

This information explains how to tell WCAT your reasons for why your appeal was filed late. Find more information on our website: wcat.bc.ca. Or call our team to ask for help: 604-664-7800 or 1-800-663-2782.

What to do if your appeal is late

You must send in your notice of appeal within 30 days of getting your Review Division decision for most appeals. If special circumstances caused you to miss the 30-day time limit to start an appeal, you can ask WCAT to grant you an extension of time to appeal. Your appeal will only go ahead if a WCAT vice chair (the person who decides your appeal) decides to grant you the extension.



Apply for an extension of time by completing a form on our website:
[WCAT.BC.CA > APPEAL A DECISION > START AN APPEAL > ASK FOR MORE TIME](http://wcat.bc.ca)

If your appeal is late, provide your extension of time application when you file your appeal. The form will ask you to explain whether there were special circumstances that prevented you from filing your appeal within 30 days. If there were delays after the deadline passed, you should also explain those delays. The vice chair will consider whether there were special circumstances, and whether an injustice will result if an extension is not granted. The vice chair has discretion over whether to grant an extension.

Answers to the following questions may help the vice chair decide whether to grant an extension of time:

- When did you get the decision that you want to appeal? If there was a delay in receiving the decision, do you know why?
- Did you know you could appeal? Did you know there was a time limit to appeal?
- Was there something in the decision you did not understand?
- Is there new evidence that supports your appeal? (like a new medical report)
- Did you tell someone that you planned to appeal?
- Did someone else agree to appeal the decision for you?
- Did something else happen that prevented you from filing your notice of appeal, and if so, what?
- Will it be unfair to others if your appeal goes ahead?
- If you cannot appeal, how will that affect you?
- Did you act quickly to file the appeal once the deadline had passed?
- Is evidence about the decision you want to appeal still available and relevant?



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Richmond, BC V6V 3B1



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Online
wcat.bc.ca

If you have documents or other information that support your request, please provide them. For example, you may have proof you did not get the decision, or evidence that your representative did not file an appeal even though you had asked them to.

When you file your extension of time application, WCAT will invite the other party to respond. If they do, you will have a chance to provide a rebuttal. The vice chair will then decide whether to grant an extension of time. If the extension of time is granted, WCAT will proceed with your appeal. If it is not granted, your appeal will be closed.

Need Help?

Use a representative. You can authorize someone to help you explain your side of the appeal. They can be a lawyer, compensation consultant, someone from a union or employers' association, a family member or a friend. Please note that WCAT does not reimburse you for the cost of hiring a representative.

Talk to an adviser. The workers' and employers' advisers offices were created to provide free help to people who disagree with a WorkSafeBC decision. They are independent from WorkSafeBC and are part of the Ministry of Labour.

Workers' Advisers Office
www.gov.bc.ca/workersadvisers
1-800-663-4261 (toll-free in B.C.)

Employers' Advisers Office
www.gov.bc.ca/employersadvisers
1-800-925-2233 (toll-free in B.C.)

Contact WCAT. WCAT staff can offer support to keep your appeal on track. They are neutral, which means they do not offer legal advice or act as your representative. You can also find more information about rules and procedures in our manual: wcat.bc.ca > [resources](#) > [manual of rules of practice and procedure](#)



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