

FC INSURANCE *Matters*

ICBC OR WCB?

It's been a long day. You can't wait to park your work truck and finish up for the day. Another ten miles and you will be there. Suddenly you see a car turn left immediately in front of you - **CRASH!!**

The good news is that the police have charged the other driver with making an unsafe left turn and that the accident is in no way your fault. The bad news is that your injuries will keep you off work for at least 6 months. Without a pay cheque, how are you supposed to provide for your family?

You have heard that you must make a claim through WCB because you were injured while on the job. However, you have also heard that the responsible driver is responsible for compensating you for all of your losses as he caused the accident. *You're confused. What should you do?*

If the driver that injured you was not working, you have a *choice* to either claim through WCB or against ICBC (the insurer for the at fault driver). *You cannot seek compensation from both sources.*

In a situation such as this it is generally better for you to make your claim against the at fault driver. The at fault driver is responsible for providing full compensation to you for all of your losses including compensation for your injuries, past and future loss of income, costs of care, etc. The benefits that are available to you through WCB are much more limited.

It is important to fully understand your legal rights *before* you make any decision about where to make your claim.*



BY MERV SADDEN

Making a difference in your life!

Contact Fulton & Company's Personal Injury Team

if you've been in a motor vehicle accident or have an insurance question.

To view past articles, visit our web site.



PERSONAL INJURY LAWYERS

LYLE BACKMAN, Q.C. FRANK SCORDO
DENNIS HORI MERV SADDEN
LEN MARCHAND

300 - 350 Lansdowne Street, Kamloops, BC Phone: 250-372-5542 Fax: 250-851-2300

*This article has been provided by Fulton & Company LLP for informational purposes only and is not to be relied upon as legal advice. For legal advice on specific cases, please contact Fulton & Company LLP.

w w w . f u l t o n c o . c o m