



YUKON WORKERS'  
COMPENSATION  
HEALTH AND  
SAFETY BOARD

SUBJECT: INTRODUCTION

POLICY NO.: PL-02

BOARD APPROVAL:

APPROVAL DATE: April 26, 2005

BOARD ORDER NO.:

EFFECTIVE DATE: April 26, 2005

## POLICY STATEMENT

POLICY:      **POLICY DEVELOPMENT PROCESS**

### **APPLICATION**

This policy applies to the development of all policies by the Workers' Compensation Health and Safety Board ('the board') under the *Workers' Compensation Act R.S.Y. 2002* ('the 2002 Act').

### **SECTION REFERENCES**

Subsection 108 (a) of the 2002 Act provides the Board of Directors with the authority to establish the policies of the board.

Subsection 108 (j) of the 2002 Act provides for a public consultation process which must occur before the board can adopt any policy affecting claims for compensation. As part of this process, notice of the draft policy must be published at least once a week for two consecutive weeks in a newspaper circulated in the Yukon. The notice must state the following:

- the purpose of the draft policy, and a general description of its effect on claims for compensation;
- a procedure for how the public may inspect the policy;
- the time period during which the board will accept submissions on the draft policy, which will be not less than 30 days after the last publication of the notice; and
- the procedure to be followed by members of the public who wish to submit representations regarding the draft policy.

Subsection 116 (1) of the 2002 Act provides the president of the board with the responsibility to implement the policies of the board.

**OBJECTIVE**

The objective of this policy is to clarify the process that will be followed by the board in developing and establishing the policies of the board.

**DEFINITIONS**

Compensation: means any amount payable or services provided under the Act in respect of a disabled worker.

Policy Affecting Claims for Compensation: means a policy statement intended as a guideline for use in making decisions about claims for compensation.

**POLICY STATEMENT**

In developing its policies, the board will strive to meet the following objectives. Policies will:

- be written in plain language;
- provide guidance in order to meet the intent and objectives of the Act;
- be fair to employers, workers, disabled workers and their dependents;
- provide clear direction so that the work of board staff can be carried out quickly, consistently, and easily; and
- be structured so as to prevent unnecessary delays or unnecessary requirements on disabled workers.

**A. ROLES AND RESPONSIBILITIES**

The Board of Directors will determine the policy agenda and priorities of the board, and establish all policies of the board before they are implemented.

The president and administration of the board are responsible for the development of draft policies and the implementation of approved policies.

The Board of Directors may establish working groups or sub-committees to provide advice or input into policy issues, options, analysis and recommendations. These groups may also be asked to offer suggestions on the appropriate method for consultation on individual policies or discussion papers.

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Chair

## **B. PUBLIC CONSULTATION**

The 2002 Act sets the standard of consultation for board policies affecting claims for compensation. The board is committed to effective public consultation. This will mean a variety of types of consultation may occur depending on the nature of the policy in question. In some cases, a focused form of consultation with affected stakeholders will be used. In others (and for all draft policies affecting claims for compensation), a formal consultation in accordance with the standards set out in the Act will be required. For certain policies (other than policies affecting claims for compensation), consultation may not be an effective tool; for others, a more comprehensive form of consultation or engagement may be appropriate.

As part of the approval process, the board will consider consultation strategies for all policies.

As required under ss. 108 (j) of the 2002 Act, notice of all draft policies that affect claims for compensation under the current Act and under predecessor legislation will be:

- advertised in a newspaper circulated in the Yukon;
- filed in the public register of the board; and
- be open to submissions from the public.

Additional methods of public consultation may also be used, including but not limited to:

- mailings to stakeholders
- public meetings
- open houses
- workshops
- advisory group review
- surveys, polls, questionnaires
- focus groups
- newsletters, brochures, newspaper inserts.

If the draft policy changes substantially following initial consultation in a manner that will affect claims for compensation, further public consultation will be required.

## **C. SPECIAL ACCOMMODATION**

Every effort will be made to allow all interested persons to participate in any consultation process. Sensitivity will be shown for those who have difficulty reading, writing, or otherwise communicating with the board.

## **D. STRUCTURE**

A policy will generally include some or all of the following sections:

- Application
- Section Reference
- Objectives
- Principles
- General Information
- Definitions
- Policy Statement
- Roles and Responsibilities
- Process
- Implementation
- Evaluation
- References (for information only)
- History
- Appendices or Case Studies
- Other sections, if necessary, relevant to the specific policy.

## **E. PROCESS**

Following approval of a policy by the Board of Directors, each page of the policy will be signed by the Chair to ensure the approved version is clear.

## **F. IMPLEMENTATION**

The president of the board is responsible for ensuring the implementation of the policies approved by the Board of Directors.

## **G. AVAILABILITY**

All board policies are accessible on the board's website.

Board policies are also available on the public register of the board, and copies will be provided at a reasonable cost.

## **HISTORY**

BD-04, Development and Application of Board Policy, effective January 2, 1993; amended January 15, 2002; amended April 26, 2005 as PL-02.

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Chair