

Board Appeal Tribunal for Workers

You can ask the Board Appeal Tribunal (the tribunal) to review any decision made by the appeals department. The tribunal is comprised of two or more members of the board who are unbiased and who will rule fairly on appeals from both workers and employers.

The tribunal has full authority in all matters arising from [The Workers' Compensation Act, 2013](#) (the Act). It has the same powers as the Court of Queen's Bench. It can ask witnesses to appear and to give statements under oath. It can ask that evidence be produced at any time in the appeal process. The tribunal is not bound by any legal precedent. It will make decisions on the real merits of each case to be fair and reasonable. The tribunal must base its decisions within the language of the Act.

Filing an appeal

Your appeal must be submitted in writing. You must give your reasons for the appeal and send any supporting documents. You must outline what you expect from the tribunal should your appeal be accepted. Please also indicate whether you wish to meet with the tribunal to present your case. To submit an appeal:

- Use our [online worker appeal form](#);
- Email your appeal to boardappeal@wcbask.com; or
- Mail your written appeal to the address at the top of this page, attention Board Appeal Tribunal.

Board services staff will look at your appeal to ensure it is an issue that has been dealt with at the appeals department level first. If your appeal can be registered, you will receive a letter confirming receipt of your appeal. The letter will also provide an approximate timeline for when you can expect a decision from the tribunal. Board services staff can also provide you with advice necessary to help you with your appeal.

Board Appeal Tribunal process

When your appeal is registered, your employer will be notified that an appeal has been submitted to the tribunal and will be given an opportunity to submit information to the tribunal. With some injury claims, the employer may ask to take part in the appeal. The tribunal will decide if the employer can attend your meeting with the tribunal (if a meeting was requested), and will tell you their decision. This decision is made on a case-by-case basis.

Your employer does not have the right to get a copy of your injury claim file when you file an appeal. However, you can obtain a copy of your file to help you prepare your appeal. To request a copy of your file, contact your claims entitlement specialist or case manager. If you have previously obtained your file information, you will get a copy of the updated information since your last request prior to the tribunal rendering a decision. If your employer has submitted new written submissions, these will be included in the updated copy of your file.

Types of appeals

There are two types of appeal processes.

1. **Hearing appeal process:** You request a meeting with the tribunal and the meeting is granted.
2. **Non-hearing appeal process (or paper review):** You do not request a meeting with the tribunal.

In both cases, the tribunal follows an inquiry model where they can gather additional information if needed. Any new information gathered is shared with you before a decision is made.

Decisions by the tribunal

Board services staff will send you a written decision once the tribunal has rendered its decision. It will outline the information considered by the tribunal and provide reasons about how all the information was applied to make the decision.

If you disagree with the tribunal's decision, and the issue you are in disagreement with revolves around a valid medical question, there is a process for examination by a Medical Review Panel. The decision of the Medical Review Panel will be binding on both you and the WCB. See the [Medical Review Panel](#) fact sheet for more details on the requirements for this process.

Fair Practices Office (FPO)

The FPO receives inquiries and questions about WCB practices in all areas of service delivery. However, it cannot review issues that are under appeal. For more information on the FPO, refer to the detailed [fact sheet](#) found on our website.

The FPO can be contacted at:

Phone 306.787.8651 or toll free: 1.888.787.8651

Toll free fax: 1.866.787.6751

Email: fairpracticeoffice@wcbask.com

Website: www.wcbask.com/fair-practices-office

Office of the Workers' Advocate

If you would like assistance with your appeal, you can ask the Office of the Workers' Advocate to give you free and independent advice about your claim and your appeal.

- If you have filed an appeal with the tribunal prior to contacting the Office of the Workers' Advocate, they will ask you to withdraw your appeal. This will allow them time to review your claim file and to submit an appeal to the tribunal on your behalf.
- The Office of the Workers' Advocate has access to your injury claim file for the purpose of assisting with your appeal. As such, when an advocate is assisting with your appeal, updated claim file information will not be sent to you unless you make a specific request for this information.

The Office of the Workers' Advocate can be contacted at:

300 – 1870 Albert Street

Regina SK S4P 4W1

Toll free phone: 1.877.787.2456

Fax: 306.787.0249

Email: workersadvocate@gov.sk.ca

Website: www.saskatchewan.ca