Worker Lied about Condition to Keep Getting Workers? Comp Benefits



A worker injured his knee and back on the job. He collected workers' comp benefits as a result. When asked about returning to work, he said that he was still in pain, had trouble walking, and couldn't lift or drive. A WSIB specialist was suspicious and put him under video surveillance. The tape showed the worker driving, lifting bags and cases of Red Bull, walking without a limp and gardening. He was charged with violating workers' comp law by making false statements about his condition. The court convicted him, ruling that, based on all of the evidence, the worker had knowingly made misleading statements about his abilities so he could continue to get workers' comp benefits [*Ontario (Workplace Safety and Insurance Board) v. Ramgobin*, [2014] ONCJ 256 (CanLII), May 21, 2014].