

Section	Policy
40	44.10.60.40

Section Title: Benefits Administration - *Adjudication and Compensation*  
Subject: Accidents Occurring in Lunchrooms  
Effective Date: January 29, 1970 to December 31, 2022

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#### **A. POLICY**

When an employer provides a lunchroom, accidents occurring in it are considered to be compensable, provided the worker has not created his or her own hazard.

When a worker sustains an injury during a lunch hour, coffee break, or other similar period, that injury will be considered to have arisen out of and in the course of employment provided:

- a) The injury occurs while the worker is making reasonable and proper use of a facility provided by the employer, and
- b) The injury arises from a hazard of the facility, and not a personal hazard.

#### **B. REFERENCES**

*The Workers Compensation Act*, section 4(1)

WCB Policy 44.05.20, *General Premises*

#### **History:**

1. Policy approved by the Board of Directors on January 29, 1970, effective immediately.
2. Deleted reference to Policy 44.10.50.20 which was rescinded April 1, 1995, and substituted with reference to 44.05.20.
3. Minor formatting and grammatical changes were made to the policy and the history section was updated, June 27, 2012.
4. Minor formatting changes were made to the policy, April 2021.
5. This policy was repealed as of December 31, 2022 by Board Order 29/22 and removed from the policy manual and archived.