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Fall Legislative Highlight

There have been 22 new bills introduced in the fall session since the Legislature resumed sitting on September 12, 2005 and adjourned on November 24, 2005. Of these, Bill 11 deserves special mention since it treats an issue addressed by recent UBCM resolutions on the topic of cancer presumption for firefighters.

Bill 11 amends the Workers Compensation Act to recognize certain cancers as occupational diseases associated with long-term employment as a firefighter and establishes a rebuttable presumption in favour of a firefighter who contracts a disease prescribed by regulation. In other words, the onus will fall on WorkSafeBC or the employer to bring forward proof to establish why an injured worker should not be eligible for compensation rather than placing the burden of proof on the firefighter. In addition, the legislation is amended to include volunteer firefighters in the definition of those covered by this new Section (6.1) addressing firefighters' occupational disease presumption.

Bill 11 addresses the following resolutions passed at recent UBCM Conventions:

2003-B133 WCB PRESUMPTION FOR CERTAIN CANCERS

THEREFORE BE IT RESOLVED that the Union of BC Municipalities lobby the government of British Columbia to have cancer presumption recognized by the Workers' Compensation Board for the fire service of British Columbia.

2005-B149 PRESUMPTION OF CANCERS OF FIREFIGHTERS

THEREFORE BE IT RESOLVED that Union of BC Municipalities support the Fire Chief's Association of BC petition to the Government of the Province of British Columbia to direct the Workers' Compensation Board not to discriminate against volunteer and/or paid-call firefighters and to include all persons who serve their communities in some capacity as a firefighter to be provided with the protection of the Presumptive Cancer Regulation.

Bill 11 establishes April 11, 2005 as the date on or after which disablement must occur in relation to a prescribed disease in order for the presumption to apply.

A document highlighting all legislation introduced during the fall session is available online under the "New Documents" drop-down box at the bottom right corner of any CivicNet page (www.civicnet.bc.ca).

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