

This factsheet has been prepared for general information purposes. It is not a legal document. Please refer to the *Workers Compensation Act* and the *Rehabilitation Services and Claims Manual, Volumes I and II* for purposes of interpretation and application of the law.

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CLAIMS FOR HEARING LOSS

Does WorkSafeBC accept claims for hearing loss?

Yes. WorkSafeBC may accept claims for two types of hearing loss:

1. Hearing loss that results from an incident, such as an explosion (traumatic hearing loss), and
2. Hearing loss that results from exposure to noise at work over time (non-traumatic hearing loss).

WorkSafeBC deals with these two types of hearing loss in different ways. They are explained below.

1. Traumatic Hearing Loss

What factors will WorkSafeBC consider when I file a claim for traumatic hearing loss?

If you develop hearing loss as a result of an incident at work, WorkSafeBC will consider your claim for traumatic hearing loss in the same way as for any other injury at work.

When determining whether your claim for traumatic hearing loss will be accepted, WorkSafeBC initially considers two key factors:

1. Whether your hearing loss occurred while you were at work or performing an activity consistent with your work, and
2. Whether your employment activities were more than a trivial cause of your hearing loss.

What types of compensation can I receive for traumatic hearing loss?

If your claim for traumatic hearing loss is accepted, you might receive:

- Wage loss benefits (for temporary total and/or partial disability);
- Health care benefits (which could include hearing aids);
- Vocational Rehabilitation assistance (which may include things such as worksite modification or assistance in getting a new job, if required);
- Permanent disability benefits.

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If you are temporarily disabled from working due to your injury, WorkSafeBC will determine your entitlement to wage loss benefits for that period of time. The total amount of compensation that you receive will depend on several factors, including your earnings prior to your injury and the amount of time that you are disabled from work. For additional information, please review our factsheet titled *Wage Loss Benefits*.

If your hearing loss is permanent, WorkSafeBC will provide you with an assessment of your entitlement to permanent disability benefits. WorkSafeBC bases permanent disability benefits for loss of function due to traumatic hearing loss on its *Permanent Disability Evaluation Schedule*. The maximum benefit, for total traumatic hearing loss – defined as greater than 80 decibels (dB) in both ears – is 30 percent of total disability. Partial losses of hearing in one or both ears give rise to lesser benefits. If you are over the age of 50, the assessment of each ear is reduced by 0.5 dB for each year that you are over the age of 50 to account for age-related hearing loss.

2. Non-traumatic Hearing Loss (Noise-induced Hearing Loss)

What factors will WorkSafeBC consider when I file a claim for non-traumatic hearing loss?

In order for WorkSafeBC to accept your claim for noise-induced hearing loss:

- You must have evidence indicating that your hearing loss is “neurosensory”; **and**
- Your work in British Columbia must have involved a continuous exposure to noise levels averaging above 85 dBA (noise in decibels) for 8 or more hours per day for at least a total of two years; **and**
- There must be no evidence indicating that your hearing loss is completely caused by factors other than your work.

If you have hearing loss due to noise levels lower than the required 85 dBA, your claim may be accepted if you can provide evidence that the noise exposure at work caused your hearing loss due to your vulnerability to hearing loss.

WorkSafeBC does not generally compensate for any amount of hearing loss that occurs after the exposure to noise at work has ended.

What if my hearing loss is partly due to other causes?

If WorkSafeBC decides that your hearing loss is partly due to other causes, the amount of hearing loss from other causes is estimated and subtracted from your total hearing loss. You will receive compensation only for the amount of hearing loss that is related to your work.

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If WorkSafeBC finds that part of your hearing loss relates to causes outside of your work because your hearing loss seems too great for the noise exposure you had at work, WorkSafeBC will use a table to decide the percentage of disability that relates to your work. The table estimates the average hearing loss expected from a given level of exposure to noise in the workplace. WorkSafeBC will generally only pay benefits according to the proportion of your hearing loss caused by your work.

What types of compensation can I receive for non-traumatic hearing loss?

WorkSafeBC does **not** pay wage loss benefits for noise-induced hearing loss. However, you may receive other benefits such as health care benefits (including hearing aids), Vocational Rehabilitation assistance, or a permanent disability benefit.

The amount of permanent disability benefit you receive depends on the amount of your hearing loss. However, the maximum benefit you can get for hearing loss due to noise exposure is less than for hearing loss due to traumatic incident.

The highest disability benefit you can get for complete loss of hearing in both ears **due to noise exposure over time** is 15 percent of total disability. For complete loss of hearing in one ear you will get a benefit of 3 percent of total disability.

The benefit is paid according to **Schedule 2** of the *Workers Compensation Act*.

SCHEDULE 2 Non-Traumatic Hearing Loss (Exposure to Noise) Percentage of Total Disability		
Range of Hearing Loss in Decibels	% of Disability for Ear Most Affected	% of Disability for Ear Least Affected
0 - 27 dB	0%	0%
28 - 32	0.3	1.2
33 - 37	0.5	2.0
38 - 42	0.7	2.8
43 - 47	1.0	4.0
48 - 52	1.3	5.2
53 - 57	1.7	6.8
58 - 62	2.1	8.4
63 - 67	2.6	10.4
68 or more	3.0	12.0

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If you have hearing loss in both ears, the disability for each ear is established separately and then added together. The percentage of disability is higher for the ear that is the "least affected", i.e., the ear that hears better. That is because hearing loss in both ears is considered more of a disability than hearing loss in one ear.

For example:

- A loss of 28 dB in both ears would be rated at 1.5 percent of total disability (0.3 percent plus 1.2 percent).
- A loss of 40 dB in one ear, and 35 dB in the other ear would result in 0.7 percent disability for the ear most affected (40 dB) and 2.0 percent disability for the ear least affected (35 dB), for a combined award of 2.7 percent of total disability.

For how long will I be compensated for my hearing loss?

If you are retired and under the age of 63 years at the time you begin to receive permanent disability benefits for your hearing loss, you will receive payments until you reach the age of 65. If you are retired and 63 years or older at the time of you being to receive permanent disability benefits for hearing loss, you will receive payments for two years following the commencement of the payments. For further information on the duration of disability benefits, please see the factsheet titled *Duration of Benefits after 2002*.

If your occupational noise-induced hearing loss is only discovered or assessed after you have retired, it may still be compensable as long as it dates back to your noise exposure at work. If you are no longer working when your hearing loss is assessed, your permanent disability benefits will be based on your earnings in your most recent employment.

Tinnitus

What is tinnitus?

Tinnitus is a symptom that is commonly associated with noise-induced hearing loss. It is described as a continuous or persistent ringing in the ear.

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Can I get compensation for tinnitus?

WorkSafeBC may accept tinnitus on a claim where it:

- Arises as consequence of an accepted claim, i.e., a claim for traumatic or non-traumatic hearing loss or a concussion, and
- Is confirmed based on evaluation by a qualified person, such as an audiologist.

How much compensation will I receive for tinnitus?

WorkSafeBC assesses permanent disability benefits for tinnitus based on your reporting of the impact of the tinnitus on you. You may receive up to 5 percent of total disability for your tinnitus.

What if I disagree with a decision made by WorkSafeBC on my claim for hearing loss?

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