

*A bulletin by the Employers' Advisers Office, Ministry of Labour, B.C. Government.
The Employers' Advisers Office provides advice, assistance, representation and training on all aspects of workers' compensation.*

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Workers Compensation Act And the Mental Disorder Presumption Regulation

Workers Compensation Act – Potential Changes are Coming

The Ministry of Labour issued three news releases pertaining to the *Workers Compensation Act (Act)* last month.

On April 3, the government announced the commencement of a formal review of workers' compensation in the province. The review will focus on shifting the system to become more worker-centred. Policies, practices, case management and possible amendments to the *Act* will be assessed. Retired labour lawyer Janet Patterson has been appointed to conduct the review. A report, including any recommendations, will be delivered to government by September 30, 2019. Here is a link to the [News Release](#), which includes Janet Patterson's biography.

On April 10, the government announced Vancouver lawyer Lisa Helps has been contracted by the Province to assess how WorkSafeBC implemented worker safety recommendations following the Babine Forest Products and Lakeland Mills sawmill explosions in 2012. Helps will also provide advice on potential legislative changes to improve safety for BC workers. Here is a link to this [News Release](#).

On April 11, Minister Bains introduced in the Legislature Bill 18, the *Workers Compensation Amendment Act, 2019*. Proposed Bill 18 adds a definition of firefighter to the *Act*. The definition captures paid and unpaid members of a fire brigade who suppress fires and/or conduct investigations to determine the cause, origin or circumstances of a fire. If passed, the addition of this definition will extend the eligibility for presumptive conditions of certain cancers, heart disease and mental disorders to wildfire fighters and firefighters employed by First Nations Band Councils and other indigenous organizations. Here is a link to [Bill 18](#) and to the [News Release](#).

Mental Disorder Presumption Regulation Amended

Effective April 16, 2019, the list of eligible occupations that will enjoy the mental disorder presumption has been expanded to include emergency response dispatchers, health care assistants, and nurses. This means that if a worker employed in one of these professions is exposed to a traumatic event and has a mental disorder, the mental disorder will be presumed to be compensable, unless contrary evidence is proved. Here is a link to the [Order in Council](#) amending the Mental Disorder Presumption Regulation.

Questions? Please contact the EAO!