

## ATTENTION: All CUPE members who suffer from Chronic Mental Stress

**Do you suffer from Chronic Mental Stress brought on by workplace harassment, violence or bullying that occurred on or after April 29, 2014 and prior to January 1, 2018?**

If the answer is yes, you may qualify for WSIB compensation but only if you file your claim before July 1, 2018. See information below.

### What is work-related chronic mental stress?

Work-related chronic mental stress is caused by a substantial work-related stressor or series of stressors.

A work-related stressor would generally be considered substantial if it is excessive in intensity and/or duration compared with the normal pressures and tensions experienced by people in similar circumstances.

For example, work-related chronic mental stress could be the result of being subjected to workplace harassment or bullying.

### Who would be entitled to support for work-related chronic mental stress under the proposed policy?

Three conditions need to be met for a person to be entitled to support:

- an appropriate regulated health professional, such as a family physician, provides a diagnosis based on the Diagnostic and Statistical Manual of Mental Disorders (DSM)
- the person has experienced a substantial work-related stressor(s), like workplace bullying or harassment, and
- the work-related stressor(s) must have caused or significantly contributed to the chronic mental stress.

### What's the difference between work-related chronic mental stress and traumatic mental stress?

Work-related traumatic mental stress involves events that are generally accepted as traumatic, such as a criminal act or a horrific accident. In most cases a traumatic event will be sudden and unexpected.

For example, being held up at gunpoint at work (such as a gas station or store) could be the cause of work-related traumatic mental stress.

## **When is chronic mental stress or traumatic mental stress excluded from entitlement under the legislation?**

An employer's decisions or actions that are part of the managerial function would not be considered causes of traumatic or chronic mental stress.

For example:

- terminations
- demotions
- transfers
- discipline
- changes in working hours, or
- changes in productivity expectations.

## **When will the proposed policy take effect?**

The policy came into effect on January 1, 2018. This is consistent with the coming into force date of the legislation ([Bill 127](#)) which is posted on the website of the [Legislative Assembly of Ontario](#).

## **When will people with chronic mental stress be eligible for benefits under the legislation?**

People who first seek medical attention or are diagnosed (referred to as the "accident date") with a work-related chronic mental stress disorder on or after January 1, 2018 may be entitled to benefits under the new legislation.

**Alert:** *There is a short window to apply for retroactive coverage if a person was diagnosed with work related Chronic Mental Stress on or after April 29, 2014 and prior to January 1, 2018. Those claims must be submitted to WSIB prior to July 1, 2018.*

## **How do I file a claim?**

Talk to your local union steward or staff rep to help assess if you have a claim and how to file your application.

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