

# WorkplaceNL Firefighters Presumptive Legislation, Questions and Answers

## 1. What is presumptive coverage?

- Presumption assumes that the prescribed cancers are a consequence of employment as a firefighter, as long as the prescribed criteria are met.

## 2. What are the prescribed criteria?

- Under the presumptive legislation, eleven cancers are covered. For each type of cancer, minimum service periods are required for entitlement to exist under the presumptive legislation. Lifestyle factors such as smoking are also considered.

## 3. What does rebuttable presumption mean?

- A rebuttable presumption means that claims for the prescribed cancers are presumed to be a consequence of employment as a firefighter, unless there is persuasive evidence to the contrary.

## 4. Will past cancer claims previously denied be adjudicated again?

- Presumptive legislation for career firefighters is retroactive to December 14, 2015. For volunteer firefighters, it was effective January 1, 2017.
- Any questions relating to previous claims should be directed to WorkplaceNL.

## 5. What benefits will firefighters receive as a result of presumptive coverage?

- Under the presumptive benefit, eligible firefighters may receive income replacement benefits, in addition to required health care benefits and supports that are not covered by MCP. Income replacement benefits are subject to the maximum compensable earnings prescribed by Regulations.
- Eligible firefighters may also qualify for a Permanent Functional Impairment (PFI) award where the diagnosed condition results in permanent functional impairment or where the diagnosed occupational cancer is terminal.
- If a firefighter covered by the presumptive benefit passes away as a result of the diagnosed compensable occupational disease, the dependent spouse or minor children may apply for dependency benefits. If approved, benefits may include burial expenses, lump sum payments and monthly dependency benefits.

## 6. What should I do if I have further questions?

- WorkplaceNL's website offers more information for workers regarding entitlement and services.
- WorkplaceNL has a dedicated team who are available to assist and answer questions.
- Workers can authorize someone of their choosing to assist with their claim by completing a Form 13, Authorized Representative Form. Workers may also avail of the services of the Workers' Advisor to assist with their claim. The Workers' Advisor, who is independent of WorkplaceNL, helps both unionized and non-unionized workers and provides services free of charge to workers and their dependents.

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