

 Yukon Workers' Compensation Health and Safety Board	<b>Part:</b>	<b>General and Corporate</b>	
	<b>Board Approval:</b>	<i>Original Signed by Chair</i>	<b>Effective Date:</b> <b>July 1, 2008</b>
	<b>Number:</b>	<b>GN-05</b>	<b>Last Revised:</b>
	<b>Board Order:</b>		<b>Review Date:</b>

## FRAUD

### GENERAL INFORMATION

The *Workers' Compensation Act* S.Y. 2008 (the "Act") states that it is an offense to knowingly provide false or misleading information to the Yukon Workers' Compensation Health and Safety Board (YWCHSB).

### DEFINITION

**Fraud:** knowingly misrepresenting information through deceit, falsehood or other deceptive means with the intent to defraud.

### POLICY STATEMENT

The YWCHSB does not condone or tolerate fraud.

The YWCHSB shall investigate all cases of suspected fraud, as per YWCHSB policy, "Investigations".

Recovery of overpaid compensation, under-assessments and/or wrongful billing shall be in addition to any fine or imprisonment levied.

### APPLICATION

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

### EXCEPTIONAL CIRCUMSTANCES

In situations where the individual circumstances of a case are such that the provisions of this policy cannot be applied or to do so would result in an unfair or an unintended result, the YWCHSB will decide the case based on its individual merits and justice in accordance with YWCHSB policy, "Merits & Justice of the Case". Such a decision will be considered for that specific case only and will not be precedent setting.

## **APPEALS**

Decisions made by the YWCHSB under this policy can be appealed directly in writing to the hearing officer of the YWCHSB in accordance with subsection 53(1) of the *Act*. Notice of the appeal must be filed within 24 months of the date of the decision by the YWCHSB, in accordance with section 52 of the *Act*.

## **ACT REFERENCES**

Sections 52, 53 and 111

## **POLICY REFERENCES**

EN-02, "Merits and Justice of the Case"  
GN-04, "Investigations"

## **HISTORY**

GC-06, "Fraud", effective December 13, 1994, revoked July 1, 2008.

