

Decision of the Governors

Number: 86

Date: November 16, 1994

Subject: Bylaw No. 4 — Published Policy of the Governors

As made by the governors of the Workers' Compensation Board of British Columbia, a policy, resolution and bylaw relating to the published policy of the governors is made and enacted as follows:

1.0 Section 1 — Published Policies of the Governors

- 1.1 As of June 3, 1991, the published policies of the governors consist of the following:
 - (a) the *Assessment Policy Manual*,
 - (b) the *Occupational Safety and Health Division Policy and Procedure Manual*,
 - (c) the *Rehabilitation Services and Claims Manual*, and
 - (d) *Workers' Compensation Reporter* Decisions No. 1–423.
- 1.2 After June 3, 1991, the published policies of the governors consist of the documents listed in paragraph 1.1, amendments to the three policy manuals, any new or replacement manuals issued by the governors, any documents published by the Workers' Compensation Board that are adopted by the governors as published policies of the governors, and all decisions of the governors declared to be policy decisions.
- 1.3 As of January 10, 1994, the *Classification and Rate List*, as approved annually by the governors, constitutes published policy of the governors.

2.0 Section 2 — Application of Published Policy of the Governors

- 2.1 In the event of a conflict between the *Act* or Regulations and the published policies of the governors, the *Act* and Regulations are paramount.

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- 2.2 In the event of a conflict between published policy in a Manual identified in Section 1.1 (a), (b), or (c) of this Bylaw, and published policy in *Workers' Compensation Reporter* Decisions No.1–423 identified in Section 1.1(d), published policy in the *Manual* is paramount.
 - 2.3 In the event of any other conflict between published policies of the governors:
 - (a) if the policies were approved by the governors on the same date, the policy most consistent with the *Act* or Regulations is paramount.
 - (b) if the policies were approved by the governors on different dates, the most recently approved policy is paramount.

3.0 Section 3 — Records of Governor Decisions

- 3.1 Originals of governors' decisions with respect to their published policies shall be retained by the Office of the Board of Governors in the manner directed by the chairman.

4.0 Manner of Publication

- 4.1 The policies of the governors shall be published in print.
- 4.2 The policies of the governors may also be published through an accessible electronic medium or in some other fashion that allows the public easy access to the policies of the governors.
- 4.3 The chairman shall supervise the publication of the *Workers' Compensation Reporter*. It will include decisions of the governors and selected decisions of the Appeal Division. It may include key decisions of the Workers' Compensation Review Board and Courts on matters affecting the interpretation and administration of the *Act* or other matters of interest to the community.
- 4.4 Appeal Division decisions do not become published policy of the governors by virtue of having been published in the *Workers' Compensation Reporter*. Appeal Division decisions are published in the *Reporter* to provide guidance on the interpretation of the *Act*, the Regulations and Board policies, practices and procedures.

5.0 Decision No. 3 and Effective Date

5.1 This policy, resolution and bylaw replaces Decision of the Governors No. 3 dated April 1, 1991 (*Workers' Compensation Reporter*, Vol. 7: p. 17) and comes into effect on December 1, 1994.

THIS POLICY, RESOLUTION AND BYLAW has been passed by the governors at a meeting of the governors duly called for that purpose on November 16, 1994.