

## Policy

Emphysema is accepted as a work related disablement if it is related to alpha 1 anti-trypsin deficiency, as identified by tests in those occupations outlined in Exhibit A.

## Guidelines

### Entitlement criteria

Alpha 1 anti-trypsin deficiency is an acceleration or activation factor in the development of pulmonary disability resulting from emphysema. Claims relating to this disability are favourably considered when all of the following circumstances apply

- There is objective medical evidence of emphysema with impairment
- There is a clear and adequate history of occupational exposure of at least 15 years duration as identified in Exhibit A of this document
- The pulmonary disability appears between the ages of 30 to 60
- There is proof of presence of ZZ or MZ phenotype by testing.

If the diagnosis is medically compatible to the exposure history, the claim is allowed. The decision maker directs a detailed letter to the worker, employer and all other concerned parties outlining entitlement in the claim.

## Benefits

### Temporary total disability

Temporary total disability benefits under section 40(1) are **not** paid during periods of acute pulmonary disease in the absence of an award under section 45(1) of the *1980 Workers' Compensation Act*.

Temporary total disability benefits under section 40(1) of the *1980 Workers' Compensation Act* are payable

- during the investigation preceding the confirmation of diagnosis
- for periods of acute pulmonary disease, only if it is established that entitlement to an award under section 45(1) of the *1980 Workers' Compensation Act* exists
- during acute lower respiratory illness where indicated, subject to appropriate medical evaluation
- if surgical intervention is warranted.

### Permanent Disability Award

The worker's smoking history and phenotype are taken into consideration when establishing the percentage relationship to permanent disability. The percentage of the permanent disability accepted by the WSIB is

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	Phenotype	Relationship - % of Disability Accepted
<b>Smoker</b>	ZZ	25%
	MZ	50%
<b>Non-Smoker</b>	ZZ	50%
	MZ	100%

Claims involving ex-smokers are evaluated considering

- the length of cessation interval, and
- the chronological relationship of the cessation interval to the onset of objective symptoms and/or manifest pulmonary impairment.

### Definition of Smoking

**Non-Smoker** – A person who has never smoked, even occasionally.

**Ex-Smoker** – A person who has smoked, but not within the previous 10 years.

**Smoker** – A person who currently smokes, or who ceased smoking within the previous ten years.

### Benefits for Dependants

In cases of death of a worker, dependancy benefits are considered if the death was due to Emphysema due to Alpha 1 Anti-Trypsin Deficiency.

### Exhibit A

#### Hazardous Industrial Processes or Occupational Exposure

The following industrial processes or occupational exposures may be considered hazardous to workers with proven genetic deficiency

- Underground mining
- Fire fighting
- Welding
- Coke oven (topside or side oven)

**Metal refining** (includes zinc, copper, cadmium, nickel and precious metals)

- Roasting
- Smelting
- Converting
- Sintering

#### Foundry

- Moulding

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- Knockout
- Fetting
- Grinding
- Core room
- Sandblasting

**Pulp and paper production surface dust operations** (includes milling, crushing, grinding, cutting and drilling)

- Silica
- Asbestos
- Talc
- Nepheline syenite
- Raw cotton

**Prolonged exposures (at least 15 years) involving**

- Chlorine
- Acid mist
- Ammonia
- Oxides of nitrogen
- Metallic fumes
- Sulphur dioxide
- Ozone

**Other**

Any operation which may be developed in the future involving regular exposure to irritant dust, gas vapour, or fumes.

**Application date**

This policy applies to all accidents. Benefits are payable from the date of accident, which is the date of diagnosis, or the first date that related symptoms are medically documented, whichever is earlier.

**Document History**

This document replaces 04-04-19.

**References****Legislative Authority**

*Workers' Compensation Act, R.S.O., 1980*  
Sections 1(1)(a)(iii), 122

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**Minute**

Board of Directors

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