

Employer claim file disclosure

Can my employer receive a copy of my claim file?

Yes, in accordance with section 147 of the Workers Compensation Act (WCA), WCB may disclose contents of your claim file to your employer or persons directly concerned when carrying out the purposes of this section of the WCA.

Your employer is entitled, on request, to receive copies of your claim file when a matter is, or may be, under review or appeal. As part of the disclosure process, we undergo a line-by-line review of your file and remove sections that are not relevant to your claim. You will be notified should your employer request a copy of your claim file.

What is WCB's review process?

WCB's Access to Information (ATI) team is responsible for the disclosure of a claim file when appropriately requested. They ensure the request aligns with the WCA and the Freedom of Information and Protection and Privacy Act and ensure that personal information is protected and released appropriately. Each record/document on the claim file is assessed with the following considerations:

1. Is the record (in part or in whole) correctly stored on the claim file?
2. What is the purpose(s) of the record? Is the record relevant to the claim decision (e.g., gathering information to make the decision, implementing the decision or communicating the decision)? Is the record irrelevant to the claim decision and more administrative or inquiry related in nature?
3. Does the record hold irrelevant/sensitive information?
4. Is disclosure to the applicant a breach of privacy? WCB may need to collect personal information about a worker or third party. Disclosing that information to an employer or worker would be a breach of privacy (The information is often unnecessary when pursuing cost relief or an appeal).

Psychological claim file review process

If a psychological injury claim file is requested by an employer, ATI will only release psychological information specific to the injury on the claim. Historical information and pre-existing, unrelated injuries, such as past unrelated traumas and psychological incidents are not released to employers.

Specific redactions for Comprehensive Psychological Assessments, Psychological Independent Medical Examinations (IMEs), and counselling session reports can be found below:

- **Comprehensive Psychological Assessments and psychological Independent Medical Examinations (IMEs).** *The Reason for Referral, Summary & Conclusions*, along with the *Answers to Questions* sections of the report are released. Any sensitive psychological information not specific to the work-related injury in these sections are redacted. There are no redactions/altering any of the doctor's professional opinions.
- **Bi-weekly/monthly counseling session reports (such as a C851).** The interpretation/summary, recommendations, treatment plan, and return to work details are released. Professional medical opinions are not redacted or altered.

Redactions

The following are some examples of the information withheld from disclosure to an employer/representative.

Irrelevant past medical history	Family counselling reports
Third party information (e.g., medical history, other claim numbers, etc.)	Other claimant information (e.g., information pertaining to a different claim)
Family medical history details (e.g., information about another family member: aunt, uncle, cousin, etc.)	Insurance group, policy and ID numbers
Credit card, debit and bank account numbers	Ombudsman/human rights investigation reports
Earnings information (all deductions)	Statutory declaration documents, marriage certificates, birth certificates
Income tax forms (deductions and third party)	Opioid documents (except for the medication Management Reports)
Previous employer names and concurrent employer(s) information	Suicide attempt information (specific details)
Sensitive information referencing the worker's personal life and financial status (e.g., financial difficulties, inability to pay rent, bills, mortgage, etc.)	Identification numbers (Student ID, apprentice ID, badge ID, other certificate numbers, etc.)
References to the worker's Employment Insurance, Canada Pension Plan, Assured Income for the Severely Handicapped claims, Human Rights complaints, welfare and other social services	Prior convictions/criminal record details (unless it's identified as a return-to-work barrier)
References to maintenance enforcement	Passwords
Lien or bankruptcy information	Interim relief documents (these may be released under the direction of the Decision Resolution Dispute Review Body)
Contact information (e.g., emergency contact, next of kin, person to notify, etc.)	Chart notes (may be reacted based on content)

For more information about Access to Information please visit our [website](#).

