

NORTHWEST TERRITORIES & NUNAVUT

Governance Council Directives



Workers' Safety
& Compensation Commission

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WSCC.nu.ca

If you would like this policy manual in another language, please contact us.

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GOVERNANCE COUNCIL ROLES AND RESPONSIBILITIES

POLICY STATEMENT

This directive outlines the roles and responsibilities of the Workers' Safety and Compensation Commission (WSCC) Governance Council.

DEFINITIONS

Northwest Territories Minister: Minister of the Government of Northwest Territories responsible for the Northwest Territories *Workers' Compensation Act* and Northwest Territories *Workers' Compensation General Regulations*.

Nunavut Minister: Minister of the Government of Nunavut responsible for the *Workers' Compensation Act* and Nunavut *Workers' Compensation General Regulations*.

Governance Council: “... the Governance Council continued by subsection 83(1);” (per subsection 1 (1) of the *Workers’ Compensation Acts*)

President: “...the President is the chief executive officer of the Commission.” (per subsection 101(2) of the *Workers’ Compensation Acts*)

POLICY

General

The Governance Council has authority under the *Workers' Compensation Acts (Acts)* for the governance of the WSCC. The Governance Council provides overall direction to the President and CEO regarding the strategic direction and operations of the WSCC.



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GOVERNANCE COUNCIL ROLES AND RESPONSIBILITIES

Role

Appointment

The Northwest Territories Minister appoints all seven directors of the Governance Council. Under authority of the *Acts*, two of seven directors are appointed based on recommendations from the Nunavut Minister responsible for the WSCC. The seven directors include:

- one director to serve as the Chairperson;
- two directors the Minister considers to be representing the interests of the general public;
- two directors the Minister considers to be representing the interests of workers; and
- two directors the Minister considers to be representing the interests of employers.

The Northwest Territories Minister consults with the Nunavut Minister prior to appointing the Chairperson. The WSCC President and CEO, by virtue of their office, is an eighth and non-voting member of the Governance Council.

Qualifications and Competencies

When appointing or recommending Governance Council directors, the Ministers attempt to ensure that there is a balance of gender and geographical representation and that together directors have the following qualifications and competencies:

- corporate governance;
- financial and strategic management;
- administrative law;
- policy development and application;
- cross-cultural awareness;
- mental health in the workplace;
- workers' compensation and/or occupational health and safety knowledge;
- understanding the issues facing employers and workers in the Northwest Territories and Nunavut;
- demonstrated appreciation of collegiality and cooperative interpersonal relations; and
- high ethical standards.



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GOVERNANCE COUNCIL ROLES AND RESPONSIBILITIES

Term of Office

A Governance Council Director holds office for a term not exceeding three years. The Northwest Territories Minister may reappoint a person as a director unless the reappointment results in the person serving on the Governance Council for more than nine consecutive years. If a director serves for nine consecutive years, they may be appointed again if at least one year has passed from the end of their previous appointment.

Chairperson

The Governance Council Chairperson presides over Governance Council meetings and is the Governance Council spokesperson.

The Chairperson is responsible for ensuring that the work of the Governance Council is organized and proceeds in a timely fashion, and that the members of the Governance Council have the capacity, knowledge, and professional development required to effectively perform their roles and meet their responsibilities.

Vice-Chairperson

The Governance Council designates one director, on the recommendation of the Chairperson, to serve as the Vice-Chairperson. Once appointed as Vice-Chairperson the designated director keeps the title of Vice-Chairperson until their current term as a director expires.

When the Chairperson is present and able to perform their duties, the Vice-Chairperson has no additional responsibilities beyond their role as a director. The Vice-Chairperson assumes all responsibilities of the Chairperson if the Chairperson is absent or unable to perform the responsibilities, or if the position becomes vacant.

Responsibilities

The Governance Council provides leadership, strategic direction and oversight to the WSCC. The responsibilities held by the Governance Council include:

- providing oversight over the business and the affairs;
- giving strategic direction to the President over operations;
- giving oversight relating to the proper administration of the *Workers' Compensation Act(s)*, the *Explosives Use Act(s)*, the *Mine Health and Safety Act(s)*, the *Safety Act(s)*, and *regulations* made under these Acts;
- evaluating and approving such policies considered appropriate for the administration of legislation governing the WSCC;
- giving strategic direction on programs;



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GOVERNANCE COUNCIL ROLES AND RESPONSIBILITIES

- reviewing and approving the annual operating and capital budgets;
- ensuring the proper stewardship of the Workers' Protection Fund;
- providing recommendations to the Ministers respecting the Years' Maximum Insurable Remuneration;
- addressing any issue referred to it by the Minister; and
- complying with all requirements of Governance Council Directive B-006, *Governance Council Directors' Code of Conduct*, and the *Corporate Governance Manual*.

Committees

According to the *Workers' Compensation Acts* of the Northwest Territories and Nunavut the Governance Council must establish an Audit Committee to ensure the objective oversight of the WSCC's:

- standards of integrity and behaviour;
- financial reporting; and
- management and financial control practices.

The Governance Council may establish other committees at its discretion and for whatever purpose and period of time it determines is appropriate.

The Governance Council Chairperson is, by virtue of their office, a member of all Governance Council Committees, except the Audit Committee. The Chairperson designates who will serve as Chair of all other committees.

Special Circumstances

The Chairperson reviews and decides on all Governance Council related matters that are not addressed in existing Governance Council Directives, WSCC policy, or applicable Regulations/Legislation. Records of these decisions must be recorded by the Chief Governance Officer.

LEGISLATIVE AUTHORITIES

Northwest Territories *Workers' Compensation Act*: Sections 84; 85; 86; 87; 89; 102
subsection 83(2); 96(3)

Nunavut *Workers' Compensation Act*: Sections 84; 85; 86; 87; 89; 102
subsection 83(2); 96(3)



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GOVERNANCE COUNCIL ROLES AND RESPONSIBILITIES

Northwest Territories *Workers' Compensation
General Regulations:*

Section 11

Nunavut *Workers' Compensation General Regulations:*

Section 11

POLICY RELATED DOCUMENTS

Governance Council Directive B-006

Governance Council Directors' Code of Conduct

Corporate Governance Manual

HISTORY

Governance Council Directive B-000 (Jan 1/21)

Governance Council Roles and Responsibilities

Governance Council Directive B-000 (Mar/3/16)

Governance Council Roles and Responsibilities (Non-Substantive Change – April 1, 2020)

Governance Council Directive B-000 (Mar/3/16)

Governance Council Roles and Responsibilities

Governance Council Directive B-000 (Nov 30/10)

Governance Council Roles and Responsibilities

Governance Council Directive B-000 (Dec 11/08)

Governance Council Roles and Responsibilities

Chairperson



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GOVERNANCE COUNCIL RULES OF ORDER

POLICY STATEMENT

This directive establishes the rules of order by which the Workers' Safety and Compensation Commission (WSCC) Governance Council conducts its meetings.

DEFINITIONS

Conflict of Interest:	Any actual or perceived situation in which Governance Council Directors' abilities to act in the best interests of the WSCC or themselves is or could be directly or indirectly compromised by their personal interests or knowledge.
Governance Council:	"...the Governance Council continued by subsection 83(1);" (as per subsection 1 (1) of the <i>Workers' Compensation Acts</i>).
Personal Interest:	Includes an existing or prospective business, employment, commercial or financial interest of affiliation of the Governance Council directors or a Related Person, whether direct or indirect, where the interest or affiliation is greater than that of the general public, but does not include an interest that arises solely by virtue of a director's affiliation with a particular stakeholder group.
Quorum:	"A majority of the directors of the Governance Council then holding office..." (as per subsection 88(2) of the <i>Workers' Compensation Acts</i>).
Observer:	Individual(s) who attend a Governance Meeting that are interested in joining the Governance Council as a director. Observers do not participate in deliberations or decision making.
President:	"...the President of the Commission appointed under subsection 101(1);" (as per subsection 1 (1) of the <i>Workers' Compensation Acts</i>).



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GOVERNANCE COUNCIL RULES OF ORDER

Related Person:

Includes the spouse, children or dependents of a Governance Council director, or other persons, firms, partnerships, associations, syndicates, organizations, groups, companies or corporations related to or associated with the director.

POLICY

General

This directive establishes the overall rules of order by which the Governance Council conducts its meetings. Any additional rule of order for the proper management of Governance Council meetings that are not addressed in this directive are conducted in accordance with the *Robert's Rules of Order*.

Meeting Attendance

Governance Council directors are expected to attend all scheduled meetings and ad hoc meetings. If a director cannot attend a meeting, they must notify the Chairperson prior to the meeting.

If a director is absent more than 50% of scheduled meeting days in a twelve-month period, the Chairperson may write a letter to the Ministers responsible for the WSCC recommending the Ministers rescind the Director's appointment. While the Northwest Territories Minister is legally responsible for the appointment or removal of a Director, both Ministers must be informed of the recommendation as the Governance Council is responsible for good governance of the WSCC in both territories.

Quorum

Governance Council meetings cannot be called to order without quorum. If a quorum is present at the beginning of a meeting but a director or directors leave during the course of the meeting and reduce(s) the number to less than quorum, the meeting may continue at the direction of the remaining directors.

Directors who declare a conflict of interest are considered present when determining a quorum but must leave the meeting for any discussion and votes on the issue for which they are in conflict.



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Observers do not have any of the roles and responsibilities of directors. For clarity, additional provisions related to observers include but are not limited to:

- term limitation of one year;
- unable to vote or participate in decisions that the Governance Council makes;
- cannot table meeting materials; and
- cannot form part of quorum.

Attendance by observers is noted in the official minutes of Governance Council meetings.

Invited Guests

Invited guests are stakeholders of the WSCC with a public interest in the management of the WSCC. Invited guests are any stakeholder the Chairperson believes will benefit from attendance of the meeting either to discuss an issue with the Governance Council or to understand the operations of the Governance Council.

In-Camera Sessions

The Governance Council may include item(s) on the agenda it designates as being ‘in-camera’. In-camera sessions are designed to address specific sensitive matters that are better discussed without minutes of the discussion being taken. In-camera sessions normally only include Governance Council Directors but other individuals may attend at the invitation of the Chairperson. The Governance Council may also hold an in-camera session without the President and CEO present, despite the President and CEO being a non-voting member of the Governance Council.

Care must be exercised by the Chairperson to ensure that in-camera sessions remain focused on issues about which the in-camera session was called. Conversations should not digress into other areas of discussion. The Governance Council Chairperson must exercise their authority to determine the relevance of issues raised in-camera.

Motions arising from in-camera sessions must be made in the regular meeting session. As such, the motion and the results of the vote are recorded in the minutes.

Adjournment

A Governance Council meeting adjourns when all business on the approved agenda is concluded, and a motion to adjourn has passed.



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LEGISLATIVE AUTHORITIES

Northwest Territories <i>Workers' Compensation Act:</i>	Sections 83; 84; 85; 86; 87; 88; 89; 102; 103
Nunavut <i>Workers' Compensation Act:</i>	Sections 83; 84; 85; 86; 87; 88; 89; 102; 103
Northwest Territories <i>Workers' Compensation General Regulations:</i>	Section 11
Nunavut <i>Workers' Compensation General Regulations:</i>	Section 11
Northwest Territories <i>Access to Information and Protection of Privacy Act</i>	All
Nunavut <i>Access to Information and Protection of Privacy Act</i>	All
Northwest Territories <i>Conflict of Interest Act:</i>	All
Nunavut <i>Conflict of Interest Act:</i>	All

Government of the Northwest Territories Code of Conduct:	Section 17
WSCC Governance Council Director's Guide:	Section 1: The Governance Council – Roles and Responsibilities



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HISTORY

Governance Council Directive B-002 Governance Council Rules of Order
(Jan 1/21) NSC (Oct 5/2022)

Governance Council Directive B-002 Governance Council Rules of Order
(Dec 4/15)

Governance Council Directive B-002 Governance Council Rules of Order
(Jun 05/12)

Governance Council Directive B-002 Governance Council Rules of Order
(Dec 11/08)

Governance Council Directive B-002 Governance Council Rules of Order
(Jun 13/07)

Board Directive B-002 (Mar 24/00) Board Meeting Procedure

Policy Directive B-002 (Nov 21/96) Board Meeting Procedure

Board Directive B-4 (Jun 10/81) Board Meeting Procedure

Chairperson



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GOVERNANCE COUNCIL DIRECTORS' REMUNERATION

Governance Council Directors (excluding Chairperson)

Governance Council Directors are paid \$800 every three months. In addition to this, when traveling to or attending meetings, trainings, approved functions or other Governance Council-sanctioned activities, the following remuneration is paid:

- for each half-day up to 3.5 hours, \$175;
- for each full day up to 7.5 hours, \$350; or
- for each full day over 7.5 hours, \$525.

Adjustments

If a Director is paid their regular salary by their employer while they are engaged in a Governance Council-related activity (e.g. GC meeting, training, WSCC-related function), the WSCC pays the difference so that the total amount received from the regular employer and the WSCC is equal to the appropriate daily amount established above. Where the Director receives pay from their regular employer that is equal to or exceeds the remuneration that the WSCC would otherwise pay to attend meetings/functions, the WSCC does not provide any remuneration for those days. However, Directors who use leave without pay, annual leave, or lieu time to attend to WSCC business will receive full remuneration.

End of Service

Where a Director's term ends part of the way through a quarter, the \$800 quarterly remuneration will be prorated accordingly.

Absences

Directors travelling to attend a WSCC meeting, function or training session who miss 50% of the scheduled meeting do not receive applicable remuneration or reimbursement for travel-related expenses, unless the Governance Council is satisfied that the director has a reasonable excuse for the absence, which may include, but is not limited to, absence due to illness or unforeseen circumstances.

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GOVERNANCE COUNCIL DIRECTORS' TRAVEL

External Functions

Directors may represent the Governance Council at other external functions. With exception to the Association of Workers' Compensation Boards of Canada (AWCBC) Governance Summit, prior Governance Council approval is required for Directors attendance at domestic or international external functions related to the WSCC's mandate, and the Chairs attendance at international functions related to the WSCC's mandate.

Application

Directors submit travel requests for external functions to the Governance Council, in writing, outlining:

- information about the external function;
- rationale for the travel; and
- the proposed travel arrangements and expected costs.

Approval

The Governance Council considers the following factors in making its decision:

- The purpose of travel and whether it is directly related to the Governance Council's mandate and activities;
- If attendance will benefit the WSCC or its stakeholders by:
 - providing information on significant developments in the area of workers' compensation applicable to the WSCC;
 - enhancing the Directors' knowledge of compensation issues and their ability to serve on the Governance Council; or
 - contributing to the development of compensation standards, consistency or understanding.
- Whether there is opportunity for an exchange of relevant information or ideas from a comparable WCB or organization;
- Whether there is sufficient time remaining in the Directors' terms to use this knowledge for the benefit of the Governance Council;
- The availability of funds in the budget to be allocated for purposes for Governance Council travel;
- Whether there are other, less expensive, or more effective ways, to achieve the same purpose(s).



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The Governance Council utilizes the same application requirements and approval criteria, where applicable, when assessing a Director's request to attend a function/activity that does not require travel (e.g. event held in the Director's home community).

Directors, including the Chairperson, must report, in writing, on their travel (e.g. information pertaining to the event/function attended) to the Governance Council within 30 days of their return, or at the next regular meeting.

Failure to Participate

Directors travelling on the WSCC's behalf must attend all meetings, functions, and training sessions, unless the lack of participation is due to illness or unforeseen circumstances. The Chairperson determines when Directors are personally responsible for travel-related expenses for lack of participation.

Governance Council Directors are paid a per diem allowance to cover expenses for accommodation and meals when attending Governance Council meetings or approved external functions.

The Governance and Executive Coordinator makes accommodation arrangements, and where possible, the costs are directly invoiced to the WSCC. Standard commercial accommodation (i.e. hotel, motel) is used, except when:

- staying in private accommodation (e.g. personal residence, or with family/friend); or
- the available standard commercial accommodations are not of an acceptable level of quality. In these cases, Directors may stay in non-standard commercial accommodations (e.g. bed and breakfast, short-term rental apartment).

Reimbursements for private accommodations are at the rate specified in the Government of the Northwest Territories' *Duty Travel Rates*. Commercial accommodations that offer Government rates are used whenever possible.



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Reimbursements for meals and incidentals are at the rates set out in the Government of the Northwest Territories' *Duty Travel Rates*. If Directors incur incidental expenses (e.g. cab fare) over the specified amount, they may be reimbursed with receipts.

LEGISLATIVE AUTHORITIES

Northwest Territories <i>Workers' Compensation Act</i> :	subsection 67(4)
Nunavut <i>Workers' Compensation Act</i> :	subsection 67(4)
Northwest Territories <i>Workers' Compensation General Regulations</i>	subsection 12(1)
Nunavut <i>Workers' Compensation General Regulations</i>	subsection 12(1)

POLICY RELATED DOCUMENTS

GC Directive B-006	Governance Council Directors' Code of Conduct
Government of the Northwest Territories <i>Duty Travel Rates</i>	
Government of the Northwest Territories Financial Administration Manual	Section 760, 765
Government of Nunavut Financial Administration Manual	Section 810, 811



HISTORY

Governance Council Directive B-005 (Oct 23/23)	Governance Council Directors' Travel
Governance Council Directive B-005 (Apr 01/20)	Governance Council Directors' Travel (Non-Substantive Change)
Governance Council Directive B-005 (Jun 14/18)	Governance Council Directors' Travel
Governance Council Directive B-005 (Dec 04/13)	Governance Council Directors' Travel
Governance Council Directive B-005 (Mar 29/12)	Directors' Travel
Governance Council Directive B-005 (Mar 16/11)	Directors' Travel
Governance Council Directive B-005 (Dec 11/08)	Directors' Travel
Governance Council Directive B-005 (Sep 21/06)	Directors' Travel
Policy Directive B-005 (Sep 26/02)	Governance Council Travel
Policy Directive B-005 (Apr 19/01)	Board of Director Travel
Policy Directive B-005 (Apr 28/01)	Board of Director Travel
Policy Directive B-005 (Mar/00)	Board of Director Travel
Policy Directive B-005 (July 16/98)	Board of Director Travel
Policy Directive B-005 (Nov 21/96)	Board of Director Travel
Board Directive B-89 (Jan 09/91)	Travel for Directors

Chairperson





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GOVERNANCE COUNCIL DIRECTORS' CODE OF CONDUCT

Council. The Governance Council may require the return of a gift valued at \$100 or more, or that the gift is given to the WSCC and distributed among all staff.

Hospitality

Directors may offer hospitality during significant public or WSCC sanctioned occasions. In these cases, the Governance Council is responsible for approving the hospitality offered. In most circumstances, the Governance Council should not provide formal or elaborate meals, paid entertainment or gifts.

When applying to offer hospitality, Directors submit their request to the Governance Council, in writing, outlining:

- information on the event;
- rationale for participating in the event; and
- the proposed hospitality (including gifts) and expected costs.

Acting Honestly

Directors must always act honestly and not mislead other Directors. Directors are expected to share their expertise and disclose relevant information to all Governance Council Directors.

Standard of Care

According to subsection 102(b) of the *Workers' Compensation Acts*, Directors exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

Duty of Care

Directors use the same discretion when conducting Governance Council business as any reasonable person would under similar circumstances. The accepted standard for duty of care is higher for Directors with particular expertise on a specific issue.

Duty of Diligence

Directors apply the same degree of analysis when participating in WSCC business as any reasonable person would under similar circumstances.





Workers' Safety & Compensation Commission

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GOVERNANCE COUNCIL DIRECTORS' CODE OF CONDUCT

- The committee makes a recommendation to the Chairperson;
- The Chairperson informs the Governance Council of the committee's decision;
- If there is a recommendation to rescind the Director's appointment, the Chairperson provides the recommendation to the Ministers.

The Director under investigation may be asked by the Chairperson to step aside from their Governance Council duties during the period of the investigation.

In the event that the Chairperson is believed to have contravened the Code of Conduct, the Vice Chairperson assumes all responsibilities of the Chairperson.

APPEALS TRIBUNAL MEMBERS' REMUNERATION AND TRAVEL

POLICY STATEMENT

The Appeals Tribunal is independent from the Workers' Safety and Compensation Commission (WSCC). However, the Governance Council is responsible for the stewardship of the Workers' Protection Fund (the Fund), which funds the operations of the Appeals Tribunal. This Directive outlines the remuneration paid to Appeals Tribunal Members as well as the parameters for travel when conducting business on behalf of the Appeals Tribunal. Through this directive, the Governance Council protects the integrity of the Fund while recognizing the independence of the Appeals Tribunal.

DEFINITIONS

Appeals Tribunal: “...means the Appeals Tribunal continued by section 117;” (per ss. 1(1) of the *Workers’ Compensation Acts*)

Member: “...means a Member of the Appeals Tribunal appointed under subsection 118(1);” of the Northwest Territories and Nunavut *Workers’ Compensation Acts*.

Resident Communities:	The community where the individual has primarily lived during the previous twelve-month period.
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POLICY

Remuneration

In accordance to section 13 of the *Workers' Compensation General Regulations*, the Chairperson is a Member of the Appeals Tribunal.

Remuneration is paid to Members for official business and for travelling and attending Appeals Tribunal related training, functions and meetings in accordance with Section 13 of the Northwest Territories and Nunavut *Workers' Compensation General Regulations*.

APPEALS TRIBUNAL MEMBERS' REMUNERATION AND TRAVEL

Attendance

In addition to hearings, Members participate in general meetings and pre-hearings. Attendance at general meetings and pre-hearings is recorded in one hour increments. Documentation of time spent at meetings is kept by Members.

Absences

Members do not receive remuneration for a meeting, function, training or other official business, if they are absent for 50 percent or more of the expected attendance time for the event. Exceptions may be provided when the Appeals Tribunal Chairperson is satisfied that the member has reasonable grounds for the absence, such as an illness or emergency.

Travelling

Members are remunerated, at the remuneration rate, for time spent travelling while on Appeals Tribunal business. In addition, members are reimbursed travel costs, expenses for accommodation, meals and transportation while on Appeals Tribunal business.

Accommodations

Use of private accommodation is reimbursed at the daily rate allowed under the Government of the Northwest Territories *Duty Travel Rates*. Commercial accommodation that offer government rates are used whenever possible.

Per Diem

Reimbursements for meals and incidentals are at the rates set out in the Government of the Northwest Territories *Duty Travel Rates*. If Members incur expenses over the specified amount, they may be reimbursed with receipts. This applies to incidentals only, such as cab fare.

Travel

Travel is by the most economical means possible without causing undue inconvenience for Members.

Circumstances may arise where Members travel to or from locations other than their resident community to attend hearings or approved events. In these cases, the Member is paid the lesser of:

APPEALS TRIBUNAL MEMBERS' REMUNERATION AND TRAVEL

- the return travel costs to the Member's resident community and associated remuneration and per diem allowance; and
- the actual travel costs and associated remuneration and per diem allowance.

If a Member's Appeals Tribunal related travel begins or ends in a place other than the Member's resident communities because of employment or professional obligations, the Appeals Tribunal Chairperson may authorize payment in excess of the amount specified above if the additional expenses are unavoidable and necessary. The Members must provide receipts and documentation showing the unavoidable costs for payments in excess of the amount specified above.

If a Member travels for Appeals Tribunal business, the Member may extend their stay or link it to personal travel. Where a Member revises travel for personal reasons, the cost of travel, per diem allowance and remuneration associated with the duty related travel arrangements are paid. Members are responsible for any additional costs.

Reimbursement for Members' vehicle transportation to attend meetings, training, functions or official business of the Appeals Tribunal is at the kilometric rates specified in the Government of the Northwest Territories *Duty Travel Rates*.

Travel to Other Approved Functions or Events

Members may seek approval to attend functions or events as representatives of the Appeals Tribunal. The Appeals Tribunal Chairperson must approve attendance at functions or events other than Appeals Tribunal hearings and meetings. The Appeals Tribunal Chairperson approves in advance, travel necessary for members to carry out their duties and responsibilities.

Application

Members submit travel requests to the Appeals Tribunal Chairperson, in writing, outlining:

- information about the function or event;
- rationale for the travel; and
- the proposed travel arrangements and expected costs.

APPEALS TRIBUNAL MEMBERS' REMUNERATION AND TRAVEL

Approval

The Appeals Tribunal Chairperson considers the following factors when considering travel requests:

- Is the purpose of the travel directly related to the Appeals Tribunal's mandate and activities?
- Will attendance at the event benefit the Appeals Tribunal and its stakeholders by:
 - providing information on significant developments in workers' compensation and appeals issues that are applicable to the Appeals Tribunal;
 - enhancing Members' knowledge of appeals issues and their ability to serve on the Appeals Tribunal; or
 - contributing to the development of appeals standards, consistency, or understanding;
- Will there be opportunity for an exchange of relevant information or ideas from a comparable Appeals Tribunal?
- Is there sufficient time remaining in the Members' terms of appointment to use the knowledge gained for the benefit of the Appeals Tribunal?
- Is money available in the Appeals Tribunal budget?
- Are there other, less expensive, ways to achieve the same purpose(s)?

Members are not permitted to attend more than two conferences annually.

Post Travel Requirements

Members must report their travel within 30 days of their return.

Failure to Participate

Members travelling on the Appeals Tribunal behalf must attend all meeting, functions and training sessions, unless the lack of participation is due to an illness or emergency. The Appeals Tribunal Chairperson determines when Members are personally responsible for travel-related expenses for lack of participation.

Special Circumstances

The Appeals Tribunal Chairperson reviews and decides on all circumstances not addressed in this Directive.

APPEALS TRIBUNAL MEMBERS' REMUNERATION AND TRAVEL

LEGISLATIVE AUTHORITIES

Northwest Territories <i>Workers' Compensation Act</i> :	subsections 67(4); 117(2); 118; 122; 124(1)
Nunavut <i>Workers' Compensation Act</i> :	subsections 67(4); 117(2); 118; 122; 124(1)
Northwest Territories <i>Workers' Compensation General Regulations</i>	Section 13
Nunavut <i>Workers' Compensation General Regulations</i> :	Section 13

POLICY RELATED DOCUMENTS

Government of the Northwest Territories Code of Conduct:	Section 17
Governance Council Directive B-004	Governance Council Directors' Remuneration

HISTORY

Governance Council Directive B-009 (Jun 10/16)	Appeals Tribunal Members' Remuneration and Travel
Governance Council Directive B-009 (Dec 4/12)	Appeals Tribunal Members' Remuneration and Travel
Governance Council Directive B-009 (Sep 24/09)	Appeals Tribunal Members' Remuneration and Travel
Governance Council Directive B-009 (Dec 11/08)	Remuneration and Travel for Members of the Appeals Tribunal
Governance Council Directive B-009 (Mar 31/08)	Remuneration and Travel for Members of the Appeals Tribunal
Policy Directive B-009 (Sep 21/07)	Remuneration and Travel for Members of the Appeals Tribunal
Policy Directive B-009 (Dec 05/03)	Remuneration and Travel for Members of the Appeals Tribunal

Chairperson



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Chairperson



electronic file making access to the claim file information restricted to the Manager, Case Management and Pensions or the designated employee.

Claims Management by another Board

If, in the opinion of the President, the WSCC cannot adjudicate a Member's, or their family member's claim impartially because of a personal relationship between the claimant and WSCC employees, the President or designate engages the services of a compensation board of another province or territory. If, in the opinion of the Appeals Tribunal Chairperson, a Member's claim cannot be impartially adjudicated by the WSCC, the Appeals Tribunal Chairperson, as the employer, may recommend to the President that another board is engaged to adjudicate the claim. The final decision to engage another board is made by the President. The engaged board acts on the WSCC's behalf in the adjudication of the claim.

The third party board adjudicates the claim according to the *Acts* and applicable directives and policies. Compensation related to the adjudication of the claim and the cost incurred by the third party board are paid from the Workers' Protection Fund. The President or designate advises the adjudicating board if questions arise concerning the application of the *Acts*.

Claim Heard by the Appeals Tribunal

When Members' or their family member's claim is the subject of an appeal before the Appeals Tribunal, the appeal is dealt with according to the *Appeal's Tribunal's Rules of Procedure* and *The Appeals Tribunal's Code of Conduct*.

LEGISLATIVE AUTHORITIES

Northwest Territories <i>Workers' Compensation Act</i> :	Sections 10; 95 subsection 120(1)
Nunavut <i>Workers' Compensation Act</i> :	Sections 10; 95 subsection 120(1)
Northwest Territories <i>Conflict of Interest Act</i>	All
Nunavut <i>Conflict of Interest Act</i> :	All





Honoraria. In accordance with section 12(4) the *Workers' Compensation General Regulations*, the Chair of the Governance Council receives an annual salary and is therefore not remunerated like other Directors for time spent traveling to/from and while attending training, with exception to per diem allowances.

Identifying Director Training Needs

The WSCC Corporate Secretary develops and maintains a matrix of required competencies, competency levels and training completion time frames for the Directors/members and Chairs of the Governance Council, Audit Committee, and Governance and Leadership Committee.

Each Director performs an annual self-assessment based on the competencies required for their individual role and responsibilities, prepares a development plan, and undertakes any required training in order to achieve the competencies outlined within the time frames established and in accordance with identified requirements.

An initial self-assessment should be conducted by each Director within three months of their appointment. The Corporate Secretary schedules and administers Directors' self-assessments, assists Directors' in preparing their development plan and maintains records of training completed by each Director.

Approval of Training for Directors

After a Director's training needs have been determined through self-assessment, the Director involved will identify an appropriate training opportunity. The Corporate Secretary provides a list of available courses/training opportunities at the first meeting of every year, which Directors may elect to choose from if no other training has been identified. The learning outcomes of the prospective training should include the development of the area of competency identified through the Director's self-assessment.

Application

Directors submit training requests to the Governance Council Chair, or designate, in writing, outlining:

- Information regarding the proposed training, including the dates and location of the training;
- Rationale for the training, including the identified training need(s) being met and the expected training outcomes;
- Confirmation from the Corporate Secretary that the proposed training satisfies a training need identified through the Director's self-assessment, and
- The proposed travel arrangements and expected costs of training.



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- The training outcome, if any (e.g. whether a certificate is granted, or credit toward a program, etc.).

Approval

The Governance Council Chair, or designate, considers the following factors in making the decision to approve the training request:

- Whether the training outcomes relate to the Governance Council’s mandate and activities.
- If attendance will benefit the WSCC or its stakeholders by:
 - enhancing the Directors’ competencies related to board governance and their ability to serve on the Governance Council; or
 - contributing to the development of the Director’s competencies related to an area where a need for training was identified; and
 - having completed the training prior to the remaining six months of the Director’s term on the GC.
- The availability of funds in the budget allocated for training;
- Whether the training is provided by a reputable educational institution or training service provider.
- Whether there are other, less expensive, or more effective ways, to achieve the same training outcomes.

The Governance Council Chair has discretion to select and approve their own training (i.e. the Chair's), but must give advanced notice to the Governance Council to inform them of the training and associated costs. Advanced notice can be given in writing if there is no meeting taking place before the training. Notice should be given at least 30 days prior to the training.

Post-Training Requirements

Directors, including the Chairperson, must report their training to the Governance Council within 30 days of their return, or at the next regular meeting, whichever is sooner. Additionally, Directors must confirm their attendance at the approved training event and report the outcomes of their training in writing.

Guidelines Governing Training for Directors

If multiple Directors have identified a similar training need, it may be preferable to provide the required training in a small group format for all available Directors.



While travelling to and attending training courses, Governance Council Directors are representing the WSCC and are required to conduct themselves in accordance with Governance Council Directive B-006, Governance Council Directors' Code of Conduct.

Failure to Participate

Directors approved to attend training who miss 50% of the scheduled training do not receive any honoraria or remuneration as set out in section 12(1)(b) of the *Workers Compensation General Regulations* and the Governance Council Directive B-004, Governance Council Directors' Honoraria, unless the absence is due to illness or unforeseen circumstances.

LEGISLATIVE AUTHORITIES

Northwest Territories <i>Workers' Compensation Act</i> :	Sections 89 subsection 83(2); 84(3)
Nunavut <i>Workers' Compensation Act</i> :	Sections 89 subsection 83(2); 84(3)
Northwest Territories <i>Workers' Compensation General Regulations</i> :	Section 11; 12
Nunavut <i>Workers' Compensation General Regulations</i> :	Section 11; 12
Northwest Territories <i>Conflict of Interest Act</i>	All
Nunavut <i>Conflict of Interest Act</i> :	All

POLICY RELATED DOCUMENTS

Governance Council Directive B-004	Governance Council Directors' Honoraria
Governance Council Directive B-005	Governance Council Directors' Travel
Governance Council Directive B-006	Governance Council Directors' Code of Conduct
Government of the Northwest Territories Code of Conduct	Section 17



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Respecting Conflict of Interest and
Oath of Office and Secrecy (2008):

HISTORY

Governance Council Directive B-012
(Mar 09/17)

Governance Council Directors' Training

Chairperson



Workers' Safety & Compensation Commission

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GOVERNANCE COUNCIL STAKEHOLDER RELATIONS

POLICY STATEMENT

The Workers' Safety and Compensation Commission (WSCC) Governance Council provides guidance to engagement planning between stakeholders and Governance Council Directors in this directive.

DEFINITIONS

Governance Council	“... the Governance Council continued by subsection 83(1);” (per subsection 1 (1) of the <i>Workers’ Compensation Acts</i>)
Stakeholders	Workers, employers and others who have an interest in the policies and programs of the WSCC.

POLICY

General

Under the *Workers' Compensation Acts* of the Northwest Territories and Nunavut, the Governance Council shall establish a process for engaging with stakeholders who are likely to be affected by WSCC policies. By virtue of their experience in and knowledge of key stakeholder environments and issues, Directors ensure that the implications of policies and decisions on various stakeholder groups will be identified and considered as part of their governance of the organization.

Directors will not advocate for a particular stakeholder group in preference to other stakeholders. Directors must place the WSCC's interests above their own personal interest and act in the interest of the WSCC as a whole, rather than in the interest of a particular stakeholder or group of stakeholders.

Stakeholder input is incorporated into new or revised governing instruments when the Governance Council determines that it is administratively, legally and financially beneficial to the WSCC and stakeholders.

Generally, stakeholders include workers, employers and associations that represent their interests, as well as government and partner agencies. Other people and organizations in the Northwest Territories and Nunavut may also have an interest in WSCC.



GOVERNANCE COUNCIL STAKEHOLDER RELATIONS

Stakeholder Relations

This directive establishes some basic responsibilities to guide the WSCC’s stakeholder relations. The following minimum requirements will guide WSCC Directors’ stakeholder relations.

Spokespersons

The Chair is the principal spokesperson for the WSCC Governance Council

When a Director is contacted for comments on the WSCC or to represent it publicly, they will inform the Chair before taking action. Directors will only act as spokespersons with the approval of the Chair.

Stakeholder Relations

The WSCC is interested in engaging stakeholders in a dialogue about what we are doing. The Governance Council encourages stakeholder involvement in the process and stakeholders affected by changes to programs or service delivery mechanisms are consulted regarding the changes where appropriate.

As per Policy 00.07, Stakeholder Engagement, stakeholders are consulted on new or significantly revised policies and the annual policy agenda – all of which are approved by the board of directors.

Stakeholder Enquiries/Complaints

The Chair or CEO generally will deal with enquiries from the Minister or other senior government officials.

Enquiries regarding personal information held by the WSCC will be dealt with in accordance with the Northwest Territories and Nunavut *Workers' Compensation Acts*, in accordance with the Northwest Territories and Nunavut *Access to Information and Protection of Privacy (ATIPPA) Acts*.

Complaints from the Minister's office go through the President's Office. Other complaints are received through a hotline / e-mail.

Speeches and Presentations

Prior to accepting invitations for speeches and presentations on behalf of the WSCC, Directors will obtain the approval of the Chair.



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