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## Legal Brief\*

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### I WAS INJURED AT WORK—WHAT SHOULD I DO?

Nowadays, people are quite familiar with the program of the CSST (Commission de la santé et de la sécurité du travail) and know that they can claim benefits from this agency if they are injured at work. However, when filing an application, many people approach the process rather clumsily, both as regards deadlines and the drafting of the application itself.

Over time, when deciding whether to accept or refuse applications, the courts have developed certain criteria for determining the eligibility of applications, from which we can identify a few basic principles. It would be wise to keep these principles in mind when an injury occurs at work, so as to avoid harming the chances of a successful application.

**Don't try to be tough.** Some people, particularly in the traditionally more masculine occupations, will make a huge effort to conceal their pain, out of fear of being judged or ridiculed by their co-workers. This kind of behaviour makes it very difficult to prove the occurrence of an accident, because not only will no one have witnessed the incident or the injury, but you will have shown that you were able to continue to perform your normal work during the rest of the day.

**Report the injury to the employer immediately.** This is a detail that many people forget, but one that is very important in order to prove that the injury did indeed occur while you were at work and not during your hockey game the previous evening. Whether or not the injury is serious, go see your immediate supervisor right away and explain what just happened. If no representative of your employer is present, talk about it to your co-workers and ask them to talk about it to the employer if you have to leave quickly.

**Consult a doctor as soon as possible.** If you were injured at work, don't wait too long to see if the pain will go away on its own. Go see a doctor as quickly as possible so that a note about the accident appears in a medical record and a diagnosis (even a preliminary one) can be made. In this way, not only will you ensure that medical monitoring of your injury can begin as soon as possible, you will also greatly reduce the risk of doubt that the injury may have been caused by something other than the events at work that day.

**Don't try to embellish your file.** When the time comes to discuss their case with a CSST agent, some people will try to give their file a boost by omitting certain facts or changing certain dates. In virtually all cases, this will result in contradictions in your file; these contradictions will be identified and will greatly impact your credibility, and may even destroy it completely. Waiting a bit too long to consult a doctor or failing to mention the accident to your employer are not necessarily fatal errors as regards your application; however, reduced credibility casts a doubt on everything in your file, even things that are true!

By following these basic principles, you will accelerate the processing of your compensation file and maximize your chances of having your application approved. However, if the CSST ultimately rejects your application, don't wait: contest the decision as quickly as possible and consult a lawyer!

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\* The information set out in this document is not a legal interpretation.

The masculine is used to designate persons solely in order to simplify the text.