



YUKON WORKERS'
COMPENSATION
HEALTH AND
SAFETY BOARD

SUBJECT: INTRODUCTION

POLICY NO.: PL-03

BOARD APPROVAL:

APPROVAL DATE: April 26, 2005

BOARD ORDER NO.:

EFFECTIVE DATE: April 26, 2005

POLICY STATEMENT

POLICY: **TRANSITION POLICY - AMENDMENTS TO THE WORKERS' COMPENSATION ACT**

APPLICATION

This policy applies to all policies established by the Workers' Compensation Health and Safety Board Board of Directors and to board staff, appeal committees of the Workers' Compensation Appeal Tribunal, and all workers and employers covered by the Act.

SECTION REFERENCES

Subsection 104 (1) of the *Workers' Compensation Act, R.S.Y. 2002* ('the 2002 Act') provides as follows:

- If a worker is entitled to compensation as a result of a disability caused in 1982 or earlier, his or her entitlement is determined pursuant to the Act as it was in force before January 1, 1983.
- If a worker is entitled to compensation as a result of a disability caused in 1992 or earlier, his or her entitlement is determined pursuant to the Act as it was in force before January 1, 1993.
- If a worker is entitled to compensation as a result of a disability caused on March 31, 2000 or earlier, his or her entitlement is determined pursuant to the Act as it was in force before April 1, 2000.

OBJECTIVE

The objective of this policy is to outline how the policies of the board will, when necessary, be updated as amendments are made from time-to-time to the Act.

GENERAL INFORMATION

The policies of the Board of Directors provide direction and guidelines to board staff in order to ensure consistency in the exercise of the discretion of the board under the Act and to ensure that the objectives of the Act are being met.

Attached as Appendix A of this policy is a section-by-section comparison of the 1992 *Workers' Compensation Act* and the 2002 Act.

DEFINITIONS

Entitlement: means the right to benefits, income or property which may not be altered without due process.

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

POLICY STATEMENT

Establishment of Policies Applicable to Prior Workers' Compensation Acts

The Board of Directors has the authority to establish policies of the board that apply to prior Workers' Compensation Acts.

Application of Predecessor Legislation

A worker's entitlement to compensation is determined pursuant to the Act in force at the time the worker's disability occurred. Policies of the board that were in force at the time the worker's disability occurred will be applied, unless a subsequent policy applies.

Any processes, procedures, and administration of the board relating to claims for compensation will be carried out in accordance with the Act as it is currently in force.

Chair

Amendments to the Act

When any amendments are made to the Act the board will, as soon as practicable, make any changes to its policies that are required to ensure consistency with any amended provisions or section references in the Act.

In the interim, where any inconsistency exists between a provision of a policy of the board and a provision of the Act, the provision of the Act will prevail to the extent of the inconsistency.

HISTORY

GC-02, Bill 83 Transition Policy; effective January 1, 2001, revoked April 26, 2005.

GC-09, Transitional Clause; effective March 7, 1995, revoked April 26, 2005.

GC-12, 2002 Revised Statutes of the Yukon Transition Policy; effective December 2, 2003, revoked April 26, 2005.

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Transition Policy - Amendments to the Workers' Compensation Act

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Transition Policy - Amendments to the Workers' Compensation Act

1992 WCA as amended	TITLE	WCA 2002 R.S.Y.
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