

2008-06

June 30, 2008

By E-mail: 2 pages plus attachments

In this issue:

- Proposed Amendments to the Policies on Notification of Decisions and Notification of Rights of Review and Appeal

Notification of Decisions

WorkSafeBC recently released a discussion paper titled "Notification of Decisions." A copy of the discussion paper is attached to this update.

The paper proposes to gather feedback from stakeholders on the development of policy on notification of decisions, specifically with respect to the development of policy that will guide how and when decisions are communicated to workers and employers, along with whether reasons for the decision will be provided.

Currently, there is no general requirement in the *Workers Compensation Act* that requires WorkSafeBC to notify parties of decisions. In fact, there is no clear definition of "decision" in the Act.

WorkSafeBC is proposing that notification of decisions should occur through written or verbal communication. In the case of verbal communication, documentation on the worker's claim file will be considered sufficient evidence that verbal communication has occurred.

This paper raises a number of questions, the following two in particular:

First, what is the issue or problem that a new policy proposes to fix? In preliminary discussions, both employer and worker groups have expressed concern with the proposed policy development.

Second, what is the definition of a verbal decision? Currently, there is no definition of decision, let alone a clear definition with respect to verbal communication and when its use is appropriate.

WorkSafeBC has established a working committee to discuss the issue of notification of decisions. BCPSEA will be an employer representative on this working committee. The committee is scheduled to meet in mid-July. Any feedback you have on the discussion paper can be directed to Mark Grabas (604.730.4509 or markg@bcpsea.bc.ca) at BCPSEA for presentation at the working committee.

Alternatively, you may address any comments or concerns you have with respect to the discussion paper directly to WorkSafeBC by email at policy@worksafebc.com.

The deadline for submissions to WorkSafeBC is **August 29, 2008**.

Questions

If you:

- wish to suggest any topics you would like discussed in an *OH&S Issues* bulletin, or
- have any questions on the information provided in this bulletin or on any other occupational health, safety and wellness issue

please contact Mark Grabas at 604.730.4509 or markg@bcpsea.bc.ca.

Attachment: Appendix A – Discussion Paper