



# Guide to Appealing a WCB Decision

## **Guide to the Appeal Process**

Decisions made by the Workers Compensation Board (WCB) are subject to appeal. This guide answers some common questions on the appeal process.

### **What can I do if I disagree with a WCB decision?**

If you do not understand or agree with a decision, the first step is to contact the WCB for an explanation. The contact information is on your decision letter. You can also call us at 902-368-5680 or toll-free in Atlantic Canada at 1-800-237-5049.

### **What if I have new evidence?**

If you have new evidence that we did not consider as part of the decision, you can ask the WCB to review the decision. You must make the request in writing.

New evidence on a claim can include new information from a treating healthcare provider, new work related information, or new earnings information. New evidence on an employer account can include new information about operations or payroll.

### **What if I still disagree with a decision?**

After you talk to us, if you still disagree with the decision, you can appeal it through the Internal Reconsideration Office.

Internal Reconsideration is an internal appeal process. The WCB uses this process when a person with a direct interest disagrees with a decision.

## **How do I appeal a WCB decision?**

To appeal a decision through the Internal Reconsideration Office, submit a *Request for Internal Reconsideration* form. Make sure that you include your contact information. You must also provide the date of the decision and the reasons why you disagree with the decision.

### **Where can I get a Request for Internal Reconsideration form?**

You can find this form on our website at [www.wcb.pe.ca](http://www.wcb.pe.ca). It is also available at the WCB office, the Office of the Worker Advisor, or the Office of the Employer Advisor.

### **How much time do I have to appeal the WCB decision?**

We must receive the request to appeal a decision within 90 days of the date that we notified you of the decision.

### **After I file the form, can I submit more information?**

No. Please submit all materials, arguments, or reasons for the appeal in writing with the *Request for Internal Reconsideration* form.

### **Can someone help me with the process?**

A union representative, relative, friend, or lawyer can represent you during an appeal.

You can also receive help from a Worker Advisor or Employer Advisor during the appeal process. The advisor can also represent you.

You can reach the Worker Advisor at:  
**Office of the Worker Advisor**  
161 St. Peters Road, Second Floor  
Sherwood Business Centre  
PO Box 2000  
Charlottetown, PE C1A 7N8  
Tel: 902-368-6460 or 1-800-658-1806

You can reach the Employer Advisor at:  
**Office of the Employer Advisor**  
40B Burns Avenue  
PO Box 2000  
Charlottetown, PE C1A 7N8  
Tel: 902-368-6132

If your representative signs the *Request for Internal Reconsideration* form, we will only contact your representative. We will send any information on the appeal to that person.

### **Can I appeal an Internal Reconsideration decision?**

Internal Reconsideration is the first level of appeal. If you do not agree with the Internal Reconsideration decision, you can appeal to the Workers Compensation Appeal Tribunal (WCAT). When you receive the Internal Reconsideration decision, it will include information on how to appeal to the WCAT.

### **Can I receive a copy of a claim file?**

As a worker, you can request a copy of your claim file. Complete a *Worker's Request for Release of File – Form A* and send it to us.

As a worker's employer, you can request a copy of the relevant information in the worker's file. There must be an issue in dispute before submitting the request. Complete an *Employer's Request for Release of File – Form D* and send it to us.

Both forms are available on our website at [www.wcb.pe.ca](http://www.wcb.pe.ca).

### **Can I receive a copy of my employer assessment file?**

To receive a copy of your employer assessment or classification file, contact Employer Services at 902-368-5680.

### **Is there a charge for a copy of the file?**

There is no charge for the first copy of a file, including any updates. There is a charge for additional copies.

### **Does the WCB cover costs associated with the appeal process?**

There is no charge to submit an appeal or to use the services of the Worker Advisor or Employer Advisor. We are not able to cover costs associated with the appeal process, such as lost wages, travel expenses, or legal fees.

### **Where can I find a copy of the Workers Compensation Act and the policies?**

You can find the *Workers Compensation Act* and the WCB policies on our website at [www.wcb.pe.ca](http://www.wcb.pe.ca).

Printed copies of the Act are available from Island Information Services, located at 11 Kent Street, Charlottetown.

The WCB's policy, Internal Reconsideration (POL-48), explains the internal appeal process. It is also available on our website.

### **For more information**

For more information, contact us:

- **Online:** [www.wcb.pe.ca](http://www.wcb.pe.ca)
- **In person:** 14 Weymouth Street  
Charlottetown
- **By mail:** PO Box 757  
Charlottetown, PE, C1A 7L7
- **By phone:** 902-368-5680 or  
toll-free in Atlantic Canada  
at 1-800-237-5049
- **By fax:** 902-368-6359



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For more information, please contact:

**Workers Compensation Board**  
**14 Weymouth Street**  
**PO Box 757, Charlottetown, PE C1A 7L7**  
**Tel: 1-800-237-5049 (toll free in Atlantic Canada)**  
**902-368-5680**  
**Fax: 902-368-6359**  
**Website: [www.wcb.pe.ca](http://www.wcb.pe.ca)**