

**WORKERS' COMPENSATION APPEAL TRIBUNAL (WCAT)  
QUARTERLY REPORT TO THE COMMUNITY  
FOR THE PERIOD ENDED September 30, 2009**

WCAT's mandate is to decide appeals brought by workers and employers from decisions of the Workers' Compensation Board, operating as WorkSafeBC (the Board). WCAT decides compensation, assessment, and prevention appeals from decisions of the Review Division of the Board. We also decide 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, 2009, our total active inventory was 3,148 appeals. The vast majority of appeals are compensation appeals.

During the third quarter of 2009, we made decisions on the merits of 779 appeals and made summary decisions on a further 260 appeals that were rejected, dismissed, withdrawn, or suspended. An appeal may raise numerous issues and WCAT may allow, allow in part, or deny the appeal on each issue. During the quarter, we decided 1,067 issues.

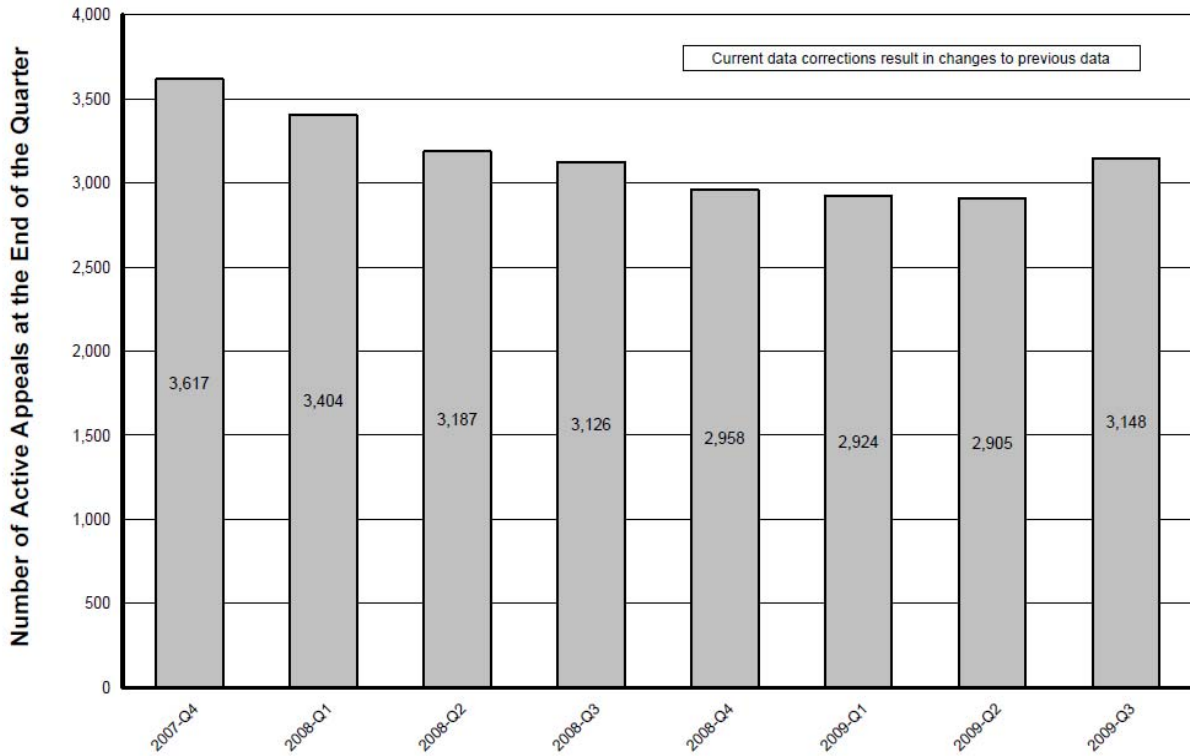
When WCAT makes a decision on the merits of an appeal, the decision under appeal may be varied, confirmed, or cancelled by WCAT. "Vary" means that WCAT varied the previous decision in whole or in part. Accordingly, whether WCAT has fully granted the remedies requested by the appellant on all issues arising under the appeal or merely changed a minor aspect of the previous decision, the decision is considered to have been "varied". "Confirm" means that WCAT agreed with all aspects of the previous decision. "Cancel" means that WCAT set aside the previous decision without a new or changed decision being provided in its place.

During the quarter, WCAT confirmed 58% of the decisions under appeal and varied 42%. WCAT did not cancel any decisions. In deciding the issues rising out of those appeals, WCAT allowed the appeals on 31% of the issues, allowed them in part on 7%, and denied them on 62%.

Attached are graphs and tables that contain further statistical information.

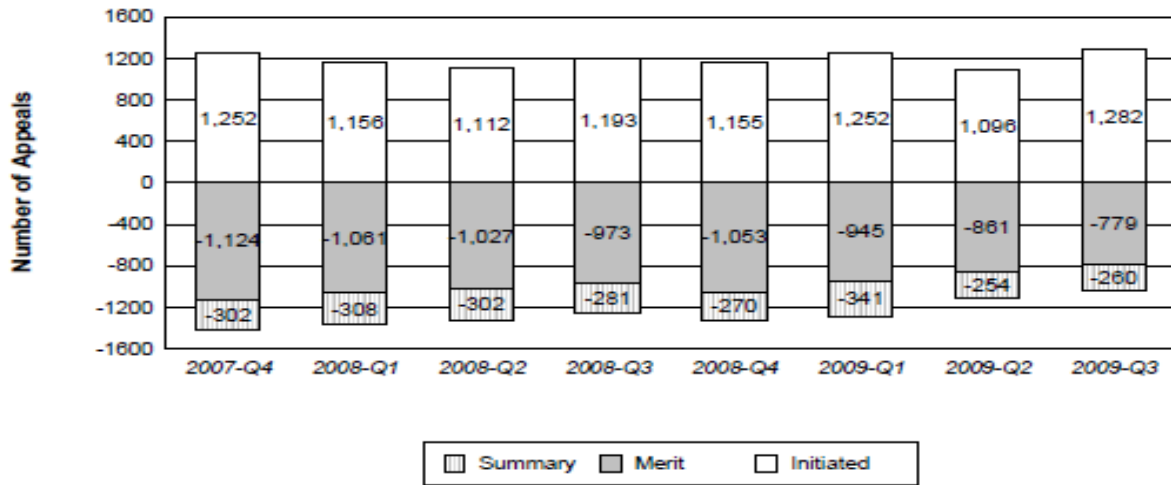
Jill Callan, Chair

### Workers' Compensation Appeal Tribunal Number of Active Appeals In Inventory



#### A. SUMMARY STATISTICS - ALL APPEALS

### INTAKE and OUTPUT



**1. OUTCOMES of MERIT DECISIONS:**

<b>Outcome</b>	<b>2009-Q3</b>	<b>Last 12 Months</b>
Confirm	57.7%	58.6%
Vary	42.2%	41.4%
Cancelled	0.1%	0.0%
Total	100.0%	100.0%

**2. OUTCOMES of ISSUES:**

<b>Outcome</b>	<b>2009-Q3</b>	<b>Last 12 Months</b>
Denied	62.3%	63.2%
Allowed	31.2%	29.4%
Allowed in Part	6.5%	7.4%
Total	100.0%	100.0%

**3. REASONS for ISSUE OUTCOMES:**

<b>Outcome</b>	<b>2009-Q3</b>	<b>Last 12 Months</b>
Denied	62.3%	63.2%
Error in Law	1.3%	1.0%
Error in Policy	1.1%	0.8%
Reweigh Existing Evidence	7.7%	6.7%
Reweigh with New Evidence	27.6%	28.3%
Total	100.0%	100.0%