

# Failure to Get Audiogram ≠ Grounds to Deny Workers? Comp for Hearing Loss



The Nova Scotia Court of Appeal said the WCB was wrong to deny a shipwright workers' comp for noise-induced hearing loss because he didn't follow the rule requiring workers to get an audiogram within 5 years of leaving the workplace. The WCB rule was unfair and not true to either the scheme or wording of the *Workers' Comp Act*, the Court reasoned. The shipwright suffered hearing loss on the job and should get benefits [[Surette v Nova Scotia \(Workers' Compensation Board\)](#), 2017 NSCA 81 (CanLII), Nov. 3, 2017].