

Appeal Process and Procedures - Review/Appeal Bodies, Policy, Process and Procedures

The following tables identify the external and internal appeal bodies in each jurisdiction and provide links to policy, legislation, and additional resources for appeal information.

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 - Appeal to Court

Source: Association of Workers' Compensation Boards of Canada – 2024

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Newfoundland and Labrador

The following table identifies the external and internal appeal bodies in Newfoundland and Labrador and provides links to policy, legislation, and additional resources for appeal information.

Newfoundland and Labrador	Review/Appeal Bodies, Policy, Process and Procedures
External Review/Appeal Bodies:	Workers' Compensation Independent Review Board
Internal Review/Appeal Bodies:	Internal Review Unit
Policy:	Policy AP-01 Internal Review
Section of Act:	<ul style="list-style-type: none"> • Workplace Health, Safety and Compensation Act, 2022 (sections 21-23 and 31-44) • Workplace Health, Safety and Compensation Review Division Regulations
Additional Review/Appeal information at:	<ul style="list-style-type: none"> • WorkplaceNL – Employers – Appealing a decision • WorkplaceNL – Workers – Appealing a decision

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Prince Edward Island

The following table identifies the external and internal appeal bodies in Prince Edward Island and provides links to policy, legislation, and additional resources for appeal information.

Prince Edward Island	Review/Appeal Bodies, Policy, Process and Procedures
External Review/Appeal Bodies:	Appeal Tribunal
Internal Review/Appeal Bodies:	Internal Reconsideration Officer
Policy:	<ul style="list-style-type: none"> • POL-48: Internal Reconsideration • POL-88: Workers Compensation Appeal Tribunal Decision Implementation
Section of Act:	Workers Compensation Act (sections 56, 56.1, 56.2, 85)
Additional Review/Appeal information at:	<ul style="list-style-type: none"> • Guide to Appealing a WCB Decision • Workers Compensation Appeal Tribunal

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Nova Scotia

The following table identifies the external and internal appeal bodies in Nova Scotia and provides links to policy, legislation, and additional resources for appeal information.

Nova Scotia	Review/Appeal Bodies, Policy, Process and Procedures
External Review/Appeal Bodies:	Appeal(s) Tribunal
Internal Review/Appeal Bodies:	Internal Appeals Department
Policy:	<ul style="list-style-type: none"> • 8.1.3R2: Appeals and Referral to a Hearing Officer; • 8.1.4R: Participants in an Appeal • 8.1.6: Referrals to Medical Review Commission • 8.1.7R1: Reconsiderations Pursuant to s. 185(2) Where a Final Decision of the Board Addressing an Issue Has Been Rendered; • 8.1.8: Requests for reconsideration pursuant to former s.196 of Chapter 10 of the Acts of 1994-1995 • 8.2.1: Adjournment and Referral of Appeal by Hearing Officer to Chair of Board of Directors; and • 8.2.2: Interim Awards During Adjournment
Section of Act:	Workers' Compensation Act (sections 197-206, 238-240, 243-252, 255-256, 259-262, 267, 271)
Additional Review/Appeal information at:	<ul style="list-style-type: none"> • Appealing a Claim Decision • Brochure – When you have a question about your decision – A guide to the WCB appeals process

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New Brunswick

The following table identifies the external and internal appeal bodies in New Brunswick and provides links to policy, legislation, and additional resources for appeal information.

New Brunswick	Review/Appeal Bodies, Policy, Process and Procedures
External Review/Appeal Bodies:	Workers' Compensation Appeals Tribunal
Internal Review/Appeal Bodies:	Decision Review Office (Internal Review)
Policy:	Policy 46-500 Review of Decisions by the Decision Review Office
Section of Act:	Workplace Health, Safety and Compensation Commission and Workers' Compensation Appeals Tribunal Act (sections 19.1, 19.11, 20, 20.1, 20.2, 20.3, 20.4, 20.5, 20.6, 20.7, 21, 22, 22.1, 23)
Additional Review/Appeal information at:	WorkSafeNB Review and appeal New Brunswick Workers Compensation Appeals Tribunal (nbwcat-taatnb.ca)

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Quebec

The following table identifies the external and internal appeal bodies in Quebec and provides links to policy, legislation, and additional resources for appeal information.

Quebec	Review/Appeal Bodies, Policy, Process and Procedures
External Review/Appeal Bodies:	Workplace Safety and Insurance Appeals Tribunal
Internal Review/Appeal Bodies:	Administrative Review Department
Policy:	<p>Politique 6.01 - La reconsidération d'une décision Commission des normes de l'équité de la santé et de la sécurité du travail - CNESST (gouv.qc.ca)</p> <p>Politique 6.02 - La demande de révision, les recours spécifiques et la contestation Commission des normes de l'équité de la santé et de la sécurité du travail - CNESST (gouv.qc.ca)</p>
Section of Act:	Act Respecting Industrial Accidents and Occupational Diseases (sections 349-351, 358-358.5, 359, 359.1, 360-362, 365, 579)
Additional Review/Appeal information at:	Appeal : Administrative Labour Tribunal

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Ontario

The following table identifies the external and internal appeal bodies in Ontario and provides links to policy, legislation, and additional resources for appeal information.

Ontario	Review/Appeal Bodies, Policy, Process and Procedures
External Review/Appeal Bodies:	Workplace Safety and Insurance Appeals Tribunal
Internal Review/Appeal Bodies:	Appeals Services Division ¹
Policy:	Policy 11-01-14, Reconsiderations of Decisions
Section of Act:	Workplace Safety and Insurance Act (sections 119, 120-134, 173-175)
Additional Review/Appeal information at:	<ul style="list-style-type: none"> • Appeals • Appeals Services Division Practice and Procedures

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¹ Appeal Resolution Officers.

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Manitoba

The following table identifies the external and internal appeal bodies in Manitoba and provides links to policy, legislation, and additional resources for appeal information.

Manitoba	Review/Appeal Bodies, Policy, Process and Procedures
External Review/Appeal Bodies:	Appeal(s) Commission ¹
Internal Review/Appeal Bodies:	The WCB ²
Policy:	Policy 20.10, Reconsiderations
Section of Act:	Workers Compensation Act (Sections 60, 60.1, 60.2, 60.3, 60.7, 60.8, 60.91, 67, 101, 108, 109.5)
Additional Review/Appeal information at:	<ul style="list-style-type: none"> • Review Office FAQ • Fact Sheet - Appealing an Assessment Decision • Appealing a Decision - Workers • Employer Appeals • The Appeal Commission • Appeal Commission Brochure • Worker Advisor Office • Employer Advisor Office

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¹ Second and final level of appeal in Manitoba.

² In Manitoba, the Review Office, Assessment Committee and Compliance Services are the first levels in the appeals process.

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Saskatchewan

The following table identifies the external and internal appeal bodies in Saskatchewan and provides links to policy, legislation and additional resources for appeal information.

Saskatchewan	Review/Appeal Bodies, Policy, Process and Procedures
External Review/Appeal Bodies:	N/A
Internal Review/Appeal Bodies:	<ul style="list-style-type: none"> • Appeals Department (first level of appeal for claim related issues) • Assessment Committee (first level of appeal for employer account or employer premium issues) • Board Appeal Tribunal (second level of appeal) • Medical Review Panel (medical questions only)
Policy:	<ul style="list-style-type: none"> • POL 21/2013 – Appeals – Claims • POL 23/2014 – Reversing Decisions • POL 05/2005 – Appeals – Charter & Constitutional Issues • POL 02/2023 – Medical Review Panels • POL 20/2013 – Appeals – Employer Accounts • POL 22/2013 – Appeals – Board Appeal Tribunal
Section of Act:	Workers' Compensation Act, 2013 (sections 15, 18, 20, 21, 22, 23, 59-65, 100, 161, 167, 169)
Additional Review/Appeal information at:	<ul style="list-style-type: none"> • Appeals Saskatchewan Workers' Compensation Board (wcb.sask.com) Worker Appeals • Employer Appeals

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Alberta

The following table identifies the external and internal appeal bodies in Alberta and provides links to policy, legislation and additional resources for appeal information.

Alberta	Review/Appeal Bodies, Policy, Process and Procedures
External Review/Appeal Bodies:	Appeal(s) Commission ³
Internal Review/Appeal Bodies:	Dispute Resolution and Decision Review Body ⁴
Policy:	<ul style="list-style-type: none"> • The Review and Appeal Process • Policy 01-08, New Evidence, Part II, Application 1 – Interaction with the Review and Appeal Processes
Section of Act:	Workers' Compensation Act (sections 10-13, 13.1-13.5, 21(3), 45, 46, 46.1-46.4, 119, 120)
Additional Review/Appeal information at:	<ul style="list-style-type: none"> • Workers – Questioning a WCB-Alberta decision • Workers request for review Deadline extension • Employer – Questioning a WCB-Alberta decision • Employer - Request for review Deadline extension • Advisor Office for Alberta Workers' Compensation • Request for review form

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3 Second and final level of appeal in Alberta.

4 First level of appeal.

British Columbia

The following table identifies the external and internal appeal bodies in British Columbia and provides links to policy, legislation, and additional resources for appeal information.

British Columbia	Review/Appeal Bodies, Policy, Process and Procedures
External Review/Appeal Bodies:	Workers' Compensation Appeal Tribunal (WCAT)
Internal Review/Appeal Bodies:	Review Division
Policy:	<ul style="list-style-type: none"> • Review Division – Practices and Procedures
Section of Act:	<ul style="list-style-type: none"> • Workers Compensation Act (sections 94, 94.1, 96.2, 96.3, 96.4, 96.5, 99, 221, 231–260)
Additional Review/Appeal information at:	<ul style="list-style-type: none"> • Review and appeal • Claim review and appeal for employers • Claim review and appeal for employers • Health and safety enforcement review and appeals • Review Division • Search Review Division decisions • Review and Appeal Resources • Workers' Compensation Appeal Tribunal (WCAT) • Search Appeal Division decisions

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Yukon

The following table identifies the external and internal appeal bodies in Yukon and provides links to policy, legislation, and additional resources for appeal information.

Yukon	Review/Appeal Bodies, Policy, Process and Procedures
External Review/Appeal Bodies:	Workers' Compensation Appeal Tribunal ⁵
Internal Review/Appeal Bodies:	Hearing Officer or panel Appeal Panel of the Board of Directors ⁶
Policy:	<ul style="list-style-type: none"> • AP-01 Overview of Appeals • AP-02 Limitation Periods for Claims Appeals • AP-03 New Evidence at Appeals • AP-04 Release of Claims Information to Employers
Section of Act:	Workers' Compensation Act (Part 9, Appeals and Part 10, Appeal Tribunal)
Additional Review/Appeal information at:	<ul style="list-style-type: none"> • Where can I get more information about the appeal process? • Workers' Compensation Appeal Tribunal

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⁵ Final level of appeal for claims decisions.

⁶ Final level of appeal for assessment or OH&S matters.

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Northwest Territories and Nunavut

The following table identifies the external and internal appeal bodies in Northwest Territories and Nunavut and provides links to policy, legislation, and additional resources for appeal information.

Northwest Territories and Nunavut	Review/Appeal Bodies, Policy, Process and Procedures
External Review/Appeal Bodies:	Appeal(s) Tribunal
Internal Review/Appeal Bodies:	Review Committee
Policy:	Policy 08.01, Reviewing Decisions Policy 08.02, Appealing Decisions
Section of Act:	Workers' Compensation Act (sections 112 - 132)
Additional Review/Appeal information at:	<ul style="list-style-type: none"> • Workers – Review and Appeals • Employers – Review and Appeals

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