

Post-Traumatic Stress Disorder (PTSD) Coverage for Community Peace Officers Under the Workers Compensation Act

Moved By: Town of Drayton Valley

Seconded By: City of Edmonton (to be confirmed by Council)

WHEREAS Bill 1: *Workers' Compensation Amendment Act*, 2012, was introduced to amend the *Workers Compensation Act* to include provisions under part 4, that if a first responder, correctional officer, emergency dispatcher or a member of any other class of worker prescribed by regulations is, or has been diagnosed with post-traumatic stress disorder by a physician or psychologist, the post-traumatic stress disorder shall be presumed, unless the contrary is proven, to be an injury that arose out of and occurred during the course of the worker's employment.

WHEREAS post-traumatic stress disorder (PTSD) is a psychiatric disorder that may occur in people who have experienced or witnessed a traumatic event such as a natural disaster, a serious incident, a terrorist act, war/combat, or rape or who have been threatened with death, sexual violence, or serious injury^[1].

WHEREAS, public safety personnel appear to be at an increased risk for developing a psychological injury due to their nature of their work and 44.5% meet the criteria for one or more mental disorders^[2].

WHEREAS post-traumatic stress disorder is a potentially disabling condition that is now a widely recognized public health issue, particularly among public safety personnel. A study conducted by Carleton et al. (2018) investigated the proportion of Canadian public safety personnel reporting symptom clusters consistent with various mental disorders. The results indicated that 23.2% of the total sample screened positive for PTSD (in contrast, estimates of the prevalence of PTSD among the general population range from 1.1 to 3.5%)^[3].

WHEREAS the *Workers Compensation Act*, part 4, defines a first responder as a firefighter, paramedic, peace officer, or police officer.

WHEREAS the *Workers Compensation Act*, part 4, defines a peace officer as an individual appointed as a peace officer under section 7 of the *Peace Officer Act* who is authorized by that appointment to use the title "Sheriff".

WHEREAS the restricted definition of Peace Officer to only include those authorized to use the title of Sheriff under part 4 of the *Workers Compensation Act*, does not encompass approximately 3000 Community Peace Officers and Peace Officers throughout Alberta under the presumptive provisions for PTSD coverage.

WHEREAS municipalities, their residents, businesses, and visitors benefit from having Community Peace Officers in their communities to preserve and maintain the public peace and benefit from an engaged mentally healthy and resilient workforce.

IT IS THEREFORE RESOLVED THAT Alberta Municipalities advocate for the Government of Alberta to

- A. by regulation, add all peace officers appointed under the *Peace Officer Act* as an 'other class of worker' referred to in section 24.2(2) of the *Workers' Compensation Act* until such time as the Act can be amended, and

- B. amend the definition of Peace Officer under the Workers Compensation Act, Part 4, section 24.2(1)(f) to include all Peace Officers appointed under section 7 of the Peace Officer Act.

BACKGROUND:

Under the [Workers Compensation Act](#), RSA 2000, specifically, Part 4; Compensation Entitlement, Application and Payment, workers are entitled to compensation under the Act if the worker suffers personal injury by accident, unless the injury is attributable primarily to the serious and wilful misconduct of the worker, and to the dependants of a worker who dies as a result of an accident.

Further, under Part 4, is PTSD Presumptions, specifically section 24.2, if a first responder, correctional officer, emergency dispatcher or a member of any other class of worker prescribed by regulations is or has been diagnosed with post-traumatic stress disorder by a physician or psychologist, the post-traumatic stress disorder shall be presumed, unless the contrary is proven, to be an injury that arose out of and occurred during the course of the worker's employment.

According to the American Psychiatric Association, post-traumatic stress disorder (PTSD) is a psychiatric disorder that may occur in people who have experienced or witnessed a traumatic event such as a natural disaster, a serious incident, a terrorist act, war/combat, or rape or who have been threatened with death, sexual violence, or serious injury.

As of 2020, the Government of Alberta indicated that the province has more than 30,000 part and full-time police officers, firefighters, and paramedics^[4].

Section 24.2(1)(d) of the Act defines first responders as a firefighter, paramedic, peace officer, or police officer. However, when reviewing the definition of peace officer under section 24.2(1)(f), it defines a peace officer as an individual appointed as a peace officer under section 7 of the [Peace Officer Act](#) who is authorized by that appointment to use the title "Sheriff".

According to the Government of Alberta, there are approximately 3000 Peace Officers in Alberta that are employed by approximately 290 authorized employers such as municipalities, post-secondary institutions, hospitals, and police agencies. These Community Peace Officers are appointed under section 7 of the *Peace Officer Act* but are only permitted by the Ministry of Justice and Solicitor General to use the title of Peace Officer or Community Peace Officer, and not the title of Sheriff. Therefore, there are approximately 3000 Community Peace Officers that are not covered under section 24.2 of the *Workers Compensation Act* and compensation will not be presumed.

Workers that do not fall under the definition of a first responder, are still able to submit a claim for PTSD, or other psychological diagnosis. Adjudication of these psychological injury claims will occur in the same manner as other WCB claims.

According to the Government of Alberta, which is responsible for the *Workers Compensation Act*, in Alberta, they indicated that a committee review is required every 10 years for the Act. The most recent committee review was completed in 2020. At that time, there was an amendment to the definition of workers covered under the presumptive coverage, which still does not encompass Community Peace Officers.

Peace Officers and Community Peace Officers are across Alberta providing services to protect Albertans and visitors alike. Community Peace Officers are in communities and institutions to “preserve and maintain the public peace”. To that end, these dedicated Community Peace Officers can become involved in serious, traumatic, and life altering events. These events include but are not limited to physical confrontations; motor vehicle collisions where severe injury or death has occurred; transporting or assisting in the transportation of deceased people within hospitals; providing first-aid medical services such as CPR; amongst others. Duties that are consistent with “first responders” such as firefighters, paramedics, police officers, and sheriffs, which are currently being covered under the *Act*.

Under the Public Security Peace Officer Program Policy and Procedures Manual, issued through the Government of Alberta, Community Peace Officers are permitted to provide emergency response while operating emergency vehicles, to injury collisions, attending fire or medical situations at the request of the Fire or EMS department, any emergent situation if requested by the police service to attend in an emergency response capacity, or to provide backup to police or peace officers where there is a reasonable belief that the officer is in serious danger.

There has been no previous advocacy or resolutions pertaining to this specific topic through Alberta Municipalities. However, in 2021, the City of Fort Saskatchewan brought forward a resolution, which was adopted, titled “[Mental Health and Wellness for Public Safety Personnel](#)”. The resolution was that “it is resolved that the Alberta Urban Municipalities Association request that the Government of Alberta work cooperatively with public safety personnel organizations and allied stakeholders to research, develop and implement evidence-based solutions to address mental health and wellness of public safety personnel in the Province of Alberta.

Heroes’ Compensation Act

Should this amendment be made to the *Workers Compensation Act* and Community Peace Officers are defined as first responders under the *Workers Compensation Act*, Community Peace Officers would also be recognized under the [Heroes’ Compensation Act](#), as First Responders. This Act provides a lump sum payment of \$100,000 being paid to the dependent(s), or the estate, of a First Responder that dies as a result of an accident defined by the *Workers Compensation Act*.

SOURCES:

[1] <https://psychiatry.org/patients-families/ptsd/what-is-ptsd>

[2] <https://www.mdpi.com/1660-4601/17/4/1234/html>

[3] <https://ourspace.uregina.ca/bitstream/handle/10294/9055/Glossary%20of%20Terms%20Version%202.pdf?sequence=4&isAllowed=y>

[4] <https://www.alberta.ca/establishing-the-heroes-fund.aspx#>

ALBERTA MUNICIPALITIES COMMENTS: