

 Yukon Workers' Compensation Health and Safety Board	Part:	General and Corporate		
	Board Approval:	<i>Original Signed by Chair</i>	Effective Date:	July 1, 2008
	Number:	GN-02	Last Revised:	
	Board Order:		Review Date:	

ILLITERACY

GENERAL INFORMATION

The *Workers' Compensation Act* S.Y. 2008 (the "Act") requires written notice for a number of things, including the filing of a claim or an appeal of a decision. The Act recognizes that there are people who are functionally illiterate and this may limit their access to the compensation system.

PURPOSE

This policy is intended to ensure appropriate assistance is provided to everyone in communicating with the Yukon Workers' Compensation Health and Safety Board (YWCHSB). It is not intended to replace the normal requirement to provide written notice under the *Act*.

A person is functionally illiterate when their ability to read, write, do mathematical calculations or orally communicate hinders their ability to meet the requirements of the *Act*.

The YWCHSB may, in these circumstances, accept substitutes for written notification.

POLICY STATEMENT

1. In Lieu of Written Notice

The YWCHSB will accept, in place of written notice:

- a) notice in person;
- b) notice by telephone;
- c) notice by other electronic media; or
- d) oral translation by a third party when an individual's first language is not English.

2. Third Party Notice

The YWCHSB will accept written notice completed by authorized individuals other than the worker, worker's dependent, or employer by:

- a) YWCHSB staff;
- b) the Workers' Advocate; or
- c) a third party, which may include but is not limited to a relative, friend, union representative or agent.

3. Costs

Reasonable costs for services provided or required by the YWCHSB under this policy will be covered by the YWCHSB.

APPLICATION

This policy applies to the Board of Directors, President/CEO, and staff of the YWCHSB, and to all workers, workers' dependents 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 policy, "Merits and Justice of the Case". Such a decision will be considered for that specific case only and will not be precedent setting.

ACT REFERENCE

Section 120

POLICY REFERENCES

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

HISTORY

GC-04, "Illiteracy", effective November 17, 1993, amended April 5, 2005, revoked July 1, 2008.


Chair