



Policy Amendment Proposal IN-02 Policy Development Process

This policy amendment proposal relating to the development process of policies 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 Policy Development Process 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 the principles and process for the development of policies and consultation.

Relevant sections of the Act

The following sections of the Act are relevant:

- 12 responsibilities of board of directors
- 13 president and employees

Proposed minor changes to this policy are highlighted in yellow

- changes to section references, language and definitions

Board Orders/Regulations

N/A

Current policy

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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 **March 31, 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 March 31, 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 April 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 the principles and process for the development of policies and consultation.

Definitions

administrative policy means those policies which provide guidance on the internal structure, management and processes of the board and which do not directly impact stakeholders. Examples include policies on budgeting, travel and contracting.

board means the Workers' Safety and Compensation Board

Policy Statement

1. General

The Act provides that the board of directors is responsible for the establishment of policies for the interpretation, application and administration of the Act and the regulations.

The Act provides that the board of directors may consult on its policies with employer and employer organizations, and with workers and worker organizations, in such manner as the board of directors considers necessary.

Policies will be developed according to the following principles:

- Policies will be consistent with the Act and provide clear direction to workers, employers, the board and all others who use the policies;
- Policies will be in plain language and easily accessible to stakeholders, the board and the public, including to individuals with literacy and mobility challenges;
- Policies that directly impact employers, workers and dependants of deceased workers may be developed in consultation with stakeholders; and
- Policies will be fair, practical and effective and can be applied with timeliness, transparency and consistency.



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2. Process of policy development

The **board** develops its policies by identifying issues and priorities (often in consultation with stakeholders); researching options; evaluating options for practical, legal, and financial implications; consulting stakeholders (if directly impacted by the policy) and other affected parties to determine their needs and perspectives; drafting policies for approval by the board of directors and, once obtaining approval, implementing the policies, and communicating the policies and making them available to stakeholders, affected parties and the public. After implementation, the **board** reviews and evaluates its policies.

3. Consultation

During the development or amendment of any policy that directly impacts stakeholders, and before the policy is approved by the board of directors, the **board may** consult with stakeholders to determine their needs, concerns, and perspectives with respect to the policy. This includes, but is not limited to, policies in the areas of claims for compensation, **reconsiderations**, assessments and return to work.

The goals of the consultation are to ensure stakeholders:

- know, adequately in advance, that the **board** is developing a new policy or amending an existing policy, and of the potential impacts on stakeholders;
- have adequate time to become aware of the background and issues related to the proposed policy;
- have ample time and opportunity to contribute meaningful feedback and input on the proposed policy, including sufficient time to gather feedback and input from the people or organizations they represent;
- have the opportunity to come together and participate in the consultation as part of a consensus-based approach;
- are informed of the potential practical, legal, and financial constraints that may prevent the **board** from implementing some stakeholder recommendations on proposed policies;
- are included as partners in the development of policies affecting stakeholders;
- play a key role in ensuring policies are understood, supported and complied with by stakeholders;
- can assist the **board** in developing policies that are fair, clear and useable; and
- can participate in the consultation if they have literacy or mobility challenges.



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Based on these principles, and the needs, priorities and requirements concerning the policy in question, the **board** and board of directors will determine an appropriate consultation process.

4. Administrative Policies

For an amendment to or development of an administrative policy, the **board** may consult with **board** staff and with other parties directly affected by the policy. The consultation will generally not involve stakeholders unless stakeholders are directly affected.

5. Implementation and Communication

The **board** will ensure its staff is trained to implement a new or amended policy by the date the policy takes effect.

The **board** will make a new or amended policy available to stakeholders as soon as possible, once the policy has been approved by the board of directors. The **board** will also make the policy available to the public through its website, and by using any other communication methods to ensure those affected by the policy know about it in a timely fashion.

6. Review and Evaluation

The board of directors will establish an annual policy review process during which it will set policy priorities based on input from stakeholders or based on emerging issues that arise through the courts, the Appeal Tribunal, **Legislative Assembly**, the public or other bodies, authorities or organizations.

New policies will be reviewed within one year of their effective date, if identified during their development process that such a review will be necessary.