

Workers' Comp Claim for Stress Due to Workplace Fatality Rejected



A worker filed a workers' comp claim for mental stress he said was the result of exposure to a fatality in the workplace. But the Appeals Tribunal rejected the claim. The worker wasn't present when the fatality occurred. In addition, although he found his job stressful both before and after the workplace fatality, there was little, if any, evidence that his general stress levels increased after the tragedy. And because there was no evidence that he suffered an acute reaction to the fatality, his claim wasn't compensable, concluded the Tribunal [2012-697-AD (Re), [2012] CanLII 80890 (NS WCAT), Dec. 12, 2012].