

The Workers' Compensation Appeals Tribunal is independent and operates separately from the Workers' Compensation Board (Board). The Tribunal hears appeals from final decisions of hearing officers with the Board. Both the Tribunal and the Board are governed by the Workers' Compensation Act of Nova Scotia.

Who can appeal?

- a worker
- a deceased worker's dependant
- a deceased worker's estate
- an employer wishing to challenge a compensation decision
- an employer wishing to challenge an assessment decision

Before appealing to the Tribunal, you must go through the internal appeals process at the Board and receive a final decision of a hearing officer.

What do I do?

Tell us that you want to appeal. Our contact information is on the back of this pamphlet. We have a form that you may use for this purpose, called a Notice of Appeal form. Fill out the form, telling us why you are appealing. Sign the form and return it to us, with a copy of the hearing officer's decision.

You must also send a copy of your Notice of Appeal to the other participants. If you are a worker, you must send a copy to your employer. If you are an employer appealing a decision regarding a worker's benefits, you must send a copy to the worker.

Is there a time limit to appeal?

Yes. We must receive notice of your appeal within 30-days from the date you were notified of the hearing officer's decision.

What if I need more time to appeal?

If you think you may not be able to meet the 30-day deadline to notify us of your appeal, or if you are already out of time, you will need to write to us to request an extension. Give reasons for the delay. We may extend the time period to appeal, if we determine that an injustice would result if the time limit were not extended. If you would like more information, call us or visit our website.

What happens after the Tribunal receives notice of my appeal?

We will send you a letter to acknowledge receipt of your appeal. The letter will tell you whether your appeal will proceed by written submission or oral hearing.

If your appeal proceeds by written submission, you will not appear before the Tribunal. Your appeal will be decided after an Appeal Commissioner has reviewed the appropriate Board file and any written submission or evidence that is provided to the Tribunal by the participants.

If your appeal proceeds by oral hearing, you will appear before an Appeal Commissioner to present oral evidence and to make oral arguments.

Once you advise us that you are ready to proceed with your appeal, we will set deadlines for receipt of written submissions or will schedule an oral hearing, within 45 days. If you are not ready to proceed with your appeal, we will need to know why you are not ready and when you expect to be ready.





Where can I get legal advice?

The Workers' Advisers Program provides free service to workers and workers' dependants. Call one of the following numbers to find out if you are eligible:

Halifax	(902) 424-5050
Mainland toll-free	1-800-774-4712
Sydney	(902) 563-2302
Cape Breton toll-free	1-800-890-6786

For more information

Please visit our website or contact our office for more information.

www.gov.ns.ca/wcat/

Phone (902) 424-2250

Toll Free 1-800-274-8281

Fax (902) 424-2321

Workers' Compensation Appeals Tribunal
5670 Spring Garden Road
10th floor, Suite 1002
Halifax, Nova Scotia B3J 1H6



Appealing a Hearing Officer's Decision




NOVA SCOTIA
Workers' Compensation
Appeals Tribunal