

NOVA SCOTIA COURT OF APPEAL

Citation: *Veinot v. Nova Scotia (Workers' Compensation Appeals Tribunal)*,
2014 NSCA 12

Date: 20140204
Docket: CA 406386
Registry: Halifax

Between:

Garnet Veinot

Appellant

v.

Workers' Compensation Appeals Tribunal, The
Workers' Compensation Board of Nova Scotia, Attorney General of
Nova Scotia and Canada Post Corporation

Respondents

Judge: The Honourable Justice David P.S. Farrar

Appeal Heard: December 4, 2013, in Halifax, Nova Scotia

Subject: **Workers' Compensation Law - Causation**

Summary: The appellant suffers from a progressive neurological disease which he relates to a fall in 2005, when working as a mail carrier, he slipped and fell striking his back and head on the ground. He ceased working in October, 2009 and subsequently sought workers' compensation benefits. He was denied benefits by a Case Manager, Hearing Officer and finally, WCAT on the basis that his neurological condition was not related to his fall in 2005. The appellant appeals arguing WCAT misapplied the legal burden he had to meet to prove causation.

Issues: Did WCAT err in law by misapprehending the medical evidence such that it required or came to accept, a burden of

proof based on something akin to scientific certainty?

Result:

Appeal dismissed. WCAT did not miss or misapprehend the medical evidence. It properly considered and evaluated the evidence in coming to its conclusion. It committed no error in the manner in which it applied the law or analyzed the evidence which led to its conclusion that the necessary causal link between the worker's claim for benefits and his 2005 workplace injury had not been established.

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 12 pages.