



YUKON WORKERS'
COMPENSATION
HEALTH AND
SAFETY BOARD

SUBJECT: Claimant and Witness
Travel

POLICY NO.: CL-34

BOARD APPROVAL:

APPROVAL DATE: April 24, 2001

REVOKED

BOARD ORDER NO.:

JUL 01 2008

EFFECTIVE DATE: April 1, 2001

POLICY STATEMENT

SECTION 14, 16, 28, 30, 44, 96

REFERENCE: *Workers' Compensation Act*

POLICY: CLAIMANT AND WITNESS TRAVEL

GENERAL INFORMATION

The Workers' Compensation Health and Safety Board (the "board") occasionally requires claimants to travel to receive medical treatment or rehabilitation services. The board or an appeal tribunal may also require a claimant or a witness to attend an appeal hearing.

When the board or an appeal tribunal requires a person to travel, the board shall pay their approved travel expenses.

Travel expenses may include transportation, accommodation, meals and incidentals.

POLICY

A. DEFINITIONS

Companion

"Companion" means a traveling companion approved by the board.

B. TRANSITIONAL CLAUSE

Entitlement to compensation for travel expenses shall be determined pursuant to predecessor policy in force before January 1, 2000. This policy shall apply to claims for disabilities arising after December 31, 1999.

Travel expense rates apply to all claims regardless of their date of origin.

C. TRAVEL BY CLAIMANTS

The board shall only pay travel expenses for a claimant when the travel is required by the board, including an appeal body of the board¹, or an appeal tribunal.

D. TRAVELING COMPANIONS

The board shall only pay travel expenses for a traveling companion when it is determined a claimant or a witness who is required to travel is either medically or legally unable to travel alone.

E. TRAVEL BY WITNESSES

Witnesses shall only be reimbursed when an appeal body of the board¹ or an appeal tribunal requires the witness' attendance at a hearing.

Before requiring witness travel, an appeal body of the board¹ and an appeal tribunal shall attempt to obtain the necessary information through other means, such as a deposition or a telephone conference call. Paying for a witness to travel to a hearing shall only be considered as a last resort.

F. EXCEPTIONAL COSTS

The board covers the reasonable expenses of traveling when the board, including an appeal body¹, or an appeal tribunal requires a claimant, companion or witness to travel.

¹ An appeal body of the board includes an appeal panel, the Internal Review Committee and a Hearing Officer.

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Reasonable travel expenses are the exceptional travel costs that exceed any regular pre-disability work-related travel costs that would not have been incurred without the requirement to travel.

When deciding whether costs are exceptional or regular, the board shall consider the traveler's regular pre-disability work-related pattern of travel, such as the normal distance traveled, the mode of travel, and whether the travel was conducted alone or not.

G. RATES FOR TRAVEL EXPENSES

Travel expense rates for claimants, companions and witnesses are listed in Appendix A of the Board Travel Policy Statement.

H. TRAVEL STATUS

Claimants are on travel status and under workers' compensation coverage while they are engaged in activities related to the purpose of their travel. This may include transportation, dining, medical or rehabilitation treatment and appeal hearings.

Other activities unrelated to the purpose of their travel, such as side trips or entertainment, may be considered off travel status and not covered by workers' compensation.

Before a claimant travels, the board shall inform them in writing about travel status and workers' compensation coverage.

I. ALTERNATE TRANSPORTATION

The board shall encourage the use of public transportation when it is available and practical.

The board may allow an alternate mode of transportation on a discretionary basis. The decision to allow alternate transportation is based on the overall costs and on whether the mode of transportation would impede the recovery and return of a claimant to the workforce.

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J. ACCOMMODATION

The board shall select the commercial accommodations and rates shall be in accordance with Appendix A of the Board Travel Policy Statement.

K. ALTERNATE OR PRIVATE ACCOMMODATION

The board may allow and pay for alternate or private accommodation if the combined costs for the accommodation, per diem and local transportation do not exceed the costs of staying at the commercial accommodation.

The board shall not pay for alternate or private accommodation when it is preferable for a claimant to stay in a residence attached to a medical or rehabilitation facility.

When the board approves alternate or private accommodation, it shall inform the claimant, companion, or witness, of their entitlement and shall pay them the authorized amount.

REFERENCES (for information only)

Yukon Workers' Compensation Health and Safety Board:

HISTORY

1. Policy, Claimant Travel Policy Statement, effective January 2, 1993.
2. Policy, Claimant and Witness Travel Policy Statement, amended November 16, 1999; effective January 1, 2000.
3. Policy, Claimant and Witness Travel Policy Statement, Appendix A and B amended July 25, 2000; effective April 1, 2000.
4. Policy, Claimant and Witness Travel Policy Statement, amended April 24, 2001; effective April 1, 2001

Board Approval	
	
Signature	Date