

## Policy

A worker may be entitled to benefits for a recurrence of a work-related injury/disease if the worker experiences a significant deterioration that:

- does not result from a significant new incident/exposure, and
- is clinically compatible with the original injury/disease.

## Purpose

The purpose of this policy is to outline the circumstances under which a worker may be entitled to benefits for a recurrence of a work-related injury/disease.

## Guidelines

### Significant deterioration

A significant deterioration refers to a marked degree of deterioration in the work-related impairment that is demonstrated by a measurable change in the clinical findings.

Indicators of a significant deterioration may include:

- the need for active (non-maintenance) clinical treatment
- a change in functional abilities, or
- a change in the ability to perform a job or suitable occupation.

While a worker may take an occasional day off from work, this is generally not indicative of a significant deterioration.

For additional information about significant deterioration, see 18-03-06, Final LOE Benefit Review.

### New incident/exposure

If the significant deterioration results from a significant new incident/exposure (work-related or not) a recurrence is not considered. Instead, if the significant new incident/exposure is work-related, a new claim is considered.

If the significant deterioration occurs when there is no new incident/exposure or results from an insignificant new incident/exposure (work-related or not) a recurrence is considered.

A significant new incident/exposure is one of some consequence or importance (e.g., falling from a ladder). An insignificant new incident/exposure is one of negligible consequence or importance (e.g., reaching for an object on a shelf).

## Clinically compatible

To establish that the significant deterioration is clinically compatible with the original injury/disease, the WSIB must determine that:

- the body parts and/or functions affected now are the same as, or related to, those affected by the original injury/disease, and
- there is a causal link between the significant deterioration and the original injury/disease.

To make these determinations, the WSIB considers the nature and severity of the significant deterioration, the original injury/disease and any relevant non-work-related conditions that are present.

The WSIB may also consider whether a worker has experienced continuing symptoms since the original injury/disease. Generally, continuing symptoms are an indicator of a causal link, though they are not required to establish a causal link.

Indicators of continuing symptoms may include:

- continuing clinical treatment
- continuing workplace accommodations, or
- evidence that continuing symptoms were reported to health care providers, supervisors or co-workers on an ongoing basis.

If the WSIB determines that the existing evidence does not clearly demonstrate whether the significant deterioration is clinically compatible with the original injury/disease, the WSIB may seek a clinical opinion to assist in making this determination.

## Loss of earnings (LOE) benefits

Generally, a worker who experiences an actual loss of earnings due to a recurrence is entitled to LOE benefits.

A worker who does not experience an actual loss of earnings due to a recurrence may be entitled to LOE benefits if, at the time of the recurrence, he/she was expected to have actual earnings in the near future.

To determine whether a worker was expected to have actual earnings in the near future, the WSIB may consider whether the worker:

- was expected to return to an existing job
- was scheduled to start a new job
- was actively engaged in formal job search activities, or
- recently completed a [work transition](#) [return-to-work](#) plan.

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A worker who had permanently exited the workforce or was not actively engaged in the workforce at the time of the recurrence would not be expected to have actual earnings in the near future.

A worker who has elected the “no review” option is not entitled to additional LOE benefits if ~~he/she has~~[they have](#) a recurrence, see 18-03-04, LOE Benefits for Workers 55 Years of Age or Older.

**Most recent earnings**

For information about determining the most recent earnings for claims with:

- accident dates before January 1, 1998, see 18-06-04, Most Recent Earnings for Recurrences.
- accident dates on or after January 1, 1998, see 18-02-06, Determining Average Earnings - Recurrences.

**Pre-existing conditions**

If a non-work-related pre-existing condition affects the same body parts and/or functions as the recurrence, see 15-02-03, Pre-existing Conditions, to determine how ongoing entitlement to benefits is considered.

**Application dates**

This policy applies to all decisions made on or after ~~January 1, 2018~~[March 1, 2021](#), for all accidents.

The guidelines for determining entitlement to loss of earnings benefits apply to all decisions made on or after ~~January 1, 2018~~[March 1, 2021](#), for all accidents on or after January 1, 1998.

**Policy review schedule**

This policy will be reviewed [in 2023](#)~~within three~~[five years of the application date](#).

**Document history**

This document replaces 15-02-05 dated ~~November 3, 2014~~[February 1, 2018](#).

This document was previously published as:

[15-02-05 dated November 3, 2014](#)

15-03-01 dated February 18, 2009

## References

### Legislative authority

*Workplace Safety and Insurance Act, 1997*, as amended  
Sections 13, 21(2), 23(1), 37(1), (2), 43(1), 44, 107

*Workers' Compensation Act, R.S.O. 1990*, as amended  
Sections 4, 133, 22.1, 51

### Minute

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