

Operational Policy

Section
In the Course of and Arising Out of

Subject
**Posttraumatic Stress Disorder in First Responders and Other
Designated Workers**

Policy

If a first responder or other designated worker is diagnosed with posttraumatic stress disorder (PTSD) and meets specific employment and diagnostic criteria, the first responder or other designated worker's PTSD is presumed to have arisen out of and in the course of their employment, unless the contrary is shown.

Purpose

The purpose of this policy is to outline the circumstances under which PTSD in first responders and other designated workers is presumed to be work-related.

Guidelines

Definitions

"First responders and other designated workers," hereinafter called "first responders," means:

1. Full-time firefighters.
2. Part-time firefighters.
3. Volunteer firefighters.
4. Fire investigators.
5. Police officers.
6. Members of an emergency response team.
7. Paramedics.
8. Emergency medical attendants.
9. Ambulance service managers.
10. Workers in a correctional institution.
11. Workers in a place of secure custody or place of secure temporary detention.
12. Workers involved in dispatch.
13. Nurses who directly provide patient care and who are not workers described in paragraph 10 or 11.
14. Provincial bailiffs.
15. Probation officers.
16. Workers who directly supervise probation officers.
17. Special constables.
18. Members of a police [force](#)[service](#), other than those described in paragraph 5, who perform work in a forensic identification unit or a Violent Crime Linkage Analysis System unit.
19. [Wildland firefighters](#).
- 18.20. [Wildland fire investigators](#).

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NOTE
Note

Definitions for these and related terms found in s.14 of the [Workplace Safety and Insurance Act, 1997 \(WSIA\)](#) are provided in the [Appendix](#).

"Posttraumatic stress disorder" (PTSD) means PTSD as described in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5), published by the American Psychiatric Association, or as described in the Fourth Edition (DSM-IV), where specified.

"Psychiatrist" has the same meaning as in subsection 1(1) of the *Mental Health Act*.

"Psychologist" means a member of the College of Psychologists of Ontario who holds a certificate of registration for a psychologist authorizing autonomous practice, or an individual who has a similar status in another province or territory of Canada.

Policy parts 1, 2,~~and 3~~ and 4

Part 1 of this policy applies to the first responders listed in paragraphs 1 to 12,~~above~~; **Part 2** of this policy applies to the first responders listed in paragraphs 13 to 18; **Part 3** of this policy applies to [the first responders listed in paragraphs 19 to 20](#); **Part 4** applies to all first responders.

Part 1 – first responders listed in paragraphs 1 - 12

Definitions

"Pending claims" for the purpose of **Part 1** of this policy means PTSD claims from first responders that ~~are~~were pending before the Workplace Safety and Insurance Board (WSIB) or the Workplace Safety and Insurance Appeals Tribunal (WSIAT) on April 6, 2016. For further clarity, these are claims in which, as of April 6, 2016:

- a claim for PTSD was filed, but the WSIB had not yet made a decision
- there is or was a right to file a notice of objection in respect of the claim following an initial entitlement decision and the notice of objection is or was filed within the appropriate time frame
- there is or was a right to file a notice of appeal to the WSIAT in respect of the claim following a final decision of the WSIB, and the notice of appeal is or was filed within the appropriate time frame, or
- the first responder had filed a notice of appeal to the WSIAT and the claim was pending before the WSIAT.

"Transitional claims" for the purpose of **Part 1** of this policy means:

- pending claims
- new PTSD claims filed by first responders between April 6, 2016 and October 6, 2016, and

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- PTSD claims in which the first responder ceased to be employed as a first responder between April 6, 2014 and April 6, 2016.

Time limits for filing a PTSD claim

The six-month time limit for filing a claim applies to claims for PTSD made by first responders or their survivors in the same way it applies to other claims, ~~see refer to~~ 15-01-03, Workers' Requirement to Claim and Consent.

Exception

A claim for PTSD diagnosed before April 6, 2016 must have been filed on or before October 6, 2016 to be considered under the presumption.

NOTE

~~The time limit for filing a PTSD claim runs from the date of accident/injury. The date of accident/injury will generally be the date a PTSD diagnosis is made by a psychologist or psychiatrist, however, in some cases, it may be an earlier date, see 11-01-04, Determining the Date of Injury. Benefits and services generally flow from the date of accident/injury.~~

Presumption

If a first responder files a PTSD claim within the time limits for filing a claim, and if the three criteria set out ~~below in this section~~ are met, the PTSD is presumed to have arisen out of and in the course of the first responder's employment, unless the contrary is shown. (Special criteria apply to **transitional claims** as set out ~~below in the "Transitional claims" section of Part 1 of this policy~~.)

1. Date of employment

The first responder must have been employed as a first responder for at least one day on or after April 6, 2014.

2. Date of diagnosis

The first responder must have been diagnosed with PTSD by a psychologist or psychiatrist:

- on or after April 6, 2014, and
- no later than 24 months after the day ~~they~~ ~~he or she~~ ceases to be employed as a first responder if ~~he/she~~~~they~~ ceases to be employed as a first responder on or after April 6, 2016.

3. Type of diagnosis

The first responder must have been diagnosed by a psychologist or psychiatrist with PTSD as described in the DSM-5.

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Transitional claims

Special criteria apply to transitional claims ~~as set out below~~. In these cases, if the first responder is diagnosed with PTSD by a psychiatrist or psychologist and if the special criteria set out ~~below~~ [in this section are is](#) met, the PTSD will be presumed to have arisen out of and in the course of the first responder's employment, unless the contrary is shown.

Pending claims as of April 6, 2016

If a first responder had a pending PTSD claim before the WSIB or the WSIAT on April 6, 2016, and the PTSD was diagnosed by a psychologist or a psychiatrist as described in DSM-IV or DSM-5, the presumption set out in this policy applies regardless of whether the first responder ceased to be employed as a first responder before or after April 6, 2014, and regardless of whether the diagnosis was made before or after April 6, 2014.

New claims within six months of April 6, 2016

If a first responder filed a new PTSD claim within six months of April 6, 2016, and the relevant criteria relating to employment and diagnosis dates (set out ~~above~~ [in the "Presumption" section of Part 1](#)) are met, the presumption set out in this policy applies even if the first responder's diagnosis is as described in the DSM-IV. This includes new claims from first responders who ceased to be employed as first responders after April 6, 2016, as long as such claims were filed on or before October 6, 2016.

First responder ceased to be employed as a first responder between April 6, 2014 and April 6, 2016

If a first responder ceased to be employed as a first responder between April 6, 2014 and April 6, 2016, and the first responder was employed as a first responder for at least one day on or after April 6, 2014, the PTSD diagnosis must have been made on or after April 6, 2014, but no later than April 6, 2018, for the presumption set out in this policy to apply. The PTSD diagnosis may be as described in the DSM-IV if the claim was filed within six months of April 6, 2016, as set out above. Otherwise, the PTSD diagnosis must be as described in the DSM-5.

Part 2 – first responders listed in paragraphs 13 - 18

Definitions

"Pending claims" for the purpose of **Part 2** of this policy means PTSD claims from first responders that ~~are were~~ pending before the WSIB or the WSIAT on May 8, 2018. For further clarity, these are claims in which, as of May 8, 2018:

- a claim for PTSD ~~has been~~[was](#) filed, but the WSIB ~~had~~s not yet made a decision
- there is or was a right to file a notice of objection in respect of the claim following an initial entitlement decision and the notice of objection is or was filed within the appropriate time frame

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- there is or was a right to file a notice of appeal to the WSIAT in respect of the claim following a final decision of the WSIB, and the notice of appeal is or was filed within the appropriate time frame, or
- the first responder has filed a notice of appeal to the WSIAT and the claim is pending before the WSIAT.

Time limits for filing a PTSD claim

The six-month time limit for filing a claim applies to claims for PTSD made by first responders or their survivors in the same way it applies to other claims, [see refer to 15-01-03, Workers' Requirement to Claim and Consent](#).

NOTE

~~The time limit for filing a PTSD claim runs from the date of accident/injury. The date of accident/injury will generally be the date a PTSD diagnosis is made by a psychologist or psychiatrist, however, in some cases, it may be an earlier date, see [11-01-04, Determining the Date of Injury](#). Benefits and services generally flow from the date of accident/injury.~~

Presumption

If a first responder files a PTSD claim within the time limits for filing a claim, and if the three criteria set out [below in this section](#) are met, the PTSD is presumed to have arisen out of and in the course of the first responder's employment, unless the contrary is shown. (Special criteria apply to **pending claims** as set out [in the "Pending claims as of May 8, 2018" section of Part 2 of this policy](#) [below](#).)

1. Date of employment

The first responder must be employed as a first responder for at least one day on or after May 8, 2018.

2. Date of diagnosis

The first responder must have been diagnosed with PTSD by a psychologist or psychiatrist no later than 24 months after the day [they he or she](#) ceases to be employed as a first responder if [he/she they](#) ceases to be employed as a first responder on or after May 8, 2018.

3. Type of diagnosis

The first responder must be diagnosed by a psychologist or psychiatrist with PTSD as described in the **DSM-5**.

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Pending claims as of May 8, 2018

If a first responder has a pending PTSD claim before the WSIB or the WSIAT on May 8, 2018, and the PTSD was diagnosed by a psychologist or a psychiatrist as described in the DSM-5 or DSM-IV, the presumption set out in this policy applies regardless of whether the first responder ceased to be employed as a first responder before May 8, 2018.

Part 3 – first responders listed in paragraphs 19 - 20**Definitions**

"Pending claims" for the purpose of Part 3 of this policy means PTSD claims from first responders that ~~are~~ were pending before the WSIB or the WSIAT on October 28, 2024. For further clarity, these are claims in which, as of October 28, 2024:

- a claim for PTSD was filed, but the WSIB had not yet made a decision
- there is or was a right to file a notice of objection in respect of the claim following an initial entitlement decision and the notice of objection is or was filed within the appropriate time frame
- there is or was a right to file a notice of appeal to the WSIAT in respect of the claim following a final decision of the WSIB, and the notice of appeal is or was filed within the appropriate time frame, or
- the first responder had filed a notice of appeal to the WSIAT and the claim was pending before the WSIAT.

"Transitional claims" for the purpose of Part 13 of this policy means:

- pending claims, and
- PTSD claims in which the first responder ceased to be employed as a first responder on or after October 28, 2022 but before October 28, 2024.

Time limits for filing a PTSD claim

The six-month time limit for filing a claim applies to claims for PTSD made by first responders or their survivors in the same way it applies to other claims, refer to 15-01-03, Workers' Requirement to Claim and Consent.

Exception

A claim for PTSD diagnosed on or after October 28, 2022 but before October 28, 2024 must have been filed on or before April 28, 2025 to be considered under the presumption.

Presumption

If a first responder files a PTSD claim within the time limits for filing a claim, and if the three criteria set out in this section are met, the PTSD is presumed to have arisen out of and in the course of the first responder's employment, unless the contrary is shown. (Special criteria

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apply to transitional claims as set out in the “Transitional claims” section of Part 3 of this policy.)

1. Date of employment

The first responder must have been employed as a first responder for at least one day on or after October 28, 2022.

2. Date of diagnosis

The first responder must have been diagnosed with PTSD by a psychologist or psychiatrist:

- on or after October 28, 2022, and
- no later than 24 months after the day they cease to be employed as a first responder if they cease to be employed as a first responder on or after October 28, 2024.

3. Type of diagnosis

The first responder must have been diagnosed by a psychologist or psychiatrist with PTSD as described in the DSM-5.

Transitional claims

Special criteria apply to transitional claims. In these cases, if the first responder is diagnosed with PTSD by a psychiatrist or psychologist and if the special criteria set out in this section are met, the PTSD will be presumed to have arisen out of and in the course of the first responder's employment, unless the contrary is shown.

Pending claims as of October 28, 2024

If a first responder had a pending PTSD claim before the WSIB or the WSIAT on October 28, 2024, and the PTSD was diagnosed by a psychologist or a psychiatrist as described in DSM-IV or DSM-5, the presumption set out in this policy applies regardless of whether the first responder ceased to be employed as a first responder before or after October 28, 2022, and regardless of whether the diagnosis was made before or after October 28, 2022.

First responder ceased to be employed as a first responder between October 28, 2022 and October 28, 2024

If a first responder ceased to be employed as a first responder between October 28, 2022 and October 28, 2024, and the first responder was employed as a first responder for at least one day on or after October 28, 2022, the PTSD diagnosis must have been made on or after October 28, 2022, but no later than October 28, 2026, for the presumption set out in this policy to apply. The PTSD diagnosis may be as described in the DSM-IV if the claim was

pending on October 28, 2024, as set out in “Pending claims as of October 28, 2024.” ~~above.~~
Otherwise, the PTSD diagnosis must be as described in the DSM-5.

Part 3-4 – all first responders

Rebutting the presumption

~~The presumption may be rebutted if it is established that the employment was not a significant contributing factor in causing the first responder's PTSD.~~

If a first responder qualifies for the presumption, the first responder's PTSD is presumed to be a mental stress injury that has arisen out of and in the course of the first responder's employment, unless the contrary is shown. If the contrary is shown, the presumption of work-relatedness is rebutted.

The presumption that a first responder's PTSD is work-related will only be rebutted if the evidence establishes, on balance of probabilities, that the employment to which the presumption applies was not a significant contributing factor in causing the first-responder's PTSD.

Circumstances where the presumption may be rebutted include:

- where the PTSD is solely caused by non-work factors, such as a pre-existing diagnosis of PTSD or a personal traumatic event, with no contribution from employment; or
- where the employment to which the presumption applies did not involve any traumatic event or exposure capable of significantly contributing to the development of the PTSD.

Examining whether the presumption is rebutted

It is not necessary to examine whether the presumption is rebutted in every case.

If a first responder qualifies for the presumption, an examination into rebuttal is generally only necessary if the evidence in the claim raises a genuine question as to whether the employment to which the presumption applies was a significant contributing factor in the development of the first responder's PTSD.

Considerations following rebuttal

If the presumption is rebutted, the next steps in adjudicating the claim depend on the reason for rebuttal. If the presumption is rebutted because the sole cause of the PTSD is non-work-related factors, no further adjudication is required. However, if the presumption is rebutted because the PTSD did not arise from the first-responder employment to which the presumption applies, the PTSD may still be work-related. In such cases, the worker's full employment history should be considered. For example:

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- [If the worker has prior first responder employment where they may have been exposed to traumatic events, the presumption may apply to that earlier employment.](#)
- [If the earlier employment does not fall under the presumption, entitlement for PTSD may be considered under 15-03-02, Traumatic Mental Stress or 15-03-14 Chronic Mental Stress.](#)

Employer's work-related decisions or actions

A first responder is not entitled to benefits for PTSD if it is shown that their PTSD was caused by their employer's decisions or actions that are part of the employment function, such as:

- terminations
- demotions
- transfers
- discipline
- changes in working hours, or
- changes in productivity expectations.

However, first responders may be entitled to benefits for PTSD due to an employer's decisions or actions that are not part of the employment function, such as:

- violence or threats of violence, or
- conduct that a reasonable person would perceive as egregious or abusive.

In these cases, if the relevant employment and diagnostic criteria are met, the exception does not apply and the PTSD is presumed to be work-related, unless the contrary is shown.

Date of accident/injury

[For the purpose of this policy, the date of diagnosis is used to determine whether the worker meets the requirements of the presumption. Once entitlement is established in a claim, benefits and services generally flow from the date of accident/injury, which may be an earlier date. The time limit for filing a PTSD claim also runs from the date of accident/injury. For more information, refer to 11-01-04, Determining the Date of Injury.](#)

No refiling of claims

If a first responder filed a PTSD claim and the claim was denied by the WSIB or the WSIAT, the first responder may not refile the claim and have it considered under the presumption set out in this policy. However, the decision-maker may reconsider the claim in accordance with 15-03-02, Traumatic Mental Stress, if new information is provided.

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Traumatic mental stress

Nothing in this policy affects a first responder's potential entitlement for traumatic mental stress in accordance with 15-03-02, Traumatic Mental Stress.

Application date

This policy applies to decisions made on or after [February 4, 2026](#), for accidents on or after January 1, 1998.

Document history

This document replaces 15-03-13 dated [-July 20, 2023](#)~~September 7, 2018~~.

This document was previously published as:

[15-03-13 dated September 7, 2018](#)

15-03-13 dated April 7, 2016.

References**Legislative authority**

Workplace Safety and Insurance Act, 1997,~~as amended~~
Sections 2(1), 13, 14

Approval Minute

~~Administrative~~

~~#2, July 17, 2023, page 619~~

Appendix

Ambulance service has the same meaning as in subsection 1(1) of the *Ambulance Act*.

Ambulance service manager means a worker employed in an ambulance service who manages or supervises one or more paramedics and whose duties include providing direct support to paramedics dispatched by a communications officer on a request for ambulance services.

Band council means a council of the band as defined in subsection 2(1) of the *Indian Act* (Canada).

Communications officer means a communications officer for the purposes of the *Ambulance Act*.

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Correctional institution means a correctional institution as defined in section 1 of the *Ministry of Correctional Services Act*, or a similar institution operated for the custody of inmates.

Correctional services officer means a worker who is directly involved in the care, health, discipline, safety and custody of an inmate confined to a correctional institution, but does not include a bailiff, probation officer or parole officer.

Emergency medical attendant has the same meaning as in subsection 1(1) of the *Ambulance Act*.

Firefighter means:

- a firefighter as defined in subsection 1(1) of the *Fire Protection and Prevention Act, 1997*, or
- a worker who:
 - is employed by a band council and assigned to undertake fire protection services on a reserve, or
 - provides fire protection services on a reserve, either as a volunteer or for a nominal consideration, honourarium, training or activity allowance

Fire investigator means:

- a worker to whom the Fire Marshal appointed under subsection 8(1) of the *Fire Protection and Prevention Act, 1997* has delegated the duty to investigate the cause, origin and circumstances of a fire,
- a worker who was an inspector appointed under subsection 2(4) of the *Fire Marshals Act* before that Act was repealed by the *Fire Protection and Prevention Act, 1997*, or
- a worker who is employed by a band council and assigned to investigate the cause, origin and circumstances of a fire on a reserve.

Full-time firefighter means a worker who is a firefighter, is regularly employed on a salaried basis and is scheduled to work an average of 35 hours or more per week.

Member of an emergency response team means a person who provides first aid or medical assistance in an emergency, either as a volunteer or for a nominal consideration, honorarium or training or activity allowance, and who is dispatched by a communications officer to provide the assistance, but does not include an emergency medical attendant, a firefighter, a paramedic or a police officer.

Member of a police service police force who performs work in a forensic identification unit or a Violent Crime Linkage Analysis System unit means a member of a police *force/service*, as defined in [the subsection 2\(1\) of the Community Safety and Policing Act, 2019](#) *Police*

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Services Act, who performs work in a forensic identification unit or a Violent Crime Linkage Analysis System unit of the police ~~force~~[service](#).

Nurse who directly provides patient care means a member of the College of Nurses of Ontario who directly provides patient care.

Operational manager means a worker who directly supervises one or more correctional services officers.

Paramedic has the same meaning as in subsection 1(1) of the *Ambulance Act*.

Part-time firefighter means a worker who is a firefighter and is not a volunteer firefighter or full-time firefighter.

Place of secure custody has the same meaning as in subsection 2(1) of the *Child, Youth and Family Services Act, 2017*.

Place of secure temporary detention has the same meaning as in subsection 2(1) of the *Child, Youth and Family Services Act, 2017*.

Police officer means a chief of police, any other police officer or a First Nations Constable, but does not include a person who is appointed as a police officer under the *Interprovincial Policing Act, 2009*, a special constable, a municipal law enforcement officer or an auxiliary member of a police ~~service~~[force](#).

Probation officer means a probation officer appointed under or in accordance with the *Ministry of Correctional Services Act* or the *Child, Youth and Family Services Act, 2017*.

Provincial bailiff means a provincial bailiff appointed under the *Ministry of Correctional Services Act*.

Reserve means a reserve as defined in subsection 2(1) of the *Indian Act (Canada)*.

Special constable means a special constable appointed under the [*Community Safety and Policing Act, 2019*](#)~~Police Services Act~~.

Wildland firefighter means a person who provides one or more of the following fire protection services for or on behalf of the Ontario ministry responsible for natural resources (Ministry), either as an employee of the Ministry or pursuant to the person's employer's contract for services with the Ministry:

1. [Fire suppression](#).
2. [Fire prevention, fire mitigation or fire safety activities](#)

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3. Rescue and emergency services that are fire related, including evacuation services.
4. Piloting of aircraft for the purposes of providing the services described in paragraphs 1 to 3.
5. Communication in respect of anything described in paragraphs 1 to 4.
6. Training or evaluation of persons involved in providing anything described in paragraphs 1 to 5

Wildland fire investigator means a person who is an employee of the Ministry and is either appointed as an officer under the *Forest Fires Prevention Act* or duly appointed as a conservation officer by the Ministry and who enters land or premises for the purposes of inspecting the site of a fire or determining the cause and circumstances of a fire.

Worker in a correctional institution means a correctional services officer, an operational manager, or a worker who is employed at a correctional institution to provide direct health care services by assessing, treating, monitoring, evaluating and administering medication to an inmate confined to a correctional institution.

Worker in a place of secure custody or place of secure temporary detention means a youth services worker, a youth services manager, or a worker who is employed at a place of secure custody or place of secure temporary detention to provide direct health care services by assessing, treating, monitoring, evaluating and administering medication to a young person in custody or detention at the place of secure custody or secure temporary detention.

Worker involved in dispatch means a communications officer, a worker whose duties include the dispatch of firefighters and police officers, or a worker who receives emergency calls that initiate the dispatch of ambulance services, firefighters and police officers.

Worker who directly supervises probation officers means a worker who directly supervises one or more probation officers.

Young person has the same meaning as in subsection 2(1) of the *Child, Youth and Family Services Act*, 2017.

Youth services manager means a worker who is employed in a management position at a place of secure custody or secure temporary detention, and who directly supervises youth services workers, but does not include an administrator of a place of secure custody or secure temporary detention or a manager who only supervises educational, health-related or counselling services to young persons at the facility.

Youth services worker means a worker who is employed at a place of secure custody or secure temporary detention, and who directly supervises young persons who are in custody or detention at the place of secure custody or secure temporary detention, including

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supervising daily routines and programs, but does not include a worker who provides only educational, health-related or counselling services to young persons at the facility.