

# Rules for Reporting Occupational Illnesses to Workers' Comp



Whether in times of pandemic or normalcy, employers have a legal duty to report occupational illnesses that their workers suffer to the workers comp board. However, the rules as to what, when and how to report vary by jurisdiction. Here's a summary of the rules in each part of Canada.

<b>FED</b>	<p><b>Notifiable Illness/Injury: Any accident, occupational disease or hazardous occurrence (Sec. 15.5)</b></p> <p><b><u>Within 24 hours:</u> HRSDC Health + Safety Division by phone or fax, listing date, time, location + nature of any accident, occupational disease (Sec. 15.5)</b></p> <p><b><u>Within 72 hours:</u> JHSC or health + safety rep written report listing: (a) description of + date, time and location of hazardous occurrence; (b) causes of the occurrence; and (c) corrective measures taken or reason for not taking corrective measures (Sec. 15.6)</b></p> <p><b><u>Within 14 days:</u> Copy of Hazardous Occurrence Investigation Form to HRSDC + JHSC or health + safety rep (Sec. 15.8)</b></p>	<p><i>Canadian Occupational Health &amp; Safety Regulations</i></p>
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<p>AB</p>	<p><b>Notifiable Illnesses/Injuries:</b> An accident or allegation of an accident which the employer is notified or otherwise has knowledge of that disables or is likely to disable the worker for more than a day or for which the worker is entitled to medical aid [Act, Sec. 33(1)].</p> <p>“Accident” means an accident that arises out of and occurs in the course of employment in an industry to which this Act applies and includes: 1) a wilful and intentional act, not being the act of the worker who suffers the accident; 2) a chance event occasioned by a physical or natural cause; 3) disablement; and 4) a disabling or potentially disabling condition caused by an occupational disease [Act, Sec. 1(1)(a)].</p> <p>“Occupational disease” means: 1) a disease or condition listed in Column 1 of Schedule B that’s caused by employment in the industry or process listed opposite it in Column 2 of Schedule B; and 2) any other disease or condition that the Board is satisfied in a particular case is caused by employment in an industry to which the Act applies [Reg., Sec. 20(1)].</p> <p><b>What to Report:</b> Within 72 hours of learning about the accident or allegation of an accident, notify Alberta WCB online, by fax or by submitting injury report listing: (a) full name of injured worker; (b) date, place and time of accident; (c) date and time that accident was reported or that the employer acquired knowledge of it; (d) cause of the accident; (e) a description of the injury; (f) the medical treatment rendered [Act, Sec. 33]</p>	<p><a href="#"><u>Workers’ Compensation Act;</u></a>  <a href="#"><u>Workers’ Compensation Reg.</u></a></p>
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BC	<p><b>Notifiable Illnesses/Injuries:</b> 1) Every injury to a worker that is or is claimed to be one arising out of and in the course of employment [Act, Sec. 54(1)]; 2) Every disabling occupational disease, or claim for or allegation of an occupational disease [Act, Sec. 54(2)]; and 3) The death of a worker where the death is or is claimed to be one arising out of and in the course of employment [Act, Sec. 54(3)].</p> <p>A reportable injury is an injury arising out of and in the course of employment under Part 1 of the Act, or which is claimed by the worker concerned to have arisen out of and in the course of such employment, and in which any one of the following conditions is present or subsequently occurs: 1) the worker loses consciousness; 2) the worker is transported or directed to a hospital or other medical facility; 3) the injury is one that obviously requires medical treatment; 4) the worker says that he intends to seek medical treatment; 5) the worker has received medical treatment; 6) the worker is unable or claims to be unable to return to his usual job function; 7) the incident resulted in the breakage of an artificial limb, eyeglasses, dentures or hearing aid; or 8) the worker or Board has asked the employer to report the injury [Reg., Sec. 2].</p> <p><b>“Occupational disease”</b> means: 1) a disease mentioned in Schedule B; 2) a disease the Board may designate or recognize by regulation of general application; 3) a disease the Board may designate or recognize by order dealing with a specific case; and 4) the disease referred to in Sec. 6.1(1.1) or a disease prescribed by regulation for the purposes of Sec. 6.1 (2), but only as to a worker to whom the presumption in either of those provisions applies, unless the disease is otherwise described by this definition and “disease” includes disablement resulting from exposure to contamination [Act, Sec. 1].</p> <p><b>When:</b> 1) For injuries, within 3 days of occurrence [Act, Sec. 54(1)]; 2) for occupational diseases, within 3 days of receiving notice from the worker [Act, Sec. 54(2)]; and 3) for deaths, immediately [Act, Sec. 54(3)]. The obligation of the employer to report an injury to the Board commences when a supervisor, first aid attendant or other employer representative first becomes aware of any one of the conditions listed above or when notification of any such condition is received by mail or telephone at the local or head office of the employer [Reg., Sec. 3].</p> <p><b>How:</b> Submit Employer’s Report of Injury or Occupational Disease (form 7) to Board</p>	<p><a href="#"><u>Workers’ Compensation Act;</u></a>  <a href="#"><u>Report of Injuries Regulations</u></a></p>
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<p>MB</p>	<p><b>Reportable Illnesses/Injuries:</b> An accident giving rise to a claim for compensation [Sec. 18(1)].</p> <p>“Accident” means a chance event occasioned by a physical or natural cause and includes:</p> <ol style="list-style-type: none"> <li>1) a wilful and intentional act that isn’t the act of the worker;</li> <li>2) any: <ol style="list-style-type: none"> <li>a) event arising out of, and in the course of, employment; or</li> <li>b) thing that is done and the doing of which arises out of, and in the course of, employment; and</li> <li>3) an occupational disease, and as a result of which a worker is injured [Sec. 1(1)].</li> </ol> </li> </ol> <p>“Occupational disease” means a disease arising out of and in the course of employment and resulting from causes and conditions:</p> <ol style="list-style-type: none"> <li>1) peculiar to or characteristic of a particular trade or occupation; or</li> <li>2) peculiar to the particular employment; but <i>doesn’t</i> include: <ol style="list-style-type: none"> <li>1) an ordinary disease of life; and</li> <li>2) stress, other than an acute reaction to a traumatic event [Sec. 1(1)].</li> </ol> </li> </ol> <p><b>When:</b> within five business days (Monday through Friday, not including holidays) from the day:</p> <ol style="list-style-type: none"> <li>1) on which the worker reports the occurrence to the employer; or</li> <li>2) the employer otherwise learns of it (whichever is earlier) [Sec. 18(1)].</li> </ol> <p><b>Where:</b> The Workers’ Compensation Board and any local representative of the Board at the place where the accident occurred [Sec. 18(1)].</p> <p><b>What Info:</b> The report must be in writing and state:</p> <ol style="list-style-type: none"> <li>1) the name and address of the worker and the nature of the industry in which he was employed;</li> <li>2) the time when and place where the accident occurred;</li> <li>3) the cause and nature of the accident and injury;</li> <li>4) the name and address of the physician by whom the worker was or is being attended for the injury; and</li> <li>5) any other particulars required by the board and must be filed in a <a href="#">form</a> and manner acceptable to the Board [Sec. 18(2)].</li> </ol>	<p style="text-align: center;"><a href="#">Workers Compensation Act</a></p>
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NB	<p><b>Reportable Illnesses/Injuries:</b> An accident to a worker that may entitle the worker or his dependents to compensation or medical aid under this Part [Act, Sec. 44(4)].</p> <p>“Accident” includes a wilful and intentional act, not being the act of a worker, and also includes a chance event occasioned by a physical or natural cause, as well as a disablement caused by an occupational disease and any other disablement arising out of and in the course of employment, but <i>doesn’t</i> include the disablement of mental stress or a disablement caused by mental stress, other than as an acute reaction to a traumatic event [Act, Sec. 1].</p> <p>“Occupational disease” means any disease, which by the regulations, is declared to be an occupational disease and includes any other disease peculiar to or characteristic of a particular industrial process, trade or occupation [Act, Sec. 1; Reg., Sec. 13].</p> <p><b>When:</b> Within three days of the happening of the accident or receiving notice of the accident from the worker [Act, Sec. 44(4)].</p> <p><b>Where:</b> WorkSafeNB [Act, Sec. 44(4)].</p> <p><b>What Info:</b> The <a href="#">report</a> must be in writing and include the following:</p> <ol style="list-style-type: none"> <li>1) the happening of the accident and the nature of it;</li> <li>2) the time of its occurrence;</li> <li>3) the name and address of the worker;</li> <li>4) the place where the accident happened;</li> <li>5) the name and address of the physician or surgeon, if any, by whom the worker was or is attended for the injury; and</li> <li>6) any other particulars required by regulation [Sec. 44(4)].</li> </ol> <p>Must also submit Form 67 to WorkSafeNB within three days of receiving notification of the accident, when an injury results in: i. Medical cost; ii. Wage loss; or Inability of injured worker to perform the regular work duties beyond the accident date</p>	<p><a href="#">Workers’ Compensation Act;</a> <a href="#">General Regulation</a></p>
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NL	<p><b>Notifiable Illnesses/Injuries:</b> An injury to a worker in his or her employment as a result of which the worker is disabled from earning full wages or is entitled to medical aid [Sec. 56(1)].</p> <p>“Injury” means:</p> <ol style="list-style-type: none"> <li>1) an injury as a result of a chance event occasioned by a physical or natural cause;</li> <li>2) an injury as a result of a wilful and intentional act, not being the act of the worker;</li> <li>3) disablement;</li> <li>4) industrial disease; or</li> <li>5) death as a result of an injury arising out of and in the course of employment and includes a recurrence of an injury and an aggravation of a pre-existing condition but <i>doesn't</i> include stress other than stress that's an acute reaction to a sudden and unexpected traumatic event [Sec. 2(1)(o)].</li> </ol> <p><b>When:</b> Within three days of the occurrence of the injury [Sec. 56(1)].</p> <p><b>Where:</b> WorkplaceNL [Sec. 56(1)].</p> <p><b>What Info:</b> Notice must be in writing and include:</p> <ol style="list-style-type: none"> <li>1) the occurrence of the injury and nature of it;</li> <li>2) the time when the injury occurred;</li> <li>3) the name and address of the worker;</li> <li>4) the place where the injury occurred;</li> <li>5) the name and address of the doctor who looks after the injury; and</li> <li>6) other particulars required by the commission [Sec. 56(1)].</li> </ol>	<p><a href="#"><u>Workplace Health, Safety and Compensation Act</u></a></p>
NT/NU	<p><b>Notifiable Illnesses/Injuries:</b> A personal injury, disease or death that the employer has reason to believe a worker in its employ has suffered arising out of and during the course of the worker's employment [Sec. 18(1)].</p> <p>“Disease” means an unhealthy condition of the body or mind [Sec. 1(1)].</p> <p><b>When:</b> Within three days after the employer first has reason to believe the personal injury, disease or death has occurred [Sec. 18(2)].</p> <p><b>Where:</b> The Workers' Safety and Compensation Commission [Sec. 18(1)].</p> <p><b>What Info:</b> A written report describing the injury, disease or death [Sec. 18(1)].</p>	<p><a href="#"><u>Workers' Compensation Act</u></a></p>

NS	<p><b>Reportable Illnesses/Injuries:</b> An accident that occurs in such circumstances as may entitle a worker to compensation [Sec. 86(1)].</p> <p>“Accident” includes:</p> <ol style="list-style-type: none"> <li>1) a wilful and intentional act, not being the act of the worker claiming compensation;</li> <li>2) a chance event occasioned by a physical or natural cause; or</li> <li>3) disablement, including occupational disease, arising out of and in the course of employment but <i>doesn't</i> include stress other than an acute reaction to a traumatic event [Sec. 2(a)].</li> </ol> <p>“Occupational disease” means a disease arising out of and in the course of employment and resulting from causes or conditions:</p> <ol style="list-style-type: none"> <li>1) peculiar to or characteristic of a particular trade or occupation; or</li> <li>2) peculiar to the particular employment and includes silicosis and pneumoconiosis [Sec. 2(v)].</li> </ol> <p><b>When:</b> Within five business days of becoming aware of the occurrence of the accident [Sec. 86(1)].</p> <p><b>Where:</b> WCB [Sec. 86(1)].</p> <p><b>What Info:</b> Completion of WCB Injury Report Form [Sec. 86(1)].</p>	<p><i>Workers' Compensation Act</i></p>
ON	<p><b>Reportable Illnesses/Injuries:</b> An accident to a worker employed by the employer if the accident necessitates health care or results in the worker not being able to earn full wages [Sec. 21(1)].</p> <p>“Accident” includes:</p> <ol style="list-style-type: none"> <li>1) a wilful and intentional act, not being the act of the worker;</li> <li>2) a chance event occasioned by a physical or natural cause; and</li> <li>3) disablement arising out of and in the course of employment [Sec. 2(1)].</li> </ol> <p><b>When:</b> Within three days of learning of the accident [Sec. 21(1)].</p> <p><b>Where:</b> The Workplace Safety and Insurance Board [Sec. 21(1)].</p> <p><b>What Info:</b> The information on the <a href="#">form</a> approved by the Board and the such other information as the Board may require from time to time in connection with the accident [Sec. 21(2)].</p>	<p><a href="#"><u>Workplace Safety and Insurance Act, 1997</u></a></p>

PE	<p><b>Reportable Illnesses/Injuries:</b> An accident or of the allegation of the happening of an accident to a worker in the employer's employment by which the worker is disabled from earning full wages or is entitled to medical aid [Sec. 59(3)].</p> <p>"Accident" means a chance event occasioned by a physical or natural cause, and includes:</p> <ol style="list-style-type: none"> <li>1) a wilful and intentional act that is not the act of the worker;</li> <li>2) any: <ol style="list-style-type: none"> <li>a) event arising out of, and in the course of, employment; or</li> <li>b) thing that is done and the doing of which arises out of, and in the course of, employment; and</li> <li>3) an occupational disease</li> </ol> </li> </ol> <p>and as a result of which a worker is injured [Sec. 1(1)(a)] but <i>doesn't</i> include stress other than an acute reaction to a traumatic event [Sec. 1.1].</p> <p>"Occupational disease" means a disease arising out of and in the course of employment and resulting from causes and conditions:</p> <ol style="list-style-type: none"> <li>1) peculiar to or characteristic of a particular trade or occupation; or</li> <li>2) peculiar to the particular employment, but <i>doesn't</i> include</li> <li>3) an ordinary disease of life [Sec. 1(1)(u)].</li> </ol> <p><b>When:</b> Within three days after the accident or allegation comes to the employer's knowledge or notice [Sec. 59(3)].</p> <p><b>Where:</b> The Workers Compensation Board [Sec. 59(3)].</p> <p><b>What Info:</b> Complete the Form 7</p>	<p style="text-align: center;"><a href="#"><u>Workers Compensation Act</u></a></p>
QC	<p><b>Reportable Illnesses/Injuries:</b> An accident by which a worker in the employer's employ is disabled from earning full wages or which necessitates medical aid [Sec. 22(1)].</p> <p>"Accident" means an unexpected and sudden event, attributable to any cause, which befalls a person, arising out of or in the course of his work, resulting in his injury, illness or death [Sec. 2(1)(a)].</p> <p><b>When:</b> Within two working days of the accident [Sec. 22(1)].</p> <p><b>Where:</b> CNESST [Sec. 22(1)].</p> <p><b>What Info:</b> Notice must be in writing and include:</p> <ol style="list-style-type: none"> <li>1) the happening of the accident and nature of it;</li> <li>2) time of its occurrence;</li> <li>3) name in full and address of the worker;</li> <li>4) place where the accident happened; and</li> <li>5) name and address of the physician or surgeon by whom the worker was or is attended for the injury [Sec. 22(1)].</li> </ol>	<p style="text-align: center;"><i>Workers' Compensation Act</i></p>



SK	<p><b>Reportable Illnesses/Injuries:</b> An injury which prevents a worker from earning full wages or which necessitates medical aid [Sec. 52].</p> <p>“Injury” means:</p> <ol style="list-style-type: none"> <li>1) the results of a wilful and intentional act, not being the act of the worker;</li> <li>2) the results of a chance event occasioned by a physical or natural cause;</li> <li>3) a disabling or potentially disabling condition caused by an occupational disease; or</li> <li>4) any disablement arising out of and in the course of employment [Sec. 2(k)].</li> </ol> <p>“Occupational disease” means a disease or disorder that arises out of, and in the course of, employment and that results from causes or conditions that are:</p> <ol style="list-style-type: none"> <li>1) peculiar to or characteristic of a particular trade, occupation or industry; or</li> <li>2) peculiar to a particular employment [Sec. 2(r.2)].</li> </ol> <p><b>When:</b> Within five days of becoming aware of the injury [Sec. 52].</p> <p><b>Where:</b> The Workers’ Compensation Board [Sec. 52].</p> <p><b>What Info:</b> Completion of E1 Form</p>	<p style="text-align: center;"><i>Workers Compensation Act, 2013</i></p>
YK	<p><b>Reportable Illnesses/Injuries:</b> Any, or the possibility of any, work-related injury that comes to the employer’s attention [Sec. 10(1)].</p> <p>“Injury” means:</p> <ol style="list-style-type: none"> <li>1) an injury as a result of an event, or series of events, occasioned by a physical or natural cause;</li> <li>2) an injury as a result of a wilful and intentional act, not being the act of the worker;</li> <li>3) a disablement, but <i>doesn’t</i> include the disablement of mental stress or disablement caused by mental stress, other than post-traumatic stress;</li> <li>4) an occupational disease, which includes a disease from causes and conditions peculiar to or characteristic of a particular trade or occupation or peculiar to the particular employment but <i>doesn’t</i> include an ordinary disease of life; or</li> <li>5) death as a result of an injury [Sec. 3(1)].</li> </ol> <p><b>When:</b> Within three days of receiving information about the injury or possibility of an injury [Sec. 10(1)].</p> <p><b>Where:</b> The Workers’ Compensation Health and Safety Board [Sec. 10(1)].</p> <p><b>What Info:</b> <a href="#">Written notice</a> describing the circumstances giving rise to the work-related injury [Sec. 10(1)(a)].</p>	<p style="text-align: center;"><a href="#"><u>Workers’ Compensation Act</u></a></p>