

WORKER APPEALS

As an injured worker, you can ask to have a decision on your Workers' Compensation Board (WCB) claim reviewed.

If you need help

To help you with your appeal, you can appoint someone to act on your behalf and you can also request information from your claim file. Download the following forms from our website or request them from our Regina or Saskatoon office. Fax or mail completed forms to the WCB. Contact information is given at the end of this document.

- To appoint someone to represent you (a friend or relative, someone from your union or anyone else you trust), submit an *Authorization Letter of Representation (WREP)* form to the WCB. The form allows us to discuss your confidential information with that person.
- To obtain copies of the information from your claim file, you or your representative can submit a *Request for Copy of File (WROI)* form to the WCB.

You can also ask the Office of the Worker's Advocate to give you free and independent advice about your claim. See contact information at the end of this document.

The Appeal Process

This process has several levels, which must be taken in order with a decision made on each level before you can move on to the next. Beyond the initial review, all appeals must be made in writing to the address above. Outline the decision you question, why you disagree with it, how you think it should be resolved, and include information in support of your position. You will be advised of the results of your appeal by letter.

Level 1: Initial Review

Contact your Claims Entitlement Specialist (CES) or Case Manager (CM) who made the decision, and ask them for an explanation. Many misunderstandings and disagreements can be settled at this stage.

Level 2: Appeals Department

If you and your WCB representative can not agree, you, your dependent spouse or child, or your appointed representative can take the issue to the WCB's Appeals Department. You can submit your appeal electronically on our website, or in writing addressed to the Appeals Department. Once you have submitted your appeal, you can ask to meet with the Appeals Officer assigned to the file.

To resolve the issue in question, the Appeals Officer will conduct a full review of your injury claim file, and may ask for more information. You can be confident of an unbiased review because the Appeals Officer is independent of the Operations Division that made the decision on your claim.

Level 3: Board Members

If you disagree with the decision of the Appeals Department, you can request a further review by the WCB Board Members. Address your appeal to the Assistant to the Board. You can also ask for a personal meeting with the Board Members at this time. The Board Members are the final level of appeal, except where there is a bona fide medical question.

Level 4: Medical Review Panel

A request for a Medical Review Panel can only be made after if all other avenues of appeal have been completed, and if a bona fide medical question exists. Such a question arises when a physician or chiropractor disagrees with a medical position taken by the WCB on a claim.

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To request a Medical Review Panel, your physician or chiropractor must sign an Enabling Certificate outlining their medical position on the WCB decision being questioned, and setting out the reasons why the WCB decision is medically incorrect. Enabling Certificates are available through the WCB's Medical Services and Board Services Departments.

A Medical Review Panel consists of a Chair selected by the WCB in consultation with the Saskatchewan Medical Association, and two physicians selected by the injured worker. The decision of the Medical Review Panel is final and binding on you and on the WCB.

All Phone Inquiries

(306) 787-4370 or 1-800-667-7590

Fax Inquiries

(306) 787-4311 or 1-866-331-3036

Website

www.wcbsask.com

Office of the Worker's Advocate

400 – 1870 Albert Street

Regina, SK S4P 4W1

Phone: (306) 787-2456

Fax: (306) 787-0249

Website: www.labour.gov.sk.ca/advocate/

Email: workersadvocate@lab.gov.sk.ca