



Policy Amendment Proposal

EN-05 Compensation for the Loss of Personal Property

This policy amendment proposal relating to compensation for the loss of personal property will reflect the issues consulted on during the engagement for the *Workers' Safety and Compensation Act* (the 'Act') and will align the amendments made in the new legislation.

The new Act comes into force July 1, 2022. The intended effective date of the proposed policy amendments will be July 1, 2022.

The proposed amended Compensation for the Loss of Personal Property policy will reflect minor changes to ensure consistency with the provisions of the Act.

A five-year policy review plan will be developed later in 2022. After July 1, 2022, all amended policies to align with the new Act will be prioritized for a more detailed review.

The purpose of this policy is to provide information on when a worker is entitled to payment for personal property that has been damaged or destroyed in connection with a work-related injury.

Relevant sections of the Act

The following sections of the Act are relevant:

- 98 compensation for loss of personal property

Proposed minor changes to this policy are highlighted in yellow

- changes to section references, language and definitions
- sets out amount for loss or damage of personal property (currently Board Order 2008/22 Loss or damage of personal property)

Board Orders/Regulations

The following board order/regulation will be revoked as content has been incorporated into the policy amendment proposal:

- [2008/22 Loss or damage of personal property](#)

Current policy

[EN-05 Compensation for Loss of Personal Property](#)



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The board of directors is providing this policy amendment proposal to stakeholders seeking their input, comments, questions and suggestions.

Some questions for consideration:

1. Are there any general comments about this policy proposal?
2. Are there any gaps in this policy proposal?
3. Additional comments?

The views of our stakeholders are important to us. All feedback will be considered prior to the board of directors approving any amendments.

Engagement on this policy proposal closes on **April 30, 2022**. Please provide your feedback by:

1. Downloading a [fillable form](#) on our website and sending it as an attachment to Policy.Feedback@wcb.yk.ca
2. Emailing comments directly to Policy.Feedback@wcb.yk.ca
3. Receipt in our building by April 30, 2022, by mail or drop off at
*Yukon Workers' Compensation Health and Safety Board
401 Strickland Street
Whitehorse, Yukon Y1A 5N8*

By the end of May a summary of all feedback on this policy amendment proposal will be published on our website at www.wcb.yk.ca



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Preventing work-related injuries is the most important job in any workplace. The *Workers' Safety and Compensation Act* establishes the responsibilities of all workplace parties to work together to ensure the physical and psychological health and safety of workers. When injuries do occur, workers and employers must continue to work together to facilitate an injured worker's early and safe return to health and work.

Purpose

This policy provides information on when a worker is entitled to payment for personal property that has been damaged or destroyed in connection with a work-related injury

Definitions

board means the Workers' Safety and Compensation Board

personal clothing means the personal clothing, including footwear, owned by a worker and that the workers in a workplace or industry normally wear in the course of employment. It does not include clothing or footwear supplied by the employer

personal property means items owned by a worker and worn or used by the worker, usually on or in the worker's body, for the purpose of protecting the worker from workplace hazards, improving or maintaining the worker's functional abilities or minimizing the risk of further injury. It does not include items such as jewelry, watches or wallets, or items supplied by the employer

worker means a person who performs work or services for an employer under a contract of service or apprenticeship, written or oral, express or implied and as further defined in section 77 of the Act

Policy Statement

1. General

The board may pay to repair or replace a worker's personal property that is damaged in connection with a work-related injury.

2. Amount Of Compensation

Personal property (other than personal clothing)

Personal property includes, but is not limited to:

- a. Protective clothing and footwear



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- b. Adaptive devices
- c. Mobility aids
- d. Hearing aids
- e. Eyewear
- f. Dental aids
- g. Pacemakers

For the damage or destruction of personal property **the board** will pay the lesser of:

- h. the cost of repair to a like condition; or
- i. the cost of replacement to a like quality.

The maximum is the lesser of the cost of repairing or replacing the personal property.

In the case of eyewear, the worker must produce receipts or the damaged eyewear itself to **the board**, in order to verify the original cost of the damaged or destroyed eyewear. In cases where this is not possible, **the board** will pay the worker for the damage or destruction of personal eyewear to a maximum **of \$500.00**.

Personal clothing

For loss of personal clothing, **the board** will pay the lesser of:

- a. the cost of repair to a like condition to a maximum amount **of \$1,500.00**, or
- b. the cost of replacement to a like quality to a maximum amount **of \$1,500.00**.

This maximum applies to all of the worker's personal clothing affected by the work-related injury, rather than to each specific article of clothing affected by the injury.