

# Bill 25

# The Workers Compensation Amendment Act (Wildfire Firefighters)

**May 8, 2023**



## **Bill 25: The Workers Compensation Amendment Act (Wildfire Firefighters)**

The Manitoba Federation of Labour (MFL) is Manitoba's central labour body, representing the interest of over 125,000 working Manitobans in the public and private sectors, as well as the building trades.

The MFL is a strong advocate for better health and safety laws and practices, greater focus on the prevention of workplace injuries and illness, and a fair workers compensation system that provides the care workers need to recover and to get back to work and all the other parts of their lives after an injury.

I know that some of you might be used to me appearing at committee to take issue with a bill this government has introduced, but I am here today to speak in favour of Bill 25.

Bill 25 will right the historical wrong that Manitobans who fight wildfires have been barred from presumptive workers compensation coverage for occupational diseases that has been available to those fight urban or structural fires.

We know that the toxins and carcinogens wildfire fighters are exposed to are linked to multiple serious health effects. We also know that the frequency and intensity of wildfires is growing, partly as a result of climate change and drought. It was deeply unfair that wildfire firefighters were left out of the presumptive coverage that other firefighters had access to.

Passing this bill into law will mean that workers who are suffering from a serious occupational disease, like cancer, will not have to face the additional burden of having to prove that their disease is the result of the hazards we know to exist in their workplace.

We know that the process of having a workers compensation claim approved can be difficult, even for those with a relatively minor injury. Imagine doing it while suffering from a debilitating cancer.

The introduction of presumptive coverage for these workers will make their path to receiving the compensation coverage a little easier. This expansion of presumptive coverage also serves as a reminder that there remain many occupational diseases known to be caused by specific workplace exposures that are not covered by any type of WCB presumption. Workers suffering from these diseases continue to face the added burden of proving a causal connection to their work.

In addition to the many deadly lung and respiratory diseases caused by asbestos, which continues to be the number one occupational killer in Canada, there are many other diseases that we know are caused by on-the-job exposure to specific agents. To name just a few examples, there is occupational asthma caused by inhalation of certain wood dusts, bladder cancers caused by the chemicals present in rubber products and dyes, and poisoning caused by workplace exposure to lead, nickel and other metals.

More than five years ago, the Workers Compensation Act Legislative Review Committee made a consensus recommendation that this injustice be corrected by creating a Presumptive Schedule of Occupational Diseases for WCB to administer. Under such a Schedule, when a worker with a specified disease had been employed in the associated process or industry, the disease would be presumed to be caused by the work unless the contrary was proven.

In 2021, this government passed amendments to the Workers Compensation Act to empower the WCB to create a Schedule of Occupational Diseases. This was a very positive step and was supported by the MFL. Schedules of Occupational Diseases exist in other jurisdictions, and they make it easier for workers who are suffering from a listed occupational disease due to their work to receive the workers compensation support that they are entitled to.

The 2021 amendments also explicitly empowered the WCB Board of Directors to make Regulations “respecting occupational diseases, including the establishment of a schedule... setting out occupational diseases and types of employment or employment conditions.”

Unfortunately, despite this government doing the right thing and passing these changes into law two years ago, the Workers Compensation Board still hasn't created an Occupational Disease Schedule.

This means that workers are suffering from diseases that they have from their jobs but are falling through the cracks at WCB, and struggling to prove their condition is work-related

I encourage the minister to tell WCB to get moving on creating a Schedule of Occupational Diseases so that more workers receive the WCB support they deserve.

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