

WORKERS' COMPENSATION ACT

R-016-2010

Registered with the Registrar of Regulations

2010-10-05

FIREFIGHTERS' PRESUMPTION REGULATIONS

The Commissioner, on the recommendation of the Minister, under sections 14.1 and 169 of the *Workers' Compensation Act* and every enabling power, makes the annexed *Firefighters' Presumption Regulations*.

1. The minimum period of employment of the firefighter, pursuant to paragraph 14.1(2)(b) of the Act, is set out in the Schedule for each listed disease.
2. The minimum period the firefighter has been a non-smoker before the date of the disability referred to in subsection 14.1(3) of the Act is
 - (a) none if the firefighter has smoked, in his or her lifetime
 - (i) less than 360 cigarettes,
 - (ii) less than 360 cigars,
 - (iii) less than 360 pipes, or
 - (iv) less than 360 cigarettes, cigars and pipes;
 - (b) none if the firefighter has smoked on average less than seven cigars or pipes per week;
 - (c) in the case of cigarettes
 - (i) six years if the firefighter smoked on average less than seven per week,
 - (ii) six years if the firefighter smoked on average one to nine per day,
 - (iii) 13 years if the firefighter smoked on average 10 to 19 per day,
 - (iv) 18 years if the firefighter smoked on average 20 per day,
 - (v) 23 years if the firefighter smoked on average 21 to 39 per day, and
 - (vi) 28 years if the firefighter smoked on average 40 or more per day;
 - (d) in the case of cigars or pipes, eight years if the firefighter smoked on average one or more than one per day; and
 - (e) if the firefighter smoked cigarettes in combination with cigars or pipes, the minimum period determined in accordance with paragraph (c) with a cigar or a pipe counting as a cigarette.

SCHEDULE (section 1)

Diseases and Minimum Work Periods for Firefighters

COLUMN 1		COLUMN 2
Listed Disease		Prescribed Period of Employment
1.	Cardiac arrest within 24 hours after attendance at an emergency response	None
2.	Multiple myeloma	15 years
3.	Primary leukemia	5 years
4.	Primary non-Hodgkin's lymphoma	20 years
5.	Primary site brain cancer	10 years
6.	Primary site colo-rectal cancer	15 years
7.	Primary site lung cancer	15 years
8.	Primary site prostate cancer	15 years
9.	Primary site skin cancer (including primary epithelioma)	15 years
10.	Primary site testicular cancer	20 years