



WCAT

**Workers' Compensation
Appeal Tribunal**

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**WORKERS' COMPENSATION APPEAL TRIBUNAL (WCAT)
QUARTERLY REPORT TO THE COMMUNITY
FOR THE PERIOD ENDED JUNE 30, 2006**

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 the end of our third year of operations.

As of June 30, 2006 there were 69 backlog appeals remaining. This represents 0.3% of the original backlog. Our success in the adjudication of the backlog appeals has been a reflection of the dedication of all vice chairs and support staff of WCAT.

We are aware that we have placed significant demands on workers' compensation advocates in order to schedule oral hearings and to receive written submissions on the backlog appeals in a timely manner. We have experienced a high level of cooperation from workers' compensation advocates in this regard, which we greatly appreciate.

As of June 30, 2006, our total active inventory was 3,862 appeals, consisting of 69 backlog appeals, 3,743 new WCAT appeals, and 50 transitional appeals.

During the second quarter of 2006, we decided 1,340 appeals on their merits and made summary decisions on a further 447 appeals that were rejected, abandoned, withdrawn, or suspended. During this quarter, WCAT confirmed the decision of the WCB or the previous decision-maker in 67% of the cases, and varied or cancelled these decisions in whole or in part in 33% of cases.

In the second quarter of 2006, our intake amounted to 1,399 appeals. Intake volume was down 11.2% from the 1,576 new appeals we received in the first quarter of 2006, and equivalent to the 1,381 new appeals we received in the fourth quarter of 2005.

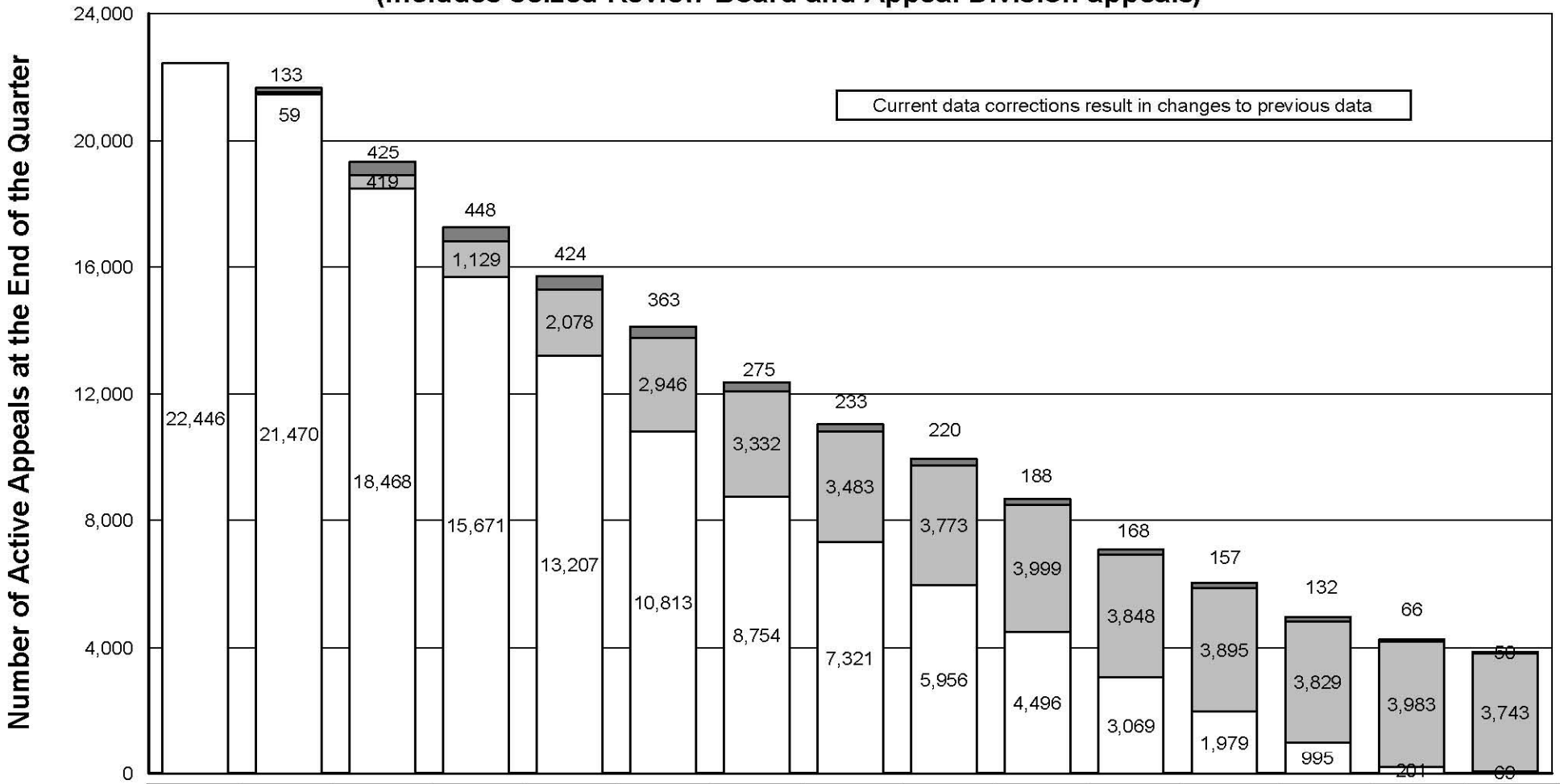
Our intake of new appeals from the Review Division appears to be stabilizing at approximately 6,000 per year. The vast majority of new appeals continue to be related to compensation matters.

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

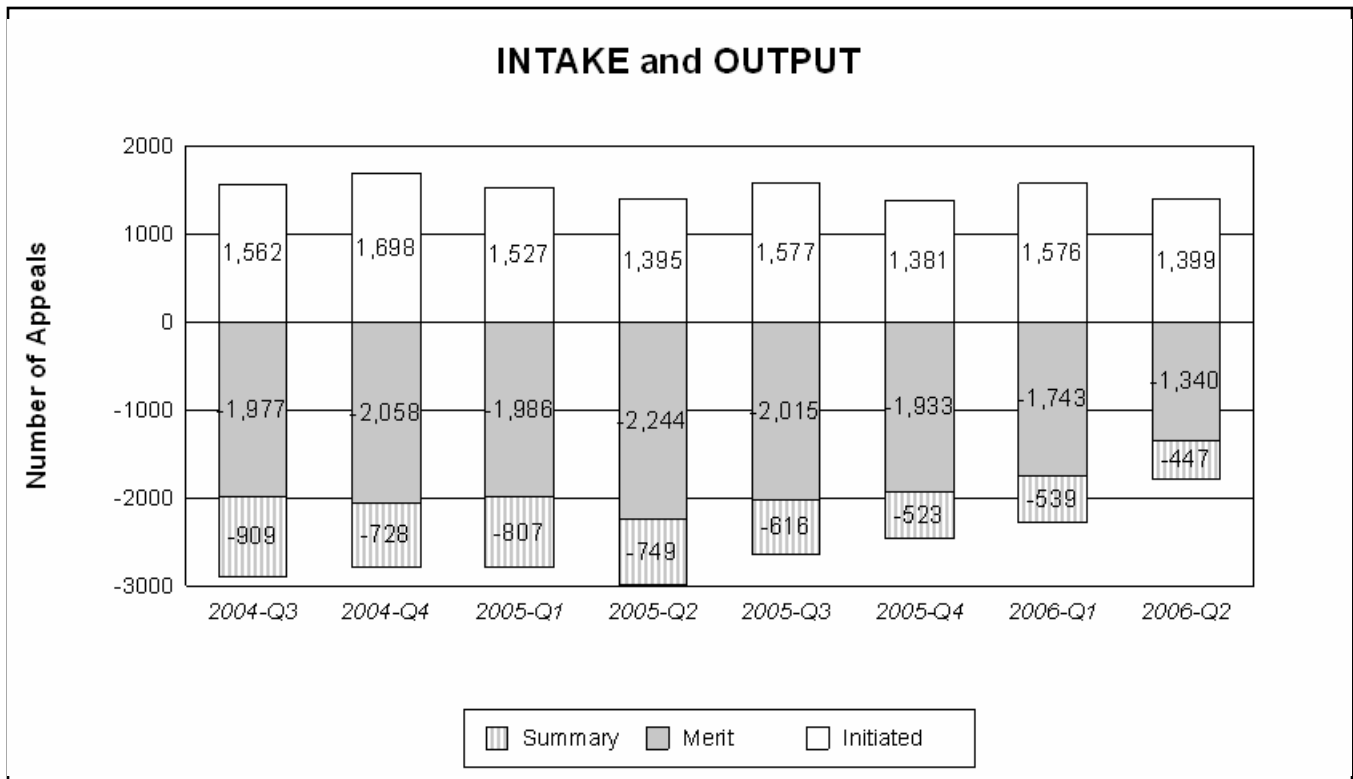
Attachment

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



	2003-Feb	2003-Q1	2003-Q2	2003-Q3	2003-Q4	2004-Q1	2004-Q2	2004-Q3	2004-Q4	2005-Q1	2005-Q2	2005-Q3	2005-Q4	2006-Q1	2006-Q2
Transition Appeals	0	133	425	448	424	363	275	233	220	188	168	157	132	66	50
New WCAT Appeals	0	59	419	1,129	2,078	2,946	3,332	3,483	3,773	3,999	3,848	3,895	3,829	3,983	3,743
Backlog Appeals	22,446	21,470	18,468	15,671	13,207	10,813	8,754	7,321	5,956	4,496	3,069	1,979	995	201	69

A. SUMMARY STATISTICS - ALL APPEALS



1. OUTCOMES of MERIT DECISIONS:

Outcome	2006-Q2	YTD
Confirm	67.0%	63.5%
Vary	33.0%	36.5%
Total	100.0%	100.0%

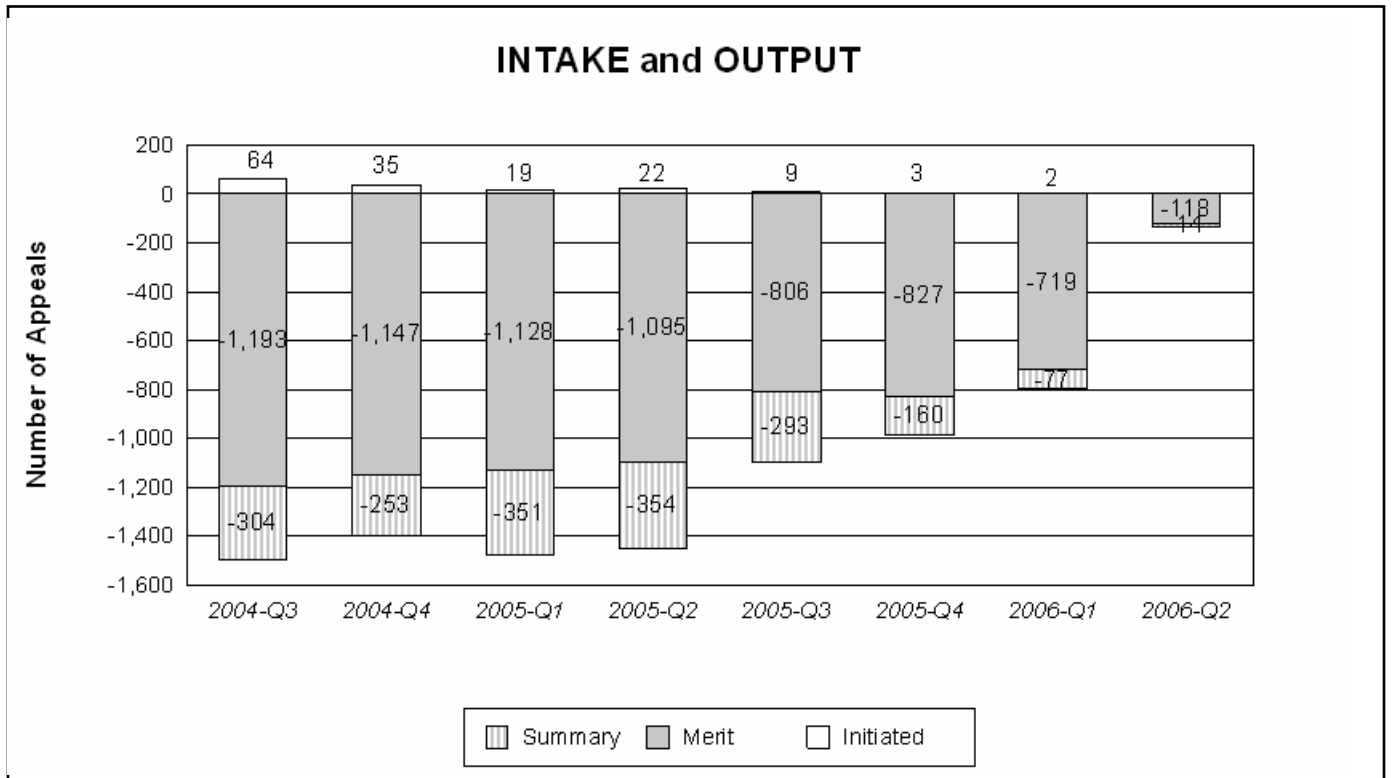
2. OUTCOMES of ISSUES:

Outcome	2006-Q2	YTD
Denied	69.5%	66.6%
Allowed	21.5%	23.5%
Allowed in Part	9.0%	9.9%
Total	100.0%	100.0%

3. REASONS for ISSUE OUTCOMES:

Outcome	2006-Q2	YTD
Denied	69.5%	66.6%
Error in Law	1.6%	0.9%
Error in Policy	1.1%	1.3%
Reweigh Existing Evidence	8.4%	8.7%
Reweigh with New Evidence	19.4%	22.5%
Total	100.0%	100.0%

B. SUMMARY STATISTICS - BACKLOG APPEALS ONLY



1. OUTCOMES of MERIT DECISIONS:

Outcome	2006-Q2	YTD
Confirm	66.7%	55.6%
Vary	33.3%	44.4%
Total	100.0%	100.0%

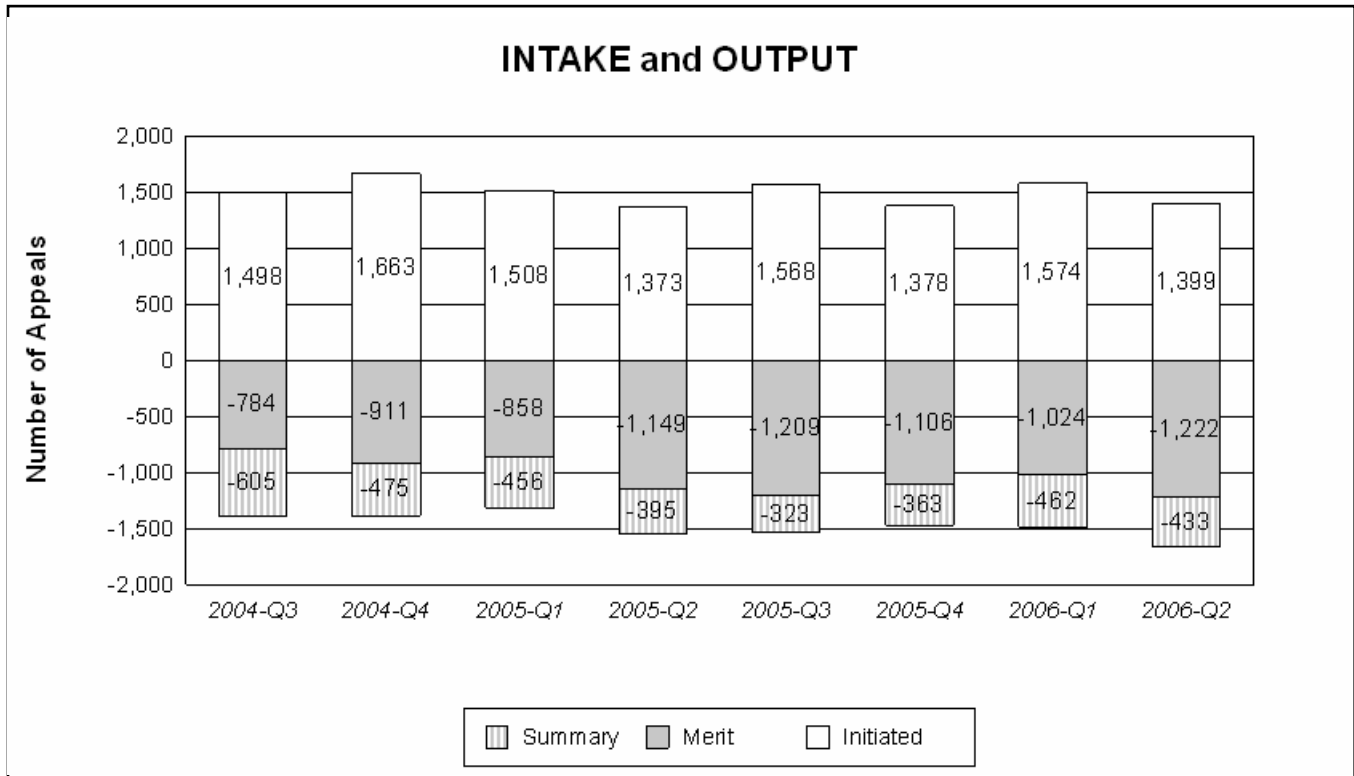
2. OUTCOMES of ISSUES:

Outcome	2006-Q2	YTD
Denied	69.1%	59.0%
Allowed	16.8%	26.7%
Allowed in Part	14.1%	14.3%
Total	100.0%	100.0%

3. REASONS for ISSUE OUTCOMES:

Outcome	2006-Q2	YTD
Denied	69.1%	59.0%
Error in Law	2.0%	0.6%
Error in Policy	1.4%	1.7%
Reweigh Existing Evidence	9.4%	10.2%
Reweigh with New Evidence	18.1%	28.5%
Total	100.0%	100.0%

C. SUMMARY STATISTICS - NEW and TRANSITION APPEALS ONLY



1. OUTCOMES of MERIT DECISIONS:

Outcome	2006-Q2	YTD
Confirm	67.1%	66.6%
Vary	32.9%	33.4%
Total	100.0%	100.0%

2. OUTCOMES of ISSUES:

Outcome	2006-Q2	YTD
Denied	69.6%	69.5%
Allowed	21.9%	22.3%
Allowed in Part	8.5%	8.2%
Total	100.0%	100.0%

3. REASONS for ISSUE OUTCOMES:

Outcome	2006-Q2	YTD
Denied	69.6%	69.5%
Error in Law	1.5%	1.0%
Error in Policy	1.1%	1.0%
Reweigh Existing Evidence	8.3%	8.2%
Reweigh with New Evidence	19.5%	20.3%
Total	100.0%	100.0%