
 Yukon Workers' Compensation Health and Safety Board	Part:			Entitlement
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**INJURED WORKER AND WITNESS TRAVEL**

**REVOKED**

**JAN 01 2013**

**GENERAL INFORMATION**

The Yukon Workers' Compensation Health and Safety Board (YWCHSB) occasionally requires injured workers to travel to receive health care or rehabilitation services. The YWCHSB or the Workers' Compensation Appeal Tribunal (Tribunal) may also require an injured worker or a witness to attend an appeal hearing.

When the YWCHSB or the Tribunal requires a person to travel, the YWCHSB shall pay their approved travel expenses.

Travel expenses may include transportation, accommodation, meals and incidentals.

**PURPOSE**

This policy provides direction to the YWCHSB on the payment of travel expenses for injured workers and witnesses.

**DEFINITION**

**1. Companion:** means a traveling companion approved by the YWCHSB.

**PREVENTION**

Preventing workplace injuries is the responsibility of everyone in the workplace. When injuries do occur and an injured worker is required to travel to receive health care or rehabilitation services, it is important that travel be done safely so as to avoid worsening the injury or incurring a subsequent condition or disorder.

## **POLICY STATEMENT**

### **1. Transitional Clause**

Entitlement to compensation for travel expenses shall be determined pursuant to predecessor policy in force before January 1, 2000. This policy shall apply to claims for injuries arising after December 31, 1999.

Travel expense rates apply to all claims regardless of their date of origin.

### **2. Travel by Claimants**

The YWCHSB shall only pay travel expenses for an injured worker when the travel is required by the YWCHSB, including an appeal body of the YWCHSB<sup>1</sup> or the Tribunal.

### **3. Traveling Companions**

The YWCHSB shall only pay travel expenses for a traveling companion when it is determined an injured worker or a witness who is required to travel is either medically or legally unable to travel alone.

### **4. Travel by Witnesses**

Witnesses shall only be reimbursed when an appeal body of the YWCHSB or the Tribunal requires the witness's attendance at a hearing.

Before requiring witness travel, the hearing officer or the Tribunal shall attempt to obtain the necessary information through other means, such as a deposition or a telephone conference call. Paying for a witness to travel to a hearing shall only be considered as a last resort.

### **5. Exceptional Costs**


The YWCHSB covers the reasonable expenses of traveling when the YWCHSB, including the hearing officer or the Tribunal, requires an injured worker, companion or witness to travel.

Reasonable travel expenses are the exceptional travel costs that exceed any regular pre-injury work-related travel costs that would not have been incurred without the requirement to travel.

When deciding whether costs are exceptional or regular, the YWCHSB shall consider the traveler's regular pre-injury work-related pattern of travel, such as the normal distance traveled, the mode of travel, and whether the travel was conducted alone or not.

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<sup>1</sup> An appeal body of the YWCHSB includes an appeal panel of the Board or a hearing officer.

  
Chair

## **6. Rates for Travel Expenses**

Travel expense rates for injured workers, companions and witnesses are listed in Appendix A of the YWCHSB policy, "Travel".

## **7. Travel Status**

Injured workers are on travel status and under workers' compensation coverage while they are engaged in activities related to the purpose of their travel. This may include transportation, dining, attending medical or rehabilitation treatment and attending appeal hearings.

Other activities unrelated to the purpose of their travel, such as side trips or entertainment, may be considered off travel status and not covered by workers' compensation.

Before an injured worker travels, the YWCHSB shall inform them in writing about travel status and workers' compensation coverage.

## **8. Alternate Transportation**

The YWCHSB shall encourage the use of public transportation when it is available and practical.

The YWCHSB may allow an alternate mode of transportation on a discretionary basis. The decision to allow alternate transportation is based on the overall costs and on whether the mode of transportation would impede the recovery and return of an injured worker to the workforce.

## **9. Accommodation**

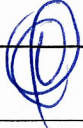
The YWCHSB shall select the commercial accommodations and rates shall be in accordance with Appendix A of the YWCHSB policy, "Travel".

## **10. Alternate or Private Accommodation**

The YWCHSB may allow and pay for alternate or private accommodation if the combined costs for the accommodation, per diem and local transportation do not exceed the costs of staying at the commercial accommodation.

The YWCHSB shall not pay for alternate or private accommodation when it is preferable for an injured worker to stay in a residence attached to a medical or rehabilitation facility.

When the YWCHSB approves alternate or private accommodation, it shall inform the injured worker, companion, or witness, of their entitlement and shall pay them the authorized amount.

  
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## **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 11, 13, 39, 52, 53 and 57

## **POLICY REFERENCES**

BD-02, "Travel"

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

## **HISTORY**

CL-34, "Claimant and Witness Travel", effective January 1, 2000, revoked April 1, 2001.

CL-34, "Claimant Travel," effective January 2, 1993, revoked July 1, 2008.

