

2011 Bill 20

Fourth Session, 27th Legislature, 60 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 20

WORKERS' COMPENSATION AMENDMENT ACT, 2011

THE MINISTER OF EMPLOYMENT AND IMMIGRATION

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 20

2011

WORKERS' COMPENSATION AMENDMENT ACT, 2011

(Assented to _____, 2011)

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 Section 24.1 is amended

(a) in subsection (1)

(i) by repealing clause (a) and substituting the following:

(a) "full-time firefighter" means an employee, including an officer and a technician, 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;

(ii) by adding the following after clause (b):

(c) "part-time firefighter" means a casual, volunteer or part-time member of a fire protection service of a municipality or Metis settlement.

Explanatory Notes

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

2 Section 24.1 presently reads:

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 primary site cancer of a type specified in the regulations, 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

- (b) in subsection (2) by striking out “firefighter” wherever it occurs and substituting “full-time firefighter or part-time firefighter”;**
- (c) in subsection (3) by striking out “full-time member of a fire protection service of a municipality or Metis settlement” and substituting “full-time firefighter or part-time firefighter”;**
- (d) by repealing subsections (5) and (6);**
- (e) in subsection (7) by striking out “firefighter” wherever it occurs and substituting “full-time firefighter or part-time firefighter”.**

regularly exposed to the hazards of a fire scene, other than a forest-fire scene, throughout that period.

(4) The Lieutenant Governor in Council shall make regulations

- (a) designating primary site cancers to which the presumption in subsection (2) applies;*
- (b) prescribing periods of employment for the purpose of subsection (3) which may be different for the different diseases designated under clause (a).*

(5) The Board must prepare a report on the status of research on whether injuries that are designated in regulations under subsection (4) 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 submit it to the Minister no later than 3 years after the coming into force of this section.

(6) The Minister shall table a copy of the report prepared under subsection (5) before the Legislative Assembly within 15 days of receiving it if the Assembly is sitting or, if it is not, within 15 days after the beginning of the next sitting.

(7) If a worker who is a firefighter suffers a myocardial infarction within 24 hours after attendance at an emergency response, the myocardial infarction shall be presumed to have arisen out of and occurred during the course of employment as a firefighter unless the contrary is proven.

