

BUILDING TRADES WORKERS' SERVICES

Workers' Health & Safety Newsletter

WSIB CLAIMS FOR COVID-19

The WSIB is evaluating claims for work-related COVID-19 on a case-by-case basis. Workers will need to show that they have COVID-19 and their workplace created a risk of contracting it that is greater than the risk faced by the general public. Workers are not eligible for benefits if they are quarantined but symptom-free.

The WSIB has a Frequently Asked Questions on their website which covers additional topics regarding COVID-19: <https://www.wsib.ca/en/faqs-about-wsib-claims>.

COVID-19-RELATED DISRUPTIONS

In response to COVID-19, the WSIB has been making changes to their practices. This is an overview as of March 24, 2020, though we expect further changes as the situation evolves.

The WSIB has closed their offices to the public. They are transitioning Case Managers to work from home. While this happens, you will not be able to contact your Case Manager directly. There is now a queue of Case Managers handling immediate concerns. You can expect a delay in decisions while this is being implemented.

The WSIB is continuing to process claims for lost wages. They are registering new claims, determining initial entitlement and paying benefits. Decision letters are still being sent out so workers will need to pay attention to any deadlines.

The best way to object to a decision, file a claim or submit documents is through the WSIB's online portal or via fax as they are not processing any physical mail.

COVID-19 IMPACTS ON HEALTH CARE

The WSIB has stated that injured workers can cancel their upcoming claim-related appointments if they are concerned with exposure to COVID-19. Cancelling an appointment "will not affect your entitlement to benefits or services" and you do not need to run it by the WSIB.

Workers should be aware that health care facilities are prioritizing COVID-19 patients. For currently recovering from injuries, the WSIB is exploring a "virtual care model" in lieu of in-person treatment. At this time it is not clear what that will entail or when it will be available.

You may also have trouble obtaining health care immediately after an injury. If so, be sure to document your attempt in case the WSIB later suggests you delayed in seeking health care.

WSIAT APPEALS DELAYED

Like the WSIB, the Workplace Safety and Insurance Appeals Tribunal (WSIAT)'s locations are closed to the public. They are still receiving mail, faxes and courier deliveries as normal, though delays in processing are likely. All in-person hearings scheduled from March 16-April 3, 2020 are being postponed. You can request that your appeal proceed via a written or telephone hearing by faxing or mailing in a request letter to the WSIAT.