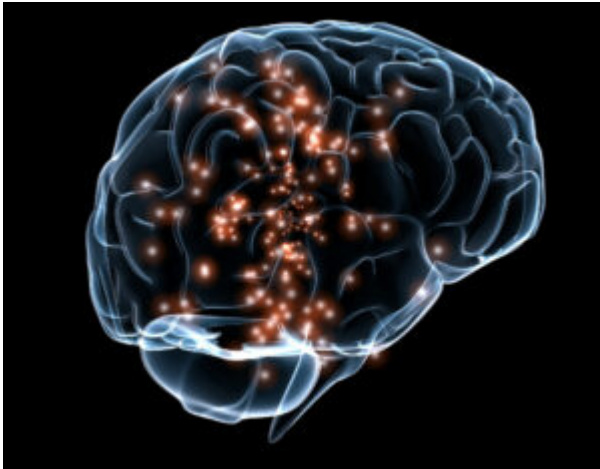


Compensable Safety Incident Caused Pre-Existing Brain Lesion to Bleed



While working on a well head below ground in a caisson, a worker was hit in the head by a piece of rigging equipment called a sand line counter, which fell from a truck located above ground. He was wearing a hardhat, but when he tried to get out of the way, it fell off. He received stitches at the hospital for a laceration. And he started experiencing headaches and left-side numbness. He returned to work on 'light duties' but then suffered a brain hemorrhage for which he had surgery. The medical evidence showed that the workplace incident had caused a pre-existing lesion to brain bleed. But his workers' comp claim was denied, so he appealed. The Appeals Commission ruled that a 'compensable accident' had caused the worker's pre-existing brain lesion to deteriorate or become symptomatic. Because there was a causal relationship between the diagnosed brain hemorrhage and the safety incident, his claim should be covered by workers' comp [2016-0683 (Re), [2016] CanLII 89994 (AB WCAC), Dec. 22, 2016].