

**WCAT****Workers' Compensation
Appeal Tribunal**150 – 4600 Jacombs Road
Richmond, BC V6V 3B1
Telephone: (604) 664-7800
Toll Free: 1-800-663-2782
Fax: (604) 664-7898

**WORKERS' COMPENSATION APPEAL TRIBUNAL (WCAT)
QUARTERLY REPORT TO THE COMMUNITY
FOR THE PERIOD ENDED SEPTEMBER 30, 2005**

WCAT commenced operations on March 3, 2003. Our mandate is to decide appeals brought by workers and employers from decisions of the Workers' Compensation Board (WCB). WCAT receives compensation, assessment, and prevention appeals from decisions of the Review Division of the WCB. We also receive direct appeals from WCB decisions regarding compensation claim reopenings by application, discriminatory action complaints, and applications for certificates to the Court.

Our current inventory consists of:

- backlog appeals that we inherited from the Workers' Compensation Review Board (WCRB) and the Appeal Division when both tribunals ceased operations on February 28, 2003;
- transitional appeals consisting primarily of appeals to WCAT from findings for appeals that were seized by the WCRB when it ceased operations; and
- new appeals arising from WCB decisions made on and after March 3, 2003.

WCAT started operations with a backlog of 22,446 appeals. In 2003 we established the goal of eliminating the backlog by February 28, 2006, the end of our third year of operations.

During our first 31 months of operation ended September 30, 2005, we reduced the backlog to 1,967 appeals. This represents a reduction of 20,479 appeals, or 91%. We anticipate that we will eliminate the remainder of the backlog by February 28, 2006.

As of September 30, 2005, our total active inventory was 5,973 appeals, consisting of 1,967 backlog appeals, 3,849 new WCAT appeals, and 157 transitional appeals.

During the third quarter of 2005, we decided 2,017 appeals on their merits and made summary decisions on a further 637 appeals that were rejected, abandoned, withdrawn, or suspended. During this quarter, WCAT confirmed the decision of the WCB or the previous decision-maker in 62.0% of the cases, and cancelled or varied these decisions in whole or in part in 38.0% of cases.

In the third quarter of 2005, our intake amounted to 1,577 appeals. This included 9 appeals that had been suspended by the Appeal Division or the WCRB and that were

reactivated by WCAT. Our intake of 1,577 new appeals in the third quarter is up 13.0% from the 1,395 new appeals we received in the second quarter of 2005, and up 3.2% from the 1,527 new appeals we received in the first quarter of 2005.

Our intake of new appeals from the Review Division appears to be stabilizing at about 6,200 per year. The vast majority of new appeals continue to be related to compensation matters.

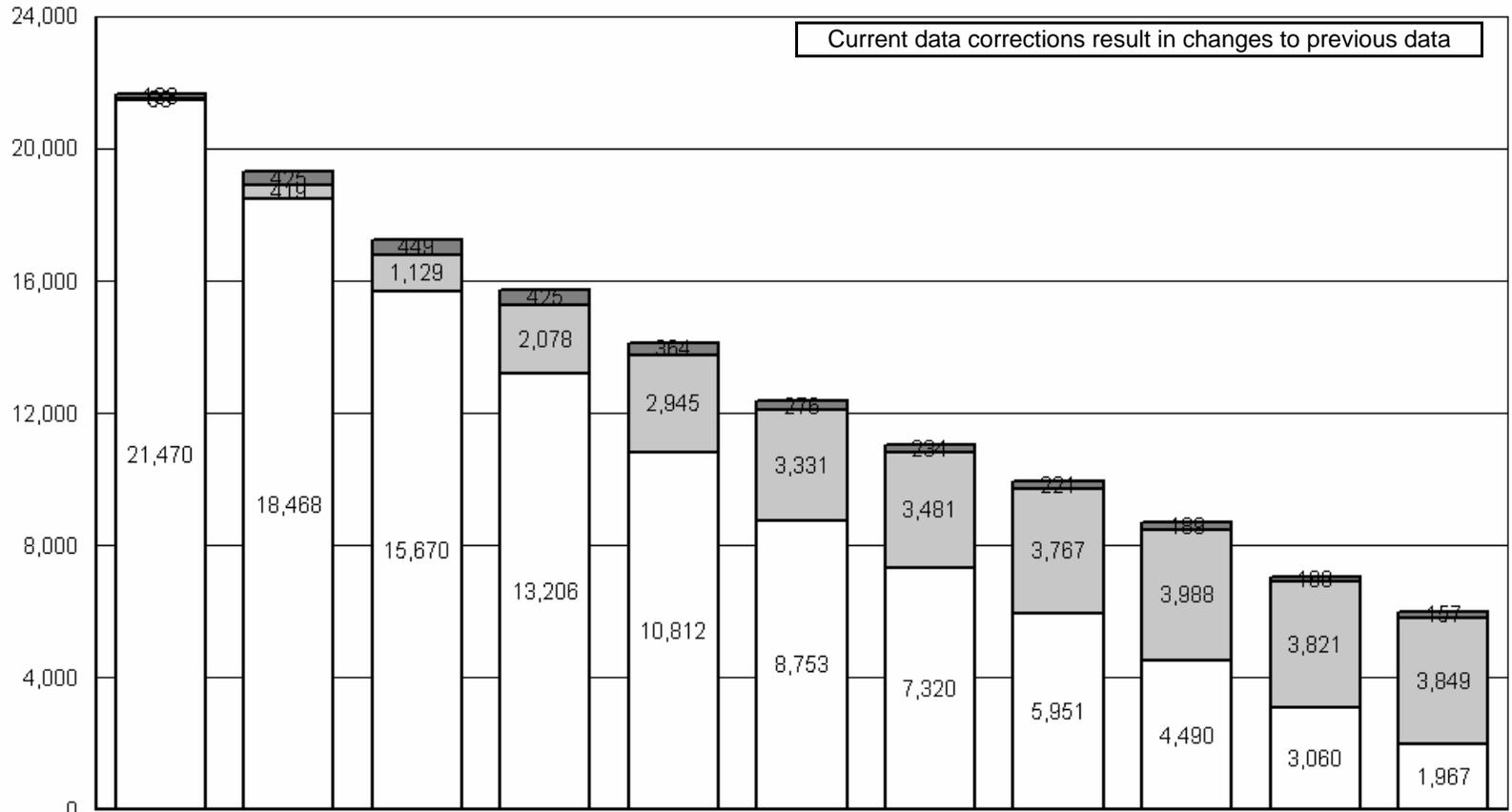
Attached are a number of graphs and tables that contain further details. These graphs and tables show a summary of WCAT's activities for all appeals, and for new appeals and backlog appeals separately.

Jill Callan
Chair

Attachment

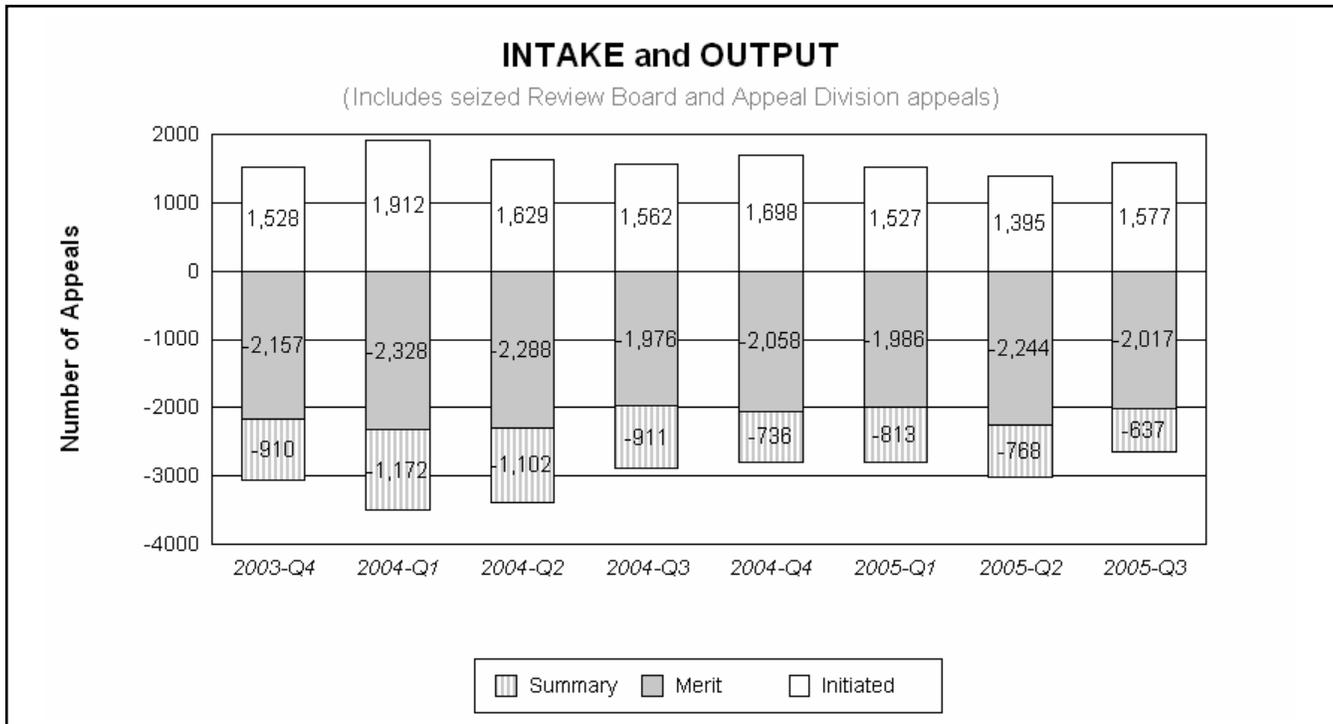
**Workers' Compensation Appeal Tribunal
Number of Active Appeals In Inventory
(Includes seized Review Board and Appeal Division appeals)**

Number of Active Appeals at the End of the Quarter



	2003-Q1	2003-Q2	2003-Q3	2003-Q4	2004-Q1	2004-Q2	2004-Q3	2004-Q4	2005-Q1	2005-Q2	2005-Q3
Transition Appeals	133	425	449	425	364	276	234	221	189	169	157
New WCAT	59	419	1,129	2,078	2,945	3,331	3,481	3,767	3,988	3,821	3,849
Backlog Appeals	21,470	18,468	15,670	13,206	10,812	8,753	7,320	5,951	4,490	3,060	1,967

A. SUMMARY STATISTICS - ALL APPEALS



1. OUTCOMES of MERIT DECISIONS:

Outcome	2005-Q3	YTD
Confirm	62.0%	61.4%
Vary	38.0%	38.6%
Cancelled	0.0%	0.0%
Total	100.0%	100.0%

2. OUTCOMES of ISSUES:

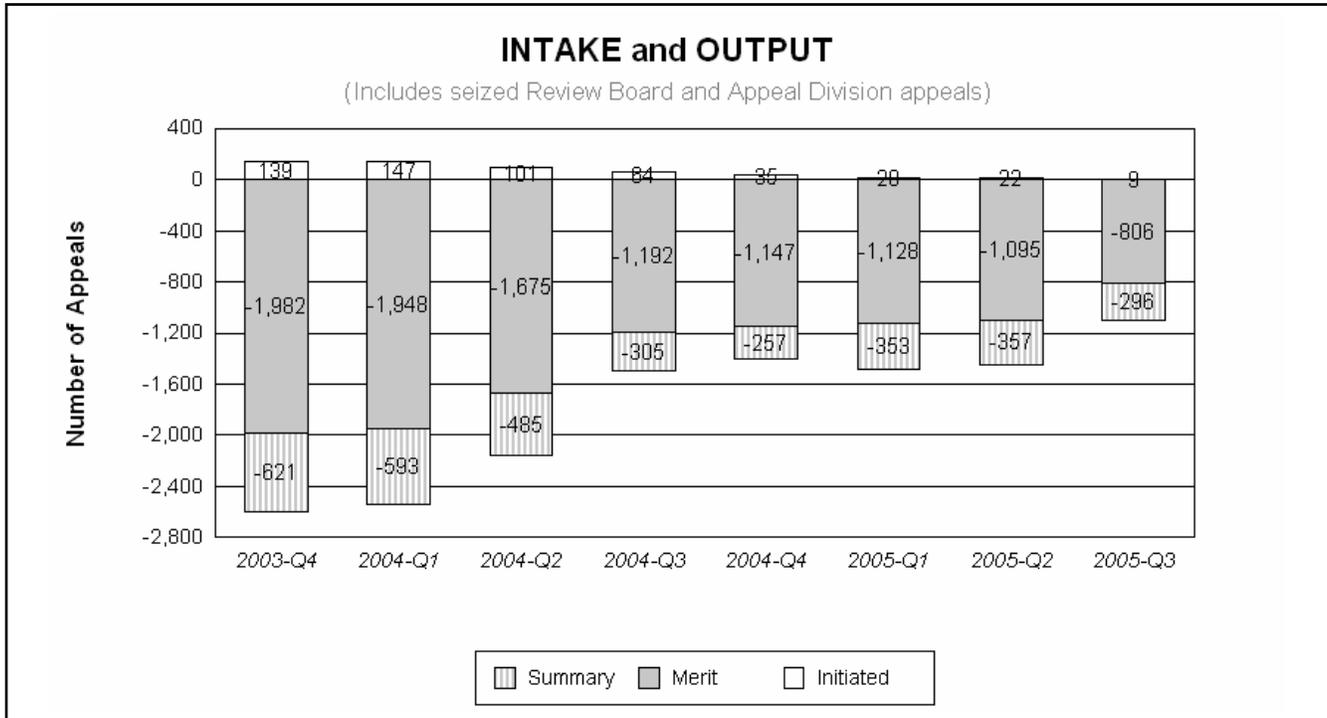
Outcome	2005-Q3	YTD
Denied	64.8%	64.1%
Allowed	26.8%	26.8%
Allowed in Part	8.4%	9.1%
Total	100.0%	100.0%

3. REASONS for ISSUE OUTCOMES:

Outcome	2005-Q3	YTD
Denied	64.8%	64.1%
Error in Law	1.2%	1.1%
Error in Policy	1.3%	1.2%
Reweigh Existing Evidence	8.5%	8.1%
Reweigh with New Evidence	24.2%	25.5%
Total	100.0%	100.0%

Note: Outcomes of appeals and issues do not include appeals or issues that were seized by the Review Board or the Appeal Division on March 3, 2003.

B. SUMMARY STATISTICS - BACKLOG APPEALS ONLY



1. OUTCOMES of MERIT DECISIONS:

Outcome	2005-Q3	YTD
Confirm	54.7%	57.1%
Vary	45.3%	42.9%
Total	100.0%	100.0%

2. OUTCOMES of ISSUES:

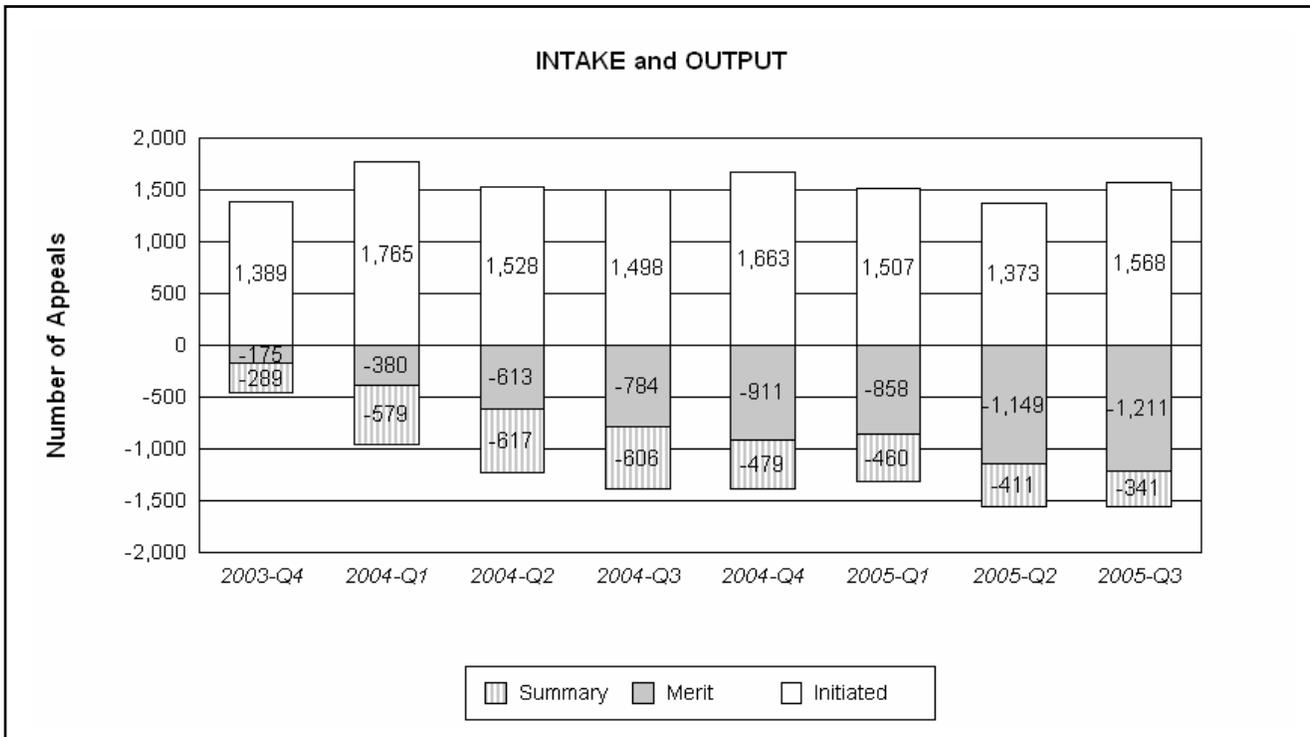
Outcome	2005-Q3	YTD
Denied	56.9%	59.8%
Allowed	33.7%	30.2%
Allowed in Part	9.4%	10.0%
Total	100.0%	100.0%

3. REASONS for ISSUE OUTCOMES:

Outcome	2005-Q3	YTD
Denied	56.9%	59.8%
Error in Law	0.9%	0.6%
Error in Policy	1.6%	1.3%
Reweigh Existing Evidence	10.4%	8.0%
Reweigh with New Evidence	30.2%	30.3%
Total	100.0%	100.0%

Note: Outcomes of appeals and issues do not include appeals or issues that were seized by the Review Board or the Appeal Division on March 3, 2003.

C. SUMMARY STATISTICS - NEW and TRANSITION APPEALS



1. OUTCOMES of MERIT DECISIONS:

Outcome	2005-Q3	YTD
Confirm	66.8%	65.4%
Vary	33.2%	34.6%
Cancelled	0.0%	0.0%
Total	100.0%	100.0%

2. OUTCOMES of ISSUES:

Outcome	2005-Q3	YTD
Denied	70.0%	68.2%
Allowed	22.4%	23.5%
Allowed in Part	7.6%	8.3%
Total	100.0%	100.0%

3. REASONS for ISSUE OUTCOMES:

Outcome	2005-Q3	YTD
Denied	70.0%	68.2%
Error in Law	1.4%	1.5%
Error in Policy	1.1%	1.2%
Reweigh Existing Evidence	7.2%	8.1%
Reweigh with New Evidence	20.3%	21.0%
Total	100.0%	100.0%