

**WCAT****Workers' Compensation
Appeal Tribunal**150 – 4600 Jacombs Road
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**WORKERS' COMPENSATION APPEAL TRIBUNAL (WCAT)
QUARTERLY REPORT TO THE COMMUNITY
FOR THE PERIOD ENDED MARCH 31, 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;
- transition 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 reducing the backlog to 5,600 appeals (by 75%) by the end of March 2005 and completely eliminating the backlog by the end of our third year of operations in February 2006.

During our first 25 months of operation ended March 31, 2005, we reduced the backlog to 4,478 appeals. This represents a reduction of 17,968 appeals, or 80%. We anticipate that we will eliminate the remainder of the backlog by February 28, 2006.

As of March 31, 2005, our total active inventory was 8,599 appeals, consisting of 4,478 backlog appeals, 3,934 new WCAT appeals and 187 transition appeals.

During the first quarter of 2005, we decided 1,986 appeals on their merits and made summary decisions on a further 852 appeals that were rejected, abandoned, withdrawn, or suspended. During this quarter WCAT confirmed the decision of the WCB or the previous decision-maker in 60.5% of the cases, and cancelled or varied these decisions in whole or in part in 39.5% of cases.

In the first quarter of 2005, our intake amounted to 1,527 appeals. This included 20 appeals that had been suspended by the Appeal Division or the WCRB and that were reactivated by WCAT. Our intake of 1,507 new appeals in the first quarter is down 9.1% from the 1,662 new appeals we received in the fourth quarter of 2004, and down 3.5% from the 1,562 new appeals we received in the third quarter of 2004.

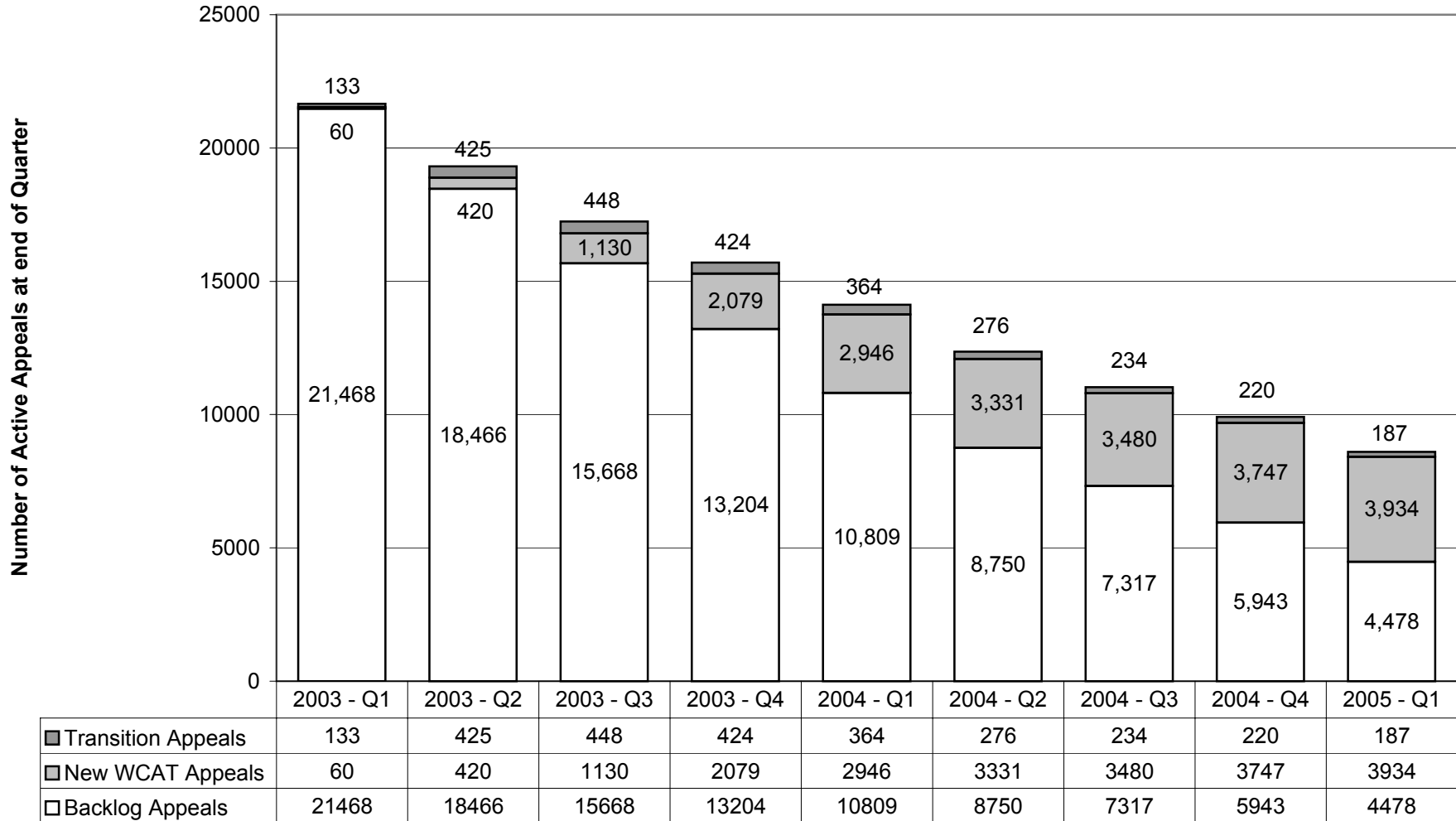
While it is still too early to accurately forecast the future intake of appeals from Review Division decisions, our intake of new appeals appears to be stabilizing. The vast majority of new appeals continue to be related to compensation matters.

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.

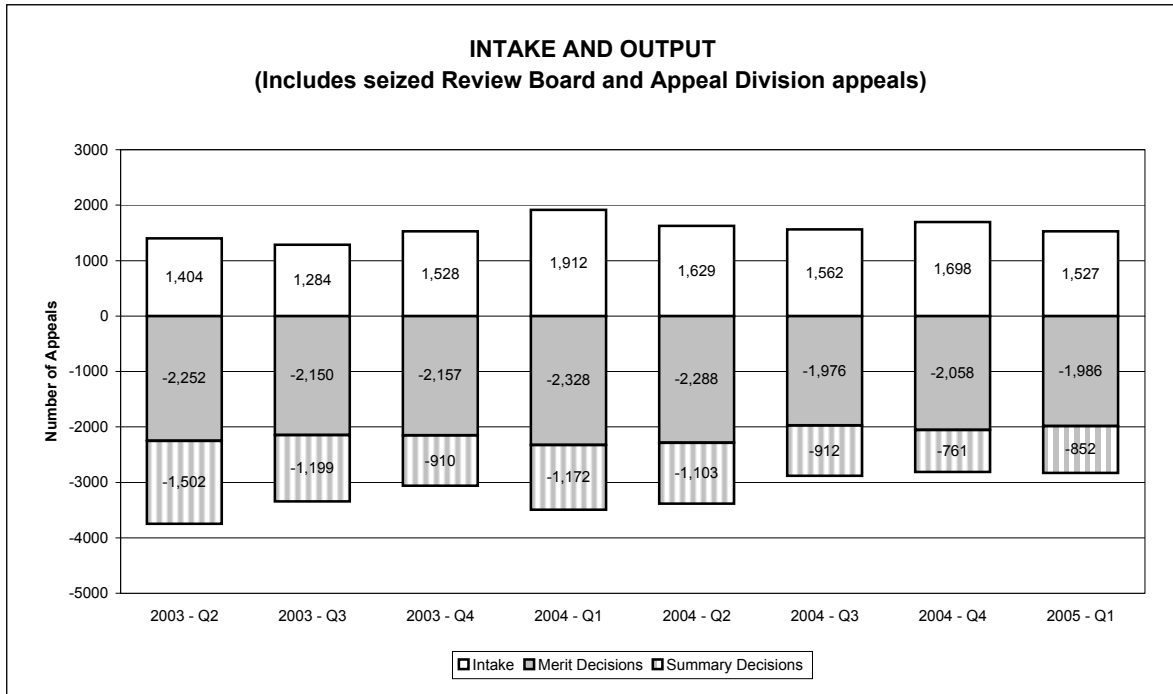
Jill Callan
Chair

Attachment

**WORKERS' COMPENSATION APPEAL TRIBUNAL
NUMBER OF ACTIVE APPEALS IN INVENTORY
(includes seized Review Board and Appeal Division appeals)**



A. SUMMARY STATISTICS - ALL APPEALS



1. OUTCOMES OF MERIT DECISIONS:

Outcome	2005 - Q1	In YTD
Confirmed	60.5%	60.5%
Varied	39.5%	39.5%
Cancelled	0.0%	0.0%
Total	100.0%	100.0%

2. OUTCOMES OF ISSUES:

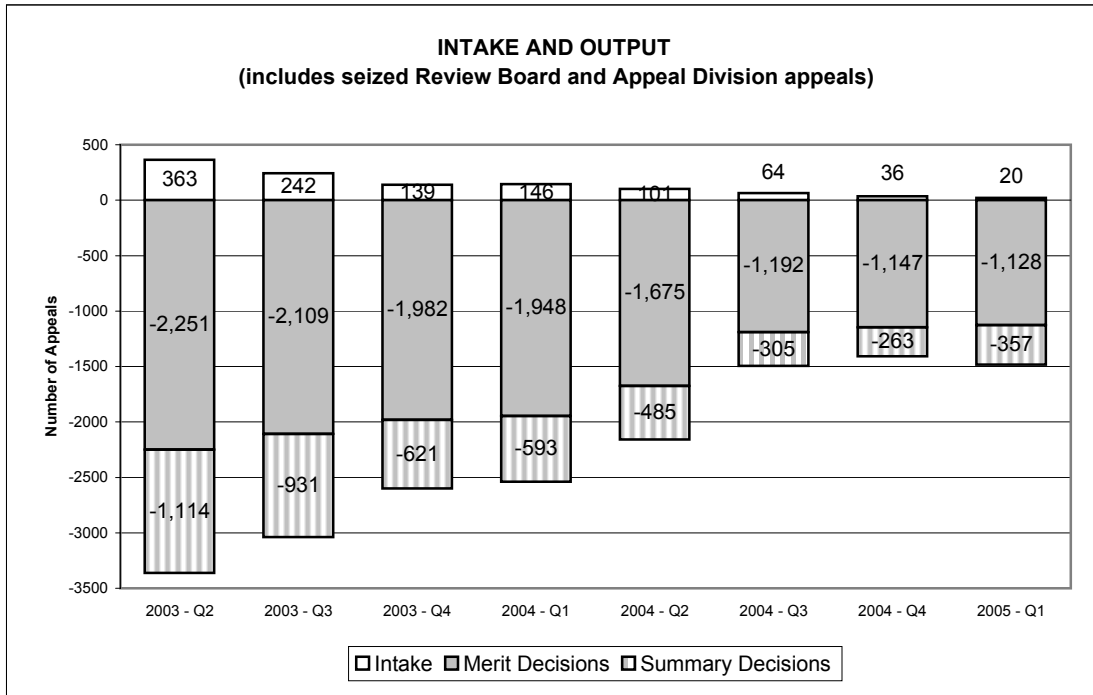
Outcome	2005 - Q1	In YTD
Denied	63.8%	63.8%
Allowed	27.1%	27.1%
Allowed in Part	9.1%	9.1%
Total	100.0%	100.0%

3. REASONS FOR ISSUE OUTCOMES:

Outcome	2005 - Q1	In YTD
Denied	63.8%	63.8%
Error in Law	1.0%	1.0%
Error in Policy	1.3%	1.3%
Reweigh Existing Evidence	8.5%	8.5%
Reweigh with New Evidence	25.4%	25.4%
Grand 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



Note: Intake includes reactivated appeals and appeals that were not registered by March 3, 2003.

1. OUTCOMES OF MERIT DECISIONS:

Outcome	2005 - Q1	In YTD
Confirmed	58.3%	58.3%
Varied	41.7%	41.7%
Cancelled	0.0%	0.0%
Total	100.0%	100.0%

2. OUTCOMES OF ISSUES:

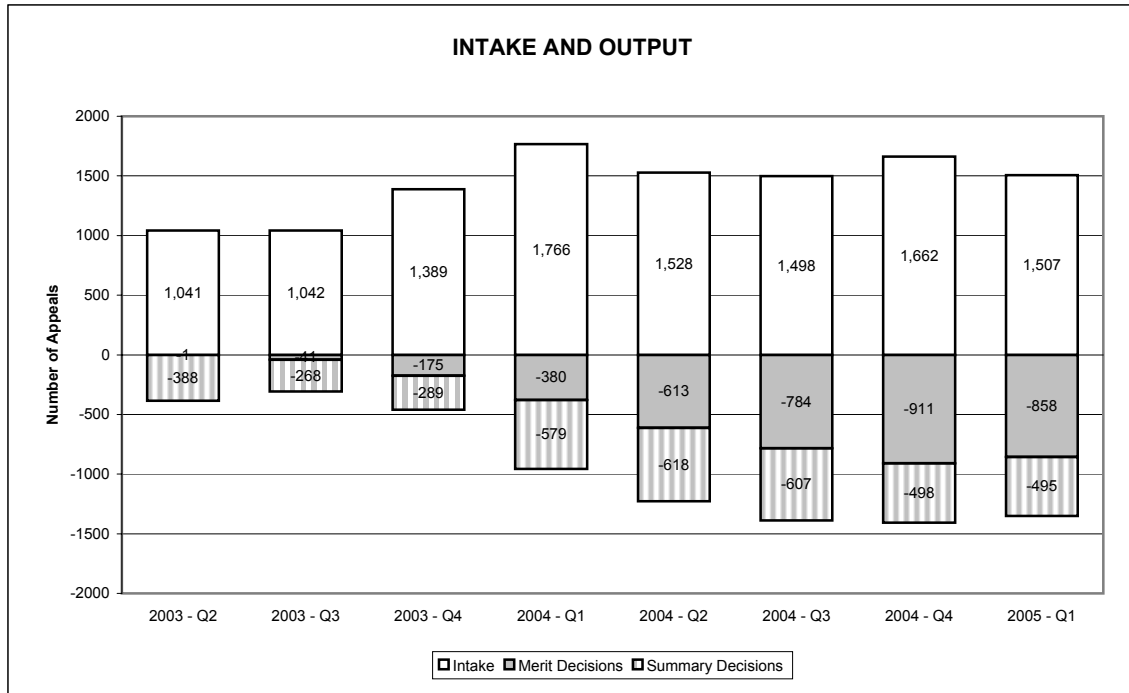
Outcome	2005 - Q1	In YTD
Denied	61.6%	61.6%
Allowed	28.7%	28.7%
Allowed in Part	9.7%	9.7%
Total	100.0%	100.0%

3. REASONS FOR ISSUE OUTCOMES:

Outcome	2005 - Q1	In YTD
Denied	61.6%	61.6%
Error in Law	0.6%	0.6%
Error in Policy	0.8%	0.8%
Reweigh Existing Evidence	7.3%	7.3%
Reweigh with New Evidence	29.7%	29.7%
Grand 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 - Q1	In YTD
Confirmed	63.3%	63.3%
Varied	36.7%	36.7%
Cancelled	0.0%	0.0%
Total	100.0%	100.0%

2. OUTCOMES OF ISSUES:

Outcome	2005 - Q1	In YTD
Denied	66.6%	66.6%
Allowed	25.0%	25.0%
Allowed in Part	8.4%	8.4%
Total	100.0%	100.0%

3. REASONS FOR ISSUE OUTCOMES:

Outcome	2005 - Q1	In YTD
Denied	66.6%	66.6%
Error in Law	1.7%	1.7%
Error in Policy	1.8%	1.8%
Reweigh Existing Evidence	10.2%	10.2%
Reweigh with New Evidence	19.7%	19.7%
Grand Total	100.0%	100.0%