



**YUKON WORKERS'
COMPENSATION
HEALTH AND
SAFETY BOARD**

SUBJECT: Definition of a Worker POLICY NO.: GC - 08
BOARD APPROVAL: *K. Klassen*
APPROVAL DATE: 95-01-26
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POLICY STATEMENT

REVOKED

JUL 01 2008

SECTION
REFERENCE: **101(1)**

POLICY: **DEFINITION OF A WORKER**

GENERAL INFORMATION

The Workers' Compensation Act does not define contract of service, contract for service, apprenticeship, casual basis or temporary basis as it applies to a worker. The purpose of this policy is to define these terms.

POLICY

A. DEFINITIONS

(a) CONTRACT OF SERVICE

Contract of service means "contract of service, express or implied" and includes:

- (1) direct evidence of right or exercise of control;
- (2) method of payment;
- (3) the furnishing of equipment; and
- (4) the right to terminate.

"A master servant relationship exists."

(b) CONTRACT FOR SERVICE

The employer is entitled to direct what is to be done, but not to control the manner of doing it.

"A master servant relationship does not exist."

(c) APPRENTICESHIP

Apprenticeship means a person working in a trade under an apprenticeship contract registered under a recognized apprentice training program.

(d) CASUAL BASIS

Casual basis means employment that is irregular, unpredictable, sporadic and brief in nature.

Workers' Compensation Act
Section 101(1)

"worker" means

(a) "a person, who performs services for an employer under a contract of service or apprenticeship, unless the person

(i) is employed on a casual basis, for purposes other than the employer's industry"

(e) TEMPORARY BASIS

Temporary basis means a period of time not to exceed 15 calendar days annually.