



YUKON WORKERS'
COMPENSATION
HEALTH AND
SAFETY BOARD

SUBJECT: CLAIMS & BENEFITS POLICY NO.: CL - 02
BOARD APPROVAL: UNDER REVIEW
APPROVAL DATE: _____
BOARD ORDER NO.: _____
EFFECTIVE DATE: January 01, 1993

POLICY STATEMENT

REVOKED
JAN 01 2008

SECTION
REFERENCE:

POLICY:

PERSONAL INJURY BY ACCIDENT

Where an injury is claimed to be due to the worker's employment and there is no identifiable incident or episode claimed to be the specific cause of the injury, the accident aspect becomes largely a medical matter. The definition of accident includes:

- (a) a wilful intentional act, not being the act of the worker,
- (b) a chance event occasioned by a physical or natural cause, and
- (c) disablement arising out of and in the course of employment, and where the disablement is caused by disease, the date of the accident shall be deemed to be the date of the disablement.

Therefore, in cases of the type where medical opinion is that the worker's injury was caused or probably caused by activities peculiar to or reasonably identifiable with the employment, the definition of accident is met. The requirements of the Act concerning reporting of the accident apply and must be considered in light of the type of accident involved.

This type of case does not include a worker who after many years of employment has a sore back, legs, arms, etc., or feels worn out, unless the medical opinion clearly relates the worker's condition to some unique or peculiar aspect of the employment.