

A newsletter of the Employers' Advisers Office, Compensation Advisory Services, Ministry of Labour, Government of British Columbia
The Employers' Advisers Office provides advice, assistance, representation and training on all aspects of Workers' Compensation

EAO Website: www.labour.gov.bc.ca/eao Related Websites: www.gov.bc.ca/lbr and www.worksafebc.com
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Advising and assisting employers of B.C. with workers' compensation matters since 1974

Policy item #13.30 – Mental Stress



At its meeting on July 14, 2009, the Board of Directors approved changes to policy item #13.30, Mental Stress of the *Rehabilitation Services and Claims Manual, Volume II ("RS&CM")*. This policy provides direction on the adjudication of claims for mental stress.

Key changes to the policy are as follows:

- Deletion of the policy statements and examples that were severed by the British Columbia Court of Appeal in the decision *Plesner v. BC Hydro and Power Authority et al, 2009 BCCA 188*.
- Inclusion of a definition of a traumatic event as "an emotionally shocking event", which reflects both the *Dorland's Medical Dictionary, 24th Edition* and *The Concise Oxford Dictionary* definitions of traumatic.
- Inclusion of a reference that an acute reaction may be delayed in certain circumstances, in keeping with the diagnostic features of mental stress.

The policy changes apply to all decisions, including appellate decisions, on or after April 30, 2009, the date of the Court of Appeal decision. You may examine the [complete resolution](#) (PDF 165kb).

Quick Facts

- Ratio of male to female injured workers = 69%:31%
- Average age of an injured worker = 39
- Number of young workers under age 25 injured in 2007= 11,540 (17%)
- Number of workers over age 55 injured = 8105 (12%)



Policy Consultations

The policy development process includes extensive consultation with stakeholders. For a list of policies currently under review and discussion and an opportunity to make comments, check this link:

http://www.worksafebc.com/regulation_and_policy/policy_consultation/default.asp.

Did You Know? Every Employer Needs a Safety Program

- whether you employ 2 or 2000. If you employ less than 20 workers you don't need a very formal program, but you still need one. If you have more than 50 workers you must have a full formal safety program. If you are between 20 and 50 workers give us a call and we can help clarify what kind of program you need.

A less formal program (OH&S Reg 3.2) includes regular monthly meetings with workers to discuss health and safety issues and their correction in fostering a cooperative interest in the health and safety of the workforce. Remember to document these meetings and the matters discussed.

The objective of a formal program (OH&S Reg 3.3) is to prevent injuries and occupational diseases and must include:

- a. a statement of the employer's aims and the responsibilities of the employer, supervisors and workers;
- b. provision for the regular inspection of premises, equipment, work methods and work practices, at appropriate intervals, to ensure that prompt action is undertaken to correct any hazardous conditions found;
- c. appropriate written instructions, available for reference by all workers, to supplement this Occupational Health and Safety Regulation;
- d. provision for holding periodic management meetings for the purpose of reviewing health and safety activities and incident trends, and for the determination of necessary courses of action;
- e. provision for the prompt investigation of incidents to determine the action necessary to prevent their recurrence;
- f. the maintenance of records and statistics, including reports of inspections and incident investigations, with provision for making this information available to the joint committee or worker health and safety representative, as applicable and, upon request, to an officer, the union representing the workers at the workplace or, if there is no union, the workers at the workplace; and
- g. provision by the employer for the instruction and supervision of workers in the safe performance of their work.

Check out Part 3 and Part 4 of the Regulation or call your nearest Employers' Advisers office for more information on Rights and Responsibilities and General Conditions for BC workplaces.

Find the OH&S Regulation on the net at:

<http://www2.worksafebc.com/publications/OHSRegulation/Home.asp>