

# Employer Appeals Consulting Service

## Understanding a WCB decision

WCB strives to make decisions that are fair. It is important to us that you understand the claims decisions associated with your account.

The claim owner and supervisor will work with you to resolve your concerns. When resolution is not achieved, helping you to understand the policies, legislation and facts used to make a decision will allow you to be in an informed and confident position to decide if you will proceed with an appeal.

The Employer Appeals Consulting Service is designed to assist you with this process.

## The consultation process

### Contact the person who made the decision

Your first course of action is always to speak to the decision maker who is either the adjudicator or case manager assigned to the file.

The decision maker will be able to explain all of the considerations that went into making the decision. If you have any additional information that may change the decision, you may submit it for consideration.

If you continue to have concerns with the decision, you should ask to speak with the supervisor. Supervisors are the first level of review and will look to assist you in understanding the decision and/or may alter the decision if appropriate.

If you are unable to resolve your concerns after speaking with the supervisor, and if you are unsure of the next steps or whether you would like to proceed with the review process, the Employer Appeals Consulting Service can help.

### Who can access the Employer Appeals Consulting Service?

This service is available to all employers who:

- Do not have an employer representative acting on behalf of their account.

- Are requesting consultation on a claim decision that is not more than 12 months old.
- Reference a specific written decision (general claim reviews looking for potential appeals or cost relief will not be accepted).
- Have claim-specific concerns. Note: concerns about account-specific decisions are not eligible for this service.

### What can you expect from the Employer Appeals Consulting Service?

When an employer disagrees with a claim decision the Employer Appeals Consulting Service will provide information, analysis and advice to help you:

- Gain understanding of the facts, policy and legislation used by the claim owner to make the decision.
- Gain an understanding of how the appeal process works.
- Determine the arguments for and against your position.
- Make an informed decision on how you would like to proceed.

### Limitations of the Employer Appeals Consulting Service:

- The account manager will not act as an employer advocate or representative with the claim owner or appeal body.
- The account manager will not prepare written submissions or attend appeal hearings on behalf of the employer.

This process is focused on resolving issues, where possible, by collaborating with the Customer Service department. When resolution is not possible, you will be provided with a letter outlining the issue(s), facts and policies that you will need in order to prepare a formal request for review as well as details of the review (appeals) process.

Written submissions for the Decision Review and Dispute Resolution Board (DRDRB) or Appeals Commission (AC) are not provided; however, with the information you are given, you

will be prepared to proceed with a formal review, should that be your preferred course of action.

### How can you access this service?

Complete an Employer Appeals Consulting Service form (C1116), which is available on our [website](#). Once your request is received, an account manager will contact you to validate your request for consultation.

### Important considerations

- This service is separate from WCB's appeals process used to resolve disputes (see [Questioning a Claims Decision Fact Sheet](#)).
- If you are appealing a decision on a claim file, you have one year from the date of the decision to appeal (as per Sections 46 and 13.2 of the [Workers' Compensation Act](#)).
- This service will not impact any time requirements relating to the appeals process

