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This brochure is intended as a guide for the CHOICES program, but is not authoritative. Please see approved forms for details.



**Y**ukon workplaces are experiencing a crisis: more Yukon workers are injured year after year, workers' compensation costs are sky rocketing, and there is a severe labour shortage in many Yukon industries and geographic areas.

In the 1990s the Yukon Workers' Compensation Health and Safety Board experienced a surplus in its investment fund. Following stakeholder consultation, the Board of Directors of the day decided to distribute this surplus to employers in the form of assessment rate subsidies. As a result, employers paid the lowest assessment rates in Canada, even though claims and administration costs were rising.

In 2002, the Board of Directors determined that, in the face of increasing costs, the subsidies had to be removed. A plan was set to gradually remove the subsidies starting in the 2003 assessment year and ending in the 2006 assessment year. With the removal of the subsidies, Yukon's average assessment rate is one of the highest in the country.

With the removal of subsidies, the Board of Directors committed to employers that an incentive program would be introduced to offset increasing costs for good performers. It was this commitment that gave rise to the 2007 introduction of the Yukon Workers' Compensation Health and Safety Board incentive program **CHOICES**.

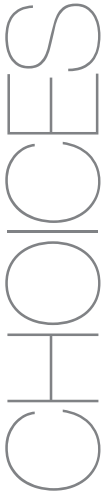
# In the Yukon, assessment rates are quickly responsive to cost changes

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CHOICES rewards employers based on their efforts in the areas of Occupational Health and Safety and Return-To-Work (RTW). There is no individual claims experience component in CHOICES.

History in other jurisdictions has shown that employers with appropriate health and safety programs have fewer and less severe injuries, thereby reducing costs.

Further, expectation management and program development in the area of RTW enable injured workers to return to work and recover faster than they would in the absence of such programs. Fast and safe RTW leads to lower claim duration which leads to lower costs resulting in lower employer assessment rates.



CHOICES is a cultural change program with rewards for developing and maintaining certain Occupational Health and Safety and Return-To-Work (RTW) requirements in Yukon workplaces. It is designed as a cafeteria-style program, where different sized employers can determine their level of participation and type of rewards based on the needs of their individual business.

**C**hoose:

**H**ealthy workplaces;

**O**wnership of prevention & Return-To-Work;

**I**njury management;

**C**onsensus-based programs;

**E**mployers of choice; and

**S**afety as job 1.

**Step 1 Choose to participate**

CHOICES is a voluntary incentive program based upon employers' applications for rewards. Employers may choose not to participate; however, minimum *Occupational Health and Safety Act* and Regulation requirements still apply.

**Step 2 Choose your participation level in Occupational Health and Safety and Return-To-Work (RTW)**

Depending on the employer's size and minimum legislative requirements in the area of Occupational Health and Safety, employers can choose whether to participate in CHOICES and at what level in the areas of Occupational Health and Safety and RTW.

**Step 3 Choose your rewards**

Employers can choose an annual cash rebate or can choose even larger reinvestment rewards which can be accessed twice per year. These are designed to enable employers to move to a higher level of CHOICES participation where even greater rewards can be achieved. Employers who choose reinvestment have a variety of options available to them.

**Step 4 Choose your progression**

Employers can build their Occupational Health and Safety and Return-To-Work program levels at a progression of their choice, increasing their rewards and healthy workplaces, as they grow.

# **CHOICES**

**LEVELS OF**

# participation




**Audited  
Excellence**

**Programs**

**Foundations**

**The Basics**

# CHOICES rewards

<b>Occupational Health &amp; Safety</b>	Reinvest	Cash
Audited Excellence	5%	5%
		
Programs	3% min \$500	1.5% min \$50
		
Foundations	2% min \$250	1% min \$25
		
Basics	1% min \$75	.5% min \$25

Employers can choose to participate at different levels in Occupational Health and Safety programming and

<b>Return-To-Work</b>	<b>Reinvest</b>	<b>Cash</b>
Audited Excellence	5%	5%
↑		
Programs	3% min \$500	1.5% min \$50
↑		
Foundations	2% min \$250	1% min \$25
↑		
Basics	1% min \$75	.5% min \$25

Return-To-Work programming, but must participate in both to qualify for rewards. The maximum reward is 10% of an employer's assessments

# cash rebates

- Cash rebates can be applied for once each year as part of the annual Employer Payroll Reporting (EPR) process. Employers will apply for a rebate based on their last year's CHOICES performance. For example, when the EPR's are sent to employers in early 2008, employers can apply for their 2007 CHOICES rebates.
- Employers will indicate that they have met all of the requirements of the CHOICES level and will sign a disclaimer stating that their reporting is subject to audit. The YWCHSB accepts the responsibility to ensure that CHOICES rewards are paid only to qualifying employers.
- For each CHOICES level, employers will need to submit a particular document confirming compliance, e.g. copy of signed Occupational Health and Safety or Return-To-Work (RTW) policy.
- Employers who owe assessment premiums beyond current year estimates and prior year actual adjustments will have their CHOICES rebate credited against their assessment account. Other qualifying employers will receive a CHOICES cheque from the Yukon Workers' Compensation Health and Safety Board.
- If an applying employer does not meet the criteria for CHOICES rewards, a letter will be sent to the employer

providing an opportunity to submit the missing information within four weeks in order to qualify.

- Employers who apply for cash rebates for a CHOICES year, cannot apply for reinvestment rewards for the same year.
- If an employer qualifies at the same CHOICES level for two consecutive years, the cash rewards available are cut in half. For example, an employer who meets The Basics in Occupational Health and Safety and Return-To-Work (RTW) in 2007 would be eligible for a 1% rebate (minimum \$50). If they qualify at The Basics level in Occupational Health and Safety and RTW again for 2008, the reward would be ½% with a \$25 minimum). This feature is designed to encourage employers to improve while providing a small incentive for maintaining efforts.
- Employers with multiple classifications need only apply on one account (total assessments will be used to calculate rewards – minimum applies on total assessment). Employers with more than one business will need to apply on each account and meet the CHOICES criteria in each business.

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Qualifying employers will receive a CHOICES cheque from the Yukon Workers' Compensation Health and Safety Board

## rewards

- Reinvestment Rewards can be applied for twice each year:
  1. As part of the annual Employer Payroll Reporting (EPR) process in February, and
  2. On July 1<sup>st</sup> of each year if the employer has progressed at least one CHOICES level in either Occupational Health and Safety or Return-To-Work. Employers will apply for a reinvestment reward based on their last year's or six month's CHOICES performance.
- Employers will indicate that they have met all of the requirements of the CHOICES level and will sign a disclaimer stating that their reporting is subject to audit. The YWCHSB accepts the responsibility to ensure that CHOICES rewards are given only to qualifying employers.

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A CHOICES application  
may be downloaded from  
[www.wcb.yk.ca](http://www.wcb.yk.ca)

- For each CHOICES level, employers will need to submit a particular document confirming compliance, e.g. copy of a signed Occupational Health and Safety or Return-To-Work (RTW) policy.
- Employers will also indicate their preferred type of reinvestment rewards, including but not limited to:
  - ✓ Yukon Workers' Compensation Health and Safety Board consulting time
  - ✓ Training
    - First aid training
    - Return-To-Work (RTW) training
    - Certificate of Recognition (COR) training
    - Crane training
  - ✓ Personal Protective Equipment (PPE)
    - Safety boots
    - Safety signage, etc.
  - ✓ Ergonomic equipment
  - ✓ Audit costs
    - Northern Safety Network Yukon (NSNY) COR
    - National Institute of Disability Management and Research (NIDMAR) Consensus-based Disability Management Audit (CBDMA)

- If an applying employer does not meet the criteria for CHOICES reinvestment rewards, a letter will be sent to the employer providing an opportunity to submit the missing information within four weeks in order to qualify.
- If an employer qualifies at the same CHOICES level for two consecutive reporting periods, the reinvestment rewards available are cut in half.
- Employers with multiple classifications need only apply on one account (total assessments will be used to calculate rewards – minimum applies on total assessment). Employers with more than one business will need to apply on each account and meet the CHOICES criteria in each business.

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Employers will be able to choose from a variety of specific reinvestment rewards

The Basics level of participation in Occupational Health and Safety is only available to employers with less than 20 employees. In order to qualify for rebates or rewards at The Basics level, employers must meet The Basics in Occupational Health and Safety as well as at least The Basics in RTW.

**The Basics in Occupational Health and Safety include:**

- ✓ Occupational Health and Safety policy;
- ✓ Injury/accident reporting (incorporated into Injury Reporting System);
- ✓ Safe work practices;
- ✓ Workers trained in the work they do (and any other specific training required in the *Occupational Health and Safety Act* and Regulations);
- ✓ Health and Safety Representative appointed (as per section 13 of *Occupational Health and Safety Act*)

Only employers with less than 20 workers can qualify for The Basics in OH&S

Each of these requirements is detailed in the sections below.

## **OCCUPATIONAL HEALTH AND SAFETY POLICY**

An Occupational Health and Safety policy must be developed in consultation with workers or a representative of workers and must include a statement of the employer's commitment to co-operate with workers in the workplace on issues of health and safety. It must outline the respective responsibilities of the employer, supervisors, employees as well as contractors (persons contracted by the employer or for the employer's benefit) in carrying out their collective responsibility for health and safety in the workplace.

## **INJURY/ACCIDENT REPORTING SYSTEM**

Section 30 of the *Occupational Health and Safety Act* requires employers to report serious accidents and injuries to the Yukon Workers' Compensation Health and Safety Board immediately or as soon as practicable. The Basics requirement in this area is two-fold: (1) employers must be able to demonstrate that they have a system that enables such reporting and (2) employers must demonstrate that they use the system by reporting serious injuries and accidents to the YWCHSB. The system can be as simple as a poster or training session that clearly shows:

1. who is responsible for making the call;
2. the phone number for Occupational Health and Safety reporting, and

3. a list of the type of information that will be needed to be provided to the YWCHSB. Telephone calls by employers reporting serious injuries/accidents are tracked and will be verified for the purposes of CHOICES by the YWCHSB.

## **SAFE WORK PROCEDURES**

The safe work procedures CHOICES requirement includes a plan for training workers in safe work practices, as well as written safe work practices and procedures, that guide workers in performing their jobs safely. These procedures will vary by industry as well as by individual employers.

Workers must be trained in the work they do (and any other specific training required in the *Occupational Health and Safety Act* and regulations).

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An injury/accident reporting system ensures that all workplace parties are aware of how to report a work-related injury

# Workers must be trained in the work they do

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To meet this legislative and CHOICES requirement, employers must, in conjunction with the worker, develop a list of training requirements for the job and demonstrate that the training has been completed. This can be done by keeping training records for employees, or can be as simple as the worker initialing the training requirements list as he or she receives each piece of training. It also includes documented orientation for new employees.

## **HEALTH AND SAFETY REPRESENTATIVES**

Health and Safety Representatives must be appointed (or an exception made by YWHCSB) in workplaces with:

- Five or more regularly employed workers at a workplace that is classified under the regulations as an “A” hazard;
- Ten or more regularly employed workers at a workplace that is classified under the regulations as a “B” hazard;
- 15 or more regularly employed workers at a workplace that is classified under the regulations as a “C” hazard.

**The Foundations Level of Rewards** includes maintenance of The Basics plus additional requirements. Occupational Health and Safety Foundations is only available to employers with less than 20 workers.

Employers must qualify for rewards in both Occupational Health and Safety and RTW categories to receive CHOICES rewards.

### **OCCUPATIONAL HEALTH AND SAFETY FOUNDATIONS**

In order to qualify for Occupational Health and Safety Foundations rewards employers must meet the following criteria:

1. Occupational Health and Safety Basics;
2. Supervisor Training/Competent Supervision. The employer must ensure that supervisors are qualified because of their knowledge, training and experience to organize the work and its performance. They must be familiar with the provisions of the *Occupational Health and Safety Act* and the Regulations that apply to the work, and have knowledge of any potential or actual danger to health or safety in the workplace;
3. First aid training and materials (as per regulations);

# This system includes a procedure for recognizing hazards

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**4.** Injury/Accident investigation procedures. These procedures ensure that all hazardous occurrences are promptly reported and investigated as required to determine why the injury or accident occurred and the corrective actions to be taken to prevent recurrences;

**5.** A system for hazard identification, evaluation and control. This system includes a procedure(s) for recognizing hazards and may include, but is not limited to, any or all of the following:

- workplace inspections;
- injury/accident investigations;
- Workplace Hazardous Materials Information System (WHMIS);
- job safety analyses;
- injury/accident trends;

and outlines how hazards will be recognized and evaluated based on risk, and how measures will be identified and implemented to control them.

All employers can qualify for rewards at the Programs level

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### **Occupational Health and Safety Programs**

In order to qualify for Occupational Health and Safety Programs rewards, employers must meet the following criteria:

1. Occupational Health and Safety Basics; plus
2. Occupational Health and Safety Foundations; plus
3. All other Occupational Health and Safety program elements as required by legislation for employers with more than 20 workers (e.g. program documentation, workplace inspections, Occupational Health and Safety Committee, emergency response plan, education and training, etc). In addition, Occupational Health and Safety Committee minutes must be forwarded to the YWCHSB on a quarterly basis.

Employers requiring assistance with Occupational Health and Safety programs can contact:

**Northern Safety Network Yukon**

113A Platinum Road

Whitehorse, Yukon

Y1A 5M3

phone: 867-633-6690

fax: 867-633-6391

email: [melanie@yukonsafety.com](mailto:melanie@yukonsafety.com)

[www.yukonsafety.com](http://www.yukonsafety.com)

## **Audited Excellence – OH&S**

In order to qualify for audited excellence, employers must have their Occupational Health and Safety Program (OH&S) audited by an external agency recognized by the Yukon Workers' Compensation Health and Safety Board.

Employers are responsible for the costs of the audit which could include the Certificate of Recognition (COR) program administered by the Northern Safety Network Yukon.



Any size employer can qualify for The Basics in Return-To-Work (RTW). In order to qualify for rebates or rewards at The Basics level, employers must meet The Basics in RTW as well as at least the basics in OH&S.

**The Basics in Return-To-Work (RTW) include:**

- ✓ Policy
- ✓ Injury Reporting System

**RETURN-TO-WORK (RTW) POLICY**

A RTW policy must demonstrate the employer's commitment to RTW for injured workers, in accordance with the Yukon Workers' Compensation Health and Safety Board's Policy CS-11, "Rehabilitation". It must include references to:

- communicating with the worker during the RTW process;
- the protection of confidential information;
- a commitment to co-operation; and
- the roles and responsibilities of the parties involved in RTW including, but not limited to:
  - the employer, injured worker, health care provider(s), co-workers, the Yukon Workers' Compensation Health and Safety Board and, where applicable, the union representatives, etc.

## **INJURY REPORTING SYSTEM**

An injury reporting system ensures that all workplace parties are aware of how to report a work-related injury to the YWCHSB and to the appropriate persons designated by the employer. This reporting requirement is different from the serious injury/accident reporting that is required under the *Occupational Health and Safety Act*. Under the *Workers' Compensation Act*, employers must report all injuries (resulting in medical care beyond first aid at the workplace or resulting in lost time) to the Yukon Workers' Compensation Health and Safety Board within three days regardless of how serious the injury is. However, employers can easily cover both requirements in a single system.

The requirements for an injury reporting system under CHOICES are:

- 1)** A written process communicated to all workers that outlines the steps to be taken in the event of a work injury, including but not limited to: a designated person(s) to whom an injury(ies) will be reported, employer transport of the worker to appropriate medical care (as per section 45 of the *Workers' Compensation Act*); submitting forms to the Yukon Workers' Compensation Health and Safety Board, and
- 2)** Yukon Workers' Compensation Health and Safety Board forms must be available either in paper copy or through online access.

These forms include:

- a)** Worker's Report of Injury/Illness;
- b)** Employer's Report of Injury/Illness; and
- c)** Return-To-Work (RTW) Plan Form or an alternate form acceptable to the Yukon Workers' Compensation Health and Safety Board.

The Foundations Level of Rewards includes maintenance of The Basics plus additional requirements. Return-To-Work (RTW) Foundations are available to all employers.

Employers must qualify for rewards in both Occupational Health and Safety and RTW categories to receive CHOICES rewards.

### **Return-To-Work (RTW) Foundations**

In order to qualify for RTW Foundations rewards, employers must meet the following criteria:

1. RTW Basics; plus
2. RTW Planning Protocol:
  - The RTW planning protocol must outline the steps to be followed from the time of the injury to the completion of RTW, and reflect Board Policy CS-11, “Rehabilitation”.
  - It must be supported by appropriate forms (e.g. RTW Plan Forms or alternate forms acceptable to the Yukon Workers’ Compensation Health and Safety Board) to ensure injured workers are involved in the development of the RTW plan.
  - It must protect the confidentiality of the information being used and must also include communication with the case management team and with the YWCHSB.



## Return-To-Work (RTW) Programs

In order to qualify for RTW Program rewards, employers must meet the following criteria:

1. RTW Basics, plus
2. RTW Foundations, plus
3. RTW Program:

**a) Return-To-Work (RTW) Program Documentation:** policies and procedures which outline the roles, responsibilities and accountabilities of the parties involved in the RTW program as defined in the RTW policy statement, including guidelines for addressing accommodation issues.

**b) RTW Committee:** a committee that meets at least quarterly for consultation between management and workers which, in addition to providing meaningful consultation on the RTW program elements, provides advice on complex RTW issues. This committee is not intended for the day-to-day development or management of RTW plans for individual injured workers.

**c) Evaluation and Communication:** a RTW program evaluation, communication and revision protocol, which is developed and implemented through the RTW committee and is conducted at least annually, or as required.

Information on the Consensus-Based  
Disability Management Audit (CBDMA) can  
be found on the National Institute of Disability  
Management and Research (NIDMAR)  
website at: [www.nidmar.ca](http://www.nidmar.ca)

## Audited Excellence – RTW

In order to qualify for audited excellence, employers must have their Return-To-Work (RTW) Program audited by an external agency recognized by the Yukon Workers' Compensation Health and Safety Board.

Employers are responsible for the costs of the audit which could include the Consensus-Based Disability Management Audit (CBDMA) administered by the National Institute of Disability Management and Research (NIDMAR).

The Yukon Workers Compensation Health and Safety Board has a NIDMAR-certified CBDMA auditor on staff.

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In order to qualify for audited excellence, employers must have their Return-To-Work Program audited

A YWCHSB assessment auditor, as part of their normal assessment auditing plan, will also audit The Basics level of CHOICES participation in all employers they visit. Several CHOICES questions will be added to the assessment audit.

The auditor will confirm:

1. Policies are in place;
2. Injury reporting posters and forms are available;
3. Occupational Health and Safety training is documented by checking a random sample of staff (sample size based on number of workers regularly employed);
4. Name of Health and Safety representative or Occupational Health and Safety Committee members if either is required by the *Occupational Health and Safety Act* for that employer.

Similarly, Occupational Health and Safety Inspectors will also audit The Basics as well as Foundations levels of CHOICES.

Education and Development consultants will audit a sample of employers who qualify for the CHOICES Programs reward level based on recommendations from the CHOICES Co-ordinator.

The Yukon Workers' Compensation Health and Safety Board NIDMAR Auditor will initially audit Return-To-Work (RTW) Audited Excellence qualifiers.

The Northern Safety Network Yukon will provide COR certification on which the Yukon Workers' Compensation Health and Safety Board will review and base decisions.

If, upon audit, an employer is determined not to meet the CHOICES criteria for which they received a rebate or reinvestment reward, the audit information will be turned over to the CHOICES Co-ordinator who will review the audit, arrange for reversal of the reward/rebate through the assessment system, (which will be collected as an assessment owing) and then turn it over to the Investigator to determine if further action is required.

By implementing appropriate Occupational Health and Safety practices, the number and severity of injuries will be reduced. By introducing Return-To-Work (RTW) practices and programs, workers will return to their pre-injury lives earlier and with better recovery outcomes, leading to lower claims duration.

Fewer injuries and better RTW and recovery are the goals. Lower costs are an outcome of these good practices.

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Education and Development consultants will audit a sample of employers

**Yukon Workers' Compensation Health  
and Safety Board**

401 Strickland Street  
Whitehorse, Yukon  
Y1A 5N8

Office Hours: 8:00 a.m. to 5:00 p.m., Monday to Friday

*24-Hour Emergency Lines for Reporting Serious Workplace  
Incidents and Injuries: 867-667-5450*

*General Contact Information:*

Telephone: 867-667-5645  
Toll-Free: 800 -661-0443  
Fax: 867-393-6279  
Email: [worksafe@gov.yk.ca](mailto:worksafe@gov.yk.ca)  
[www.wcb.yk.ca](http://www.wcb.yk.ca)

**Northern Safety Network Yukon**

113A Platinum Road  
Whitehorse, Yukon  
Y1A 5M3

Telephone: 867-633-6690  
Fax: 867-633-6391  
Email: [Melanie@yukonsafety.com](mailto:Melanie@yukonsafety.com)  
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