

Student's Workers? Comp Claim for Heat Stroke Upheld



A 16-year-old student filed a workers' comp claim for heat stroke, which he claims occurred while he was working at a sawmill in the summer. The claim was denied, so he appealed. The Appeals Tribunal upheld his claim. The student was sick on and off for several days, with nausea, vomiting and a headache. He went to the emergency room twice, where he was diagnosed with heat stroke or a heat illness. Although there was evidence that the student got sick with a bacterial infection about one month after he started work, this evidence isn't sufficient to contradict or refute the presumption in the workers' comp law. And the medical evidence from his treating doctors clearly diagnosed him with heat stroke, which arose out of and in the course of his employment [*20167921 (Re)*, [2016] CanLII 39678 (NB WCAT), June 17, 2016].