

## **BACKGROUNDER – AMENDMENTS TO *THE WORKERS’ COMPENSATION ACT, 2013***

Bill 39, a recent amendment to *The Workers’ Compensation Act, 2013*, establishes a rebuttable presumption for those experiencing work-related psychological injuries.

Under the proposed legislation, an injured worker making a claim for compensation will receive the benefit of the doubt that the Post-Traumatic Stress Disorder or other psychological injury was sustained at work unless there is evidence to the contrary.

The process for applying for workers’ compensation for a psychological injury is the same as for someone applying for benefits for a physical injury. As they did before, a worker will have to be diagnosed as having a psychological injury by a psychiatrist or psychologist and provide that information to the Workers’ Compensation Board.

Under the current system, a worker must provide evidence that a psychological injury is the result of a work-related event. That is no longer required

Workers have been able to apply for WCB benefits based on a psychological injury policy that has been in place since 1992. The change ensures that this is now covered by legislation, not just a policy, and ensures workers will not have to go through extra steps to prove the injury is work related.

While the majority of workers experiencing such injuries are first responders such as police officers, firefighters and medical professionals, the legislation applies to all workers in Saskatchewan. The government recognizes that anyone can be exposed to traumatic situations at work and that seeking help for psychological injuries can be daunting. The legislation was changed to reduce barriers and expand coverage.

Groups such as the Saskatchewan Professional Firefighters Association and Post Traumatic Stress Disorder Saskatoon have contacted the government to stress the importance of amending legislation to better meet the needs of workers. Legislation tabled earlier this year extended the presumption to those experiencing SD. The amendment that is being introduced includes all work-related psychological injuries.

Between 2006 and 2015, the WCB accepted 864 psychological claims, 206 were PTSD claims. Our hope is that reducing barriers will allow even more people to feel confident that they will receive necessary support when they apply for benefits.

To learn more about making a claim with the Workers’ Compensation Board, visit their website at [www.wcbsask.com](http://www.wcbsask.com).

To learn more about mental health, or to learn more about mental health services in your community, contact the Canadian Mental Health Association or visit their website at [www.cmha.ca](http://www.cmha.ca).

If you need medical advice, please contact your physician for a referral to a qualified mental health care professional.

If you or someone you know is in crisis, please go to your nearest hospital or call 911.