

Victim's Experience Not Objective Standard Determines If Event Is ?Traumatic?



The patient's son doesn't think his mom is ready to be discharged from the hospital and hollers at the nurse preparing the discharge papers. He follows her into a small room, places his hands on the door as if to bar her exit and continues the tirade before finally withdrawing. As a result of the incident, the nurse develops PTSD. But her claim for workers' comp benefits is denied. The non-work related physical and emotional abuse the nurse suffered at the hands of her husband made her unusually susceptible, the WCAT explained. Thus, while the confrontation was no doubt traumatic to *her*, it wouldn't have been so to the average person. The court disagreed citing previous BC workers' comp cases finding that whether an incident constitutes a 'traumatic event' is based on a subjective, not objective standard. But despite winning the battle the nurse lost the war as the court ultimately upheld the denial as reasonable [*Atkins v. British Columbia (Workers' Compensation Appeals Tribunal*, 2018 BCSC 1178 (CanLII), July 13, 2018].