

Psychological injuries

[The Workers' Compensation Act, 2013](#) (the Act) provides coverage for physical and psychological injuries.

Q: Who qualifies for psychological injury coverage from the Saskatchewan Workers' Compensation Board (WCB)?

A: All workers who are covered by the Act are eligible for compensation and medical treatment if they suffer a psychological injury from being directly exposed to a traumatic event, a series of traumatic events or a substantial work-related stressor as part of, or in the course of, their employment. This coverage applies to all industries and occupations covered by the Act.

Q: What is considered a traumatic event?

A: A single traumatic event or a series of traumatic events can include:

- Direct personal experience or being a direct personal witness to an event, or series of events at work.
- Actual or threatened death or serious injury to a worker and/or others.
- An event or series of events that are sudden and typically unexpected, occurring at a specific time and place.
- Event(s) that would be objectively considered emotionally shocking or horrific (that is, physical or sexual violence).

Q. What is considered a substantial work-related stressor?

A: Substantial work-related stressor means an event, or series of events, that has arisen out of and in the course of employment that may give rise to a psychological injury. A work-related stressor will generally be considered substantial if it is excessive in intensity and/or duration in comparison to the normal pressures and tensions experienced by workers in similar work situations. These circumstances would generally be considered substantial work-related stressors:

- Discrimination or harassment based on prohibited grounds as defined by [The Saskatchewan Human Rights Code, 2018](#) (for example, religion, creed, marital status, family status, sex, sexual orientation, disability, age, colour, ancestry, nationality, place of origin, race or perceived race, and receipt of public assistance) or physical weight or size.
- Bullying or personal harassment, which is a repeated or single serious or severe incident of aggressive or threatening conduct, comment, display, action

or gesture by a person towards a worker, with an intent to harm, exclude, threaten, humiliate or intimidate.

- Sexual harassment, which means conduct, comment, display, action or gesture of a sexual nature.
- Excessive and long-standing workload issues that would be objectively considered beyond the normal pressures and tensions experienced within employment and constitute a threat or a lasting harmful effect to a worker's health or safety.

Q: What is the DSM?

A: DSM means the *Diagnostic and Statistical Manual of Mental Disorders* (DSM) published by the American Psychiatric Association to help mental health providers diagnose mental health disorders. The fifth edition (DSM-5) is to be used as prescribed by *The Workers' Compensation Miscellaneous Regulations*. The DSM does not include guidelines for the treatment of a disorder.

Q: What is a DSM diagnosis?

A: A DSM diagnosis means a diagnosis that meets all diagnostic criteria for a disorder in accordance with the DSM, completed by a psychologist or psychiatrist licensed to practice and make diagnosis.

Q: Why is a DSM diagnosis needed?

A: A DSM diagnosis is needed for a claim to be adjudicated under the psychological presumption in the Act (Section 28.1).

If a DSM diagnosis is not available, the claim can still be adjudicated under the general presumption in the Act (Section 27).

Q: How can someone with a psychological injury apply for workers' compensation?

A: If you've been exposed to a traumatic event, a series of traumatic events, a substantial work-related stressor at work and suffer from psychological symptoms or psychological injury, you should:

1. Report the traumatic event(s) or incident(s) to your employer right away. Your employer must report all work injuries to the WCB when they become aware of an injury that prevents a worker from earning full wages or requires medical attention.

2. Seek medical attention immediately and ask your health-care provider to submit their report to the WCB.
3. Fill out a [Worker's Initial Report of Injury \(W1\) form](#) as soon as possible. You do not need to wait for your employer to file with the WCB first. You can submit this form:
 - a. Online: Workers can now get automatic online access to [W1 online reporting](#) with a [basic WCB online account](#).
 - b. Email: [W1 PDF](#) and email to forms@wcbask.com.
 - c. Phone: Contact a representative of our office at [1.800.667.7590](tel:1.800.667.7590).
4. Complete and submit the [Authorization to Release Information and Documentation \(WMROI\)](#) form. This will allow the WCB to access relevant medical information necessary to help the WCB make a decision on your claim.

Q: What can you expect after you've submitted your claim?

A: You may expect to see the following:

- The WCB screens the claims to determine if the events leading to your claim fall within the scope of our coverage.
- If it is immediately evident that your situation is covered, you will be notified as soon as possible by phone and in writing.
- If it is immediately evident that your situation is not covered, the WCB will notify you as soon as possible by phone and in writing. You may be asked to provide a copy of your WCB decision letter to your disability provider as proof that the WCB has reviewed and denied your claim.
- If it is unclear whether your situation would be covered, the WCB will develop your claim. Further development may include:
 - Obtaining relevant medical information. This may include medical information that pre-dates the work events.
 - Speaking to other people who may be able to provide further clarification.
 - Completing a file review (done by a medical consultant).
 - Sending you for a mental health assessment.

Q: What can you expect during a mental health assessment?

A: You may expect to see the following:

- Mental health assessments can be done at several locations throughout the province or outside of the province. If you are required to attend an

assessment outside of your home community, the WCB will provide travel expenses.

- Mental health assessments are based on the Diagnostic and Statistical Manual of Mental Disorders (DSM). They are done by a WCB accredited psychologist or psychiatrist to determine if you meet the criteria for a DSM diagnosis.
- The testing and evaluation process of the mental health assessments helps determine a treatment plan, any barriers to recovery and recommendations for return-to-work planning.

Q: The Act was amended in 2016 to add a presumptive clause for psychological injuries. What are the main points of the changes?

A: Section 28.1 of the Act states:

- (1) In this section:
 - (a) “psychological injury” means a psychological injury, including post-traumatic stress disorder, as described in the edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association that is prescribed in the regulations;
 - (b) “worker” means a person who works and:
 - i. is exposed to a traumatic event; or
 - ii. is in an occupation that is prescribed in the regulations.
- (2) Unless the contrary is proven, if a worker or former worker is diagnosed with a psychological injury by a psychiatrist or psychologist, that injury is presumed to be an injury that arose out of and in the course of the worker’s employment.

This means you need to have a DSM diagnosis to meet the presumptive clause.

Q: What are some of the benefits I may receive?

A: Some of the benefits that may be covered under an accepted psychological injury claim include:

- Earnings loss benefits (also known as wage-loss benefits) if you had to miss work due to your injury.
- Counselling services.
- Medication.

- Other health-care costs related to your workplace injury.

Q: Is the change in legislation only effective for injuries that occur going forward or is it retroactive?

A: The legislation is retroactive and covers injuries that occurred prior to 2016. If you have a claim that was denied before Dec. 20, 2016 (the date the psychological injury presumption came into force), a decision may be reconsidered if new information is provided. For claims denied on or after Dec. 20, 2016, a decision may be reconsidered without the need for new information being provided.

Q: How do I ask for reconsideration if my claim was denied based on previous legislation?

A: Your first step is to contact the WCB representative who made the decision on your claim. If you are unsure of who this is, contact [1.800.667.7590](tel:1.800.667.7590) and your call will be directed to an appropriate representative. You would then ask for reconsideration of your claim. The WCB would then follow our decision-making process. For more information, here is [what you can expect after you have submitted your claim](#).

Q: How can I appeal a decision?

A: You have the right to appeal any claim decision you disagree with. You can email your appeal to appeals@wcbask.com, fill out the online appeal form, or write to the appeals department. [Learn more about appealing a decision](#).

If you need assistance in submitting an appeal, the Injured Worker Appeal Services can provide free and independent services. You can contact them at appealservices@gov.sk.ca or call [1.877.787.2456](tel:1.877.787.2456).

Q: Why did the WCB decide to change the Act?

A: We had heard from groups such as PTSD Saskatoon and the Saskatchewan Professional Fire Fighters Association about the importance of amending the Act to better meet the needs of those making a claim for psychological injuries.

All too often there is a stigma attached to mental health issues, making it more difficult for those who are experiencing them to come forward and seek help. We hope to ensure that those with psychological injuries stemming from their jobs will feel comfortable and confident seeking support, including filing a claim with the WCB.

Q: What psychological health and wellness resources can I access in Saskatchewan?

A: Below is a contact list of psychological health and wellness resources available to you in Saskatchewan or [view the PDF version](#).

Psychological health and wellness resources

Location	Name	Description	Contact information
Saskatchewan	Mobile Crisis Helpline	Free, 24/7 confidential crisis support	306.757.0127 info@mcsregina.ca
Northern Saskatchewan	Northeast Crisis Line	Free, 24/7 confidential crisis support	1.800.611.6349
Prince Albert	Prince Albert Mobile Crisis Unit	Free, 24/7 confidential crisis support	306.764.1011
Regina	Regina Mobile Crisis Services	Free, 24/7 confidential crisis support	306.757.0127
Saskatoon	Saskatoon Crisis Intervention Service	Free, 24/7 confidential crisis support	306.933.6200 info@saskatooncrisis.ca
Southwest Saskatchewan	Southwest Crisis Services	Free, 24/7 confidential crisis support	1.800.567.3334
Saskatchewan	Healthline 811	Free, 24/7 confidential crisis support	8.1.1
Saskatchewan	Suicide Helpline	Free, 24/7 confidential crisis support	9.8.8
Canada	Canada Suicide Prevention Service	Free, 24/7 confidential suicide related support	1.833.456.4566

For additional psychological health and safety resources, please visit the Psychological Health and Safety Resource Centre on WorkSafe Saskatchewan's website: worksafesask.ca/resources/psych-health-safety-resource-centre