



YUKON WORKERS'
COMPENSATION
HEALTH AND
SAFETY BOARD

SUBJECT: CLAIMS & BENEFITS POLICY NO.: CL - 29
BOARD APPROVAL: UNDER REVIEW
APPROVAL DATE: _____
BOARD ORDER NO.: _____
EFFECTIVE DATE: January 01, 1993

POLICY STATEMENT

SECTION
REFERENCE:

POLICY:

USE OF FACILITIES AND EQUIPMENT PROVIDED BY THE EMPLOYER - CAPTIVE WORKER

Where a worker is injured in the course of using some facility or equipment supplied or provision made by the employer, the use of such may be part of the employment relationship; and injuries resulting therefrom may be injuries arising out of and in the course of employment.

The use of residential premises by a worker is considered as part of employment where the worker is required to use those premises by the employer, where there is no reasonable alternative accommodation, or their use is encouraged or contemplated by the employer. However, where an employer is simply providing accommodation for the workers as an additional service, and the availability of suitable alternative accommodation gives the worker a reasonable choice between that provided by the employer and that provided by others, the worker's use of the employer's accommodation is not within the scope of employment.

CAPTIVE WORKER

Where a camp is isolated or for other reasons the worker has no reasonable choice about staying in accommodation provided by the employer, injuries resulting from the use of facilities provided by the employer on the camp site will normally be held to have arisen out of and in the course of employment. This applies not only to residential but to recreational facilities, and equipment provided by the employer.

REVOKED

OCT 01 2007

*replaced with
CL-42, effective
Oct 1/07*



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