Shoulder Injury from Flu Shot at Employer Clinic Not Covered by Workers? Comp



A worker sustained a left shoulder strain as a result of getting a flu shot at a vaccination clinic arranged by the employer and held on its premises. She filed a workers' comp claim for the injury. Her claim was denied, so she appealed. The Appeals Commission noted that the employer set up the flu shot clinic and aggressively encouraged workers to get vaccinated. But getting vaccinated wasn't mandatory. Although the worker got the flu shot during her shift, the Commission concluded that the worker's shoulder injury didn't arise out of an employment hazard and didn't occur at a time and place consistent with the obligations and expectations of employment. Thus, it wasn't covered by workers' comp [*2016-0127 (Re)*, [2016] CanLII 20829 (AB WCAC), April 15, 2016].