

After you have filed an appeal with the Tribunal, we will tell you how your appeal will proceed - by oral hearing or written submission.

This pamphlet explains our process if your appeal is proceeding by written submission.

Why written submission?

We proceed by written submission when we believe that the issues under appeal can be resolved by receiving written evidence and arguments.

How does the appeal proceed?

We send a letter to you and to the other participants setting deadlines for sending in evidence and submissions. Evidence includes medical reports and sworn written statements given by a participant or witness. Submissions are written arguments on why the appeal should or should not succeed.

Participants to the appeal usually include the worker, the employer and the Workers' Compensation Board. They may not all choose to participate. Others may also ask to participate. We allow other participants if we determine that they have a direct and immediate interest in the appeal.

Deadlines are important to our process. If you cannot meet a deadline that we have set, write or call us as soon as possible. Give reasons why you cannot make the deadline. We will extend the deadline if your request is reasonable. We have guidelines to determine when it is reasonable to extend a deadline. The guidelines are on our website. We will also mail or fax them to you. When all participants have given their evidence and submissions to us, we will review this material, together with a copy of the Board claim files relevant to your appeal. The review is usually conducted by one Appeal Commissioner. A panel of three Appeal Commissioners will conduct the review if we consider it to be a complicated appeal.

If you get additional evidence after the deadlines have passed, but before you have received a decision, contact us by telephone immediately. If we have not issued a decision, we may be able to consider the late evidence. If we accept late evidence, we will provide the other participants with an opportunity to make comments on it. This may delay the decision.

After we complete the review, we will mail a written decision to all participants.

We also send a copy of the written decision to the Board. The Board will implement the decision.

For more information

If you require more information about appeals proceeding by written submission, or other information about the Tribunal, please visit our website or contact our office.

www.gov.ns.ca/wcat/

Phone (902) 424-2250

Toll Free 1-800-274-8281

Fax (902) 424-2321

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A Guide to Appeals Proceeding by Written Submission




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Appeals Tribunal