

# Service Denial and Withdrawal Policy

## Purpose

This policy outlines the reasons why the AO may deny or withdraw services to a client.

## Definitions

- **“Disrespectful or Abusive Behaviour”** includes but is not limited to, language or actions that would reasonably be viewed as aggressive, threatening, intimidating, insulting, degrading, racist, sexist, hateful, obscene, violent, or reasonably be expected to cause fear, distress, or anxiety in the person who is the target of the behaviour.
- **“Conflict of Interest”** is when the AO finds a real or perceived conflict of interest that would prevent the branch from representing the client objectively.
- **“Inconsistent Purpose”** is when a client requests assistance with:
  - disentitlement of their own or another’s workers’ compensation claim benefits under Section 21(3) of the Act; or
  - waiving or foregoing benefits under Section 140 of the Act.
- **“Serious Loss of Confidence”** is when the client-advisor relationship has broken down in a way which prevents open communication and zealous representation. Examples include, but are not limited to, a client deceiving the advisor, consistently refusing the advisor’s advice on a significant issue, persistent unreasonable or uncooperative conduct, inability to obtain adequate instructions from the client, or repeated accusations that the advisor is nefariously acting in interests of parties other than the client.

## Services the AO Will Not Provide

The AO does not advise, represent, or otherwise support clients with the following:

- lawsuits or other non-WCB or non-AC proceedings;
- service complaints regarding the WCB or AC;
- appeals of administrative WCB decisions;
- statutory appeals or judicial reviews;
- actions already before the courts;
- furtherance of illegal conduct;
- transfer of the costs of claims between employers; or
- complaints to the Alberta Ombudsman, Office of the Information and Privacy Commissioner, WCB Fair Process Review Centre, or other similar oversight bodies.

### **Situations in Which Services May be Denied or Withdrawn**

The AO may also deny or withdraw services to clients in these situations:

- engaging in conduct contrary to the AO Service Commitment;
- not fitting the definition of an AO client;
- client wants the AO to provide services that are outside the scope of the AO's mandate and this policy;
- client already has a representative outside of the AO;
- client engages in Disrespectful or Abusive Behaviour;
- vexatious behaviour by a client which may constitute an abuse of process;
- having a conflict of interest or an inconsistent purpose with the AO's mandate;
- client makes an audio or visual recording of AO personnel without seeking permission to make such a recording;
- client has a Serious Loss of Confidence in the advisor; or
- client has no appealable issue(s) including premature issues or missed time limits where extension requests have been denied.

### **Notice to Withdraw Services**

In most cases, the AO must notify the client by email or mail that the client's conduct is in violation of the AO Service Provision Policy and that a subsequent violation will result in the withdrawal of services. In cases of Disrespectful or Abusive Behaviour, the services may be withdrawn immediately without prior notice. Withdrawal notices must set out when, if ever, the client may re-apply for services.