



YUKON WORKERS'  
COMPENSATION  
HEALTH AND  
SAFETY BOARD

SUBJECT: BILL 83 TRANSITION POLICY

POLICY NO. GC-02

BOARD APPROVAL: Dale Schmekel

APPROVAL DATE: October 1, 2002

BOARD ORDER NO.:

January 1, 2000 or

EFFECTIVE DATE: April 1, 2000

**REVOKED**

APR 26 2005

## POLICY STATEMENT

### SECTION

REFERENCE: *Workers' Compensation Act, 1992*

POLICY: **BILL 83 TRANSITION POLICY**

### INTRODUCTION

In 1999, Bill 83 amended the *Workers' Compensation Act* (the *Act*), effective January 1, 2000, and April 1, 2000, depending on the section. As a result of these changes to the *Act*, a number of wording changes were required to the policies of the Workers' Compensation Health and Safety Board (WCHSB) in order to be consistent with the legislation.

WCHSB policies are continually being up-dated according to priorities set by the Board of Directors. As policies are up-dated, they will be written to reflect the wording of the current legislation.

This interim transition policy is intended to ensure that those policies yet to be up-dated use wording that is consistent with the wording of the 1992 *Workers' Compensation Act*, as amended in 1999.

### POLICY

#### **A. GENERAL APPLICATION**

The effective dates of this policy coincide with the coming into force of those sections of the *Workers' Compensation Act* outlined by Order-In-Council 1999/219, being either January 1, 2000 or April 1, 2000.

<b>Board Approval</b>	
	October 2, 2002
Signature	Date

**B. THE ACT GOVERNS**

Where any conflict exists between the *Workers' Compensation Act* and a policy of the WCHSB, the *Act* will prevail.

**C. TRANSITIONAL**

To be entirely consistent with the *Act*, at a minimum, in all policies of the WCHSB, the following will read:

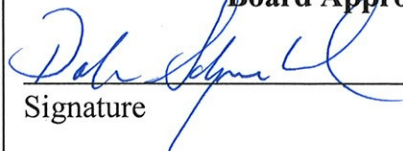
- (a) in all instances, "Internal Review Committee" will be replaced with "Hearing Officer";
- (b) where relevant, a reference to the right of appeal to the WCHSB will be read as "...to an appeal panel of the Workers' Compensation Health and Safety Board or to the Workers' Compensation Appeal Tribunal, in accordance with the *Act*";
- (c) "appeal panel" will be replaced with "Workers' Compensation Appeal Tribunal" or "appeal committee" as appropriate, except where referring to appeals of assessment premiums, occupational health and safety matters, or a right of action determination;
- (d) in Policy CL-38, Medical Examination or Evaluation,
  - (i) under "General Information", the words "or independent medical examination" are revoked;
  - (ii) under paragraph "B", the words "or the Appeal Panel of the Board" are revoked; and
  - (iii) paragraph "C" is replaced with the wording of section 16(1) of the *Workers' Compensation Act*, and titled "Only an Appeal Committee of the Appeal Tribunal May Call for an Independent Medical Examination"; and
- (e) in paragraph "D" of Policy CL-43, Recovery of Overpaid Compensation, the word "will" is replaced with the word "may".

<b>Board Approval</b>	
	October 2, 2002
Signature	Date

**REFERENCES**

Yukon Workers' Compensation Health and Safety Board:  
Policies in effect on January 1, 2000 and April 1, 2000  
Bill 83, *An Act to Amend the Workers' Compensation Act*

**Board Approval**

  
Signature

October 2, 2002  
Date