



## REMUNERATION AND TRAVEL GUIDELINES FOR MEMBERS OF THE APPEALS TRIBUNAL

### 1. PURPOSE

This directive outlines the remuneration and responsibilities of members of the Appeals Tribunal when performing business and travelling on behalf of the Appeals Tribunal of the WCB of the Northwest Territories and Nunavut.

### 2. AUTHORITIES

*Workers' Compensation Acts: Subsection 7(2).1*

### 3. PROVISIONS

#### A) Remuneration

Tribunal members will be remunerated at the following rates for performing Appeals Tribunal business:

Honorarium	\$350.00 per day
Retainer	\$250.00 per quarter for meeting preparation

Honoraria will be pro-rated as follows:

1 – 2 hours	\$ 87.50
2 – 4 hours	\$175.00
4 – 6 hours	\$262.50
6 – 8 hours	\$350.00

Tribunal members who receive leave with pay from their employer to perform Appeals Tribunal business are not entitled to the full honorarium. They will receive an amount that equals the full honorarium minus the leave with pay from their employer. For further clarity, members who use leave without pay, annual leave or lieu time to do Appeals Tribunal business are entitled to receive the full honorarium.

Tribunal members must inform the Senior Appeals Registrar of the type of leave they are using, so that appropriate remuneration can be paid. Honoraria for Tribunal hearings and meetings will be paid to the members at the end of the hearing or meeting. Any required adjustments will be applied against the payment due the Tribunal member at the next hearing or meeting.

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If a Tribunal member travels to perform Tribunal business and misses 50% of the scheduled meeting time, the member will not receive an honorarium for the missed time or expenses for the travel time, unless the absence was due to illness or unforeseen circumstances.

Tribunal members are required to participate in general meetings and pre-hearings, in addition to hearings. The Senior Appeals Registrar will record attendance at general meetings and pre-hearings in blocks of two-hour increments. Tribunal members should submit timesheets for these meetings when they total one working day or eight hours.

**B) Per Diem**

Tribunal members will receive a per diem to cover expenses for accommodation, meals, ground transportation and incidentals while performing Appeals Tribunal business.

In any one year, the Appeals Tribunal may choose to receive either the per diem rates stated in the current Travel Directive of the Treasury Board of Canada Secretariat or the WCB Governance Council's flat per diem rate of \$210.00. Normally, this determination will be made at the time of the WCB's annual budgeting process and will be requested through the Appeals Tribunal Chair to the WCB President for approval.

If the latter is selected, Tribunal members will receive half of the per diem on the last day of travel.

Receipts must be submitted for all expenses unless the Tribunal members have chosen to receive the WCB Governance Council's flat per diem rate.

**C) Travel**

From the Accident Fund, the WCB will pay the return travel costs for Tribunal members to attend meetings, hearings or other events approved by the Chair of the Appeals Tribunal. Tribunal members are entitled to receive an honorarium and per diem while travelling on Tribunal business.

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Travel arrangements should allow Tribunal members to arrive from their resident community at the location of the hearing, meeting or Chair-approved event on the day before the event, and return to their resident community as soon as possible after the event ends.

Tribunal members may attend two conferences annually, as approved by the Chair of the Appeals Tribunal, e.g., the Association of Workers' Compensation Boards of Canada (AWCBC) Congress or Learning Symposium, the Council of Canadian Administrative Tribunals (CCAT) or the Canadian Institute for the Administration of Justice (CIAJ).

These guidelines do not unnecessarily limit travel that is required for a Tribunal member to carry out her/his duties and responsibilities. The Chair of the Appeals Tribunal will approve, in advance, whether the travel is necessary for the Tribunal member to perform her/his duties and responsibilities.

**a. Air Travel**

Air travel arrangements should be made economically and also ensure that the Tribunal member is not unduly inconvenienced. Tribunal members must use Economy airfare but may request Business Class when the duration of the direct, continuous travel segment is four (4) hours or longer, or where the member has special needs that would be better accommodated in Business Class.

Tribunal members' air travel arrangements will normally be made by the Senior Appeals Registrar with the costs invoiced to the WCB. Tribunal members may make their own air travel arrangements, if they first notify the Senior Appeals Registrar. The Tribunal member's travel agent must obtain authorization from the Senior Appeals Registrar to invoice the WCB.

Where a Tribunal member travels from a location other than his/her resident community to a hearing or event approved by the Chair of the Appeals Tribunal, the WCB will pay the lesser of:

- i) the return travel costs to the resident community, along with the associated honorarium and per diem.
- ii) the actual travel costs and associated honorarium and per diem.

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If the circumstances that caused the Tribunal member to travel from a place other than his/her resident community were a requirement of the member's employment or professional obligation, the Chair of the Appeals Tribunal may authorize payment of an amount greater than that specified above, if the expenses incurred were unavoidable and necessary. Receipts and substantiation must be provided.

Tribunal members may revise their travel arrangements by extending their stay, and/or linking personal travel. Where a Tribunal member's travel arrangements are revised for personal reasons, the WCB will cover the cost of travel, per diem, and honorarium up to the amount that would have been incurred by the original travel arrangements. Any additional costs are the responsibility of the Tribunal member.

**b. Application**

Requests for travel approval must be submitted to the Chair of the Appeals Tribunal and contain:

- information on the event to be attended
- anticipated benefits
- an outline of the proposed travel arrangements and anticipated costs

**c. Approval**

The Chair of the Appeals Tribunal will consider the following factors in approving requests for travel:

- Is the purpose of travel directly related to or a natural outgrowth of the Tribunal's mandate and activities?
- Will attendance at the event benefit the Appeals Tribunal and its stakeholders by:
  - providing information on a significant development in workers' compensation and appeals issues applicable to this Tribunal;
  - enhancing a Tribunal member's knowledge of appeals issues and his/her ability to serve; or
  - contributing to the development of appeals standards, consistency and/or understanding.

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- Will there be opportunity for an exchange of relevant information or ideas from a comparable Appeals Tribunal?
- Is there sufficient time remaining in the Tribunal member's term of appointment to use the knowledge gained for the benefit of the Tribunal?
- Is money available in the budget?
- Are there other, less expensive ways to achieve the same purpose(s)?

**d. Post Travel Requirements**

The Tribunal member must report on his/her trip, verbally or in writing, at the next general meeting of the Appeals Tribunal. The Chair of the Appeals Tribunal will report the results of Tribunal members' travel annually to the Ministers Responsible for the WCB.

**4. FAILURE TO PARTICIPATE**

If a Tribunal member does not actively participate in a function that s/he is attending on behalf of the Appeals Tribunal, s/he will be held personally responsible for all related expenses, unless the absence was due to illness or unforeseen circumstances.

**5. SPECIAL CIRCUMSTANCES**

If circumstances arise which are not addressed in this directive, the matter will be referred to the Chair of the Appeals Tribunal for review and decision.

**6. HISTORY**

New

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Chairperson