

# STAN GRAY NEWS

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An appeals decision this month finally brought smiles and relief to Maggie, a nurse we represent at the WSIB (and who does not want her last name used.)

Maggie suffered a number of major injuries while working at the Hamilton Health Sciences Corporation. The WSIB, however, refused to recognize many of them. It stubbornly refused to cover her lost earnings after she had to finally stop work in November 2002. Very disabled, Maggie was left with no income support. After a very long struggle over the years, she was finally vindicated last month and won the benefits she deserved.

Maggie is a Registered Nurse who first hurt her neck, shoulders and right arm in 1995 while transferring a 300-pound patient from bed to commode. That injury led to other disabilities, including problems with her jaw, headaches, fatigue, dizziness, mood disorders and others. For the next few years she was on and off work due to the injury and later recurrences. Maggie returned in August 2002 to a job that was supposed to be suitably modified for her. Unfortunately, things did not work out that way. Maggie had to do a lot of heavy pushing and pulling while caring for patients, sometimes in awkward posi-

tions. She often did not have the assistant she was promised.

Maggie's condition just worsened, forcing her to leave work again on November 14, 2002. The WSIB refused to pay her any benefits after that date, claiming the job was suitable for her. We



## Hamilton Nurse Wins Big Victory - at Last

pursued a lengthy appeals process. An Ergonomist later studied the job she had done in 2002 and concluded it was beyond her restrictions, and had caused her further injury. We produced medical reports showing the extent of Maggie's disability. Her union, Local 70 of the Ontario Nurses Association, produced documentation that supported Maggie's claims.

The August 2006 decision of the appeals officer totally vindicated Maggie. She was compensated for the November 2002 re-injury and for her left shoulder, which had not been recognized up to that

point. The appeals decision ordered the WSIB to pay Maggie for all her lost time since then. She has received over \$161,000 tax free in arrears. The decision stated that she had become unemployable and thereby deserving of a full wage loss pension.

Congratulations to Maggie for sticking in there so long. She bravely pursued her claims despite the huge obstacles she faced and in the face of considerable distress that it brought her. A victory richly deserved.

