

**Alberta WCB
Policies &
Information**

Chapter:

INJURIES

Subject:

GENERAL

Authorization:

BoD Resolution 2014/01/02

Date:

February 4, 2014

APPLICATION 3: OCCUPATIONAL DISEASE

1. *How does WCB define an occupational disease?*

Occupational disease is defined and described in Schedule B and Section 20 of the *WC Regulation*. Regular reviews of occupational disease provisions are required under s.24.3 of the *WCA*.

WCB will also consider any other disease or condition if satisfied it is caused by employment in an industry to which the *WCA* applies.

2. *What are the presumptions regarding occupational disease?*

Under s.24(6) of the *WCA*, if a worker suffers a disablement from or because of any occupational disease and was employed within the preceding 12 months in an industry or process or performed activities deemed by the *WC Regulation* to have caused that disease or condition, the employment or activity is presumed to have caused the disease, unless the contrary is shown.

Section 24.1 of the *WCA* and the *Firefighters' Primary Site Cancer Regulation* include presumptions specific to firefighters.

3. *Is vocational rehabilitation available on occupational disease claims?*

Section 89(1) of the *WCA*, concerning the provision of vocational and rehabilitative services, applies to occupational disease claims. It also contains specific provisions regarding relocation if a change of industry or occupation is advisable for workers suffering from occupational disease.

4. *What, if any, special conditions apply to infectious disease claims?*

When a worker contracts an infectious disease as a result of employment, the worker is entitled to compensation if the following conditions are met:

- the nature of employment involves sufficient exposure to the source of infection, and

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***Infectious disease claims
(continued)***

- the nature of employment is shown to be the cause of the condition, or
- the nature of employment creates an increased risk of exposure for the worker.

If a worker, as a result of contracting a compensable infectious disease, is forced by the terms of the *Public Health Act* to lose time from work, the time loss is compensable, whether or not the worker is disabled.

When immunization is required for the prevention of a work-related disease or infection and as a result of a reaction to this compulsory immunization a worker experiences a loss of earnings, WCB will consider the reaction and its consequences to be compensable. Reactions to compulsory COVID-19 vaccinations may be eligible for cost relief (see Policy 05-02, Part II, Application 2).

5. *How does WCB adjudicate respiratory disease claims?*

Respiratory disease claims are adjudicated like any other occupational disease claim, using the appropriate causation test:

- Non-malignant respiratory disease - see Policy 02-01, Part II, Application 7, Questions 4 and 5
- Malignant respiratory disease – see Policy 02-01, Part II, Application 7, Question 7

As with other occupational diseases, when a worker has a respiratory disease that meets the appropriate causation test the overall disability is considered to be related to employment.

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*Respiratory disease claims
(continued)*

Special provisions are provided for cases when a worker with a pre-existing non-compensable cardiac condition suffers a compensable respiratory disease (see Policy 04-04, *Permanent Disability*, Part II, Application 7: Enhancement Factor).

6. *When is dermatitis compensable?*

Dermatitis is compensable when there is evidence of occupational exposure to irritants, allergens, or sensitizers that ordinarily cause dermatitis.

Unless continuity is demonstrated, each recurrence of diagnosed occupational dermatitis will be adjudicated as a new claim.

Eligibility for benefits is not subject to any pre-set limitations, but is dependent on the severity of the condition. WCB may pay compensation on an interim basis when prolonged testing or investigation is required.

WCB may provide re-employment assistance when:

- episodes of chronic or acute occupational dermatitis cause frequent or prolonged periods of disability, and
- the nature of the employment is such that the offending substance may not easily be eliminated from the work environment.

7. *How is cost relief applied to occupational disease claims?*

For the appropriate application of cost relief on occupational disease claims in general, and on respiratory claims in particular, see Policy 05-02, *Cost Relief*.

8. *When is this policy application effective?*

This policy application (Application 3 – Occupational Disease) is effective April 1, 2014, and applies to all decisions made on or after that date, except when noted otherwise in a specific policy section(s).

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- [Policy 0301 Part II - April 2021](#)
- [Policy 0301 Part II - July 2018](#)
- [Policy 0301 Part II - April 2018](#)
- [Policy 0301 Part II - February 2018](#)
- [Policy 0301 Part II - August 2015](#)
- [Policy 0301 Part II - April 2014](#)
- [Policy 0301 Part II - January 2004](#)
- [Policy 0301 Part II - June 2003](#)
- [Policy 0301 Part II - June 2002](#)
- [Policy 0301 Part II - January 2002](#)
- [Policy 0301 Part II - June 2001](#)
- [Policy 0301 Part II - December 2000](#)
- [Policy 0301 Part II - March 1999](#)
- [Policy 0301 Part II \(consolidated manual 1st Issue\) - February 1997](#)