September 12, 2022 |

Briefs

Submission to the WCB on proposed amendments to Schedule 2, Non-Traumatic Hearing Loss

A pdf of the complete submission can be found here(165 KB).

The BC Federation of Labour (BCFED) represents over 500,000 members of our affiliated unions, from more than 1,100 locals working in every aspect of the BC economy. The Federation is recognized by the Workers' Compensation Board (WCB) and the government as a major stakeholder in advocating for the health and safety of all workers in BC and full compensation for injured workers.

The BCFED is pleased to have the opportunity to participate in the consultation on the proposed amendments to Schedule 2, Non-Traumatic hearing loss. Many of our members in very diverse occupations are regularly exposed to high levels of workplace noise and experience hearing loss as a result.

We are pleased the WCB has recognized the importance of proposing to amend Schedule 2 and the policy on hearing loss, acknowledging the schedule is 40 years out of date and is no longer based on current scientific and medical evidence. Unfortunately, in that time, many workers with non-traumatic hearing loss have not qualified for benefits.

The proposed amendments are intended to address factors considered in the assessment and compensation of occupational noise-induced hearing loss (ONIHL).

1. How ONIHL is assessed (frequencies and methods used);
2. The level of hearing impairment, measured in decibels required to receive permanent disability benefits; and
3. The total percentage of total impairment allocated to ranges of hearing loss in each ear.

The BCFED agrees and supports the analysis of the proposed amendments put forward by the BCGEU and the BC Building Trades in their submissions and supports the following proposed amendments.

1. Based on the science, we agree with the PRRD's recommendation to include 3000 Hz and 4000Hz, and to remove 500Hz from the test range;
2. We agree with the recommendation to use bone conduction as a secondary method of assessment;
3. We agree with the adoption of the ISO Standard to replace the Robinson's Tables; and
4. We support Option 1C, on the condition that the PFI for total deafness in both ears be set at 36% (6.30), rather than at 35%, to be consistent with the 5:1 ration used in the rest of Schedule 2.

Changes to policy Item C4-31.00- The Rate of Change in ONIHL after 10 to 15 years

The PRRD proposes that ONIHL plateaus after the first 10 to 15 years of exposures. We disagree as the graph provided on Page 32 of the discussion paper tracing the average loss over time does not support this proposal. The loss may not continue to the same degree, but the graph shows the hearing loss continues and does not plateau.

We believe the proposed amendments will mean more workers with occupational noise-induced hearing loss will be compensated and treated more fairly.

In addition to the comments regarding the PRRD's proposed amendments to Schedule 2 non-traumatic hearing loss, the BCFED remains concerned about the issue of regulations and compensation policy relying on outdated scientific and medical evidence. The PRRD is increasingly relying upon standards from external organizations such as CSA standards and the ISO and must have a program to regularly review for changes. For example, a recent review of Regulation 7 - Ionizing radiation dose limits for the lens of the eyes was done because the dose limits were 10 years out of date with the limits set by the International Commission on Radiation Protection.

Therefore, the BCFED recommends the WCB develop a process that ensures regular reviews of regulations where other standards are applied or referenced. The development of this process would involve consultation with the stakeholders.

Sincerely,

Sheila Moir
Director, Occupational Health & Safety