

What should you do if you get sick or are injured at work?

April 1, 2000

The Report: April / May 2000 vol.21 num.2

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Although you may think it will never happen to you, 7,000 health care workers were injured or got sick on the job last year alone. Health care workers have the highest rate of injury in BC, and HSA members are no exception. In either case, there are benefits available beyond those directly provided by the employer and it is important to know what those benefits are and how they are obtained.

Workers are entitled to Workers Compensation Board benefits if they are injured at work or if they develop an illness that is caused by some factor in the workplace. To make the receipt of benefits as uncomplicated as possible, an injured worker should do the following:

1. Report any injury to the employer. Injuries that require one to leave the workplace or seek medical help must be reported. Report any injury that occurs that might turn into a more significant problem through repeated injury or through deterioration.
2. File a claim with the WCB. Any injury that requires you to leave work and lose time from work or that requires medical treatment should be reported to the WCB. The Workers Compensation Act requires that all accidents must be reported within a year of their occurrence. With an occupational disease ... including repetitive strain injuries ... it should be reported within one year of the date on which you first became disabled (that is, within one year of the first time you missed any work because of this condition).
3. Provide details of your work when filling out the application for compensation. Often, the people adjudicating WCB claims do not understand the job duties of health care employees, and the way in which those duties might cause an injury. It is important that you describe the accident or the nature of your work in as much detail as possible.
4. If you are covered by either the Paramedical Professional or the Nurses Collective Agreement, expect to be paid by your employer while off on WCB. Although the WCB must adjudicate and accept the claim, most employers continue paying wages and are simply reimbursed by the WCB. This arrangement is in place because Article 19.14 of the Paramedical Professional Collective Agreement and Article 42.07 of the Nurses Collective Agreement requires the employer to "top up" the difference between what the WCB pays (75 per cent of gross income with a ceiling of \$57,500 maximum gross income [1999 figure]) and your regular income.
5. When you visit your doctor, be sure to tell her/him that it is a WCB injury and make sure your doctor sends in a report to the WCB. WCB will not start processing an application until they have received a report from the worker and the physician. (They also require the employers report of

accident but will often commence adjudication prior to receiving that document.)

6. Expect delay. While the WCB aims to have claims adjudicated ... and benefits paid ... within four to five weeks of the accident, this goal is rarely reached in more complex cases. This includes repetitive strain and other occupational disease claims.

In the event that your WCB claim is denied, you should know the following:

1. An appeal must be filed within 90 days of the date of the decision by the WCB.
2. HSA will provide you with representation on your appeal. Contact HSA and ask for the Workers Compensation Advocate.
3. While waiting to have your appeal dealt with, and in the event that you are still off work, there are several other possible sources of income. These include Long Term Disability, Employment Insurance Sick benefits (which last for 15 weeks), and Canada Pension Plan disability benefits.

The rate of injury in the health care sector is clearly unacceptable. In addition to knowing your rights, we must all continue to work with employers to create a safe and healthy workplace.

While the new Occupational Health and Safety Agency for Healthcare is a step in the right direction, more needs to be done.

Our union is committed to working with safety stewards and employers to find ways to improve working conditions and reduce the injury rate in the health sector.

For more information on getting help with your WCB claim, see [Preventing injuries and supporting the injured](#). For related information on Long Term Disability, see [How to apply for Long Term Disability](#).

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