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Factsheet #31
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COMPENSATION FOR PSYCHOLOGICAL CONDITIONS AND MENTAL DISORDERS

Can I claim benefits for a psychological condition?

WorkSafeBC accepts claims for psychological conditions in two situations:

- When a psychological condition arises from an work-related injury, or
- When a “mental disorder” arises from a traumatic event or work-related stressors.

Psychological conditions related to physical injury

WorkSafeBC accepts a psychological condition resulting from an accepted injury or disease. The physical injury or disease must be a significant cause in the development of the psychological condition. For example, if you develop depression as a result of your pain, the depression may be accepted on your claim.

WorkSafeBC also accepts aggravations of pre-existing psychological conditions where symptoms have significantly worsened because of the workplace injury.

What should I do if I think I have a psychological condition resulting from my physical injury? What if I already have a psychological condition and it is getting worse?

You should:

- See your family doctor, psychiatrist or psychologist.
- If he or she supports a connection between a psychological condition and your physical injury, ask him or her to submit a report to WorkSafeBC.
- Ask your Case Manager for a written decision on this issue.



For more information:
Website: gov.bc.ca/workersadvisers

Lower Mainland/Fraser Valley/Kootenays: 1-800-663-4261
Northern & Central Interior: 1-800-663-6695
Vancouver Island: 1-800-661-4066

COMPENSATION FOR PSYCHOLOGICAL CONDITIONS AND MENTAL DISORDERS

Mental Disorders arising from a traumatic event or work-related stressors

WorkSafeBC may accept a psychological condition, such as Major Depressive Disorder, General Anxiety Disorder or Post Traumatic Stress Disorder, that is a reaction to:

- a) one or more traumatic work-related events; or
- b) a significant work-related stressor, or a cumulative series of significant work-related stressors.

Mental disorders must be diagnosed by a psychiatrist or a psychologist, and must be described in the most recent American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders. Your psychiatrist or psychologist must identify the factors which he or she believes are responsible for the mental disorder. In case of work-related stressors, you will also need the psychiatrist or psychologist to state that the predominant cause of the mental illness is, or are, factors which are clearly work-related.

Deadline for filing application

A mental disorder claim must be filed within one year of the last traumatic event or the last significant work stressor, regardless of whether or not you have been diagnosed with a mental disorder or missed time from work.

What is the difference between a traumatic work-related event and a work-related stressor(s)?

A traumatic event is an emotionally shocking event, which is generally unusual and distinct from the work duties and interpersonal relations in your employment. WorkSafeBC will accept your claim for a mental disorder only if the traumatic event was significant in the development of the mental disorder.

A significant work-related stressor or a cumulative series of significant work-related stressors are events that are excessive in intensity and/or duration from what is experienced in the normal pressures or tensions of your employment. For example, bullying or harassment could qualify as significant work stressors if the behaviour is threatening or abusive. The work stressors must be the main factor (predominant cause) in the development of the mental disorder.

The work-related event or stressor must arise out of and in the course of employment. This means that it happened at work and was caused by work.

Generally, there is no entitlement to compensation if the mental disorder is caused by a decision of your employer relating to your employment. This includes a decision to change your work duties or conditions, to discipline or to terminate the employment. However, if the employer's conduct in handing discipline,

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termination or changes in work duties in a manner that would be viewed as abusive or threatening, your claim may be accepted.

What should I expect while WorkSafeBC is deciding on my claim?

WorkSafeBC will conduct an investigation. This may include:

- interviewing your employers, co-workers and other witnesses
- obtaining your medical and mental health records
- sending you for a psychological assessment

Keep in mind that your employer has the right to appeal a decision or participate in your appeal, and once an appeal is begun, the employer has the right to full disclosure of the information on your WorkSafeBC claim.

What benefits will I receive if my claim for a psychological condition or mental disorder is accepted?

WorkSafeBC may provide and cover the cost of medical and psychological treatment. WorkSafeBC may also pay temporary wage loss benefits. You may receive help finding suitable work if your psychological condition requires you to change jobs. If you have an accepted permanent psychological disability, WorkSafeBC will consider a permanent disability award.

Is there anything else I should do if I feel I have been a victim of harassment?

Other resources include the RCMP, the Employment Standards Branch of the Ministry of Responsible for Labour, a union representative, or a lawyer.

What if I disagree with a WorkSafeBC decision?

If you do not agree with WorkSafeBC's decision, you have the right to request a review. You must request a review within **90 days**. If you disagree with the Review Division decision you have **30 days** to file an appeal to the Workers' Compensation Appeal Tribunal.