



Yukon Workers' Compensation Health and Safety Board

<b>Part:</b>	<b>General and Corporate</b>		
<b>Board Approval:</b>	<i>[Signature]</i>	<b>Effective Date:</b>	<b>July 1, 2013</b>
<b>Number:</b>	<b>GN-01</b>	<b>Last Revised:</b>	
<b>Board Order:</b>		<b>Review Date:</b>	

**REVOKED**

**INFORMATION ACCESS AND PRIVACY**

**JUL 01 2016** *[Signature]*

*Replaced with GN-01  
Effective July 1, 2016*

**GENERAL INFORMATION**

The Yukon Workers' Compensation Health and Safety Board (YWCHSB) collects personal information in the administration of its governing legislation: the *Workers' Compensation Act (the Act)* and the *Occupational Health and Safety Act (OHSA)*. YWCHSB is committed to and responsible for the protection of that personal information and is subject to the *Access to Information and Protection of Privacy Act (ATIPP)*.

*ATIPP* gives individuals the right to protection of their personal information and the right to request access to it. *ATIPP* also gives the public the right to access general records on activities of YWCHSB.

**PURPOSE**

This policy provides YWCHSB's guiding principles for controls and procedures on the collection, use and disclosure of personal information.

**DEFINITION**

**1. Personal information: Defined in section 3 of ATIPP including:**

- "recorded information about an identifiable individual, including:
- a) the individual's name, address, or telephone number;
  - b) the individual's race, national or ethnic origin, colour, or religious or political beliefs or associations;
  - c) the individual's age, sex, sexual orientation, marital status, or family status;
  - d) an identifying number, symbol, or other particular assigned to the individual;
  - e) the individual's fingerprints, blood type, or inheritable characteristics;
  - f) information about the individual's health care history, including a physical or mental disability;
  - g) information about the individual's educational, financial, criminal, or employment history;
  - h) anyone else's opinions about the individual; and
  - i) the individual's personal views or opinions, except if they are about someone else."

## PREVENTION

Preventing workplace injuries is the responsibility of everyone in the workplace. YWCHSB collects, uses and discloses personal information for processes ultimately aimed at preventing disability.

## POLICY STATEMENT

### 1. General

YWCHSB is bound by *ATIPP*, the *Act* and *OHS*A in the protection and management of personal information it collects, uses or discloses in the administration of the *Act* and *OHS*A.

### 2. Privacy Principles for the Protection of Personal Information

This policy is based on *ATIPP* and the Canadian Standards Association's Model Code for the Protection of Personal Information.

a) Accountability

The Board of Directors, President/CEO and staff of YWCHSB are accountable to protect the privacy of those individuals whose personal information is collected, used or disclosed.

Persons who enter into contracts to perform services for YWCHSB are bound by the provisions of *ATIPP*.

b) Identifying Purpose of Collection

YWCHSB collects only that personal information necessary to administer and interpret its governing legislation. YWCHSB states the reason at the time of collection.

YWCHSB collects personal information, in a responsible and accountable manner, to:

- promote and enforce health and safety in the workplace;
- prevent and reduce workplace injuries;
- help injured workers return to work;
- assist with accommodation and recovery of injured workers; and
- provide compensation and other benefits to injured workers and dependents of deceased workers.

c) Consent

YWCHSB obtains consent, when required to do so by legislation, to collect, use or disclose personal information.

d) Limiting Collection

YWCHSB limits the collection of personal information to that necessary to administer and interpret its governing legislation.

  
Chair

e) Limiting Use and Disclosure

YWCHSB uses or discloses personal information only for the purpose for which it was collected, or for a consistent purpose, as defined by section 37 of *ATIPP*.

For example, when YWCHSB collects information about a worker's functional abilities, it discloses to the employer only that information required to support the worker's return to work.

As another example, when YWCHSB discloses personal information about a worker to an employer, it discloses only that personal information relevant to the claim.

Section 117 of the *Act* authorizes YWCHSB to disclose information to other governments and workers' compensation boards but YWCHSB must advise the affected workers or employers when it does so.

f) Accuracy

YWCHSB will make reasonable efforts to ensure the accuracy of personal information collected, used or disclosed.

g) Safeguards

YWCHSB shall make reasonable security arrangements to protect against loss, theft, unauthorized access, disclosure, use or modification of personal information.

YWCHSB will determine when it is appropriate to verify personal information through identification measures. YWCHSB will retain, transfer and dispose of personal information in a secure manner.

YWCHSB will ensure YWCHSB staff, injured workers, employers, and other stakeholders are aware of the legislation, this policy and procedures that provide the foundation for protecting personal information.

h) Openness

YWCHSB provides public access to information about its policies and practices on the management of personal information. YWCHSB maintains statements on privacy and on the terms of use for electronic communications. These statements are accessible to the public through YWCHSB's website.

i) Individual Access

As provided by *ATIPP* and the *Act*, individuals may request access to their personal information at any time to review the contents and accuracy. Individuals may request amendments to their personal information as appropriate. Under *ATIPP*, an individual has the right to request access to government records and to their own personal information.



j) Challenging Compliance

YWCHSB responds to all questions and concerns regarding the collection, use or disclosure of personal information.

## ROLES AND RESPONSIBILITIES

The President/CEO shall perform risk assessments and implement procedures and controls to protect the personal and confidential information held by YWCHSB. The President/CEO shall appoint a Privacy Officer in accordance with *ATIPP*.

YWCHSB will ensure its staff is aware of and implementing this policy and related procedures. Managers and supervisors are responsible for making sure their staff are appropriately trained.

## APPLICATION

This policy applies to the Board of Directors, President/CEO and staff of YWCHSB, and to all workers and employers covered by the *Act*.

## APPEALS

Individuals dissatisfied with decisions YWCHSB has made regarding their personal information may appeal to the President/CEO of YWCHSB. They may also request reviews by the Information and Privacy Commissioner as provided by section 48 of *ATIPP*.

## ACT REFERENCES

*Workers' Compensation Act*, S.Y. 2008, section 117

*Occupational Health and Safety Act*, R.S.Y. 2002

*Access to Information and Protection of Privacy Act*, R.S.Y 2002

## ADDITIONAL REFERENCES

Canadian Standards Association – Model Code for the Protection of Personal Information, March 1996

## HISTORY

GN-01, "Release of Information," effective July 1, 2008, revoked January 19, 2010  
(replaced by *ATIPP*)

GC-13, "Release of Information," effective April 26, 2005, revoked July 1, 2008

GC-13, "Access to Information," effective February 17, 2004, amended April 26, 2005

