

This information explains how to tell your side of the appeal. 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 happens at an oral hearing

An oral hearing is an opportunity to tell your story to the vice chair (the person who decides your appeal) in person, by video conference or over the phone. At the oral hearing, you will need to clearly explain:

- Why WCAT should allow the result you want
- How laws or WorkSafeBC policies apply to your case
- How the evidence supports the result that you want

The vice chair will explain how the appeal will proceed. Usually, the person who started the appeal will go first, and they will tell their side of the story. If they have witnesses, the witnesses will also explain what they know about what happened. If the appellant has a professional representative, that person can ask them questions to help them tell their side of the story. The person responding to the appeal will also be able to ask questions.

If the person responding to the appeal wants to give evidence, they and their witnesses can then speak. The person who started the appeal can also question the respondent's witnesses. At the end of the hearing, both parties give their final argument.

Vice chairs do not make a decision at the hearing. The vice chair will make a written decision after the hearing.



Visit our website to find tips on how to prepare your case, and speed up the process:
WCAT.BC.CA > APPEAL A DECISION > PREPARE YOUR CASE

Who attends an oral hearing?

The person who started the appeal must attend. If they do not, their appeal may be dismissed.

The person responding to the appeal will also be invited to attend. If they do not attend, they may lose their ability to participate further.

If you plan to bring someone with you, please let WCAT know at least 21 days before the hearing. The people who may attend include:

- Your representative (if you have one)
- Any witnesses you will ask to speak at the hearing
- A support person (who is not a witness or a representative)



150-4600 Jacombs Road
Richmond, BC V6V 3B1



Call 604-664-7800 or
1-800-663-2782 (toll-free in B.C.)



Online
wcat.bc.ca

If you need an interpreter, WCAT will provide one. Friends and relatives cannot be used to interpret. Let us know that you need an interpreter:

- When you complete the notice of appeal form or notice of participation form
- Or by contacting WCAT at least 2 weeks before the hearing

Prepare for a hearing

Provide information. If you have new information for the vice chair at the hearing, send it to WCAT **at least 21 days before the hearing**. This will give everyone participating in the appeal enough time to review and prepare. New information might include new medical evidence or other evidence.

If you have new evidence that you did not submit in time, let the vice chair know at your hearing. Be prepared to explain:

- What the new evidence is
- Why it is relevant
- Why you did not provide it earlier

The vice chair will then decide whether to accept it or not. For in-person hearings, you will need to bring the original and an additional 2 copies of any new written evidence.

Be cautious when using artificial intelligence (AI). It may be helpful, but it can invent false laws, cases, and facts. You are responsible for submissions you make to WCAT. If your use of artificial intelligence creates false information, this may weaken your case and result in serious consequences.

If you had to spend money to get new evidence for your appeal, you can ask WCAT to order that you be reimbursed. Provide any receipts or invoices when you provide the new evidence. For example, if you paid for a report or letter, include your receipt or invoice. The vice chair will address your request in the final decision.

For more information about expenses, visit our website: [wcat.bc.ca > appeal a decision > present evidence and arguments > ask for appeal expenses](https://wcat.bc.ca/appeal-a-decision/present-evidence-and-arguments/ask-for-appeal-expenses)

Prepare Witnesses. You do not need to call witnesses, but sometimes their testimony is helpful to explain what happened. They must have first-hand information about the appeal, not just opinions. If you plan to call witnesses, tell them the date, time and place of the hearing. If the hearing is by phone or video conference, share instructions with them for dialing in or signing in.



Change the hearing date or time

WCAT will usually tell you your hearing date at least 6 weeks ahead of time. If you cannot attend at the scheduled time, you can contact WCAT and ask to change the date or time. This needs to be done within 14 days of getting your first notice to attend the oral hearing.

What if I do not attend

If you appealed a decision, and you do not attend the hearing, your appeal may be dismissed or decided without a hearing. If you do not attend, WCAT will give you the opportunity to explain why you did not attend and will decide what happens next.

If you are responding to an appeal and you do not attend, WCAT may decide that you are no longer participating in the appeal.

If you are more than 10 minutes late, you may be treated as though you did not attend.

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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