

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 made up of two or more members of the WCB 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 also can ask that evidence be produced at any time in the appeal process. The Tribunal is not bound by any legal precedent. The Tribunal 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.

The Tribunal has full authority to review all matters on your file, and is not required to uphold prior decisions. All matters will be reviewed and reconsidered when you submit an appeal.

Filing an Appeal

Your appeal must be in writing. You must give your reasons for the appeal and send any supporting documents. You must outline what you expect from the Tribunal. Please indicate if you wish to have a hearing (see Types of Appeals below). You can:

- Use our [online appeal form](#);
- Email your appeal to boardappeal@wcbsask.com; or
- Mail your written appeal to the address at the top of the 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. We will then tell you in writing that your appeal will be reviewed by the Tribunal. We may also provide you with advice necessary to help you with your appeal.

Your employer will be told you appealed and will be allowed to submit information to the Tribunal. With some injury claims, an employer may ask to take part in your appeal. The Tribunal will decide if the employer can attend, and will review this on a case-by-case basis and tell you their decision. If you have previously requested your claim file information, any written submissions by the employer will be provided to you. All information relating to a claim is confidential, and may only be used for the purpose of an appeal.

Types of Appeals

There are two types of appeal processes. One process requires a hearing; the other does not (this is called a paper review). In both cases, the Tribunal follows an inquiry model where they can gather additional information if needed. Any new information gathered is shared before a decision is made.

Non-Hearing Appeal Process (paper review)

- The Tribunal reviews your appeal and any submissions received.
- The Tribunal may ask for other information.
- The Tribunal reviews all information and makes a decision.
- You receive a written copy of the Tribunal's decision.
- Your employer will receive a brief explanation of the decision (not the full decision).

Hearing Appeal Process

- We will schedule a hearing and advise you of the date and location. (Hearings can be held in either Regina or Saskatoon.)
- An Assistant to the Tribunal will be at the hearing to take notes.



- The Tribunal will arrange for a court reporter at the hearing if it believes official transcripts are needed.
- The Tribunal will decide if a meeting will be held. You may receive travel expenses to attend the hearing if you live within Saskatchewan. If you live outside Saskatchewan, your meeting will be by teleconference.
- Travel expenses will not be paid for doctors or others acting on your behalf.
- The Tribunal may ask to meet with you and your employer, even if you did not ask for a meeting.

Your employer does not have the right to get a copy of your injury claim file when you file an appeal. However, you can get a copy of your file to help you prepare your appeal. If you have previously obtained your file information, you will get a copy of your updated file before your hearing date. If you have asked the Office of the Workers' Advocate to represent you, they have electronic access to see your claim.

If you asked for a hearing for your appeal, the Tribunal will decide whether to meet you and whether or not to allow your employer to attend. Their decision will be based on the nature of your appeal.

Decisions by the Tribunal

We will send you a written decision. It will outline the information considered by the Tribunal and provide reasons about how all the information was applied to make the decision.

The Tribunal will also contact your employer by letter. The letter will say that either:

- There has been no change to your entitlement; or
- There has been a change to your entitlement and outline, in general terms, the decision made while avoiding any unnecessary reference to personal and medical information in your file.

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

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.

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/about-wcb/who-we-are/fair-practices-office

Office of the Workers' Advocate

You can also ask the Office of the Workers' Advocate to give you free and independent advice about your claim and your appeal.

300 – 1870 Albert Street
Regina, S4P 4W1

Toll free phone: 1.877.787.2456

Fax: 306.787.0249

Email: workersadvocate@gov.sk.ca

Website: www.saskatchewan.ca