



YUKON WORKERS'
COMPENSATION
HEALTH AND
SAFETY BOARD

SUBJECT: CLAIMS & BENEFITS POLICY NO.: CL - 04
BOARD APPROVAL: UNDER REVIEW
APPROVAL DATE: _____
BOARD ORDER NO.: _____
EFFECTIVE DATE: January 01, 1993

REVOKED
DEC 16 2005

POLICY STATEMENT

SECTION
REFERENCE:

POLICY:

CLAIMS INVOLVING ALCOHOL OR DRUGS

The following question is to be resolved in claims involving drunkenness or intoxication. (Liquor or Drugs).

"Was the accident due solely to the intoxicated condition of the worker or was it due to carelessness consequent to the intoxicated condition?"

In the former instance it is not any risk of the employment which brings about the accident, in the latter instance the worker is incurring the risk of employment but is less able to avoid them or their consequences than would have been if the worker had been sober.

It is considered that unless the accident can be shown to be due solely to the drunkenness or intoxication of the worker the claim, if otherwise qualified, is acceptable.