

High Court Gives Injured Worker Second Chance to Get Her Benefits Restored



WorkSafeNB cut off the benefits of an injured hotel worker for supposedly not giving full effort during her functional capacity assessment. The worker vigorously disagreed but the Appeals Tribunal brushed her objections aside. The Court of Appeal said the Tribunal was wrong to do this and ordered a new proceeding. The Tribunal's finding that there was no evidence contradicting WorkSafeNB's determination that the worker wasn't giving full effort was plain wrong. There was such evidence but the Tribunal ignored it, the Court concluded [*Paul v. Worksafe NB*, 2018 NBCA 47 (CanLII), Aug. 9, 2018].