

SYNDICAT DES EMPLOYÉ-E-S DE LA SÉCURITÉ ET DE LA JUSTICE



UNION OF SAFETY AND JUSTICE EMPLOYEES

**Written Submission for the Pre-Budget Consultations in
Advance of the Upcoming 2026 Federal Budget**

By The Union of Safety and Justice Employees

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Recommendation:

The Government of Canada should commit in Budget 2026 to amending the Government Employees Compensation Act (GECA) to ensure federal public safety professionals/personnel have equitable access to Workers' Compensation coverage for Occupational Stress Injuries in every province and territory where they reside, including presumptive coverage where applicable.

This targeted legislative reform will provide timely access to treatment, improve return-to-work outcomes, strengthen Canada's federal public safety workforce, and help reduce the federal government's growing long-term disability costs.

Overview:

The federal Government Employees Compensation Act (GECA) is a piece of legislation that has not fundamentally changed since its establishment over 50 years ago.

As it is currently written, it leaves behind thousands of federal public safety personnel who suffer from psychological injuries, including post-traumatic stress injuries, owing to their efforts to keep Canadians safe from coast to coast to coast.

These federal public safety personnel are regularly exposed to traumatic incidents, materials, victims, and criminalized persons. Unfortunately, these federal employees are routinely denied Workers' Compensation benefits for job-related psychological injuries by their respective provincial and territorial compensation boards.

This is, in part, because there is no federal legislative requirement ensuring presumptive injury coverage by the respective board in the province or territory where they reside. This legislative gap has contributed to the premature loss of skilled public safety personnel, increased pressure on the public service to recruit and fill vacant positions and has placed additional strain on those who remain able to work.

USJE has gathered robust evidence-based legislative and legal advice to propose substantial amendments to GECA (see the attached appendix). The key changes proposed by USJE to GECA entrench a definition of Public Safety Personnel to ensure that federal public service employees working in the public safety or national security realms and/or criminal justice system have access to presumptive injury coverage when they incur a work-related Occupational Stress Injury, including a post-traumatic stress injury. Over time, these legislative changes will increase the likelihood that far more employees who suffer from a mental health injury will benefit from early intervention and ultimately return to work. In doing so, the legislative changes will have the effect of improving corporate retention and ensuring optimization of a well-trained and experienced federal public safety workforce.

USJE requests that the proposed changes to GECA be made as quickly as possible by the federal government so that the thousands of federal public safety personnel who keep Canadians safe every day are no longer left behind to suffer in silence if or when they develop an Occupational Stress Injury.

In the absence of better coverage, the Government of Canada risks exacerbating its already heavy reliance on its Long-Term Disability Insurance program as one of the only mechanisms available to federal public service employees who are not recognized or treated for their mental health injuries.

USJE supports the Government of Canada's focus on strengthening Canada's economic resilience, improving productivity, and building a modern, high-performing public service. Closing this legislative gap is a practical investment in workforce capacity, operational readiness, and long-term fiscal sustainability.

Rationale:

The proposed changes to the Government Employees Compensation Act (GECA) represent **more than a modernization of outdated 50-year-old legislation**. USJE is seeking to recognize and respond to the psychological toll that Canada's federal public safety personnel frequently endure by virtue of their work, **while simultaneously creating a cost-effective avenue for the federal government to support employees that have fallen through the gap**.

By establishing a presumptive injury clause under GECA which stipulates that federal public safety personnel working within the public safety and/or national security realms and/or criminal justice systems are, de facto, vulnerable to psychological injuries given the unique stresses and conditions of their employment, the Government of Canada is recognizing their difficult working conditions and providing a pathway to appropriate and timely mental health care. Ultimately, these changes will support employees in a **quicker recovery and foster a stronger and more resilient public safety network**.

This is why improving access to presumptive injury coverage is not simply about fairness. It's about strengthening Canada's public safety workforce while improving the efficiency and sustainability of federal government spending. When the Government of Canada can support early intervention for their own federal public safety personnel through an existing mechanism such as the Government Employees Compensation Act, they increase the likelihood that employees who have incurred a mental health injury on the job will recover and continue to contribute to important public safety interventions.

The proposed changes to GECA will also ensure psychological support care is made available quickly, thus preventing escalation in psychological harms, and helping to reduce the stigma of mental health challenges and the discrimination against claimants with mental health needs that is, unfortunately, evident in current systems. The changes to GECA will ensure better preservation of institutional knowledge, a reduction in costs related to recruitment and training pressures and will support a more productive and seasoned federal workforce.

At its core, changes to GECA will reduce the likelihood that federal public safety personnel will:

- **Suffer in silence** while on the job, potentially comprising their performance and longevity;
- **Resort to extended sick leave or long-term disability** as the only options for recovery; and/or
- **Choose to leave the public service altogether** owing to an untreated mental health injury, taking with them the expertise and the experience developed over years/decades as a federal public safety employee.

The immediate benefit of changes to GECA is that federal public safety personnel working within the public safety and/or national security realms and/or criminal justice system, no matter where they live in Canada, will have improved access to presumptive injury coverage, specifically Workers' Compensation Insurance Benefits and the mental health supports that are embedded within to increase their chances of successfully returning to work.

By implementing the changes to GECA, **the Government of Canada will be able to reduce unnecessary turn-over in federal public safety personnel**, and will help to sustain the corporate knowledge, training and individual expertise that has been developed.

USJE's proposed **changes to GECA will help to address a worrisome public safety brain drain** that regularly occurs when seasoned professionals leave, taking with them irreplaceable skills and insights. It is these insights that often make the difference between a good outcome and a not so good one in public safety scenarios.

Long-Term Financial Benefits:

As the Government of Canada seeks to improve productivity and ensure taxpayer dollars deliver greater long-term value, investments that reduce pressure on the Government of Canada's Long-Term Disability program while retaining experienced employees should be prioritized. Modernizing GECA supports earlier intervention, improves workforce participation, and reduces reliance on significantly more expensive long-term disability benefits.

Some studies have shown that employees on Long-Term Disability who leave for more than 12 weeks have a 50 percent chance of never returning to work. That probability is 32 percent after a year, with less than five percent of employees returning to work after two years on long-term disability. Consensus across studies of return to work concur that the longer a person is off, the less likely they are to ever return to work.

More information on these trends can be found here: <https://www.cspdm.ca/dm-in-context/impact-of-disability/more-on-the-impact-of-disability-on-the-worker/>

Further, research conducted in the last five years by the Institute for Research on Public Policy (IRPP) has highlighted that “the federal public service has conspicuously stood apart for years for having a higher proportion of mental health related Long-Term Disability claims than other employers.” Mental health, led by depressive and anxiety disorders, is by far the biggest driver of claims (59 percent in 2024), followed by cancer as a distant second at 11.1 percent of claims.

As per the federal Disability Insurance Plan Board of Management Annual report in 2024, the total benefits paid out by the federal government for its Long-Term Disability Insurance Plan during the 2024 year amounted to **\$496.3, compared to \$455.0 million in 2023.**

As cited in the 2024 Annual Report, as of the end of 2024, the Disability Insurance Plan had 13,165 members utilizing benefits (claims in payment at year-end 2024) and had \$3.904 billion in claims reserves. The average number of Plan members during 2024 was 312,000 (up from 305,000 members in 2023).

The disability incidence rate in 2024 was higher than the previous year at 11.3 approved claims per thousand Plan members, compared to 10.5 approved claims per thousand Plan members in 2023. The rate of termination of active claims (approved claims in payment) decreased from 2.40 terminated claims per 10 claims in payment in 2023 to 2.37 terminated claims in 2024.

In 2020, public servants, like all Canadians, filed fewer long-term disability (LTD) claims during the first year of the pandemic. According to the IRPP, both physical and mental health claims declined about 15 per cent from the previous year, **but the proportion of approved claims related to mental health spiked a historic high of 55.1 per cent.**

In an effort to stabilize the federal government's Long-Term Disability Insurance Program, \$313 million had already been injected into the fund in 2019 by the Treasury Board to put it on "sounder financial footing."

The 50-year-old Federal Disability Insurance Plan, managed by Sun Life Financial, is the biggest in Canada and provides coverage for approximately 312,000 public servants in 2025. The Treasury Board of Canada has said the plan had to be refinanced to meet the 40 percent of premiums threshold required for the reserve, which sets aside funds to cover future benefit payments.

Investing in Canada's Workers' Compensation Program for Federal Public Safety Personnel:

Investing in a more comprehensive mental health coverage through Workers' Compensation makes strong fiscal sense and would enable more federal Public Safety Personnel to return to the workplace if they are able to receive timely, trauma-informed mental health supports.

The Federal Workers' Compensation Service (FWCS) is responsible for administering the Government Employees Compensation Act, the statute which provides for compensation for federal workers whose injuries or illnesses arise out of and in the course of employment.

FWCS is responsible for overseeing the Program, including reporting injuries as established in the Treasury Board Guideline on Workers' Compensation. Federal employees' work-related injury claims are adjudicated by provincial Boards. The Program recovers most of the costs from employers (federal departments, agencies and Crown Corporations).

Through publicly available data, they have reported that in recent years, Workers' Compensation costs for federal employees that qualify have historically been less than \$100 million per year, which is approximately 20 percent of the annual costs of the federal government's Long-Term Disability Insurance Program.

More information: <https://www.canada.ca/en/employment-social-development/corporate/reports/evaluations/federal-worker-compensation-service.html#fig7>

Of these expenditures, items such as medical costs, rehabilitation costs, pension costs, compensation costs for loss of income, lump sum costs and other costs are included. The amount of individual benefit costs varies and depends on the types of injuries and on different Workers' Compensation Boards' policies.

While FCWS costs would be expected to increase somewhat if more federal public safety personnel are covered by provincial/territorial Workers' Compensation boards, it is extremely unlikely that coverage offered through Workers' Compensation plans would ever rival the high and growing costs of the federal government's Long-term Disability program for public servants.

Some of USJE's preliminary investigations have estimated that the inclusion of more comprehensive Presumptive Injury coverage for federal public safety employees could

potentially increase the total benefit payments to eligible employees from anywhere **between 11 and 14 percent in the initial stages, with a levelling off of closer to 10 percent in subsequent years.**

These estimates are in part extrapolated from the expenditures that some provinces and territories have incurred subsequent to their introduction of more permissive and fulsome presumptive injury clauses. Of course, each province varies in the degree of inclusiveness for presumptive injury in regard to its employees, so data has been aggregated across provinces to identify overall trends.

In conclusion, ensuring a more comprehensive Workers' Compensation coverage for federal public safety personnel represents a strategic long-term investment that will likely:

- **Be significantly less costly in many respects;**
- **Reduce the current risk of prematurely losing a disproportionate number of seasoned federal public safety personnel from the public service and the significant reinvestment costs in newly trained personnel; and**
- **Improve the mental and physical well-being of federal Public Safety Personnel who devote their working lives to keeping Canadians safe from coast to coast to coast.**

Modernizing GECA is a targeted, fiscally responsible reform that aligns with the Government of Canada's commitment to building a stronger economy, a more productive public service, and safer communities. By investing in the health and retention of Canada's federal public safety workforce, the government can improve operational resilience, reduce long-term disability costs, preserve critical expertise, and strengthen the public institutions Canadians rely on every day.