



YUKON WORKERS'
COMPENSATION
HEALTH AND
SAFETY BOARD

SUBJECT: ROLE OF CLIENT ADVISOR POLICY NO.: GC - 02

BOARD APPROVAL: _____

APPROVAL DATE: Oct 25-95

BOARD ORDER NO.: _____

EFFECTIVE DATE: Oct 25-95

POLICY STATEMENT

SECTION
REFERENCE:

1

Revised
Dec 18, 1996

POLICY:

ROLE OF THE CLIENT ADVISOR

GENERAL INFORMATION

During public consultation to develop the **Workers' Compensation Act (1992)**, stakeholders felt that a position of Workers' Advisor should be established internal to the Workers' Compensation Health and Safety Board. The purpose of the position was to "*help WCB clients find their way through the system should they encounter difficulties. The position is not specified in the Act but it flows from its' intent to increase workers' access to the system.*" (Minister Responsible for Workers' Compensation, Hansard, April 27, 1992).

The position of Workers' Advisor was created in 1992 with an evaluation to be completed after two years of operation. During the evaluation concerns regarding access and understanding of the "system" for both workers and employers became evident. As a result the role was defined to include, facilitation of access to the Workers' Compensation system, increasing awareness/education, resolution of conflicts between the board and clients, advising clients of possible courses of action internal and external to the system, coordination of the Appeal process and representation of clients during an Appeal if the client so wished.

The position of Client Advisor does not remove any rights of the worker or employer to appeal decisions of the board. The position is intended to be utilized by all parties to resolve conflict situations before they escalate to the point at which a party elects to appeal.

POLICY

A. Position Objectives

The position objectives match those of the Yukon Workers' Compensation Health and Safety Board, however, situations may arise where the position must advise a client on a course, or courses of action which may not support a decision of the board. The objects of the **Act** are to provide for an open and fair system of guaranteed, adequate compensation, fair assessments, and an appeal system that is simple, fair and accessible with minimal delays. Given these objectives, the position is not in a conflict of interest position in relation to the board.

B. Establishment of the Client Advisor

The position of Client Advisor is established as an adjunct to the office of the President of Yukon Workers' Compensation Health and Safety Board. This relationship establishes a level of internal independence for the position while reinforcing the intent that all branches of the Yukon Workers' Compensation Health and Safety Board will actively participate in the achievement of board objectives.

C. Role

The role of the Client Advisor is to:

- (a) provide appropriate service to and on behalf of worker and employer clients,
- (b) inform unionized and non-unionized workers, employers and the public at large of board services,
- (c) assist worker and employer organizations in informing workers and employers about the basic operational characteristics and functions of the board,
- (d) intervene in processes, when requested by any involved party, for the purpose of resolving actual or perceived conflicts,

- (e) inform both employers and workers of their rights of appeal regarding decisions of the board and the process by which they may appeal decisions such as assessments, compensation awards or penalties,
- (f) coordinate the appeal process, including scheduling of reviews, hearings and appeals, notification to parties and monitoring adherence to time standards established for the processing of reviews, hearings and appeals,
- (g) keep all parties fully informed on the status of their appeal, and
- (h) provide assistance to a client for effective presentation of information during the appeal process.

D. Confidentiality and Disclosure

Matters disclosed by a worker or an employer to the Client Advisor, which have no bearing on issues before the board, are to be held in confidence.

In the event that a worker or employer discloses information which may indicate an activity is fraudulent or in contravention of the **Workers' Compensation Act**, the worker or employer is to be advised that the Client Advisor must disclose the information.

REFERENCES

Workers' Compensation Health and Safety Board:
Appeals Policy Statement
Fraud Policy Statement