

**Alberta WCB
Policies &
Information**

Chapter:

WORK-RELATEDNESS

Subject:

**ARISES OUT OF AND OCCURS IN THE COURSE
OF EMPLOYMENT**

Authorization:

BoD Resolution 96/10/53

Date:

November 26, 1996

APPLICATION 6: SERIOUS AND WILFUL MISCONDUCT

- 1. *What are the implications of serious and wilful misconduct?***

An injury caused primarily by serious and wilful misconduct while in the course of employment will not be covered, unless it results in serious disability or death.
- 2. *What constitutes serious and wilful misconduct?***

Misconduct is considered to be serious and wilful if it is a deliberate and intentional act that demonstrates a complete disregard for safety or consequences. A deliberate violation of an enforced safety rule or law that is well known to the worker, will generally be held as serious and wilful misconduct.
- 3. *What are some indicators that an injury may be a result of serious and wilful misconduct?***

If it is determined that the worker was injured in the course of employment, the following factors may help to determine if serious and wilful misconduct contributed to the accident:

 - Has the worker deliberately violated an enforced order or law?
 - Are the actions at the time of the accident deliberate and intentional with a complete disregard for probable consequences?
 - Are the consequences reasonably predictable by the worker?
 - Has the employer permitted that type of activity or behavior at the work place?

The above list is a reference guide and is not intended to be all-inclusive.
- 4. *When is this policy application effective?***

This policy application (Application 6 – Serious and Wilful Misconduct) is effective February 15, 1997, except when noted otherwise in a specific policy section(s).

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Previous versions

- [Policy 0201 Part II - August 2015](#)
- [Policy 0201 Part II - January 2004](#)
- [Policy 0201 Part II - January 2002](#)
- [Policy 0201 Part II \(consolidated manual 1st Issue\) - February 1997](#)