

September 5, 2001

Yukon Workers' Compensation Health and Safety Board of Directors Rescinds Policy CL-35 Application Document

The Board of Directors of the Yukon Workers' Compensation Health and Safety Board (YWCHSB) announced today that it has rescinded *CL-35, Average Weekly Earnings Policy Statement Application*.

In a meeting on August 30, the Board of Directors agreed to rescind the application document from the period of February 12, 1997 to December 31, 1999, which is the period of time that the application document had been in effect.

The application document provided board staff with guidelines on the determination of average weekly earnings. Controversy has surrounded the document because it requires that seasonal, term, casual or contract workers' benefits be based on yearly income rather than on the hourly rate of pay the worker was receiving at the time of the injury.

Workers who filed a claim with the Workers' Compensation Health and Safety Board between February 1997 and December 1999 may be affected by the rescinding of the application document. The Board is recommending that these workers contact the Workers Advocate for a review of their file. "We are recommending that all workers contact the Workers Advocate first," emphasized Schmekel. "The Worker Advocate can advise the worker whether or not they should be contacting us."

The YWCHSB Board of Directors is composed of chair Dale Schmekel; alternate chair Authur Mitchell; employer representatives Ivan Dechkoff, Barry Enders and John Pert; worker representatives Barb Evans, Michelle Kolla and Doug Rody; appeal tribunal chair Heather MacFadgen; and president & CEO Tony Armstrong. The Board of Directors interprets and

applies the *Workers' Compensation Act, Occupational Health and Safety Act*, approves all policies and oversees investments.

For Broadcast Use:

The Board of Directors of the Yukon Workers' Compensation Health and Safety Board announced today that it has rescinded the "policy CL-35 application document." Any worker who filed a claim with the Board between February 1997 and December 1999 may be affected by the rescinding of the document. Workers are being advised to contact the Workers Advocate if they would like to have their claim file reviewed. The Workers Advocate will be advising workers whether or not their file should be submitted to the Board for re-adjudication.

For more information please contact:

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