

2003 Bill 202

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Third Session, 25th Legislature, 52 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 202**

## **WORKERS' COMPENSATION (FIREFIGHTERS) AMENDMENT ACT, 2003**

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MR. MAGNUS

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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## BILL 202

2003

### WORKERS' COMPENSATION (FIREFIGHTERS) AMENDMENT ACT, 2003

(Assented to \_\_\_\_\_, 2003)

HER MAJESTY, by and with the advice and consent of the  
Legislative Assembly of Alberta, enacts as follows:

#### Amends RSA 2000 cW-15

**1 The *Workers' Compensation Act* is amended by this Act.**

**2 The following is added after section 24:**

#### **Presumption re firefighters**

**24.1(1)** In this section,

- (a) "firefighter" means an employee, including officers and technicians, employed by a municipality or Metis settlement and assigned exclusively to fire protection and fire prevention duties notwithstanding that those duties may include the performance of ambulance or rescue services;
- (b) "municipality" means a municipality as defined in the *Municipal Government Act*.

**(2)** If a worker who is or has been a firefighter suffers an injury that is

- (a) a primary site brain cancer,
- (b) a primary site bladder cancer,
- (c) a primary site kidney cancer,

- (d) a primary site colon cancer,
- (e) a primary non-Hodgkin's lymphoma, or
- (f) a primary leukemia,

the injury shall be presumed to be an occupational disease, the dominant cause of which is the employment as a firefighter, unless the contrary is proven.

(3) The presumption in subsection (2) applies only to a worker who has been a full-time member of a fire protection service of a municipality or Metis settlement for a minimum period prescribed by the Lieutenant Governor in Council by regulation and who has been regularly exposed to the hazards of a fire scene, other than a forest-fire scene, throughout that period.

(4) The Lieutenant Governor in Council may make regulations prescribing periods of employment for the purpose of subsection (3), which may be different for different diseases referred to in subsection (2).

(5) The presumption in subsection (2) applies only to accidents that happen on or after January 1, 1993.

(6) The Board must

- (a) conduct research to determine if the injuries referred to in subsection (2) are occupational diseases, the dominant cause of which is the employment as a casual or part-time member of a fire protection service of a municipality or Metis settlement, and
- (b) prepare a report on the status of the research and submit it to the Minister no later than 3 years after the coming into force of this section, and the Minister shall lay a copy of the report before the Legislative Assembly within 15 days after receiving it if the Assembly is sitting or, if it is not, within 15 days after the beginning of the next sitting.

## **Explanatory Notes**

**1** Amends chapter W-15 of the Revised Statutes of Alberta 2000.

**2** New section regarding presumption of certain diseases for firefighters.

