

Code of Rights and Conduct

Effective September 1, 2018, Section 9.2 of the *Workers' Compensation Act* comes into force. It directs WCB, in consultation with workers, employers, the Appeals Commission and the Fair Practices Office, to establish a Code of Rights and Conduct. To begin the process, WCB has prepared a draft document and invites your comments on the rights and conduct that are listed and the proposed complaint process, consequences and remedies.

Additional consultation will take place with the Appeals Commission and the Fair Practices Office, once it is operational.

WCB invites your input

Your input is requested on the proposed rights and conduct and the suggested complaint process, consequences and remedies. Your feedback will be shared with the Appeals Commission and the Fair Practices Office to finalize the Code of Right and Conduct.

The posting will be open for comment until **March 6, 2018**.

CODE OF RIGHTS AND CONDUCT

This Code of Rights and Conduct is established under the authority of s.9.2 of the Workers' Compensation Act (WCA). The Code sets out the rights of workers and employers in their interactions with the Workers' Compensation Board-Alberta (WCB) and WCB's obligations in fulfilling those rights through its conduct.

The rights and obligations set out in this Code are in addition to any other rights and obligations under the WCA, any other enactment or the general law.

Rights and Conduct

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| <i>Dignity and respect</i> | All workers and employers have the right to be treated with dignity and respect. WCB is committed to being honest and courteous in all interactions with workers and employers, providing considerate treatment and recognizing individual needs. |
| <i>Fairness and impartiality</i> | Workers and employers have the right to fair and impartial treatment in their interactions. WCB will listen to workers and employers and consider their views when making decisions that affect them. WCB will exercise fairness and impartiality in making determinations under the WCA. |
| <i>Effective communication</i> | Workers and employers have the right to effective communications. WCB will be open and honest when communicating with workers and employers, responding to questions and issues in a timely manner, and ensuring that information is provided in an accessible form that meets individual needs. |
| <i>Full and correct information</i> | Workers and employers have the right to full and correct information in their interactions with WCB. WCB will keep workers and employers fully informed, ensuring they have the information they need regarding services, entitlements, and responsibilities. |
| <i>Access to information</i> | Workers and employers have the right to examine all relevant documents when a decision directly affects their interests. WCB will ensure workers and employers are aware of their rights and will assist them in accessing the information they need. |
| <i>Privacy and confidentiality</i> | Workers and employers have the right to privacy and confidentiality. Information given to WCB will be used only for the purposes allowed by the WCA, and the <i>Freedom of Information and Protection of Privacy Act</i> . |

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Review and appeal

Workers and employers have the right to review and appeal decisions that directly affect their interests, in accordance with the WCA. WCB will ensure this information is easy to access and that workers and employers understand their rights under the WCA.

Complaints

Workers and employers have the right to complain about problems and concerns. WCB will work with workers and employers to address any issues and will let them know what options are available for resolving problems and concerns.

Proposed Complaint Process

It is proposed that issues regarding claim or assessment decisions would follow the current process:

1. Begin with the internal complaint process: decision maker/supervisor/higher level as required; followed by the formal complaint process as necessary, which consists of
2. Review by the Dispute Resolution and Decision Review Body (DRDRB), and if not resolved,
3. Appeal at the Appeals Commission

For issues, such as service issues that do not fit into the current process, it is proposed that they:

1. Begin with a similar internal complaint process: decision maker/supervisor/higher level as required; followed by a more formal complaint process as necessary, which will be developed with the Fair Practices Office
2. Review by the Fair Practices Office

As part of WCB's commitments under the Code, complainants will be informed of what steps have been taken to address their problems and concerns and what next steps, if any, are available to them.

Consequences and Remedies

In the event of a breach of the Code, WCB will address the issues with the complainant. This may include:

- Providing a written summary and explanation to the complainant
- Providing a written or oral apology
- Meeting with the complainant
- Providing any necessary information to the complainant

As well, WCB is committed to analysing and monitoring issues arising from the complaints process; identifying concerns with operational policies and processes, and undertaking necessary actions to improve systemic problems.

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