

WCB Policy Framework

WCB policies adopted by the Board of Directors (the “Board”) under S. 183 of the *Workers’ Compensation Act* (the “Act”) are formal statements of the Board’s position on a given issue and are followed in the application of the *Act* and *Workers’ Compensation General Regulations*. Policies approved by the Board are binding on both the WCB and the Workers’ Compensation Appeals Tribunal (WCAT). This means they become part of the legal framework and have the force of law. Policy topics include, for example, entitlement, short and long-term benefits, and assessments.

The WCB uses a policy framework that ensures we identify the topics that require policy development and is consistent with our commitment to transparent policy development.

Development of the Annual Policy Work Plan

WCB Nova Scotia uses an Annual Policy Work Plan to guide the work of the WCB’s Policy Team.

Throughout the year, the WCB’s Policy Team monitors the environment and records possible topics for the work plan. Topics typically come from:

- Legislative or regulatory changes.
- Strategic priorities and initiatives.
- Day-to-day application of policy and/or procedure.
- Emerging trends, changes or advances in current knowledge.
- Appeals or court proceedings.

In addition to topics identified through environmental monitoring, individuals and organizations can also identify topics for possible consideration by the Policy Team. This can occur through, (for example) communicating issues or topics to members of the Board during engagement activities. Potential policy topics can also be highlighted through WCB staff and management interactions with stakeholders, employers, and System partners. As well, stakeholders can provide input online or in writing to:

Email: policy@wcb.ns.ca

Mail: Policy
Workers’ Compensation Board of Nova Scotia
PO Box 1150
Halifax, Nova Scotia B3J 2Y2

The topics identified throughout the year are researched and analyzed by staff to identify the scope and nature of the issues as well as possible responses, one of which may be policy development. Once this work is complete, the Board will review the proposed work plan in light of their prioritization criteria (see table).

High Priority	• Policy requires development and/or review due to a ruling of the Courts. • Policy requires development and/or review due to a legislative or regulatory change. • Policy is a component of a project/initiative included in the plans and requires completion to achieve the project outcomes.
Medium Priority	• Policy supports achievement of a corporate or System goal/priority. • Policy is causing a major service delivery issue. • Importance to and impact on external stakeholders. • Impact of policy on daily operations. • Recurring appeals or decisions frequently overturned on appeal due to policy interpretation.
Low Priority	• Emerging trend in social environment (i.e. changing demographics) • Elapsed time since last revision • Policy needs housekeeping changes

The Board will approve the Annual Policy Work Plan in the fall for the upcoming year. Typically, the work plan will contain 3 to 4 packages of themed policies to be worked on throughout the year. The Board will determine if public consultation is required for each package. Recognizing that a time sensitive high-priority policy issue could emerge during the year, the Board always maintains the ability to adjust the Annual Policy Work Plan to allow for a timely response.

Stakeholder consultation on specific policy packages

The WCB Board of Directors will identify policy packages that require stakeholder consultation. Consultation is not typically undertaken for:

- Non substantive policy changes, meaning the changes do not affect the rights or responsibilities of injured workers or employers.
- Policy changes that are legally required by the legislature or justice system.
- Issues that have already been the subject of a previous consultation.

When deemed appropriate, the WCB will seek stakeholder input during the consultation phase of each themed package of policies being worked on. Each consultation will include, at a minimum:

- A written background document and proposed draft policies published on our corporate website.
- Two (2) public consultation presentations open to any interested parties.

Consultation Details:

- Draft policy language being proposed or amended, and background rationale, will be posted on the WCB website for a minimum of 30 calendar days allowing for participant submissions. Considering the nature of the policy issue and policy environment, the Board may choose a longer consultation period.
- Notification will be sent to all those who subscribed to the “Policy Consultation List”, as well as a much broader list of employer and labour groups that the Board maintains that a package of policies has been posted to the website and consultation is in progress.
- As part of the notification above, all participants will be invited to sign up to participate in a presentation and Q&A session with the Policy team to discuss the proposed package of policies.
- The WCB maintains a list of key participants. Participants can subscribe to the list at any time by simply clicking [SUBSCRIBE](#) and adding their contact information. Each consultation notification will include a reminder to subscribe to the distribution list.
- Additionally, packages of policy consultation documents and information sessions will be promoted on our corporate website and social medial platforms for greater awareness.
- The Workers’ Advisers Program (WAP), the Workers’ Compensation Appeals Tribunal (WCAT), and the Occupational Health and Safety Division (OHS) of the Department of Labour, Skills and Immigration (LSI) will be notified that a package of policies has been posted to the website and consultation is in progress. Separate input sessions will be held with these system partners to discuss and gather input on each consultation.
- Feedback/comments collected at the information sessions as well as any written submissions received prior to the consultation deadline will all be considered by the Policy team in making the final policy recommendation to the Board of Directors for approval.
- Once the final policy recommendation is approved by the Board of Directors, a consultation summary document highlighting the key points raised by all participants, as well as the WCB’s response will be posted to the WCB website and shared with all participants.

- In keeping with the need for a continuous improvement approach, we will learn, adjust, and improve the process as we go and will look to continually increase participation recognizing that some topics draw more interest than others.