



WCAT

**Workers' Compensation
Appeal Tribunal**

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**WORKERS' COMPENSATION APPEAL TRIBUNAL (WCAT)
QUARTERLY REPORT TO THE COMMUNITY
FOR THE PERIOD ENDED SEPTEMBER 30, 2008**

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, operating as WorkSafeBC (the Board). WCAT receives compensation, assessment, and prevention appeals from decisions of the Review Division of the Board. We also receive direct appeals from Board decisions regarding compensation claim reopenings by application, discriminatory action complaints, and applications for certificates to the Court.

As of September 30, 2008, our total active inventory was 3,125 appeals.

During the third quarter of 2008, we decided 973 appeals on their merits and made summary decisions on a further 281 appeals that were rejected, dismissed, withdrawn, or suspended. During the quarter, WCAT confirmed the decision of the Board or the previous decision-maker in 58% of the cases, and varied or cancelled these decisions in whole or in part in 42% of the cases.

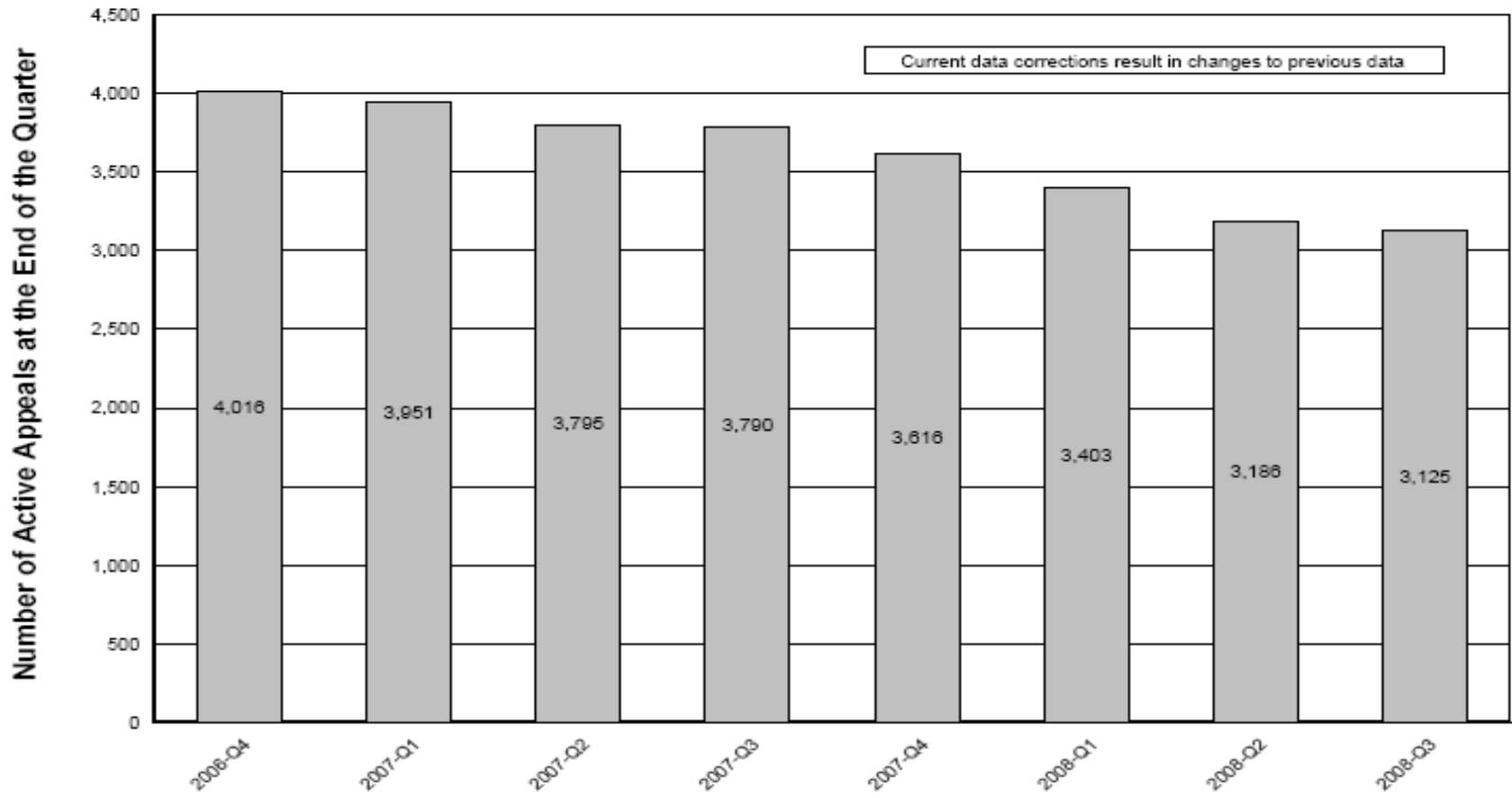
In the third quarter of 2008, our intake amounted to 1,193 appeals. The majority of appeals are compensation appeals.

Attached are graphs and tables that contain further details on WCAT's activities.

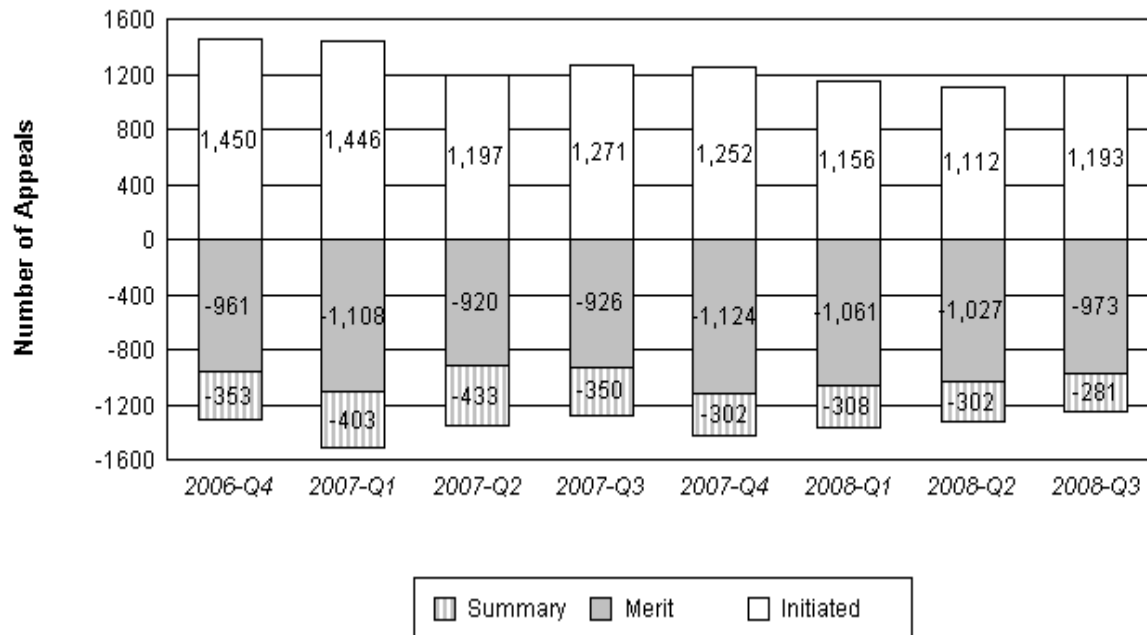
Jill Callan
Chair

Attachment

Workers' Compensation Appeal Tribunal Number of Active Appeals In Inventory



INTAKE and OUTPUT



1. OUTCOMES of MERIT DECISIONS:

Outcome	2008-Q3	Last 12 Months
Confirm	58.1%	59.8%
Vary	41.9%	40.2%
Cancelled	0.0%	0.0%
Total	100.0%	100.0%

2. OUTCOMES of ISSUES:

Outcome	2008-Q3	Last 12 Months
Denied	63.6%	64.5%
Allowed	27.6%	27.9%
Allowed in Part	8.8%	7.6%
Total	100.0%	100.0%

3. REASONS for ISSUE OUTCOMES:

Outcome	2008-Q3	Last 12 Months
Denied	63.6%	64.5%
Error in Law	1.0%	1.0%
Error in Policy	1.2%	0.9%
Reweigh Existing Evidence	5.5%	6.4%
Reweigh with New Evidence	28.7%	27.2%
Total	100.0%	100.0%