

NORTHWEST TERRITORIES & NUNAVUT

Governance Council Directives

WSCC Workers' Safety
& Compensation Commission

ᐃᕐᕕᕐᕕᐅᐅᕐᕕᐅᐅᕐᕕ ᐃᕐᕕᕐᕕᐅᐅᕐᕕ
ᐃᕐᕕᕐᕕ ᐃᕐᕕᕐᕕᐅᐅᕐᕕ ᕐᕕᐅᐅᕐᕕᐅᐅᕐᕕ





Workers' Safety
& Compensation Commission

ᐃᓃᓐᓂᐱᓗᓕᓐᓂᐱᓐᓂᐱᓐᓂᐱᓐᓂᐱᓐᓂᐱᓐᓂᐱᓐᓂᐱᓐᓂᐱᓐᓂᐱᓐᓂᐱᓐ
ᐱᓐᓂᐱᓐᓂᐱᓐᓂᐱᓐᓂᐱᓐᓂᐱᓐᓂᐱᓐᓂᐱᓐᓂᐱᓐᓂᐱᓐᓂᐱᓐᓂᐱᓐ

Yellowknife

Centre Square Mall, 5th Floor
5022 49 Street
Box 8888
Yellowknife, NT X1A 2R3
Telephone: 867-920-3888
Toll Free: 1-800-661-0792
Fax: 867-873-4596
Toll Free Fax: 1-866-277-3677

Iqaluit

Qamutiq Building, 2nd Floor
630 Queen Elizabeth II Way
Box 669
Iqaluit, NU X0A 0H0
Telephone: 867-979-8500
Toll Free: 1-877-404-4407
Fax: 867-979-8501
Toll Free Fax: 1-866-979-8501

PREVENTION SERVICES

24-Hour Incident Reporting Line

Toll-Free: 1-800-661-0792

wssc.nt.ca
wssc.nu.ca

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

This document was updated on October 23, 2023

Table of Contents

Governance Council Directive number	Governance Council Directive	Governance Council Directive effective date	Last Non-Substantive Change (If Applicable)
B-000	Governance Council Roles and Responsibilities	January 01, 2021	
B-002	Governance Council Rules of Order	January 01, 2021	October 05, 2022
B-004	Governance Council Remuneration	June 16, 2023	
B-005	Governance Council Directors' Travel	October 23, 2023	
B-006	Governance Council Directors' Code of Conduct	October 23, 2023	
B-009	Appeals Tribunal Members' Remuneration and Travel	October 1, 2021	
B-010	Governance Council Directors' Claims	January 1, 2021	
B-011	Appeals Tribunal Members' Claims	October, 2021	
B-012	Governance Council Directors' Training	March 12, 2019	
B-013	Stakeholder Relations	January 1, 2021	



Workers' Safety
& Compensation Commission

ᐱᕿᑲᑲᑦᑲᑦᑲᑦᑲᑦ
ᐱᕿᑲᑲᑦᑲᑦᑲᑦᑲᑦ

GOVERNANCE COUNCIL ROLES AND RESPONSIBILITIES

- cannot form part of quorum.

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

Committees

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

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

The Governance Council may establish other committees at its discretion 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.

The President of the WSSCC is, by virtue of their office, a non-voting member of the Governance Council

Special Circumstances

The Chairperson reviews and decides on all Governance Council related matters that are not addressed in existing Governance Council Directives, WSSCC Policy, or applicable Regulations/Legislation.



Workers' Safety
& Compensation Commission

ᐃᖃᐅᐱᐃᕐᖃᐱᐅᐅᐅ ᐃᑦᑕᐱᖃᐅᐅ
ᐃᐅᐱ ᐱᐅᐅᐅᐅᐅᐅᐅᐅ ᖃᐅᐅᐅᐅᐅᐅᐅᐅ

GOVERNANCE COUNCIL ROLES AND RESPONSIBILITIES

LEGISLATIVE AUTHORITIES

Northwest Territories <i>Workers' Compensation Act</i> :	Sections 84; 85; 86; 87; 89; 102 subsection 83(2); 96(3)
Nunavut <i>Workers' Compensation Act</i> :	Sections 84; 85; 86; 87; 89; 102 subsection 83(2); 96(3)
Northwest Territories <i>Workers' Compensation General Regulations</i> :	Section 11
Nunavut <i>Workers' Compensation General Regulations</i> :	Section 11

POLICY RELATED DOCUMENTS

Governance Council Directive B-006	Governance Council Directors' Code of Conduct
------------------------------------	--

HISTORY

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



Workers' Safety
& Compensation Commission

ᐃᖃᑲᐱᐃᖃᑲᑎᐁᐁ ᐃᑦᑕᐱᖃᑲᑎᐁ
ᐃᑦᑕᐱᖃᑲᑎᐁ ᐃᑦᑕᐱᖃᑲᑎᐁ

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

Adjournment:	The conclusion of a meeting.
Alternate Location	A location other than the place where the office of the Commission is located or at any other location that the Governance Council may direct.
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.
Corporate Secretary:	"...the Corporate Secretary of the Commission appointed under subsection 101(6);" (as per subsection 1 (1) of the <i>Workers' Compensation Acts</i>).
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 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



Workers' Safety & Compensation Commission

ᐃᖃᐅᐱᐃᖃᐅᐱᐅᐅ ᐃᐅᐅᐅᐅᐅᐅᐅ
ᐃᐅᐅ ᐱᐅᐅᐅᐅᐅᐅᐅᐅ ᐅᐅᐅᐅᐅᐅᐅᐅᐅ

GOVERNANCE COUNCIL RULES OF ORDER

subsection 88(2) of the *Workers' Compensation Acts*).

President:

“...the President of the Commission appointed under subsection 101(1);” (as per subsection 1 (1) of the *Workers' Compensation Acts*).

Related Person:

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

POLICY

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 Minister Responsible for the WSSCC recommending the Minister rescind the Director's appointment.

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, reducing the number to less than quorum, the meeting may continue if it is the wish of the remaining Directors. Directors who declare a conflict of interest are considered present when determining a quorum but must refrain from discussions or voting on the issue for which they are in conflict.

Conflict of Interest

A Director must declare a real, potential, or perceived conflict of interest during approval of the meeting agenda. Once a conflict of interest is declared, the Director cannot participate in any discussions, motion, or amendment concerning the conflicting agenda item. The Director may choose, or the Chairperson may request, the Director to leave the meeting during discussions depending on the nature and sensitivity of the issue.



Workers' Safety
& Compensation Commission

ᐃᖃᑲᐱᐱᖃᑲᑎᐁᑦ ᐃᑦᑕᐱᖃᑲᑲᑲ
ᐃᑦᑕᐱᖃᑲᑲᑲ ᐃᑦᑕᐱᖃᑲᑲᑲ

GOVERNANCE COUNCIL RULES OF ORDER

Meeting minutes must record all conflict of interest declarations, as well as how they are handled.

Creation and Acceptance of the Agenda

The Chairperson and Governance Council Directors, in consultation with the President and Corporate Secretary, develop Governance Council meeting agendas.

The following process is used in developing agendas for regularly scheduled Governance Council meetings:

- at the beginning of each year, dates for all meetings are identified for the coming year and included in the Corporate Planning Calendar;
- recurring agenda items for each meeting are included in the Corporate Planning Calendar;
- the Corporate Planning Calendar is circulated and approved by the Governance Council;
- the draft agenda for the next meeting is included as one of the items of business in the pre-read material; and
- notices of meetings, agendas and schedule of events are circulated to all directors several weeks prior to a scheduled meeting.

The agenda is the list of business items addressed at a meeting. A tentative agenda accompanies the notice of meeting to provide Directors with time to consider or research the items or issues being addressed. The agenda remains tentative until amended or approved by the Chairperson. Once the agenda is approved, it becomes the official agenda of the meeting.

Adjournment

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

General

Any additional rules of order for the proper management of Governance Council meetings are in accordance with *Robert's Rules of Order* by Henry Martyn Robert

Meeting Location



The meetings of the Governance Council must be held in the place where the office of the Commission is located or at any other place that the Governance Council may direct.

If the meeting is held in a new location, the Governance Council must agree with the alternate location and affirm all decisions from the meeting will be considered valid. Should circumstances arise where a meeting location needs to be continuously held at the alternative location, the Chair has the authority and discretion to continue with the alternate location until meetings can resume at the office of the Commission.

Alternate locations can be physical or virtual.

In-Camera Sessions

The Governance Council may include item(s) on its agenda it designates as being ‘in-camera’. In-camera sessions are designed to address specific sensitive matters that are better initially discussed without notes being taken or without observers. In-camera sessions, only include Governance Council Directors but other individuals may attend at the invitation of the Chair. The Governance Council may also hold an in-camera session without WSCC administration being present, including the President.

Care must be exercised by the Chair to ensure that in-camera sessions remain focused on appropriate items and do not digress into areas that should be discussed in the presence of administration. The Governance Council Chair must exercise their authority as Chair to determine the appropriateness and relevance of issues raised in-camera and to provide opportunities for all Directors to contribute meaningfully to the discussion.

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. Any discussion resulting from the motion that is conducted ‘in-camera’ will not be recorded in the minutes.

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

	Workers' Safety & Compensation Commission	ᐃᖃᑲᐱᐃᖅᑲᑦᑲᑦ ᐃᑦᑲᑲᑦᑲᑦ ᐃᑦᑲᑲᑦᑲᑦ ᐃᑦᑲᑲᑦᑲᑦ
GOVERNANCE COUNCIL RULES OF ORDER		

Nunavut Workers' Compensation	Section 11
<i>General Regulations:</i>	

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
--	-----

POLICY RELATED DOCUMENTS

Government of the Northwest Territories Code of Conduct:	Section 17
--	------------

WSSCC Governance Council Director's Guide:	Section 1: The Governance Council – Roles and Responsibilities
--	--

HISTORY

- Governance Council Directive B-002 (Dec 4/15) Governance Council Rules of Order
- Governance Council Directive B-002 (Jun 05/12) Governance Council Rules of Order
- Governance Council Directive B-002 (Dec 11/08) Governance Council Rules of Order

	<p>Workers' Safety & Compensation Commission</p>	<p>ᐃᖃᑲᐱᐃᖃᑲᑎᐃᑦ ᐃᑦᑕᐱᖃᑲᑦᑲ ᐃᑦᑕᐱᖃᑲᑦᑲ ᐃᑦᑕᐱᖃᑲᑦᑲ</p>
<p>GOVERNANCE COUNCIL RULES OF ORDER</p>		

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



Workers' Safety
& Compensation Commission

ᐃᖃᑲᐱᐃᖃᑲᑲᐱᐅᑦ ᐃᑦᑕᐱᖃᑲᑲᐱᐅᑦ
ᐃᑦᑕᐱᖃᑲᑲᐱᐅᑦ ᖃᑲᐅᐱᖃᑲᑲᐱᐅᑦ

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, WSSCC-related function), the WSSCC pays the difference so that the total amount received from the regular employer and the WSSCC 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 WSSCC would otherwise pay to attend meetings/functions, the WSSCC does not provide any remuneration for those days. However, Directors who use leave without pay, annual leave, or lieu time to attend to WSSCC 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 WSSCC 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.



Workers' Safety
& Compensation Commission

ᐃᖃᑲᐱᐃᖃᑲᑎᐃᐅᐅ ᐃᑕᐅᖃᑲᑲ
ᐃᑕᐅᐅ ᐱᑕᑕᐅᐅᐃᐅᐅᐅ ᐅᑲᐅᐅᐅᐅᐅᐅᐅᐅ

GOVERNANCE COUNCIL DIRECTORS' REMUNERATION

LEGISLATIVE AUTHORITIES

Nunavut *Workers' Compensation Act*: Section 86(2)

NWT *Workers' Compensation Act*: Section 86(2)

Nunavut *Workers' Compensation General Regulations*: Section 12

NWT *Workers' Compensation General Regulations*: Section 12

HISTORY

Governance Council Directive B-004 (Apr 1/2020)	Governance Council Directors' Remuneration
Governance Council Directive B-004 (Mar 5/2015)	Governance Council Directors' Honoraria
Governance Council Directive B-004 (Mar 16/2011)	Governance Council Directors' Honoraria
Governance Council Directive B-004 (Dec 11/08)	Governance Council Director's Honoraria
Governance Council Directive B-004 (Jun 13/07)	Governance Council Director's Honoraria
Policy Directive B-004 (Aug 1/02)	Board Members' Honoraria
Policy Directive B-004 (Apr 20/01)	Honoraria and Per Diem
Policy Directive B-004 (Apr 27/01)	Honoraria and Per Diem
Policy Directive B-004 (Aug 4/00)	Honoraria and Per Diem
Policy Directive B-004 (Mar 24/00)	Honoraria and Per Diem
Policy Directive B-004 (Nov 21/96)	Honoraria and Per Diem
Policy Directive B-70 (Feb 8/88)	Honoraria and Per Diem

Chairperson



Workers' Safety
& Compensation Commission

ᐃᖃᑲᐱᐃᖃᑲᑎᐃᑦ ᐃᑦᑕᐱᖃᑲᑲᑦ
ᐃᑦᑕᐱᖃᑲᑲᑦ ᐃᑦᑕᐱᖃᑲᑲᑦ

GOVERNANCE COUNCIL DIRECTORS' TRAVEL

Travel

Travel is by the most economical means possible without causing undue inconvenience for the Directors. When travel is by air, Directors' travel by economy airfare, unless the Director has a disability. In these cases, the Director travels by the most economical airfare that accommodates their needs.

The Governance and Executive Coordinator, President's Office normally arranges Directors' travel. Directors may make their own travel arrangements provided they notify the Chief Governance Officer in advance. All costs are directly invoiced to the WSSCC.

When travel is required for multiple Directors, the Governance and Executive Coordinator or the Directors should coordinate transportation to ensure Directors are separated to the maximum extent that is practical to minimize risk to the composition of the Governance Council.

Circumstances may arise where Directors travel to or from locations other than their primary residence to a Governance Council meeting or approved function. In these cases, the WSSCC pays the lesser of:

- the return travel costs to the Director's primary residence and associated remuneration and per diem allowance; and
- the actual travel costs and associated remuneration and per diem allowance.

If Directors are required to travel to or from places other than their primary residence because of employment or professional obligations, the Governance Council may authorize payments in excess of the amount specified above if the additional expenses were unavoidable and necessary. The Directors must provide receipts and documentation showing the unavoidable costs for payments in excess of the amount specified above.

Directors may extend their stay or link it to personal travel. Where Directors revise their travel for personal reasons, the WSSCC covers the cost of travel, per diem allowance and remuneration that would normally be covered during usual travel arrangements. The Director is responsible for any additional costs.

Reimbursement for Directors' vehicle transportation to attend Governance Council meetings or other business of the Governance Council is at the kilometric rates specified in the Government of the Northwest Territories *Duty Travel Rates*.



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).



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.

Directors must not charge alcoholic beverages to WSCC accounts or credit cards. Directors must personally pay for alcohol purchased by a Director for personal consumption or for a third party while at functions.

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



GOVERNANCE COUNCIL DIRECTORS' TRAVEL

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



GOVERNANCE COUNCIL DIRECTORS' CODE OF CONDUCT

POLICY

General

Directors are given the power to administer the Northwest Territories and Nunavut *Workers' Compensation Acts*, the *Explosives Use Acts*, the *Mine Health and Safety Acts*, the *Safety Acts* and regulations made under these Acts. Administration of these Acts and regulations requires responsible conduct by Directors when executing their duties.

All Governance Council Directors are expected to adhere to Governance Council Directives, and WSCC Policies and Administrative Policies.

The Directors prescribed duties include:

- acting honestly and in good faith with a view to the best interests of the WSCC; and
- exercising the care, diligence and skill that a reasonable and prudent person would apply in the same or similar circumstances.

Concerns related to a Director's failure to comply with the Code of Conduct are to be brought to the Chair, or Vice-Chair, if the concerns relate to the Chair.

Directors must understand that these duties do not necessarily end with their term of service, but where appropriate, continue after their term of service expires.

Fiduciary Duty

Subsection 83(2) of the *Workers' Compensation Acts* mandates Directors' fiduciary duty to the WSCC. Fiduciary duties exist because Directors have a special position with respect to WSCC operations, possessing confidential information and exercising control over the Workers' Protection Fund.

Director fiduciary duties include, but are not limited to:

- disclosing personal interests and avoiding conflict of interest;
- properly using WSCC property;
- protecting confidential information;
- appropriately using Director influence; and
- acting in the best interests of the WSCC.



Personal Interest

Personal interests that require disclosure include any interests that affect Directors in their capacity as employers or workers. Upon appointment to the Governance Council, Directors must provide a written statement to the Chairperson describing all relevant personal interests including the personal interests of related persons, which may appear to place Directors in a conflict of interest. Directors must inform the Chairperson of any changes of personal interests, if any, which occur after their appointment to the Governance Council. The Chairperson discloses all personal interests to the Vice-Chairperson.

Directors are prohibited from the following:

- allowing a conflict of interest to arise between their duty to the WSCC and their personal, or other professional or financial, interests;
- participating, discussing or voting on any issue in which a conflict of interest exists between their personal interest and the interest of the WSCC; and
- participating in an activity that appears to create a conflict of interest.

When Directors disclose personal interests that appear to create a conflict of interest, the Governance Council determines whether a conflict of interest exists and what measures, if any, are necessary to ensure the integrity of the WSCC and the Governance Council. The Chairperson, or Vice-Chairperson in the case where the real or perceived conflict is the Chairperson's, may permit the concerned Director to participate in discussions or require the Director to refrain from participating in discussions which determine if a conflict of interest exists.

The Governance Council considers all relevant circumstances when determining a potential conflict of interest, including but not limited to:

- the Director's history of service and loyalty to the WSCC;
- the specific background history of the personal interests that may put a Director in conflict
- the nature and magnitude of the Director's personal interest;
- the impropriety of the Director profiting in any way from the Workers' Protection Fund as a result of the decision of the Governance Council; and
- the reputation of the WSCC.

WSCC Property

Directors may not use WSCC property for personal benefit. Directors use WSCC property as part of their duties on the Governance Council.



Confidential Information

Directors receive confidential information necessary to successfully fulfill their duties on the WSCC Governance Council. Confidential information includes documents, as well as knowledge about Governance Council discussions, votes and decisions. Confidential information provided to or attained by Directors through their service is the property of the WSCC. Directors must not use confidential WSCC information for personal benefit and must not disclose confidential information to anyone without the explicit approval of the Governance Council.

Directors will utilize prescribed technology and processes for accessing and maintaining confidential or private information.

To the extent possible, confidential information provided to Directors is returned to the WSCC upon the conclusion of the Directors term of office.

If the conduct of a Director results in the breach of private personal or confidential information, the Director will immediately report it to the WSCC Corporate Secretary who will notify the WSCC Access to Information and Protection of Privacy (ATIPP) Coordinator to document and provide instructions in order to remedy, if required. Directors are expected to cooperate with all actions required to contain and remedy a privacy or confidentiality breach.

Director Influence

Governance Council Directors are in a position of public trust. The exploitation of influence attained as a result of a Director's position is prohibited in order to maintain the credibility of the Director, Governance Council and the WSCC as a whole.

Directors do not:

- interfere, or attempt to interfere, with the administration or operation of the Governance Council or WSCC;
- assist or advocate for employers or workers in their associations with the WSCC; or
- use their position to influence a decision of another person or group of persons to further the Director's or a related person's personal interest.

Directors receive remuneration for their service from the Workers' Protection Fund. Directors should not accept any other fees, benefit, or gift in the capacity as a Director. Gifts or benefits received as a result of social obligations required to fulfill the Directors position are acceptable if the gift or benefit is available to all attendees of the social obligation. Gifts of benefits valued at \$100 or more are disclosed to the Governance

	
GOVERNANCE COUNCIL DIRECTORS' CODE OF CONDUCT	

The duty of diligence requires Directors to become familiar with all aspects of the WSCC, including the business conducted, the organizational policies and the delegation of responsibilities. Directors seek to acquire sufficient knowledge concerning the WSCC’s business and affairs to enable them to fulfill their responsibilities. Directors question and review administration, through the President, to obtain information necessary to determine if the WSCC is performing effectively.

Duty of Skill

Directors act with the same degree of skill as reasonably expected from a person of their experience and knowledge. Directors use the skills and expertise they possess and seek information and assistance from qualified persons when necessary.

Duty of Loyalty

Directors also have a duty of loyalty to the WSCC. By accepting their appointment as a Director of the Governance Council, Directors commit to acting in the best interests of the WSCC, regardless of personal or other interests.

Contravention of the Code of Conduct

In accordance with subsection 84(2) of the *Workers' Compensation Acts*, Directors are appointed by the Northwest Territories and Nunavut Ministers responsible for the WSCC. In exceptional circumstances, the Chairperson may recommend to the Ministers to rescind a Director’s appointment if a Director is found to be in severe contravention of the Code of Conduct.

Due Diligence

The following steps for an investigation should be followed to ensure there is due diligence before a recommendation to rescind a Director’s appointment is made to the Ministers.

- The Chairperson has a conversation with the Director about the perceived or real contravention of the Code of Conduct to determine if an investigation into the contravention(s) is necessary;
- If an investigation is deemed necessary, the Chairperson informs the rest of the Governance Council of the investigation;
- The Chairperson strikes a balanced, unbiased committee comprised of Governance Council Directors to conduct the investigation. The Chairperson is not a member of the committee;

 WSPCC Workers' Safety & Compensation Commission		ᐃᓖᓃᐁᐃᓂᓃᓃᐁᐁᐃ ᐃᓂᓂ ᓂᓂᓂᓂᓂᓂᓂᓂᓂ
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.



LEGISLATIVE AUTHORITIES

Northwest Territories <i>Conflict of Interest Act:</i>	All
Nunavut <i>Conflict of Interest Act:</i>	All
Northwest Territories <i>Workers' Compensation Act:</i>	Section 83; 84(2)(8), 85(3), 86; 102
Nunavut <i>Workers' Compensation Act:</i>	Section 83; 84(2)(8), 85(3) 86; 102
Northwest Territories <i>Workers' Compensation General Regulations:</i>	Section 12
Nunavut <i>Workers' Compensation General Regulations:</i>	Section 12

POLICY RELATED DOCUMENTS

Administrative Policy A.6	Employees' Use of WCB Equipment
---------------------------	---------------------------------

HISTORY

Governance Council Directive B-006 (Oct 23, 2023)	Governance Council Directors' Code of Conduct
Governance Council Directive B-006 (Jan 01, 2021)	Governance Council Directors' Code of Conduct
Governance Council Directive B-006 (Mar 03/16)	Governance Council Directors' Code of Conduct
Governance Council Directive B-006 (Dec 11/08)	Governance Council Directors' Code of Conduct
Governance Council Directive B-006 (Oct 17/01)	Corporate Governance Guidelines

Chairperson



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 kilometeric 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

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



GOVERNANCE COUNCIL DIRECTORS' CLAIMS

Claims Management by another Board

If the WSSCC cannot adjudicate a Director's or family member's claim impartially because of personal associations between the Director and WSSCC employees, the President or designate engages the services of a compensation board of another province or territory. The engaged board acts on the WSSCC's behalf in the adjudication of a claim.

The third party board adjudicates the claim according to the appropriate *Workers' Compensation Act* and applicable directives and policies. Compensation, benefits and other expenses related to the adjudication are paid from the Workers' Protection Fund. The President or delegate advises the adjudicating board if questions arise concerning the application of the *Workers' Compensation Act*.

LEGISLATIVE AUTHORITIES

Northwest Territories <i>Workers' Compensation Act</i> :	Section 10; 95 Subsection 85(2); 85(3); 92(1)
Nunavut <i>Workers' Compensation Act</i> :	Section 10; 95 Subsection 85(2); 85(3); 92(1)
Northwest Territories <i>Conflict of Interest Act</i> :	All
Nunavut <i>Conflict of Interest Act</i> :	All

POLICY RELATED DOCUMENTS

Governance Council Directive B-006	Governance Council Directors' Code of Conduct
Policy 03.02	Entitlement
Policy 03.03	Arising out of and During the Course of Employment
Policy 04.11	Claims Management
Policy 11.02	Reporting an Injury

HISTORY

Governance Council Directive B-010 (Mar 3/16)	Governance Council Directors' Claims
Governance Council Directive B-010 (Dec 11/08)	Governance Council Directors' Claims
Governance Council Directive B-010 (Apr 17/07)	Governance Council Directors' Claims



Workers' Safety
& Compensation Commission

ᐃᖃᖅᑲᑲᑦ ᐃᐸᖃᖅᑲᖅᑲᖅᑲᖅᑲᖅᑲᖅᑲᖅᑲᖅ
ᐃᖅᐸᖅᑲᖅᑲᖅᑲᖅᑲᖅᑲᖅᑲᖅᑲᖅᑲᖅᑲᖅᑲᖅᑲᖅᑲᖅᑲᖅᑲᖅᑲᖅ

GOVERNANCE COUNCIL DIRECTORS' CLAIMS

Chairperson



Workers' Safety
& Compensation Commission

ᐃᖃᖃᐱᐱᖃᖃᖅᐱᐁᑦ ᐱᑦᑕᐱᖃᖅᐱᐁᑦ
ᐱᑦᑕᐱᖃᖅᐱᐁᑦ ᐱᑦᑕᐱᖃᖅᐱᐁᑦ

Governance Council Directors' Training

POLICY STATEMENT

The Workers' Safety and Compensation Commission (WSCC) recognizes the value of providing Governance Council Directors' with training opportunities to develop competencies and skills related to the roles and responsibilities of their positions. This directive governs the process for identifying training needs, as well as approving training for Governance Council Directors.

DEFINITIONS

Corporate Secretary:	"... the Corporate Secretary of the Commission appointed under subsection 101(6);" (as per subsection 1 (1) of the <i>Workers' Compensation Act(s)</i>).
Governance Council:	"...the Governance Council continued by subsection 83(1);" (as per subsection 1(1) of the <i>Workers' Compensation Acts</i>)
Workers' Protection Fund:	"...the fund continued by subsection 67(1) for the payment of compensation and other outlays and expenses authorized under this Act;" (as per subsection 1(1) of the <i>Workers' Compensation Acts</i>).

POLICY

General

Governance Council Directors are given the power to administer the Northwest Territories and Nunavut *Workers' Compensation Acts*, the *Explosives Use Acts*, the *Mine Health and Safety Acts*, and regulations made under these Acts. Administration of these Acts and regulations requires expertise and a diverse skill-set, which may be developed through training. This may include courses, educational programs or professional development opportunities.

A budget for Governance Council Director training is set for each calendar year based on development plans and training requirements, including training required for members of the Audit Committee and Governance and Leadership Committee. The WSCC pays the cost for a Director to attend training courses from the WSCC Workers' Protection Fund. Additionally, Directors are remunerated for time spent travelling to and attending a training session that is authorized by the Governance Council. Director remuneration is determined in accordance with section 12 of the *Workers Compensation General Regulations* and Governance Council Directive B-004, Governance Council Directors'



Workers' Safety
& Compensation Commission

ᐃᖃᑲᐱᐱᖃᖃᑲᑲ ᐃᑕᑕᐱᖃᖃᑲᑲ
ᐃᑕᑕ ᐱᑕᑕᑲᑲᑲᑲᑲ ᖃᑲᑲᑲᑲᑲᑲᑲ

Governance Council Directors' Training

- 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.



Governance Council Directors' Training

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



Workers' Safety
& Compensation Commission

ᐃᖃᐅᐱᐃᕐᖃᐱᐁᐁ ᐃᕐᕐᕐᕐᕐ
ᐃᕐᕐᕐ ᐱᕐᕐᕐᕐᕐᕐ ᕐᖃᐃᕐᕐᕐᕐᕐᕐ

Governance Council Directors' Training

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

Inuktitut text for Workers' Safety & Compensation Commission

GOVERNANCE COUNCIL STAKEHOLDER RELATIONS

POLICY STATEMENT

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

DEFINITIONS

Table with 2 columns: Term and Definition. Rows include Governance Council, Stakeholders.

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 WSSCC policies.

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

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 WSSCC and stakeholders.

Generally, stakeholders include workers, employers and associations that represent their interests, as well as government and partner agencies.



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 (ATIPP) 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.



GOVERNANCE COUNCIL STAKEHOLDER RELATIONS

Websites

All policies approved by the Governance Council are available directly through the WSCC’s public website.

Use of Plain Language and Cultural Awareness

The Governance Council will strive for continuous improvement in making communications to clients and stakeholders easy to understand through the use of plain language wherever possible.

In addition, the Governance Council will exercise cultural awareness to ensure that communications with stakeholders are culturally appropriate.

LEGISLATIVE AUTHORITIES

- Northwest Territories *Workers’ Compensation Act*: subsection 83(2); 89(c)
- Nunavut *Workers’ Compensation Act*: subsection 83(2); 89(c)
- Northwest Territories *Access to Information and Protection of Privacy Act*: All

POLICY RELATED DOCUMENTS

- Policy 00.07 Stakeholder Engagement

HISTORY

New

Chairperson