



YUKON WORKERS'
COMPENSATION
HEALTH AND
SAFETY BOARD

SUBJECT: POLICY DEVELOPMENT PROCESS POLICY NO.: BD-04

BOARD APPROVAL: Dale Schmekel, Chair

APPROVAL DATE: January 15, 2002

BOARD ORDER NO.: _____

EFFECTIVE DATE: January 15, 2002

REVOKED

APR 26 2005

POLICY STATEMENT

SECTION **19.2(a), 93(a),(h) and (h.1), 97(3), 100(1)(b)**
REFERENCE: ***Workers' Compensation Act***

POLICY: **POLICY DEVELOPMENT PROCESS**

INTRODUCTION

The *Workers' Compensation Act* (the Act) provides for formal public consultation on certain policy items including section 93.(h.1) that states:

"prior to the adoption of any draft policy affecting claims for compensation, cause notice of the draft policy to be published at least once a week for two consecutive weeks, in a newspaper circulated in the Yukon Territory, and the notice shall state

- i. the purpose of the draft policy and a general description of its effect on claims for compensation,
- ii. that a copy of the draft policy is on file in the public register and may be inspected by members of the public during business hours,
- iii. the time during which the members of the board will accept submissions on the draft policy, which shall not be less than 30 days after the last publication of the notice, and

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POLICY DEVELOPMENT PROCESS

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- iv. the procedure to be followed by members of the public who wish to submit representations concerning the draft policy."

This policy is intended to:

- Outline the purpose of policy statements issued by the Board
- Give general guidelines on the process to be followed by the Board in developing policy including some options for public consultation.

OBJECTIVES

Policy is a formal statement of the Workers' Compensation Health and Safety Board on a given issue. Policy statements are intended to meet at least one of the following purposes:

- explain how provisions of legislation will be carried out
- describe the Board's chosen position where the Act provides authority to exercise discretion
- provide direction on issues or programs that directly affect stakeholders.

Board policy statements will aim to reach a number of the following objectives. Policies will:

- be written in plain language.
- simplify legislation and be clear.
- be fair to all employers and workers.
- be easy to administer.
- allow the administration to work quickly, consistently and easily.
- prevent unnecessary delays or unnecessary requirements on workers for documentation.

POLICY

A. ROLES AND RESPONSIBILITIES

The Act states that the Board of Directors establishes the policies of the WCHSB. The Board also determines the policy agenda and priorities and approves all policies before implementation.

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The President oversees the work of the administration of the WCHSB, including policy development and implementation under section 100(1)(b) of the Act.

The Board may set up working groups or sub-committees to provide advice or input into policy issues, options, analysis and recommendations. These groups may also be asked by the Board to offer suggestions on the appropriate method for consultation on individual policies or discussion papers.

B. PUBLIC CONSULTATION

The Act sets the minimum standard of consultation on policies affecting "claims for compensation". The Board is committed to effective public consultation. This will mean a variety of consultations may occur depending on the nature of the policy in question. In some cases, a focused form of consultation with affected stakeholders will be used. In others, a formal consultation in accordance with the standards set out in the Act will be required. For certain policies, consultation would not be an effective tool, and for still others a larger scale form of consultation or engagement would be recommended.

As part of the approval process, the Board will consider consultation strategies for all policies.

All draft policies that affect claims for compensation will be:

- advertised in a newspaper circulated in the Yukon at least once a week for two consecutive weeks stating the purpose of the policy, a description of the policy's effect on claims for compensation and how to submit representations
- filed at the public register
- available for comment and submission for not less than 30 days after the last publication of the newspaper notice.

Other methods of public consultation may also be used, including but not limited to:

- mailings to stakeholders
- public meetings
- open houses
- workshops
- advisory group review
- surveys, polls, questionnaires

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- focus groups
- newsletters, brochures, newspaper inserts.

If the draft policy changes substantially following initial consultation in a manner that will affect claims for compensation, further public consultation will be required.

C. SPECIAL ACCOMMODATION

Every effort will be made to allow all interested persons to participate in any consultation process. Sensitivity will be shown for those who are challenged by literacy, numeracy and language differences.

D. STRUCTURE

A policy may include some or all of the following sections:

- General information
- Objectives
- Principles
- Application
- Definitions
- Roles and responsibilities
- Process
- Implementation
- Evaluation
- References-for information only
- History
- Appendices or case studies
- Other sections, if necessary, relevant to the specific policy.

E. PROCESS

Each page of the policy will be signed by the Chair following Board approval to ensure the approved version is clear.

F. IMPLEMENTATION

The President is responsible for ensuring the implementation of policies approved by the Board of Directors.

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G. AVAILABILITY

All board policies shall be available for review in the public register. They are also published on the Yukon Workers' Compensation Health and Safety Board website.

H. DEFINITIONS

"Compensation" means any amount payable or services provided under the Act in respect of a disabled worker

"Policy affecting claims for compensation" means a policy statement intended as a guideline for use in making discretionary decisions about claims for compensation

REFERENCES

Workers' Compensation Act 1992 (amended)

HISTORY

Policy, BD-04, Development and Application of Board Policy, 93-01-02

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