

15-Mar-2022

Applicant c/o
Jeff Sunstrum, Access and Privacy Officer
Corporate Information Management, ATIPP Office

Final Response Access Request 22-060

Decision

The Yukon Workers' Compensation Health and Safety Board has searched the program areas Occupational Health and Safety and Information Management and has identified records responsive to Access Request 22-060. The final response on the information is as follows:

Access Granted in Part

The Yukon Workers' Compensation Health and Safety Board has granted access in part to the information relating to the request noted below:

All prohibited reprisal complaints filed under s.18 of the Occupational Health and Safety Act. Information to include any correspondence sent to the complainant worker by YWCHSB.

Timeframe: April 1, 2021 - February 7, 2022

ADDITIONAL INFORMATION:

I would like all the information found in a file pertaining to any and all s.18 complaints. Sorry, I should have worded it better. I would appreciate investigation reports, appeal notices if any, etc.

Severances were made pursuant to the following section(s) of the *ATIPP Act*:

Redaction code	Section	Explanation
1	70(1)(3)(a)(iii)	Relates to a third parties education and employment.
2	70(1)(3)(a)(iii)	In addition: information in conjunction with other publicly available information could reveal the identity of the third party or the third parties employment.
3	70(1)(3)(a)(iv)(A)	Relates to a third parties health.
4	70(1)(2)(c)(3)(a)(iii)	Relates to a third parties personal information and could reveal the identity of the third party or the third parties employment.
5	70(1)(3)(a)(iii)(5)(d)(II)	Relates to a third parties employment and disclosure would unfairly damage reputation of the third party.

YWCHSB received three prohibited reprisal complaints during the time period. The investigations in two of those complaints are currently ongoing, and all related records have been withheld in accordance with section 72(1)(b)(i) since their release could reasonably be expected to interfere with law enforcement matters.

In addition, one recorded interview was withheld in its entirety in accordance with section 72(1)(b)(ii) as it could reasonably be expected that release of that information would reduce the effectiveness of the investigation technique used. All Records were de-duplicated using Adobe Acrobat Pro.

There will be no charges to the applicant.

Right to complain

As per section 66 of the ATIPP Act, a complaint regarding this response may be made to the Information and Privacy Commissioner of the Yukon within 30 days of receiving this letter:

**Office of the Ombudsman, Information and Privacy Commissioner & Public Interest Disclosure
Commissioner**

3162 Third Avenue, Main Floor

Whitehorse, Yukon Y1A 1G3

Email: intake@yukonombudsman.ca

Phone: 867-667-8468

Toll free in the Yukon: 1-800-661-0408 (ext. 8468)

Fax: 867-667-8469

Contact Person in Department

If the applicant has any questions, please contact Stefan Gottermann, Designated Access Officer for the Yukon Workers' Compensation Health and Safety Board at 867-677-8837 or stefan.gottermann@wcb.yk.ca.



Kathleen Avery, Director, Legal Services
Yukon Workers' Compensation Health and Safety Board