



Information for Appealing a WCB Decision

Appeal Process

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

Internal Reconsideration is the process where the Workers Compensation Board, at the request of a person with a direct interest, reviews its previous decision in a claim or assessment matter and confirms, varies or reverses that decision.

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

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 your case worker for an explanation. The contact information is on your decision letter. If you feel you require further assistance, please contact the Service Quality Coordinator at 902-368-6044.

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.

What if I still disagree with a decision?

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

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. 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** from the date 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 assistance from the Worker Advisor or Employer Advisor during the appeal process.

You can reach the Worker Advisor at:

Office of the Worker Advisor

Tel: 902-368-6460 or Toll Free: 1-800-658-1806

Email: workeradvisor@gov.pe.ca

You can reach the Employer Advisor at:

Office of the Employer Advisor

Tel: 902-368-6132

Email: employeradvisor@gov.pe.ca

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 at the WCB. If you do not agree with the Internal Reconsideration decision, you can appeal to the Workers Compensation Appeal Tribunal (WCAT). Information about WCAT is enclosed with the Internal Reconsideration decision.

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.

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. Complete a *Request for Release of Employer Assessment File – Form E* and send it to us.

This form is available on our website at www.wcb.pe.ca.

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 cost to file a request for internal reconsideration or to participate in the process. Any additional expenses incurred will not be covered.

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.

For more information

For more information, contact us:

- **Online:** www.wcb.pe.ca
- **In person:** 14 Weymouth Street
Charlottetown, PE
- **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
- **By email:** appeals@wcb.pe.ca



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