

Workers' Comp Covers Salesman's Brain Hemorrhage While Driving



A salesman driving home from work suffers a brain hemorrhage and gets into an accident. Doctors later identify the cause of the hemorrhage as the rupturing of an aneurism. And since it isn't clear exactly when the rupture occurred, the WHSCC (as it was known at the time) rules the injury isn't work-related and denies him benefits. The appeals tribunal reverses and the case lands in the NB Court of Appeal which upholds the tribunal's decision to award the salesman benefits. The tribunal's reasoning that what happened to the salesman while driving home from work was an 'accident' arising out of the course of his employment since his job required him to drive even if the precise timing of the aneurysm was unclear [*Workplace Health Safety and Compensation Commission v. St-Onge*, 2018 NBCA 53 (CanLII), Sept. 6, 2018].