

**NOVA SCOTIA COURT OF APPEAL**

**Citation: *Logan v. Nova Scotia (Workers' Compensation Appeals Tribunal)*,  
2006 NSCA 88**

**Date: 20060719**

**Docket: CA 257902**

**Registry: Halifax**

**Between:**

Joanne Logan

Appellant

v.

Nova Scotia Workers' Compensation Appeals Tribunal and the  
Workers' Compensation Board of Nova Scotia

Respondents

- and -

Alliance of Manufacturers & Exporters, Canada, c.o.b. as  
Canadian Manufacturers Association, Nova Scotia Division  
("CME-NS")

Intervenor

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**Judge:** The Honourable Justice Thomas Cromwell

**Appeal Heard:** April 20, 2006

**Subject:** Workers' compensation - definition of "accident" - stress arising from a "traumatic event" - whether a wrongful dismissal may be an "accident" - whether "traumatic event" to be assessed subjectively or objectively

**Summary:** The worker was wrongfully dismissed and suffered stress as a result. She recovered in her wrongful dismissal suit and sought workers' compensation benefits. Her position was that her

dismissal had been a “traumatic event” and that the stress flowing from it was a compensable workplace injury. WCAT rejected this position and the worker appealed.

**Issues:**

1. What is the standard of review?
2. May an unjust dismissal be an accident for workers’ compensation purposes?
3. Is whether an event is traumatic to be judged objectively?
4. Did the worker experience a “traumatic event” within the meaning of the **Workers’ Compensation Act**?

**Result:**

Appeal dismissed.

1. The correctness standard of appellate review applies to WCAT’s findings that an unjust dismissal may not be an “accident” and that whether an event is traumatic is to be judged objectively. Whether a particular event was “traumatic” should be reviewed on appeal for reasonableness.
2. An unjust dismissal may not be an “accident” for workers’ compensation purposes.
3. Whether an event is “traumatic” is to be assessed objectively.
4. WCAT reasonably concluded that the events in issue were not “traumatic” within the meaning of the statute.

**This information sheet does not form part of the court’s judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 26 pages.**