

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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CLAIM SUPPRESSION

What if my employer tells me I should not apply for workers' compensation or report an injury or disease?

Section 73 of the *Workers Compensation Act* ("the *Act*") states that an employer or supervisor must not seek to discourage, impede or prevent you from reporting an injury to WorkSafeBC. Any pressure from an employer is illegal, including:

- Threats,
- Promises,
- Inducements,
- Agreements,
- Persuasion, or
- Intimidation.

All of these things are known as claim suppression. Section 98 of the *Act* makes it an offence for an employer or supervisor to commit claims suppression. If convicted, they may receive fines and/or jail terms.

Can I make a separate compensation agreement with my employer instead of getting workers' compensation?

No. Section 119 of the *Act* bans such agreements, and states that they are void.

What should I do if my employer pressures me not to report an injury to WorkSafeBC?

You should report the injury immediately, as well as what your employer has done to pressure you, to WorkSafeBC. Sometimes workers don't report until much later, by which time it may be too late to get enough evidence to support the claim.

CLAIM SUPPRESSION

What if I report my injury to WorkSafeBC and my employer fires me or takes other action against me?

The Vocational Rehabilitation Department of WorkSafeBC may offer assistance if you are no longer job attached. For more information about this, please refer to our factsheet “Vocational Rehabilitation.”

As for legal action against your employer, there are several potential options which may apply depending on the circumstances. These include:

- Filing a complaint with the Employment Standards Branch,
- Filing a claim with the B.C. Human Right Tribunal,
- A wrongful dismissal lawsuit in the courts.

Please note that the Workers’ Advisers Office cannot offer advice on any of these options.