

Infectious Diseases – Claims Considerations

- The WCB is committed to ensuring fairness and consistency of adjudication of claims for infectious diseases including a pandemic influenza outbreak. WCB is bound by legislation to provide benefits to workers for illnesses caused by their work.
- An infectious disease is not necessarily compensable simply because it could be contracted at work. Infectious diseases may be acquired through a variety of life situations and are sometimes termed “diseases of everyday life”. For instance a person may be as likely to contract a communicable infectious disease in a social or recreational situation, as they are at work.
- For an infectious disease to be compensable:
 1. The nature of the employment must create a risk of contracting a kind of disease to which the public at large is not normally exposed;

or

 2. The nature of the employment creates a risk of contracting the disease significantly greater than the ordinary exposure risk of the public at large.
- It is not sufficient to only show that a worker meets more people than in other occupations. Rather, you must show that in the particular workplace a worker meets a much larger proportion of people with the particular disease than is found in the population at large.
- To determine if an infectious disease claim is compensable, the WCB follows a thorough process of gathering, analyzing and weighing evidence on which to make a decision. All WCB claims for compensation are considered on a case-by-case basis.
- To be eligible to receive WCB benefits or services, a worker must be diagnosed (actually have) with an infectious disease that has arisen out of and in the course of employment.
- The *Workers' Compensation Act* does not provide coverage for workers who are quarantined or sent home on a precautionary basis. In these instances, no injury has occurred. Rather, it is suspected the worker was exposed to the virus. Exposure does not necessarily mean the worker has the disease, or that subsequent development of the disease is due to their employment.
- All infectious disease claims are handled by the WCB's Specialized Adjudication Team to ensure consistency and clear communication.