

# No Proof Neck Symptoms Are Recurrence of Previous Work Injury



After nearly 8 years of stability, a welder began experiencing neck pain that he contended were caused by an earlier work-related head and neck injury covered by workers' comp. But after examining the medical evidence, the WHSCC (as it was called back then) said the new symptoms weren't a recurrence of the previous injury. After seeing another doctor, the welder asked that his file be reopened on the basis of new evidence. The WHSCC refused and the case eventually reached the New Brunswick Court of Appeal. Result: Appeal denied. It wasn't unreasonable for the WHSCC to conclude that the latest report didn't constitute new evidence, according to the province's high court [*Day v. Workers' Compensation Appeals Tribunal*, 2019 NBCA 54 (CanLII), July 4, 2019].