

Employer Request for File Release
Hearing Officer Appeal

To: Internal Appeals
Workers' Compensation Board
5595 Fenwick St., Suite 306
Halifax, NS B3H 4M2

Fax: (902) 491-8001

*** = MANDATORY – information must be included before request will be processed.**

CLAIMANT'S NAME: *
WCB CLAIM #: *
EMPLOYER: *

I, _____, hereby request the Workers' Compensation Board release the information specified below, which is solely related to the Worker's claim to:

Only the information in the worker's claim file which is relevant to the appealable decision may be released to the worker's employer. WCB staff will have the responsibility of reviewing claim files to determine which information is relevant.

Please select from below:

- _____ **I require a copy of all relevant documents on file**
- _____ **I require only the relevant documents after this date _____**
- _____ **I require only the relevant medical information**
- _____ **I require a copy of the following specific document: _____**

*** Please provide a reason for request: (make reference to concerns with material either contained in _____ or which the employer has reason to believe was omitted from, the appealable decision.)**

Dated this ** _____ day of ** _____, 20____.

* _____
SIGNATURE OF EMPLOYER AUTHORIZED REPRESENTATIVE

Effective Date: February 1, 1996

Date Issued: December 1, 1995

Date Approved by Board of Directors: October 4, 1995

Topic: Access by Employers to Information Contained in Clients' Claim Files

Section: General Policies

Subsection: Administration

Policy Statement

1. A worker's employer is entitled to request access to information in the worker's claim file after an appealable decision has been made.
2. Only the information in the worker's claim file which is relevant to the appealable decision may be released to the worker's employer. Board staff will have the responsibility of reviewing claim files to determine which information is relevant.
3. Information from a claim file will only be released if the employer submits a written request for access to such information and states a reason for requesting access. The reason should make reference to concerns with material either contained in or which the employer has reason to believe was omitted from, the appealable decision.
4. The worker will be advised whenever information is being released to the employer.
5. The employer will be charged a fee related to the cost of staff salaries for reviewing files.
[Note: waived for initial copy]

Guidelines

1. A worker who has received a decision on a claim from the Board is entitled, upon written request, to receive a copy of all the information in his/her file.
2. A worker's employer has the right to participate after an appealable decision has been made. The employer can:
 - a) file an internal appeal of the decision; and/or
 - b) submit written arguments and/or oral evidence regarding an appeal launched either by itself (the employer) or the worker.
3. The Board, in developing its policy on access by employers to claim file information, has sought to strike an equitable balance between (a) protecting workers' privacy; and (b) providing employers with access to the information the Board used in making its decision(s) regarding claims.

In so doing, the Board has tried to make its appeal processes fair to all concerned.

Application

This Policy applies to all decisions made on or after February 1, 1996.

References

Workers' Compensation Act (Chapter 10, Acts of 1994 - 95), Section 193.