

Can I Sue my Employer?

When a worker is injured on the job, and it is due to negligence on the part of the employer, the first instinct is a desire to litigate. Our office often receives phone calls regarding this question, "Can I sue my employer?"

In most cases, if you sustain a work-related injury, and work in an industry that is covered by the Workplace Safety and Insurance Act, 1997 (WSIA), then you cannot sue your employer in court for your injuries.

The WSIA is essentially a system of workplace insurance that is a "no-fault" system. This means that you can get workplace insurance benefits without proving that your employer was to blame. Even if you think that the accident at work was your own fault, you are still entitled to benefits and services from the WSIB in most cases.

There may be exceptions to the rule, however, as each case is unique. It is best to consult with a lawyer or paralegal regarding your case and your rights, if you have any doubt regarding your situation.

Contact our office for a free consultation regarding your claim.