 Yukon Workers' Compensation Health and Safety Board	Part:	CHOICES		
	Board Approval:		Effective Date:	January 1, 2010
	Number:	CH-01	Last Revised:	
	Board Order:		Review Date:	

**REVOKED**

OCT 25 2011

*replaced by  
CHSA effective  
Jan 1/11*

**CHOICES - OVERVIEW**

**GENERAL INFORMATION**

CHOICES is a voluntary program that rewards Yukon employers with financial incentives in recognition of their efforts in the areas of occupational health and safety (OH&S) and return to work (RTW). CHOICES refers to:

Choose

Healthy Workplaces

Ownership of Prevention & Return to Work

Injury Management

Consensus-Based Programs

Employers of Choice

Safety as Job 1

It is designed as a cafeteria-style program, where differently-sized employers determine their level of participation and associated rewards based on their individual business needs.

There is no individual claims experience component in CHOICES, which means that rewards are not based on an employer's claims record.

**PURPOSE**

This policy summarizes the objectives of CHOICES and provides an overview of its components. There are two companion policies, which provide additional detail: policy CH-02, "CHOICES - Eligibility" and policy CH-03, "CHOICES - Rewards".

## DEFINITIONS

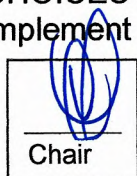
1. **Cash Rebates:** Refers to a percentage reduction of an employer's current or next year's assessments based on their CHOICES' performance. This reduction is in the form of a credit towards the employer's assessment account.
2. **Reinvestment Rewards:** Refers to a percentage reduction of an employer's current or next year's assessments based on their purchase of items that help to control hazards in the workplace such as safety training, personal protective equipment, ergonomic equipment, YWCHSB consulting time and safety audit costs. This percentage reduction can be used to 'reinvest' in additional safety and return-to-work initiatives. This reduction is in the form of a credit towards the employer's assessment account.
3. **Hazard A Employer:** As referenced in the First Aid Regulations to the *Occupational Health & Safety Act*, a Hazard A Employer is one who is engaged in high-risk activities, such as construction or mining.
4. **Hazard B Employer:** As referenced in the First Aid Regulations to the *Occupational Health & Safety Act*, a Hazard B Employer is one who is engaged in medium-risk activities, such as expediting or trucking.
5. **Hazard C Employer:** As referenced in the First Aid Regulations to the *Occupational Health & Safety Act*, a Hazard C Employer is one who is engaged in low-risk activities, such as retail operations.

## PREVENTION

Preventing workplace injuries is the responsibility of everyone in the workplace. The YWCHSB encourages employers, health care providers, workers and other parties to work co-operatively in the prevention of work-related injuries. When an injury does occur, workers, employers and the YWCHSB must work together to return the worker to safe, suitable and available work as soon as functionally possible. CHOICES, as a cultural change program, facilitates this co-operation by providing incentives to develop and participate in OH&S and RTW initiatives. These initiatives will contribute to making Yukon workplaces safe, ultimately leading to lower assessment rates.

## POLICY STATEMENT

Section 73 of the *Workers' Compensation Act* S.Y. 2008 (the "Act") allows the Board of Directors to establish a Board of Directors' Order to introduce incentive programs to encourage employers to prevent workplace injuries or develop return to work programs. The development of this policy is pursuant to Board of Directors' Order 2008-01. CHOICES rewards employers who take steps to improve workplace safety or implement return to work programs.



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**1. Eligibility for CHOICES**

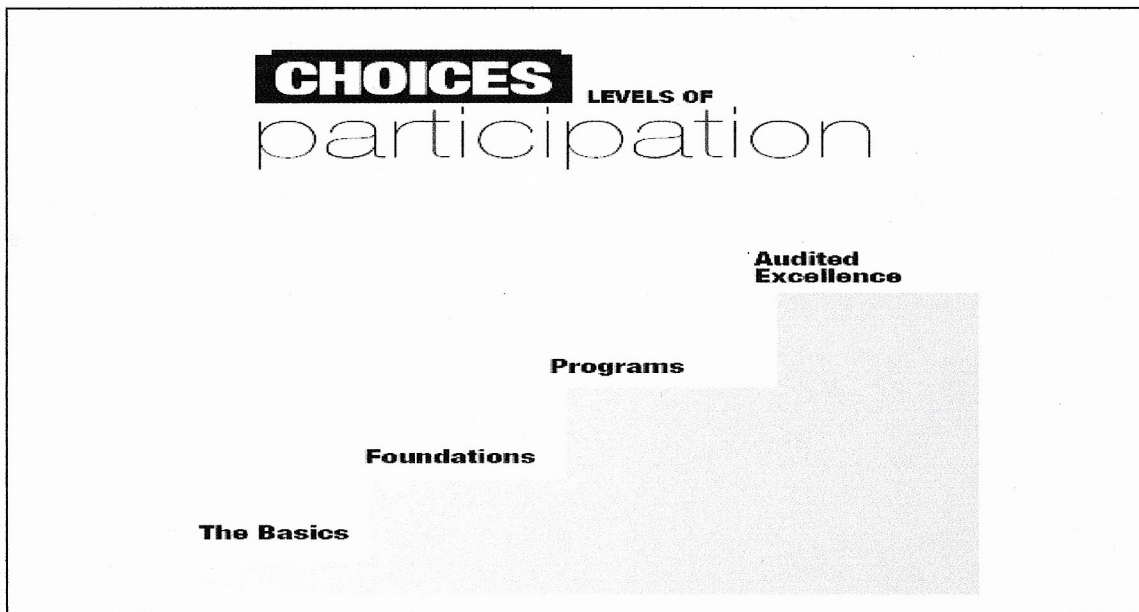
In order to be eligible to participate in CHOICES, an employer must:

- a) be registered as an employer with the YWCHSB;
- b) pay employer assessments to the YWCHSB (other than assessments paid for Optional Coverage for sole proprietors or independent contractors who have no other workers); and
- c) have paid employer assessments in the immediately preceding year.

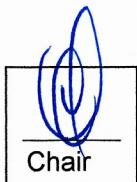
Employers with multiple classifications need only apply on one account. Employers with more than one business will need to apply on each account and meet the CHOICES eligibility criteria in each business.

**2. Levels of Participation**

There are four levels of participation in CHOICES. These levels are identical for both the OH&S and RTW components. An employer is not required to participate at the same level in the OH&S area as the RTW level, although they must qualify in both areas in order to be eligible for rewards.



Each level builds upon the previous level, with more comprehensive requirements needed to achieve that level; reward amounts increase with each level as well.



**i. The Basics**

The Basics level is available to all employers with less than 20 staff, or any employer with a Hazard Level C (low risk) rating. The requirements for both OH&S and RTW are set out in Policy CH-02, "CHOICES - Eligibility".

**ii. Foundations**

The Foundations level is available to all employers with 20 or less staff, or any employer with a Hazard Level C (low risk) rating. It is also available to any employers regulated under the Canadian Labour Code, Part II.

The requirements for both OH&S and RTW are set out in Policy CH-02, "CHOICES - Eligibility".

**iii. Programs**

The Programs level is available to all employers. The requirements for both OH&S and RTW are set out in Policy CH-02, "CHOICES - Eligibility".


**iv. Audited Excellence**

The Audited Excellence level is available to all employers. The requirements for both OH&S and RTW are set out in Policy CH-02, "CHOICES - Eligibility".

**3. Application and Enrollment Process**

An application form is sent automatically to all CHOICES-eligible employers at the beginning of each year. Employers not previously registered with the program must submit their application form by the registration deadline. Employers who have participated in the program in the previous year will automatically be re-enrolled at the same level. However, if they wish to move to a higher level in either the OH&S or RTW areas, a new application form, along with the required documentation, must be submitted by the registration deadline.

A second application will be mailed out in July to those employers who have progressed to the next level in CHOICES within the first six months of the year, who applied for reinvestment rewards in the January application process, and have submitted receipts to YWCHSB for eligible items or expenditures incurred by the end of June. These employers will be required to sign a waiver indicating that their reporting of completing a level during the first six months of a year may be subject to audit.

  
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#### 4. Rewards

Employers are eligible to receive **cash incentive rewards** once per year or **reinvestment rewards** up to twice per year to reimburse employers for expenditures made for eligible items or services that promote and support the employer's OH&S or RTW programs.

Rewards are calculated based on actual assessable payroll of the employer from the previous year. Employers must submit their applications within the time deadlines set by the YWCHSB in order to be eligible for rewards.

If an employer qualifies at the same CHOICES level for two consecutive years, the rewards available are cut in half. This feature is designed to encourage employers to improve while providing a smaller incentive for maintaining efforts. This provision does not apply to Audited Excellence employers, who will receive the full rebate each year that they maintain their Audited Excellence status.

Please refer to Policy CH-03, "CHOICES - Rewards" for more information.

#### 5. Verifying CHOICES

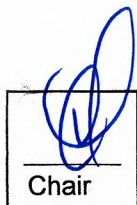
For each CHOICES level, employers must submit documents (as determined by the YWCHSB) confirming compliance (for example, an employer in Basics must provide a signed OH&S or RTW policy).

Further, YWCHSB will audit employers on a regular basis to ensure compliance with the terms of the CHOICES program. If it is determined that an employer has not met the CHOICES criteria at the level for which they have received benefits for, they will be given a reasonable period of time to correct any deficiency. If they do not take corrective action within the timeframe provided, the reward or rebate will be reversed and subsequently collected as an assessment owing to the YWCHSB. The YWCHSB investigator may also be asked to determine if further action is required.

### ROLES AND RESPONSIBILITIES

#### YWCHSB

The YWCHSB is responsible for administering CHOICES, including mailing out applications, assisting with enrollment, providing support to employers regarding program requirements, determining eligibility, calculating rewards, and verifying compliance with program requirements through diligent auditing processes.



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## Employers

Employers are responsible for paying assessments as required and maintaining good standing with the YWCHSB. Employers are responsible for ensuring compliance with applicable Federal and Yukon legislative/regulatory requirements for OH&S and RTW. Employers are responsible for applying to CHOICES and co-operating with YWCHSB in the administration of the program (such as maintaining full compliance with CHOICES requirements).

## APPLICATION

This policy applies to the Board of Directors, President/CEO and staff of the YWCHSB, the Workers' Compensation Appeal Tribunal, and all workers and employers 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 Policy EN-02, "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 YWCHSB Board of Directors in accordance with subsection 85(1) of the *Workers' Compensation Act*.

## ACT REFERENCES

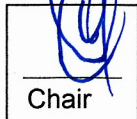
Section 73

## POLICY REFERENCES

EN-02, "Merits and Justice of the Case"

## HISTORY

New

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