Worker’s Back Pain Due to Prior Work-Related Injuries and Job Duties Was Compensable



A long term care facility worker suffered four back injuries between 2002 and 2010 and then in 2011 stopped working, citing back pain. She was denied workers’ compensation after the board concluded the back problems weren’t related to her previous compensable back injuries. A Board Medical Advisor determined that the worker’s “body would have been accustomed to the demands of” her job as a continuing care assistant and thus the pain couldn’t be due to regular duties. On appeal, a tribunal found the injuries were compensable because it was “as likely as not” they were linked to the prior compensable injuries. The tribunal accepted the worker’s testimony that she had persistent back problems and found the medical evidence indicated the pain was due to “prior compensable injuries and the general demands of her employment.” It therefore allowed her appeal and directed the board to reconsider the benefit decision [*2012-634-AD (Re),* [2014] CanLII 30969 (NS WCAT), June 12, 2014].