Travelling to and from court

Police officers are considered to be in the course of employment when:

- travelling from their home to a court in another town or city, by the most direct and uninterrupted route
- required to pick up items from the police station, property bureau or drug repository, for the period travelling to and from the court house in a direct and uninterrupted route
- on court house property
- travelling to and from the court house from their home, and
- travelling from home to the police station, property bureau or drug repository and similarly, for the return trip home, after the court appearance and returning the evidence.

Application date

This policy applies to all decisions made on or after ~~June 1, 1989~~ [December 5, 2024](#), for all accidents.

Document history

This document replaces [15-03-05](#) ~~03-02-03~~ dated ~~June 1989~~ [October 12, 2004](#).

[This document was previously published as:
03-02-03 dated June 1989.](#)

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References

Legislative authority

Workplace Safety and Insurance Act, 1997, ~~as amended~~
Section 13(1)

Workers' Compensation Act, [R.S.O. Revised Statutes of Ontario](#) 1990, ~~as amended~~
Section 4(1)

Minute[Approval](#)

~~Board of Directors~~

~~#8 (XXXVI), June 10, 2004, Page 6622~~