



YUKON WORKERS'
COMPENSATION
HEALTH AND
SAFETY BOARD

SUBJECT: Claims and Benefits POLICY NO.: CL-26
BOARD APPROVAL: *Cuplasson*
APPROVAL DATE: 94-06-15
BOARD ORDER NO.: _____
EFFECTIVE DATE: June 15, 1994

POLICY STATEMENT

SECTION REFERENCE: **5, 6, 9, 20, 28, 30, 87**

POLICY: **HEARING LOSS**

REVOKED

JAN 01 2007

*Replaced by:
CL-26 effective
JAN, 01, 2007*

GENERAL INFORMATION

Hearing loss is permanent. It cannot be reversed. Hearing loss may result in an impairment and/or a disability.

Hearing loss due to noise is preventable. It is the responsibility of all employers to provide hearing protection to workers who are exposed to excessive noise levels in the workplace. It is the obligation of all workers to wear the hearing protection provided.

All claims decisions are appealable to the Workers' Compensation Health and Safety Board.

POLICY

A. DEFINITIONS

(a) NOISE INDUCED HEARING LOSS

Noise Induced Hearing Loss means the gradual deterioration of hearing as a result of exposure to hazardous noise over a period of time.

(b) TRAUMATIC HEARING LOSS

Traumatic Hearing Loss means the sudden loss of hearing as a result of an accident, organic cause or trauma.

(c) OTHER HEARING LOSS

Will be adjudicated on its' own merits.

(d) TINNITUS

Tinnitus means a ringing, rushing, buzzing or roaring sound in the ears.

(e) PRESBYCUSIS

Presbycusis is the loss of hearing as a result of aging that takes the form of a gradual progressive inner ear hearing loss.

B. ENTITLEMENT TO COMPENSATION

Hearing loss shall be compensable if it arose out of and in the course of Yukon employment.

Noise induced hearing loss shall be proportionally attributed to the present employer's experience account and an accident fund.

C. NOISE INDUCED HEARING LOSS - EXPOSURE CRITERIA

A worker may be eligible to receive compensation if the evidence shows that a worker has been exposed to hazardous noise levels as described in the Occupational Health Regulations, for a period of 5 years, 2 of which must be in the Yukon.

The minimum average hearing loss required for a claim shall be 25 decibels total hearing loss in each ear calculated using 4 test frequency levels of 500, 1000, 2000, and 3000 Hertz. There shall be no correction for presbycusis unless documentation shows the hearing loss is a pre-existing condition.

Current noise exposure levels as described in the Occupational Health Regulations are as follows:

Steady State Noise

<u>Noise Level</u>	<u>Maximum Daily Exposure Time Without Hearing Protection</u>
85 dBA	8 hours
88 dBA	4 hours
91 dBA	2 hours
94 dBA	1 hours
97 dBA	1/2 hours
100 dBA	1/4 hours
over 103 dBA	0 hours

Impact Noise

<u>Peak Sound Pressure Level</u>	<u>Maximum Number of Impacts per 24 Hour Period</u>
118 decibels	14400
121 decibels	7200
124 decibels	3600
127 decibels	1800
130 decibels	900
133 decibels	450
136 decibels	225
139 decibels	112
140 decibels	90
over 140 decibels	0

D. PERMANENT IMPAIRMENT AWARD

The minimum average hearing loss required for a Permanent Impairment Award shall be 25 decibels total hearing loss in either ear calculated using 4 test frequency levels of 500, 1000, 2000, and 3000 Hertz. Permanent impairment awards shall be assessed according to the **Guides to the Evaluation of Permanent Impairment** set by the American Medical Association. There shall be no correction for presbycusis unless documentation shows the hearing loss is a pre-existing condition.

A worker may receive a permanent impairment award if they are suffering from tinnitus resulting from a compensable hearing loss. The award for tinnitus shall be based on a 2 percent degree of impairment.

E. TINNITUS

In order for tinnitus to be compensable, a worker must have a history of 2 or more years of continuous tinnitus associated with a compensable hearing loss.

F. EXCEPTION CLAUSE

Claims that do not meet the exposure criteria but have other factors considered equivalent shall be referred to the Director of Claims for review. The Director of Claims shall consult with the Medical Consultant and may grant entitlement. Notification of any exception must be provided to the President with reasons for the exception.

REFERENCES

Workers' Compensation Health and Safety Board:

Compensation for Loss of Personal Property Policy Statement
Permanent Impairment Policy Statement
Pre-Existing Conditions Policy Statement
Rehabilitation Policy Statement

Occupational Health and Safety Act and Regulations:

General Safety Regulations
Occupational Health Regulations

Other:

Interjurisdictional Agreement on Workers' Compensation