 <p>Yukon Workers' Compensation Health and Safety Board</p>	Part:	CHOICES		
	Board Approval:	Original signed by Chair	Effective Date:	January 1, 2010
	Number:	CH- 02	Last Revised:	
	Board Order:		Review Date:	

CHOICES - ELIGIBILITY

GENERAL INFORMATION

CHOICES is a voluntary program that recognizes and rewards Yukon employers with financial incentives in recognition of their efforts in the areas of occupational health and safety (OH&S) and return to work (RTW). It is designed as a cafeteria-style program, where differently-sized employers determine their level of participation and type of rewards based on the needs of their individual business.

PURPOSE

This policy provides further information on CHOICES eligibility requirements.

PREVENTION

Preventing workplace injuries is the responsibility of everyone in the workplace. The YWCHSB encourages employers, health care providers, workers and other parties to work co-operatively in the prevention of work-related injuries. When an injury does occur, workers, employers and the YWCHSB must work together to return the worker to safe, suitable and available work as soon as medically possible. CHOICES, as a cultural change program, facilitates this co-operation by providing incentives to develop and participate in OH&S and RTW initiatives. These initiatives will contribute to making Yukon workplaces safe, ultimately leading to lower assessment rates.

POLICY STATEMENT

Section 73 of the *Workers' Compensation Act* S.Y. 2008 (the "Act") allows the Board of Directors to establish a Board of Directors' Order to introduce incentive programs to encourage employers to prevent workplace injuries or develop return to work programs. The development of this policy is pursuant to Board of Directors' Order 2008-01.

CHOICES rewards employers who take steps to improve workplace safety or implement return to work programs.

1. Occupational Health and Safety Requirements

The following table highlights the key OH&S requirements associated with each level:

Level 1: Basics - Components	
OH&S Policy	An OH&S policy must be developed in consultation with workers and 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, staff and contractors for health and safety in the workplace.
Injury/Accident Reporting System	Employers are required to report serious accidents and injuries. Under Basics, employers must be able to demonstrate that they are well-positioned to meet this requirement.
Safe Work Practices	Employers must have safe work practices that guide workers in performing their jobs safely.
Safety Training	Workers must be trained in the work that they do and any other specific training required in the OH&S Act and regulations. Employers must also demonstrate that the training has been completed, typically in the form of training records initialed by staff.
Health and Safety Representatives & Committees	Under sections 12 and 13 of the OH&S Act, an employer must appoint a health and safety representative for the workplace. In addition, employers with a Hazard C rating and with over 20 workers must have a safety committee.

Level 2 - Foundations - Components	
In order to qualify for the Foundations level, employers must meet the Basics level and the following five requirements:	
Supervisor Competency & Training	The employer must ensure that supervisors are familiar with the provisions of the OH&S Act and regulations, and have the requisite knowledge of potential workplace hazards and how to mitigate them.
First Aid Training and Materials	The employer must ensure that the workplace is adequately supplied with first aid supplies, equipment and first aid attendants in accordance with the Minimum First Aid Regulations under the OH&S Act. In addition, first aid attendants must be trained in accordance with the level of training required under the Minimum First Aid Regulations.

Injury/Accident Investigation Procedures	These procedures ensure that all serious workplace incidents are promptly reported and investigated, and that corrective actions are implemented.
Hazard Identification, Evaluation and Control	The employer must implement a system for hazard identification, evaluation and control. This typically includes procedures for recognizing hazards, regular workplace inspections, prompt injury/accident investigations, implementation of a workplace hazardous materials information system (WHMIS) and job safety analyses. This system will outline how hazards are recognized and evaluated, and what actions are needed to mitigate these risks.
Level 3 - Programs	
In order to qualify for the Programs level, employers must meet the requirements of the previous two levels and implement a comprehensive OH&S program. This program must meet all requirements of the <i>OH&S Act</i> for employers with more than 20 workers (for example, program documentation, workplace inspections, OH&S committee, emergency response plan, education and training). Minutes of the Occupational Health and Safety Committee meetings must be forwarded to the YWCHSB every three months.	
Level 4 - Audited Excellence	
In order to qualify for the Audited Excellence level, employers must meet the requirements of the previous three levels and have their OH&S Safety Program audited by an external agency recognized by the YWCHSB. Employers are responsible for the costs of the audit.	

2. Return to Work Requirements

The following table highlights the key OH&S requirements associated with each level:

Basics - Components	
RTW Policy	The employer must have a RTW Policy to demonstrate the employer's commitment to RTW for injured workers. The policy must include references to communicating with the worker during the RTW process, protecting confidential information, a commitment to co-operation, and roles and responsibilities of those involved in the RTW process.
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. Under CHOICES, this system must include the Worker's Report of Injury/Illness, the Employer's Report of Injury/Illness and a Return-To-Work (RTW) Plan Form.

Foundations	
In order to qualify for the Foundations level, employers must meet the requirements of Basics and develop a workplace RTW Planning Protocol. This protocol will outline the steps to be followed from the time of the injury to the completion of the RTW program. It must be supported by appropriate forms (for example, RTW Plan Forms) to ensure injured workers are involved in the development of the RTW plan.	
Programs - Components	
RTW Program Documentation	Policies and procedures which outline the roles, responsibilities and accountabilities of the parties involved in the RTW program (as defined in their RTW policy statement), including guidelines for addressing accommodation issues.
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.
Evaluation and Communication	A RTW program evaluation, communication and revision protocol, which is developed and implemented by the RTW committee and conducted annually.
Audited Excellence	
In order to qualify for Audited Excellence, the employer must meet the criteria of the previous three levels and have their return to work program audited by an external agency recognized by the YWCHSB. Employers are responsible for the costs of the audit.	

APPLICATION

This policy applies to the Board of Directors, President/CEO and staff of the YWCHSB, the Workers’ Compensation Appeal Tribunal, and all workers and employers covered by the *Act*.

EXCEPTIONAL CIRCUMSTANCES

In situations where the individual circumstances of a case are such that the provisions of this policy cannot be applied or to do so would result in an unfair or an unintended result, the YWCHSB will decide the case based on its individual merits and justice in accordance with YWCHSB’s policy “Merits & Justice of the Case”. Such a decision will be considered for that specific case only and will not be precedent setting.

Chair

APPEALS

Decisions made by the YWCHSB under this policy, can be appealed directly in writing to the Board of Directors of the Yukon Workers' Compensation Health and Safety Board in accordance with subsection 85(1) of the *Workers' Compensation Act*.

ACT REFERENCES

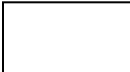
Section 73

POLICY REFERENCES

EN-02, "Merits and Justice of the Case"

HISTORY

New


Chair