

Legally speaking...

Did you know?

November 2008
Subject: Employment

WORKSAFEBC - APPEALS

If your claim with Workers' Compensation Board (WCB) has been denied and you think they made the wrong decision then you can appeal.

How do I appeal to WCB?

Ask them to send you a decision letter explaining the reason why you were denied. If after receiving the letter you are still not satisfied with their decision, you can ask for a review of the decision.

What is a review of the decision?

You have to ask the WCB's Review Division to take a second look at the decision, taking into account all the information provided previously plus any new information. You have **90** days from the day you receive your decision letter to ask for this review. To make a request for a review, you need to fill out a **Request for Review form**. The Review Division will generally make a decision within **150** days.

What is the next level of appeal?

If you are still not satisfied with the decision of the Review Division, you can appeal to the next level, the Workers' Compensation Appeal Tribunal (WCAT), the final level of appeal. You have **30** days from the date of the Review Division decision to make this appeal. You can appeal by filling out the **Notice of Appeal form** available from the Tribunal's website.

If you appeal by phone, you have to follow it up with the form within **21** days. The Tribunal will send you a letter confirming they have received your appeal and will give you an appeal number. The Tribunal will usually provide its decision within **180** days.

Making an appeal to WCB can be very complicated. If you are a union member, discuss your case with the union. If you can afford to hire a lawyer, make sure they have experience in this area of the law. If you cannot get help from a union or a lawyer, then you should try and get assistance from the Workers' Advisors. They work for the BC Ministry of Labour.

For More Information and Assistance

WCB: www.worksafebc.com

Review Division: 604-214-5411 or
1-888-922-8804

Workers' Compensation Appeal Tribunal (WCAT)

Phone: 604-664-7800 in the Lower Mainland
and 1-800-663-2782 elsewhere in BC

Workers' Advisors: www.labour.gov.bc/wab

Phone: 604-713-0360 in Vancouver
1-800-663-4261 in the Lower Mainland
1-800-661-4066 on Vancouver Island

For numbers in other places, click on "Office Locations" on their website.



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