

2021/11/24-02**WORKERS' COMPENSATION BOARD
(WorkSafeBC)****RESOLUTION OF THE BOARD OF DIRECTORS****RE: 2020 Permanent Disability Evaluation Schedule Review****WHEREAS:**

Pursuant to section 319 of the *Workers Compensation Act, R.S.B.C. 2019, c. 1 (Act)*, the Board of Directors of WorkSafeBC must set and revise as necessary the policies of the Board of Directors, including policies respecting occupational health and safety, compensation, rehabilitation and assessment;

AND WHEREAS:

Section 195(1) of the *Act* provides that if a permanent partial disability results from a worker's injury, WorkSafeBC must estimate the impairment of earning capacity from the nature and degree of the injury, and pay the worker compensation that is a periodic payment that equals 90% of WorkSafeBC's estimate of the loss of average net earnings resulting from the impairment;

AND WHEREAS:

Section 195(3) of the *Act* provides that WorkSafeBC may compile a rating schedule of percentages of impairment of earning capacity for specified injuries or mutilations which may be used as a guide in determining the compensation payable in permanent disability cases;

AND WHEREAS:

WorkSafeBC has adopted the *Permanent Disability Evaluation Schedule (PDES)* found in Appendix 3 to the *Rehabilitation Services & Claims Manual, Volume II (RS&CM)*, as the schedule used for guidance in the measurement of permanent partial disability for the purposes of section 195(1) and (3) of the *Act*;

AND WHEREAS:

The PDES is reviewed on a biennial basis to ensure it remains current with developments in the medical and scientific literature. As a result of the most recent biennial review, amendments to the PDES have been proposed as set out in the attached Appendix 1 to this Resolution;

AND WHEREAS:

The Policy, Regulation and Research Division has undertaken stakeholder consultation on this issue and has advised the Board of Directors on the results of the consultation;

THE BOARD OF DIRECTORS RESOLVES THAT:

1. The amendments to the PDES attached as Appendix 3 of the *RS&CM* set out in Appendix 1 to this resolution are approved.
2. This resolution is effective February 1, 2022, and applies to all decisions made on or after February 1, 2022.
3. This resolution constitutes a policy decision of the Board of Directors.

I, Jeff Parr, hereby certify for and on behalf of the Board of Directors of WorkSafeBC that the above resolutions were duly passed at a meeting of the Board of Directors hosted in British Columbia on November 24, 2021.

Original signed by Jeff Parr

JEFF PARR

Chair, Board of Directors
Workers' Compensation Board

APPENDIX 1

APPENDIX 3, REHABILITATION SERVICES & CLAIMS MANUAL, VOLUME II

XII. Vision Disability

	100	90	80	70	60	50	40	30	20	10	0
100	0	0	1	2	4	5	6	8	12	16	16
90	0	0	1	2	4	5	6	8	12	16	16
80	1	1	6.25	7.25	9.25	10.25	11.25	13.25	17.25	21.25	21.25
70	2	2	7.25	12.25	14.5	15.5	16.5	18.5	22.5	26.5	26.5
60	4	4	9.25	14.5	16	26	27	29	33	37	37
50	5	5	10.25	15.5	26	31.25	32.25	34.25	38.25	42.25	42.25
40	6	6	11.25	16.5	27	32.25	37.5	39.5	43.5	47.5	47.5
30	8	8	13.25	18.5	29	34.25	39.5	50	54	58	58
20	12	12	17.25	22.5	33	38.25	43.5	54	75	79	83
10	16	16	21.25	26.5	37	42.25	47.5	58	79	100	100
0	16	16	21.25	26.5	37	42.25	47.5	58	83	100	100

These ratings are derived from the formula:

$$\text{Combined rating} = \left(\frac{84}{16} \times \text{rating of better eye}\right) + \text{rating of poorer eye}$$

For example: If the best corrected visual field in the right eye is 50 (5% disability) and in the left eye is 70 (2% disability), the resultant disability is

$$\left(\frac{84}{16} \times 2\%\right) + 5\% = 15.5\%.$$

3. Other Visual Disturbances

a. Photosensitivity/Photophobia

Percentage

Mild p **Photophobia** photosensitivity is **present, and the worker experiences discomfort when exposed to light**

AND

Symptoms are eliminated **with the use of** by sunglasses and/or, a hat, **or a sun shade** **01**

APPENDIX 1

APPENDIX 3, REHABILITATION SERVICES & CLAIMS MANUAL, VOLUME II

XII. Vision Disability

Moderate ~~p~~**Photophobia** photosensitivity is present, **and the worker experiences discomfort** when ~~the~~ **exposed to light**

AND

~~S~~**Symptoms are not completely present** relieved with **the use of** sunglasses, **a hat**, or a sun shade **resulting in no or slight limitation of ability to perform routine daily activities** but the individual is able to perform the activities of daily living and work..... 1—3

Severe ~~p~~**Photophobia** photosensitivity is present, **and the worker experiences discomfort** when **exposed to light**

AND

Symptoms are present with the use of sunglasses, a hat, or a sun shade resulting in inability, or marked limitation of ability to perform routine daily activities (e.g. the individual is unable to drive) **(day or night) or to venture into daylight without severe discomfort**..... 4—8

b. Loss of Accommodation

Loss of accommodation is based on the worker's age at the time of injury *except* when a cataract develops, in which case it is based on the worker's age at the time of the cataract extraction. In all cases it is not adjusted (reduced) for subsequent aging. In the case of a worker having a presbyopic or accommodating implant inserted at the time of cataract surgery, no age adjusted loss of accommodation would apply.

Age Adjusted Loss of Accommodation

Age	Percentage
0 – 40	6
41 – 45	5
46 – 50	4
51 – 55	3
56 – 60	2
>60	0