

# First Responder Workers' Compensation Amendment Act

## Background

### What Is the First Responder Workers' Compensation Amendment Act?

This First Responder Workers' Compensation Amendment Act is a Private Members' Bill brought forward by Kieron Testart, MLA for Range Lake, that will make it easier for first responders to access workers' compensation for Post-Traumatic Stress Disorder (PTSD) and greatly expand cancer and heart disease coverage for firefighters.

### How Does It Work?

The Bill amends the *Workers' Compensation Act* to provide new presumptive coverage for workers' compensation on PTSD for all first responders. The Bill also covers all cancer types and heart disease for firefighters and replaces existing disease latency periods with a requirement for 2 years employment as a firefighter.

### Who Is This For?

Firefighters, police officers, nurses, paramedics, correctional officers, sheriff's officers, emergency dispatch operators, continuing-care assistants and members of a search and rescue organisation.

### When Will First Responders Benefit From These Changes?

The Bill is set to come into force, if passed, on October 27, 2026.

### What Is Presumptive Coverage?

Presumptive coverage in workers' compensation refers to a legal provision or policy that automatically assumes certain conditions or illnesses are work-related for specific types of workers—without requiring the employee to prove the connection between the job and the illness/injury.

## What Is a Latency Period?

In workers' compensation, the latency period of a disease refers to the time between a worker's exposure to a harmful substance or condition on the job and the appearance or diagnosis of symptoms related to that exposure. This bill replaces latency periods with a simpler requirement of two years employment as a firefighter.

## Are First Responders at Higher Risk for PTSD?

First responders, due to the nature of their work, are at significantly higher risk of developing Post-Traumatic PTSD compared to the general population. Studies indicate that between 12% and 23% of first responders may experience PTSD at some point in their lives, compared to the general population's PTSD rate of around 6.8%.

## Why Are Firefighter Cancers So Specific in Workers' Compensation?

On July 1, 2022, the International Agency for Research on Cancer (IARC) classified firefighting occupational exposure as a firefighter as carcinogenic to humans on the basis of sufficient evidence for cancer in humans. This updated classification aligns firefighting with other known human carcinogens like tobacco and benzene. The changes to this classification have caused significant implications for occupational health policies, including presumptive workers' compensation laws.

## Why Now?

The NWT and Nunavut are the only jurisdictions in Canada that do not provide presumptive coverage for PTSD to first responders. While certain cancers are listed for presumptive coverage in the current *Workers' Compensation Act*, there are 9 additional cancers provided in most other provinces and territories that are not. These changes have been advocated for by firefighting organizations and other first responder advocates for nearly a decade without success. As a result the NWT has fallen behind Canada in occupational health. Not only will this Bill correct that shortfall, but it will enact some of the most progressive coverage for first responder workers' compensation in Canada.

## What About Nunavut? Don't You Need Their Permission to Change the Law?

No. Workers' Compensation legislation is shared between the NWT and Nunavut. Typically changes to the *Workers' Compensation Act* are made in both jurisdictions at the same time through government policies and legislation, however as this is a private member's bill only the NWT will change its presumptive coverage.

## Who Did You Talk To?

We worked with Local 2890 of the International Association of Fire Fighters (IAFF) to draft the bill to meet the needs of their members. We also shared early drafts with the Northern Territories Federation of Labour, Public Service Alliance of Canada and Union of Northern Workers. Feedback from all these stakeholders was incorporated into the final version of the bill.

## More Questions?

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