



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C. V9A 3P1
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Office of the Mayor

July 3, 2015

The Honourable Christy Clark
Premier of British Columbia
Box 9041, Station PROV GOVT
Victoria BC V8W 9E1

Dear Premier Clark:

Re: Changes to the Worker's Compensation Act

At the Regular Meeting held Monday, June 1, 2015, the Township of Esquimalt Council received a presentation from Lisa Jennings, the Founder of the organization "You are not alone". The organization requested two actions: a letter of support from the Township of Esquimalt Council and a Resolution of support to change and add language to the WorkSafe Legislation related to First Responders suffering from a Mental Health Injury (formerly only classified as PTSD).

At its meeting, Council passed the attached Resolution, which we have forwarded to UBCM.

Please consider this letter as the Township of Esquimalt's support for the proposed Presumptive Clause and changes to the *Workers' Compensation Act*, as the delay of early treatment and financial benefits could result in tragedy; and to honour all of those in service who have taken their own lives due to such delays. We support assisting those who had always been at the ready to help us, putting their lives on hold or themselves in danger, to take care of all of the citizens of British Columbia, no matter what the toll, and more importantly, to prevent and further lives lost.

Respectfully,

Barbara Desjardins
Mayor

Attachment

pc: Honourable Shirley Bond, Minister of Jobs, Tourism and Skills Training
and Minister Responsible for Labour, JTST.Minister@gov.bc.ca



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RESOLUTION TO UBCM

CHANGES TO WORKER'S COMPENSATION ACT

Township of Esquimalt

WHEREAS First Responders will include 9-1-1 Operators, Paramedics, Firefighters, Peace Officers, Police Officers, Sheriffs and Corrections Officers; many First Responders have been affected by a mental health injury/disorder – thus replacing “PTSD” with “Mental Health Injury”;

AND WHEREAS there is a need to change the Workers Compensation Act under Section 5.1 to add a Presumptive Clause, as it is possible that within a First Responders' duties, they will encounter horrific acts and develop a mental health injury; it is imperative that a two month maximum deadline be implemented when making a decision, at any decision point of the claim regarding a Mental Health Injury claim based on one psychologist and/or one psychiatrist report; upon receipt of a Mental Health Injury claim, the Worker receives immediate, financial benefits and treatment, with the understanding and agreement of the Worker, their Specialist and the WSBC, that if it is proven that the injury was not as a result of their duties of employment, there will be a repayment plan for costs; when the Worker is “fit to return to work or retraining” there will be a follow up plan to be agreed upon by WSBC, the specialist and Worker. Under Policy 97.34, Conflict of Medical Opinion, the probable difference of opinion shall be discussed with the physicians (refer to the treating physician or specialists) involved. If it is concluded there is doubt on any issues, the Board must follow the mandate of s. 99 of The Act and resolve that issue in a manner that favors the Worker:

THEREFORE BE IT RESOLVED that the Township of Esquimalt request the Province of British Columbia to add new Legislative Language in the Workers Compensation Act under Section 5.1 of the Act, and to add a Presumptive Clause for Mental Health Injuries as set forth in this Resolution, to ensure the wellbeing of all First Responders who have sustained a Mental Health Injury as set forth in this Resolution.