**COVID -19 Exposure**

IAMAW members and representatives – if you believe that you were exposed to COVID 19 in your workplace and have taken ill or require hospitalization you should file a claim under workers compensation. This will identify COVID 19 as a hazard in the workplace.

Seek immediate MEDICAL ATTENTION**:** You must report the injury to the employer AS QUICKLY AS POSSIBLE. YOU CANNOT LEGALLY BE FIREDfor reporting an injury

Complete a **Workplace Injury or Disease Form** WORKERS REPORT OF INJURY/DISEASE

For a list of all workplace related injury or disease claims offices:

<https://www.ccohs.ca/oshanswers/information/wcb_canada.html>

**Provincial compensation program responses to COVID-19**

1. British Columbia

The worker’s compensation scheme in B.C. may cover exposure to COVID-19, provided it is found to have been related to workplace exposure.

When a worker contracts COVID-19 as a direct result of their employment, they are entitled to compensation if the following conditions are met:

1. Evidence that the worker has contracted COVID-19, either:
	* a medical diagnosis in a medical report, or
	* non-medical factual evidence where other evidence establishes the existence of COVID-19.
2. The nature of the worker’s employment created a risk of contracting the disease significantly greater than the ordinary exposure risk of the public at large.

For instance, an acute care hospital worker, who is treating patients who have been diagnosed with COVID-19, would be deemed to be at a greater risk of contracting COVID-19 than the general public. Workers are asked to file a claim if they meet the criteria. Each case is assessed on an individual basis.

<https://www.worksafebc.com/en/about-us/covid-19-updates/claims/information-for-workers>

1. Alberta:

<https://www.wcb.ab.ca/about-wcb/news-and-announcements/COVID-19.html>

When a worker contracts COVID-19 as a direct result of the duties of their employment, they are entitled to compensation if the following conditions are met:

• The nature of employment involves sufficient exposure to the source of infection, -and-

• The nature of employment is shown to be the cause of the condition, -or-

• The nature of employment creates a greater risk of exposure for the worker. Reference: Policy 03-01: Part II - Occupational Disease

1. Saskatchewan

Worker’s Compensation is of the opinion that most COVID-19 cases are not related to workplace exposure, however, it is recognized that some workers have a higher risk of workplace exposure.

A worker may be entitled to compensation if there is a confirmed link between the workers exposure and their employment, and they contract COVID-19 .Based on [WCB policy, Injuries – Communicable Disease (POL 02/2010),](http://www.wcbsask.com/wcb-policy-and-procedure-injuries-communicable-disease/) the following conditions must be met:

* There is confirmed exposure to the disease in the workplace.

**PLUS**

* The time period that the illness is contracted is in close proximity to the confirmed workplace exposure.

**PLUS**

* The nature of employment creates a greater risk of exposure for the worker than to the general population.

Example of claims that may be accepted

Acute care hospital worker:  A worker providing treatment to patients for COVID-19. As this worker is at greater risk than the general public, they may have an acceptable claim.

Retail worker**:** A worker, while working with the general public, interacts with a customer who has been confirmed as having contracted COVID-19, may have an acceptable claim.

<http://www.wcbsask.com/workers/information-for-workers-on-covid-19/>

1. Manitoba:

Files can me claimed, provided they meet criteria, and are assessed on a case by case basis. A diagnosis does not need to be made to receive benefits. It is recognized that nurses, healthcare aides and other direct providers in hospitals and long-term care facilities are workers who may be at a greater risk.

<https://www.wcb.mb.ca/how-the-wcb-is-responding-to-covid-19#worker>

1. Ontario

In determining the work-relatedness of COVID-19 claims, the decision-maker will consider whether: 1. the nature of the worker’s employment created a risk of contracting the disease to which the public at large is not normally exposed; and 2. the WSIB is satisfied that the worker’s COVID-19 condition has been confirmed. If established, the above will generally be considered persuasive evidence that the worker’s employment made a significant contribution to the worker’s illness.

Factors that are examined, in addition to other factors, when a claim is assessed;

a) The nature of the worker’s employment created an elevated risk of contracting COVID-19

• Has a contact source to COVID-19 within the workplace been identified?

• Does the nature and location of employment activities place the worker at risk for

exposure to infected persons or infectious substances?

• Was there an opportunity for transmission of COVID-19 in the workplace via a

compatible route of transmission for the infectious substance?

b) The worker’s COVID-19 condition has been confirmed.

• Are the incubation period, the time from the date of exposure and the onset of illness,

clinically compatible with COVID-19 that has been established to exist in the workplace?

• Has a medical diagnosis been confirmed? If not, are the worker’s symptoms clinically

compatible with the symptoms produced by COVID-19? Is this supported by an

assessment from a registered health professional?

For more information, please see attached document from WSIB on COVID-19 claims.

1. Quebec

<https://www.cnesst.gouv.qc.ca/salle-de-presse/covid-19-info-en/Pages/covid-19.aspx>

Workers who become infected with COVID-19 during the course of their employment may be entitled to the usual benefits and services provided under the Act respecting industrial accidents and occupational diseases (AIAOD).

The worker must see a physician or, exceptionally, a nurse who will make the diagnosis, notify the employer and complete the worker’s claim so it can be submitted to the CNESST. The worker must demonstrate that they came into contact with the virus through or in the course of their work. The work connection must be demonstrated in a conclusive manner.

The CNESST’s decision will take into account the specifics of each claim.

1. New Brunswick

<https://www.worksafenb.ca/safety-topics/covid-19/covid-19-what-workers-and-employers-need-to-know/>

Claims submitted for a COVID-19 virus infection contracted through a work-related exposure are adjudicated on a case-by-case basis. For a claim to be accepted, evidence must show that the infection arose out of and in the course of employment and the risk of contracting the disease through the employment is greater than the risk associated with contracting it through day-to-day living.

1. Nova Scotia:

Cases are assessed on an individual basis, and exposure must be proven to have occurred through work. Workers and Employers are directed to legislation governing workplace infectious disease exposure.

<https://www.wcb.ns.ca/About-Us/WCB-Nova-Scotias-Response-to-COVID-19/Supporting-workers-and-employers-during-the-COVID-19-pandemic.aspx>

1. Prince Edward Island

<http://www.wcb.pe.ca/Information/NewsItem/495>

If a worker contracts COVID-19 that may be a result of work, they should [report it to the WCB](http://www.wcb.pe.ca/Workers/ReportingAnInjury)to determine if they are eligible for compensation benefits. To have a claim accepted for COVID-19, all of the following conditions must be met:

* There is medical confirmation that the worker has COVID-19.
* The worker has been exposed to COVID-19 at work.
* The exposure is confirmed to be work-related, that is, it arose out of and in the course of their employment.
1. Newfoundland and Labrador

<https://workplacenl.ca/article/coronavirus-disease-2019-covid-19/>

The program does not give specific guidelines to worker’s who have been exposed to COVID-19, however, there is guidance for employer’s on conducting risk assessments and taking measures to limit the spread of COVID-19.

1. Yukon

<https://wcb.yk.ca/newsandupdates/COVID-19/Q0314.aspx>

Workers who contract COVID-19 are encouraged to file a claim, and each case is assessed on an individual basis.

When a worker contracts COVID-19 as a direct result of their employment, they are entitled to compensation if the following conditions are met:

* There is a causal connection between the conditions of the work required to be performed and the resulting injury.
* The injury is linked to a worker’s employment in terms of time, place and activity consistent with the obligations and expectations of that employment.

These examples are provided as non-work-related situations where a worker would likely be covered:

A hospital cafeteria worker’s job is not directly related to looking after sick people even if workers sometimes come in contact with them, but they may be covered if they contract COVID-19.

A grocery store clerk’s job puts them in contact with many people but not specifically with sick people. They may be covered if they contract COVID-19.

1. Nunavut

 <https://www.wscc.nt.ca/health-safety/covid-19#Workers>

The messaging of the program indicates that most cases of COVID-19 are due to community exposure, however, workers who think they have been exposed through work may file a claim.