

# Hospital Workers? Breast Cancer Wasn't Work-Related



Three workers for a hospital were diagnosed with breast cancer. They each filed workers' comp claims, which were denied by the WCB as not being occupational diseases. But the WCAT overturned the denials. So the hospital appealed. The court ruled that there was 'no positive evidence' that the women's cancer was caused by occupational factors and the Tribunal ignored expert advice to the contrary. But the court refused to dismiss their claims outright, instead sending them back to the Tribunal because new evidence could result in different decisions [*Fraser Health Authority v. Workplace Compensation Appeals Tribunal*, [2013] BCSC 524 (CanLII), March 28, 2013].