

Which Illnesses Are Considered “Occupational Diseases” for Workers Comp?



The Canadian workplace safety system is based on a pair of key laws:

- OHS laws requiring the implementation of measures to protect workers from health and safety hazards; and
- Workers comp laws providing benefits to workers who suffer occupational injuries and diseases, regardless of who's at fault.

Occupational Diseases & Workers Comp

Of course, workers can also get injured and sick due to non-work-related causes. Unlike with injuries, it's often difficult to determine whether a worker's disease or illness is 'occupational.' This is especially true for diseases that take time to develop and manifest themselves, such as cancers, hearing loss or organ failure. The difficulty of tying a disease to exposure at the workplace makes it tough on workers who have the burden of proving that their injury or disease is work-related.

To alleviate this burden, many provinces consider certain types of common work diseases to be occupational diseases when suffered by workers who are exposed to the hazards known to cause the disease. Common examples:

- Lead/mercury/arsenic/carbon monoxide and other forms of poisoning for workers who are exposed to those substances or compounds containing them;
- Lung and other forms of cancer for firefighters;
- Staph, salmonella, hepatitis B and other infections for healthcare, lab and animal care workers exposed to the viruses that cause those infections;
- Silicosis and other lung diseases for workers exposed to airborne asbestos;
- Radiation diseases for workers exposed to ultraviolet, ionizing and non-ionizing radiation; and
- Occupational hearing loss for workers with prolonged exposure to unsafe noise levels.

Rules vary widely by province, in terms of not just diseases and conditions covered but also the types of workers to which the presumptions apply. Thus, for example, several provinces provide for presumptive coverage of occupational cancers only for firefighters and fire inspectors. Presumptive coverage for mental disorders like post-traumatic stress disorder is often limited to emergency response and law enforcement workers.

Here's a quick summary of what illnesses are and aren't defined as 'occupational diseases' in each province:

'Occupational Diseases' by Province

Jurisdiction	Poison*	Infection	Pneumoconiosis	Cancer*	Asthma	Hearing Loss	Bursitis	Radiation	Tendinopathy	Dermatitis	Vibration
AB	û	û	û		û	û	û	û		û	
BC	û	û	û	û	û	û	û	û	û	û	û
MB											
NB											
NL	û		û	û	û	û		û	û	û	û
NS	û		û	û		û	û	û		û	û
ON	û		û	û	û	û	û	û			û
PEI											
QC	û		û			û		û			û
SK											

Notes*:

(1) Types of poisonings covered vary by province but typically include lead, phosphorous, carbon monoxide and arsenic

(2) Mostly lung cancers for workers exposed to asbestos and other airborne toxins; doesn't count firefighters which are subject to separate and more generous occupational disease coverage rules

For more information on your jurisdiction check out Know The Laws of your Province on Occupational Diseases Covered by Workers Comp.