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Releases

Changes to Workers' Compensation Act a welcome first step: BCFED

(Unceded Squamish, Tsleil-Waututh and Musqueam Territories — Vancouver, BC) Changes enacted into law today are a big first step in creating a worker-centered approach to health and safety and ensuring support for injured workers, BCFED President Laird Cronk said today.

"These long-overdue changes will prevent injuries and save lives," he said shortly after Bill 23 received royal assent. "And they'll mean fairer, faster compensation for sick and injured workers."

He singled out the provision removing the 90-day waiting period for changes implementing presumption around occupational disease caused by viral pathogens as "historic," calling it "especially important as people return to work during this pandemic."

Arising from three expert reviews conducted over the past two years, the new law:

- removes the one-year restriction on filing mental health claims;
- directs the Workers' Compensation Board (WCB) to consider both functional impairment and loss of earnings in calculating benefit, and ensuring workers will get the higher of the two;
- removes barriers to investigations, gives investigators more power and allows courts to hear victim impact statements;

- allows the Workers' Compensation Appeal Tribunal to hear cases related to the *Charter of Rights and Freedoms* and the *Human Rights Code;*
- makes it harder for employers to avoid paying premiums; and
- relaxes the 75-day rule that limited the ability of WCB to change a decision.

"Unions, injured workers and their advocates worked hard to see these changes happen, and we're glad to have a government that's willing to listen to them," Cronk said. "We're confident that Premier Horgan, Minister Bains and the NDP government understand this is a first step. We'll be continuing to push for change to restore lost benefits and make the system fairer and easier for workers to access."

He cited a fourth report that has yet to be released from a review by Janet Patterson exploring comprehensive changes to workers' compensation in BC. "We'll keep pressing to have the Patterson report released, and to get quick action on its recommendations," he said.

"Our top priorities are the health and safety of workers, and fair compensation for illness and injury. The goal hasn't changed: a worker-centered workers' compensation system. And today's legislation takes us a big step towards that goal."