



Province of Alberta

WORKERS' COMPENSATION ACT

FAIR PRACTICES OFFICE REGULATION

Alberta Regulation 211/2018

Filed on November 28, 2018, in force December 1, 2018

Extract

© Published by Alberta Queen's Printer

Alberta Queen's Printer
Suite 700, Park Plaza
10611 - 98 Avenue
Edmonton, AB T5K 2P7
Phone: 780-427-4952
Fax: 780-452-0668

E-mail: qp@gov.ab.ca
Shop on-line at www.qp.alberta.ca

Copyright and Permission Statement

Alberta Queen's Printer holds copyright on behalf of the Government of Alberta in right of Her Majesty the Queen for all Government of Alberta legislation. Alberta Queen's Printer permits any person to reproduce Alberta's statutes and regulations without seeking permission and without charge, provided due diligence is exercised to ensure the accuracy of the materials produced, and Crown copyright is acknowledged in the following format:

© Alberta Queen's Printer, 20__.*

*The year of first publication of the legal materials is to be completed.

Note

All persons making use of this document are reminded that it has no legislative sanction. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

(no amdt)

ALBERTA REGULATION 211/2018
Workers' Compensation Act
FAIR PRACTICES OFFICE REGULATION

Table of Contents

- 1 Definitions
- 2 Delegation to deputy
- 3 Procedures
- 4 Complaints
- 5 Disclosure of information
- 6 Result of review
- 7 Coming into force

Definitions

1 In this Regulation,

- (a) “Act” means the *Workers' Compensation Act*;
- (b) “Code” means the Code of Rights and Conduct established by the Board under section 9.2 of the Act;
- (c) “Commissioner” means the Fair Practices Commissioner appointed under section 23.1(1) of the Act;
- (d) “Fair Practices Office” means the Fair Practices Office established under section 23.1(1) of the Act;
- (e) “head” means, with respect to a workers' compensation body,
 - (i) the chief appeals commissioner, in the case of the Appeals Commission,
 - (ii) the President of the Board, in the case of the Board, or
 - (iii) the Medical Panels Commissioner, in the case of the Medical Panels Office;
- (f) “Medical Panels Office” means the Medical Panels Office established under section 46.2(1) of the Act;

- (g) “workers’ compensation body” means
 - (i) the Appeals Commission,
 - (ii) the Board, or
 - (iii) the Medical Panels Office.

Delegation to deputy

2 The Commissioner may, in writing, delegate to a Deputy Fair Practices Commissioner any power or duty conferred or imposed on the Commissioner under the Act or this Regulation, except the power of delegation under this section.

Procedures

3(1) The Commissioner shall establish procedures respecting the following:

- (a) the conduct of a review of a complaint made under section 23.2(2)(a) of the Act;
- (b) the conduct of a review of a matter referred to the Commissioner under section 23.2(2)(b) of the Act;
- (c) the conduct of a review on the Commissioner’s own motion under section 23.2(2)(c) of the Act;
- (d) the informal resolution of a complaint, a matter referred to the Commissioner or a matter reviewed on the Commissioner’s own motion under section 23.2(2) of the Act;
- (e) the assistance of workers, workers’ dependants, or employers in navigating the workers’ compensation system, including procedures respecting the direction of workers, workers’ dependants or employers to an appropriate resource, person or organization for assistance;
- (f) the preparation of systems assurance reports for the Minister in respect of the workers’ compensation system, including reports in respect of the activities of the Fair Practices Office and complaints received by the Fair Practices Office.

(2) The Commissioner may establish any other procedures that the Commissioner considers necessary.

Complaints

4(1) A complaint to the Commissioner under section 23.2(2)(a) of the Act must

- (a) be in writing,
- (b) set out in detail the grounds of the complaint and the particular facts supporting the grounds of the complaint,
- (c) describe any steps the complainant and the relevant workers' compensation body have already taken to resolve the complaint, and
- (d) contain any other information the Commissioner requires.

(2) The Commissioner may refuse to review a complaint

- (a) in the case of a complaint with respect to a matter referred to in section 23.2(1)(a)(i) of the Act, if the complainant had, in the opinion of the Commissioner, knowledge of the matter that is the subject of the complaint for more than 24 months before the complaint is made to the Commissioner, or
- (b) in the case of a complaint with respect to an alleged breach of the Code, if the complainant had, in the opinion of the Commissioner, knowledge of the alleged breach for more than 24 months before the complaint is made to the Commissioner.

(3) The Commissioner may refuse to review or may discontinue a review of a complaint if in the Commissioner's opinion

- (a) the review is unnecessary,
- (b) the subject-matter of the complaint is trivial, or
- (c) the complaint is frivolous, vexatious or not made in good faith.

(4) If the Commissioner refuses to review or discontinues the review of a complaint, the Commissioner shall inform the complainant of the decision and state the reasons for the decision.

Disclosure of information

5 For the purposes of section 23.2(4) of the Act, an employer is authorized to disclose the records and information referred to in that section.

Result of review

6(1) After conducting a review, the Commissioner shall provide the Commissioner's preliminary findings and any recommendations to the head of each workers' compensation body that is a subject of the review and ensure that each head has a reasonable opportunity to respond.

(2) The Commissioner shall, after considering any response received under subsection (1), prepare a final report, which must contain the following:

- (a) the Commissioner's findings with respect to the matter under review;
- (b) the Commissioner's recommendations, if any;
- (c) any other information that the Commissioner considers relevant.

(3) The Commissioner shall provide a copy of the final report to the following:

- (a) the head of each workers' compensation body that is a subject of the review;
- (b) the complainant, if any;
- (c) the Minister.

Coming into force

7 This Regulation comes into force on the coming into force of section 14 of Schedule 2 of *An Act to Protect the Health and Well-being of Working Albertans*.



Printed on Recycled Paper 