



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.

Factsheet #2
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ALLERGIES AND CHEMICAL SENSITIVITIES

It is possible to file a claim with WorkSafeBC for the work-related development of an allergy or chemical sensitivity. You may also be able to file a claim for the activation or aggravation of an already-present allergy or chemical reaction due to exposure to some substance at work. These types of claims are assessed by WorkSafeBC as an occupational disease. It is recommended that you read the Factsheet *Introduction to Occupational Diseases* before reading this Factsheet.

How will WorkSafeBC decide if I will receive compensation?

WorkSafeBC will attempt to compile a list of compounds that may be responsible for your allergy or chemical sensitivity. These compounds are called allergens, irritants and sensitizers, depending on whether they produce an allergic reaction, an irritating reaction in anyone, or sensitivity to certain chemicals. WorkSafeBC will then compile information on those substances and their properties, as well as investigate the details of your exposure to them at work and outside of work. WorkSafeBC may also obtain medical evidence confirming that you are sensitized to a particular substance, and may require you to undergo skin patch testing to do so.

Contact dermatitis (inflammation of the skin caused by exposure to any substance) is an occupational disease listed in Schedule B. If WorkSafeBC determines that you have had excessive exposure to an allergen, irritant or sensitizer that normally causes dermatitis, and that exposure occurred at work, any claim you make for contact dermatitis will be presumed to result from your workplace exposure. If you have lesser exposure you may still receive compensation if it contributed significantly to your condition.

If you already had contact dermatitis prior to your workplace exposure, WorkSafeBC will only compensate you if the workplace exposure significantly aggravated, enhanced or accelerated your condition. If you are exposed to the allergen, irritant or sensitizer both at and away from work, your condition will be compensable only if the workplace exposure had a significant effect in aggravating, enhancing or accelerating your dermatitis.

For more information:
Website: www.labour.gov.bc.ca/wab



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

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What benefits will WorkSafeBC pay for an allergy or chemical sensitivity claim?

WorkSafeBC will pay wage loss benefits for as long as you are unable to perform your job duties and lose work because of your contact dermatitis. These benefits end when you recover, your condition stabilizes into a permanent one, or you reach what WorkSafeBC considers being “retirement age” (normally 65 years old). You will receive healthcare benefits for as long as you need it for the condition.

If your condition stabilizes into a permanent one, you will receive a permanent disability award from WorkSafeBC, which is payable either monthly until you reach retirement age, or in one lump sum. If you were disabled by the condition before your workplace exposure, and you are left with a greater disability as a result of your exposure, you will receive a disability award for that increase. If you return to your pre-exposure level of permanent disability due to dermatitis, you will not receive a permanent disability award.

If you recover from your contact dermatitis symptoms but are left with a significant underlying allergy or chemical sensitivity, and must avoid certain workplaces where the allergen or irritant is found, you will receive a permanent disability award. WorkSafeBC will determine if you must avoid certain workplaces depending on medical evidence, including the nature of your allergy or sensitivity and the risk that you will have an allergic or sensitive reaction if you should come in contact with the allergen or irritant.

What if I disagree with a decision?

If you do not agree with the WorkSafeBC 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.

If you are asked, it is the law that you must provide information to WorkSafeBC regarding CPP disability benefits. WorkSafeBC will ask you for the information they need from you. You should also be told of any consequences for not providing the information. If you do not provide the information WorkSafeBC asks for, your benefits can be reduced or suspended. Your benefits should be reinstated once you give them the information.

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