

**Operational
Policy**

Section
In the Course of and Arising Out of

Subject
Traumatic Mental Stress

Policy

A worker is entitled to benefits for traumatic mental stress that is an acute reaction to a sudden and unexpected traumatic event arising out of and in the course of employment.

A worker is not entitled to benefits for traumatic mental stress that is a result of the employer's employment decisions or actions.

NOTE

Special rules apply to first responders and other designated workers who are claiming entitlement for posttraumatic stress disorder, see 15-03-13, Posttraumatic Stress Disorder in First Responders and Other Designated Workers.

Guidelines

Sudden and unexpected traumatic event

In order to consider entitlement for traumatic mental stress, a decision-maker must identify that a sudden and unexpected traumatic event occurred. A traumatic event may be a result of a criminal act, harassment, or a horrific accident, and may involve actual or threatened death or serious harm against the worker, a co-worker, a worker's family member, or others.

In all cases, the event must arise out of and occur in the course of the employment, and be

- clearly and precisely identifiable
- objectively traumatic, and
- unexpected in the normal or daily course of the worker's employment or work environment.

This means that the event

- can be established by the WSIB through information or knowledge of the event provided by co-workers, supervisory staff, or others, and
- is generally accepted as being traumatic.

Sudden and unexpected traumatic events include

- witnessing a fatality or a horrific accident
- witnessing or being the object of an armed robbery
- witnessing or being the object of a hostage-taking
- being the object of physical violence
- being the object of death threats

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- being the object of threats of physical violence where the worker believes the threats are serious and harmful to self or others (e.g., bomb threats or confronted with a weapon)
- being the object of harassment that includes physical violence or threats of physical violence (e.g., the escalation of verbal abuse into traumatic physical abuse)
- being the object of harassment that includes being placed in a life-threatening or potentially life-threatening situation (e.g., tampering with safety equipment; causing the worker to do something dangerous).

The worker must have suffered or witnessed the traumatic event first hand, or heard the traumatic event first hand through direct contact with the traumatized individual(s) (e.g., speaking with the victim(s) on the radio or telephone as the traumatic event is occurring).

Acute reaction

An acute reaction is a significant or severe reaction by the worker to the work-related traumatic event that results in a psychiatric/psychological response. Such a response is generally identifiable and must result in an Axis I Diagnosis in accordance with the Diagnostic and Statistical Manual of Mental Disorders (DSM-IV).

An acute reaction is said to be immediate if it occurs within four weeks of the traumatic event.

An acute reaction is said to be delayed if it occurs more than four weeks after the traumatic event. In the case of a delayed onset, the evidence must be clear and convincing that the onset is due to a sudden and unexpected traumatic event, which arose out of and in the course of the employment.

Workers who develop mental stress gradually over time due to general workplace conditions are not entitled to benefits.

Cumulative effect

Due to the nature of their occupation, some workers, over a period of time, may be exposed to multiple, sudden and unexpected traumatic events resulting from criminal acts, harassment, or horrific accidents. If a worker has an acute reaction to the most recent unexpected traumatic event, entitlement may be in order even if the worker may experience these traumatic events as part of the employment and was able to tolerate the past traumatic events. A final reaction to a series of sudden and traumatic events is considered to be the cumulative effect.

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The WSIB recognizes that each traumatic event in a series of events may affect a worker psychologically. This is true even if the worker does not show the effects until the most recent event. As a result, entitlement may be accepted because of the cumulative effect, even if the last event is not the most traumatic (significant).

In considering entitlement for the cumulative effect, decision-makers will rely on clinical and other information supporting that multiple traumatic events led to the worker's current psychological state. Also, there may be evidence showing that each event had some effect or life disruption on the worker, even if the worker was not functionally impaired by the effect or life disruption.

An employer's work-related decisions or actions

There is no entitlement for traumatic mental stress due to an employer's decisions or actions that are part of the employment function, such as

- terminations
- demotions
- transfers
- discipline
- changes in working hours, or
- changes in productivity expectations.

However, workers are entitled to benefits for traumatic mental stress due to an employer's actions or decisions that are not part of the employment function, such as violence or threats of violence.

Diagnostic requirements

Immediate acute reaction

Where the acute reaction is immediate, the WSIB will accept the claim if an appropriately regulated health care professional confirms the worker is suffering from an Axis I diagnosis which may include but is not limited to

- acute stress disorder
- posttraumatic stress disorder
- adjustment disorder, or
- an anxiety or depressive disorder,

in accordance with the DSM-IV. The decision-maker may, at a later point, require an assessment by a psychiatrist or psychologist to confirm ongoing entitlement.

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Delayed onset or onset due to cumulative effect

Where the acute reaction is delayed, or where the claim is based on the cumulative effect of multiple traumatic events, there must be an Axis I diagnosis in accordance with the DSM-IV by a psychiatrist or psychologist before the claim is adjudicated.

Application date

This policy applies to any single traumatic event, or in the case of the cumulative effect the most recent traumatic event, occurring on or after January 1, 1989.

Document history

This document replaces 15-03-02, dated October 12, 2004.

This document was previously published as:
15-02-02, dated April 11, 2003.

References**Legislative authority**

Workplace Safety and Insurance Act, 1997, as amended
Sections 2(1), 13(4), 13(5)

Workers' Compensation Act, R.S.O. 1990, as amended
Sections 1(1), 4

Workers' Compensation Act, R.S.O. 1980, as amended
Sections 1(1)(a), 3

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