

## Psychological Injury Resource for Workers

Traumatic onset psychological injury or stress can be personally devastating and is compensable when it is an emotional reaction to a single or cumulative series of traumatic work-related incidents experienced by a worker.

### Presumptive coverage for workers

*The Workers' Compensation Act, 2013* provides coverage for psychological injuries ([Section 28.1](#)). This presumption coverage was legislated in Saskatchewan effective December 20, 2016.

Presumptive coverage means that when you are formally diagnosed with a psychological injury after exposure to a traumatic incident(s) at work or while working, the WCB will presume the diagnosis is related to your job, unless the contrary is proven. This means the WCB may review information to ensure there is a reasonable cause and effect relationship.

A traumatic incident(s) is defined as:

- Direct personal experience of a work-related event;
- Directly witnessing a work-related event that, reasonably and objectively assessed, is specific, sudden, frightening or horrific;
- An actual or threatened death or serious injury to oneself or others or threat to one's physical integrity.

Examples include: a victim of a robbery or hostage-taking incident; witnessing the death or severe injury of a co-worker; or providing assistance to victims of severe physical trauma or fatalities.

Traumatic incident(s) may also include workload or work-related interpersonal incidents that are excessive and unusual in comparison to the pressures and tensions experienced in normal employment.

These must be beyond the normal scope of maintaining employment from a reasonable person's perspective. For example, a workplace where a worker has been subjected to threats of harm, violations of personal privacy, public shaming or baseless threats to his or her employment status.

Incidents can also be cumulative. For example, a social worker may be exposed to a series of cases involving severe child abuse, and develop a psychological injury as a result of the cumulative impact of those events.

### How the WCB applies presumptive coverage

When the WCB receives information indicating you may have experienced a traumatic event at work and may have a related psychological injury, the WCB may help you start treatment immediately. If you need help arranging psychological support, please contact your WCB representative at 1.800.667.7590.

In the meantime, the WCB will confirm the nature and source of the traumatic incident at work and the psychological diagnosis, provided by your treatment provider.



When further investigation is required, if it indicates that the presumption may not apply, evidence that may disprove the presumption includes (but is not limited to) information such as:

- The incident or series of incidents did not arise out of and occur in the course of employment.
- The worker did not witness and/or was not directly involved in the incident or series of incidents.

When the incident(s) includes workload or are interpersonal, additional information that may challenge the presumption includes, but is not limited to, the following:

- The workload issues or work-related interpersonal incidents are not considered traumatic in comparison to normal pressures and tensions experienced within employment.
- The workload did not differ significantly from the usual workload experienced by the worker or their co-workers and is not considered beyond the normal scope of maintaining employment.
- The unusual workload had not been in place for a significant amount of time.
- The incident(s) did not escalate to the point of aggressive or threatening behaviour.
- Information from witnesses (e.g., co-workers, employer) contradicts the worker's perception of the incident(s).
- Evidence that the incident(s) is the result of voluntary personal relationships and/or their breakdown within the workplace.
- Industrial relations issues.

### **What happens if my claim does not qualify for presumptive coverage?**

As indicated above, if your claim does not qualify for presumptive coverage, the WCB may need to gather additional information like medical assessments, interviews with other stakeholders, witness statements, and/or any additional relevant information to support work relatedness and clarify diagnosis.

We care about your well-being and will work with you to obtain this information as quickly as possible, and we will support you in your recovery as soon as we are aware of the claim.

### **How do you apply for workers' compensation for a psychological injury?**

If you've been exposed to a traumatic incident or a series of traumatic incidents at work and suffer from psychological symptoms:

- Get medical attention immediately if you need it. You should receive appropriate treatment from a qualified care provider.
- Report the traumatic incident(s) to your employer immediately. Your employer must report all work injuries to the WCB when they become aware of an injury that prevents a worker from earning full wages or that requires medical attention.
- [File a Worker's Initial Report of Injury \(W1\) form](#) with the WCB immediately.
- If you have already consulted with a psychologist or psychiatrist about the traumatic incident, have them report to the WCB. Further assessment may be required to ensure the diagnosis includes the required clinical information and the psychological testing. The WCB may ask your care provider to provide additional medical information.

- The psychologist or psychiatrist should identify any restrictions resulting from your injury and give them to you in writing. You need to let your employer know this information as soon as possible.
- If you have not consulted with a psychologist or psychiatrist and you have suffered a psychological injury from a traumatic incident at work, the WCB may arrange for you to see an accredited psychologist or psychiatrist or arrange for an assessment from a [WCB accredited psychologist](#).

### **What if the psychological injury occurred many years ago?**

Any psychological injury that resulted from a traumatic incident at work may be covered regardless of when it occurred. If your psychological injury claim was previously denied under former legislation, you can request a reconsideration of the original decision.

### **What types of benefits does the WCB cover for psychological injuries?**

Some of the costs directly related to your psychological workplace injury that may be covered include:

- Wage loss benefits if you had to miss time from work due to your work injury
- Counselling services
- Medication related to the work injury
- Other health care costs related to your work injury

### **More information**

<b>Crisis Services Canada</b>	<b>1.833.456.4566</b>
<b>Suicide Prevention and Support</b>	<b>24/7 hours</b>