Workers Compensation Amendment Act, 2020

On August 14, Bill 23, the Workers Compensation Amendment Act, 2020 received Royal Assent. Here are links to the provincial government’s News Release (with Backgrounder) and to our Law and Policy Bulletin highlighting some of the amendments (see “Consultations” in the next column for consequential policy amendments.)

Schedule 1 COVID-19 Presumption Now in Effect

The presumption for infections caused by communicable viral pathogens, including COVID-19, came into effect August 20, 2020. The expedited effective date arises from one of the Bill 23 amendments which eliminates the mandated ninety-day waiting period for Schedule 1 amendments. The Board of Director’s Resolution includes the amendment to the Schedule, and consequential amendments to Policy C4-28.00 – Contagious Diseases.

New Claims Practice Directives

In response to the new Workers Compensation Act provisions, WorkSafeBC has created two interim Practice Directives: C3-7 Mental Disorder Claims-Time Limits for Application and C10-6 Preventative Health Care. Please contact our office if you have any questions or concerns.

New Chair Appointed to WorkSafeBC’s Board of Directors – Jeff Parr, former Deputy Minister in multiple provincial governments, assumed the role of Chair effective August 14, 2020. Mr. Parr recently reviewed various reports and recommendations regarding the Workers Compensation Act for the Ministry of Labour. His Consultation Report led to a number of the Bill 23 amendments. The government’s News Release provides further information regarding Mr. Parr’s background.

COVID-19 Psychological Support Toolkit – includes 5 Part Virtual Summit

The BC Municipal Safety Association partnered with Work to Wellness to create a free support toolkit geared towards mental health in the workplace during COVID-19. Register NOW for the virtual summits, access to the toolkit or to sign up for the discussion forum!

Workers’ Compensation System Review – Janet Patterson’s Report entitled New Directions: Report of the Workers’ Compensation Board Review, 2019 was released on August 26, 2020. This review involved consultations with more than 2,000 people and organizations from around the province with the goal of shifting the workers’ compensation system to become more worker-centered. Minister of Labour, Harry Bains provided a statement on the release of the report. Here is some background information with a link to the report. There are currently no immediate plans for the implementation of the more than 100 recommendations.

Consultations

4. September 30, 2020 Virtual Public Hearing regarding proposed regulatory amendments to:
   - Part 6 – Restricted entry intervals for pesticide application
   - Part 8 – High visibility apparel; Safety headgear
   - Part 16 – Mobile equipment
   - Part 18 – Traffic control
   - Part 21 – Blasting operations
The public hearing will be held in two sessions: 11 am to 1 pm and 3 to 5 pm. View the public hearing live. The deadline for written submissions is October 2, 2020.