

## *e2r Alert!*

### **BC AIMS TO EXPAND ELIGIBILITY FOR MENTAL STRESS UNDER WORKERS COMPENSATION**

The British Columbia Government recently introduced proposed amendments to the *Workers Compensation Act* that would change how the workers compensation system deals with mental stress.

According to a news release issued by the Ministry of Labour, Citizens' Services and Open Government, Bill 14 proposes expanding compensation for mental stress arising from the course of a worker's employment to go beyond the current requirement of 'an acute reaction to a sudden and traumatic event' and include:

- The reaction to one or more traumatic events;
- The reaction to a significant work-related stressor; or
- The reaction to a cumulative series of significant work-related stressors.

Although the foregoing clearly expands the current triggering conditions for a compensable injury related to mental stress, the Bill continues to exempt employment decisions like discipline, termination or changes to an employee's working conditions as giving rise to a compensable claim. Moreover, to be eligible for mental stress compensation, a recognized diagnosis will be required.

Examples provided by the Government of when this expanded coverage might apply include:

- Emergency service personnel who gradually develop post-traumatic stress or another recognized stress disorder as a reaction to traumatic events they may regularly experience as part of their job
- Exposure to workplace violence or bullying
- Ongoing sexual harassment

In addition to mental stress, Bill 14 would also adjust the compensation for injured apprentices to a level that fairly represents their loss of earnings; grant survivor benefits to common law couples without children after two years of cohabitation (currently it is three years); and confirm the most recent inflation adjustments for compensation and penalty amounts. Details about when the amendments may become law are not yet available.

Other jurisdictions that have already expanded the eligibility for workplace stress under workers compensation include Alberta, Saskatchewan, Quebec, Northwest Territories, Yukon and Nunavut.

We encourage you to contact an e2r Solutions<sup>®</sup> Service Provider should you have any questions in regards to the foregoing.

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